



## **MARC Rules of Ethics for Arbitrators**

Any person likely to be appointed as arbitrator by MARC, or by one of the parties, is requested to read carefully the MARC Arbitration Rules and the following rules of ethics, and to sign and return a copy to the Permanent Secretariat.

By signing these rules, a copy of which is to be kept by its signatory, he undertakes to respect and apply, strictly, the MARC Arbitration Rules and MARC Rules of Ethics for Arbitrators.

Each signatory recognizes that he has been informed that the violation of any of the provisions of the arbitration rules will result in his personal liability and furthermore his removal from MARC's Internal Database of Arbitrators.

### **Article 1: Independence and impartiality**

A MARC arbitrator shall act as an independent and impartial judge.

1. Before agreeing to be appointed, the prospective arbitrator shall:
  - (a) declare to MARC any possible past and present relationship with one or several of the parties, their lawyers or the other arbitrators;
  - (b) reveal, in writing, to MARC and to all the parties any circumstances which might affect his independence or impartiality.
2. The arbitrator shall, furthermore, reveal in writing, to MARC and to the parties, any of the circumstances referred to in paragraph 1 above that occurs after his appointment.
3. As soon as he is aware that he is a prospective, as well as during the arbitral proceedings, he undertakes not to enter into any form of relationship with the parties, except for the needs of the arbitration, in which case he will always provide all the parties with the opportunity to be heard.
4. When he sits in an arbitral tribunal, the arbitrator who was appointed by one of the parties and whose appointment then received confirmation by the MARC Court, is prohibited from acting as the representative of the said party.

The arbitrator shall not receive any compensation or benefit, other than fees duly perceived in conformity with the MARC Rules of Arbitration, from any of the parties or from a person having an interest in the resolution of the dispute.

## Article 2: Availability

Any arbitrator who accepts to act as an arbitrator on a tribunal where the MARC Arbitration Rules apply, shall carry out his mission until the dispute for which he was appointed is finally resolved.

In accepting the mission, the arbitrator commits to respect the arbitration calendar or arbitration proceedings and to render the award on the scheduled date.

He shall undertake, even if acting in the framework of a panel of several arbitrators, to accomplish, in totality, the mission as contemplated personally, the arbitrators having no flexibility to share or delegate their tasks.

## Article 3: Ability

The arbitrator shall accept his mission only if his abilities are sufficient to enable him to perform the task for which he is appointed in accordance with the expectations of the parties, and to fully perform and complete his mission.

## Article 4: Confidentiality

The arbitrator shall not reveal to anyone either the existence of the dispute, or the content of the arbitral proceedings.

Once the award has been rendered, the arbitrator shall respect this same obligation of secrecy and, in the case where he is a member of a tribunal consisting of several arbitrators, he shall respect the absolute secrecy of the deliberations, including with the party who has appointed him.

I, [add name and surname], confirm having read the above MARC Rules of Ethics for Arbitrators, and undertake to abide strictly by these Rules of Ethics while performing my mission as arbitrator whenever appointed in this capacity.

Name:.....

Signature:.....Date: .....