

CIETAC Code for Arbitrators
(Translated by Erik Keto, USD Law)

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- I. The Arbitrator should use facts, rely on the law, and consult international customs to fairly and impartially adjudicate cases.
- II. The Arbitrator may not represent any party, and should treat both parties equally.
- III. Any person on the panel of arbitrators that has previously discussed the case or given advice to either party may not be appointed as an arbitrator.
- IV. An Arbitrator must not accept gifts from any involved party during his tenure as arbitrator, meet separately with one party to discuss the circumstances of the case or accept case related material. However, during mediation, the Arbitral Tribunal may decide an arbitrator may meet with one party alone.
- V. If the Arbitrator believes he or she has an interest, stake, or other related concern that might affect his or her ability to fairly hear the case, such as involvement of immediate family members, personal debt, property or financial interests, business or commercial partnerships, etc., the arbitrator should disclose the nature of his or her relationship with the implicated party to the Tribunal. In such cases, the Arbitrator should voluntarily request to withdraw from the proceedings.
- VI. The Arbitrator should strictly adhere to procedural arbitration rules while hearing the case and give each party their a full opportunity to state their case.
- VII. After being appointed Arbitrator, from the beginning the of the case until coming to a final judgment, the Arbitrator should ensure outside affairs to not adversely affect his or her ability to hear the case. Special circumstances should be brought to the secretary.
- VIII. The Arbitrator should conscientiously conduct a detailed review of the entire case and its materials to identify the problem.
- IX. Before beginning to hear a case, the arbitrators should discuss and decide on a procedure to hear the case. The presiding Arbitrator should propose a tentative procedure as a basis for the discussion. Where the tribunal is made up of a sole Arbitrator, the Arbitrator should draft a suitable procedure before beginning to hear the case.
- X. During the arbitration, the Arbitrator must not appear biased, and mind how he expresses his questions and opinions, so as to avoid forming a premature conclusion and to avoid conflict or confrontations with the litigating parties.
- XI. The Presiding Arbitrator should not delay deliberation after the conclusion of the hearing, the next stage of the hearing of advancing, or drafting the award.
- XII. The Arbitrator, and particularly the Presiding Arbitrator, should control the progress of the case so that it complies with the rules regarding the deadline for concluding the arbitration.
- XIII. The Arbitrators should rigorously protect the arbitration's confidentiality and not disclose any substantive or procedural information to those outside of the arbitration including the details of the case, the course of events, the

discussions of the tribunal, etc. Also, the Arbitrator must not divulge to those involved in the case his or her personal opinions or the tribunal's deliberations of the case.

- XIV. The arbitrator is entitled to and should participate in CIETAC's seminars and exchanges.
- XV. If an Arbitrator wishes to use CIETAC's name when participating in an external meeting or conference, publishing a paper or lecture, he or she ought to first seek the CIETAC's consent.