

CADRE CODE OF ETHICS FOR CONCILIATORS & ARBITRATORS

Preamble

The use of ODR to resolve a wide variety of disputes is growing extensively in India as it is quicker, more efficient and cost effective. Persons who act as conciliator and arbitrators, therefore, undertake crucial responsibilities to the public, as well as to the parties to the disputes, including maintaining high ethical standards while conducting online arbitration.

Therefore, Erdac Solutions Private Limited (the “Company”) that runs the Centre for Alternate Dispute Resolution Excellence (the “CADRE”) through its proprietary technology platform has framed this Code of Ethics (“Code”) for the conciliators & arbitrators on its platform (“Conciliators & Arbitrators”). This Code sets forth generally accepted standards of ethical conduct for the guidance of Conciliators & Arbitrators, with the intention of contributing to the maintenance of high ethical standards and continued confidence in the ODR process .

Principles of the Code

Every Conciliator & Arbitrator empaneled with CADRE shall, at all times, abide by the following principles of this Code:

1. Conciliators & Arbitrators shall uphold the integrity and fairness of the dispute resolution process.
2. Conciliators & Arbitrators shall conduct proceedings fairly, transparently and diligently.
3. Once the proceedings commence, the Conciliators or Arbitrators shall acquaint herself/herself with all the facts and documents presented and all discussions pertaining to the proceedings so that she/he properly understands the dispute.
4. Conciliators & Arbitrators shall handle all the cases assigned for determination after careful deliberation and exercise of her or his own impartial judgment in a just and independent manner.
5. Conciliators & Arbitrators shall be free from bias and shall disclose any interest or relationship likely to affect her or his impartiality or which might reasonably create an appearance of partiality or bias at any time during the dispute resolution.
6. The proceedings shall remain confidential. Conciliators & Arbitrators are in a relationship of trust to the parties and should not, at any time, use confidential information acquired during the course of the proceedings to gain personal advantage or advantage for others, or, to adversely affect the interest of another.
7. Conciliators & Arbitrators shall conduct the proceedings in a time bound manner as time is of essence.

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8. Conciliators & Arbitrators should avoid impropriety or the appearance of impropriety in communicating with parties.
9. Throughout the arbitral proceedings, Conciliators & Arbitrators shall avoid any unilateral communications regarding a case with any party, or its representatives.
10. Conciliators & Arbitrators shall not permit outside pressure, fear of criticism or any form of self-interest to affect her or his decisions.
11. In accepting to arbitrate on the CADRE platform, Conciliators & Arbitrators agree to the remuneration as mutually agreed or prescribed, and he/she shall make no unilateral arrangements with any of the parties or their counsel for any additional fees or expenses.
12. Conciliators & Arbitrators shall not accept any gift or substantial hospitality, directly or indirectly, from any party to the proceedings or his/her representative or agents.
13. Conciliators & Arbitrators should be faithful to the relationship of trust and confidentiality inherent in that office.
14. Conciliators & Arbitrators should adhere to standards of integrity and fairness when making arrangements for compensation and reimbursement of expenses.
15. Conciliators & Arbitrators may engage in advertising or promotion of arbitral services which is truthful and accurate.

Conclusion

This Code is not intended to address all ethical questions Conciliators & Arbitrators may face while conducting proceedings on the CADRE platform. This Code is not intended to replace any part of CADRE Rules of Arbitration or generally accepted principles applicable to conciliation or arbitration. This Code is not intended to provide grounds for the setting aside of any award. However, CADRE may take such measures as required in the interest of transparency, including removal from empanelment.

In sum, this Code is a guide to help Conciliators & Arbitrators respond to various situations they may face while conducting proceedings on the CADRE platform that pose an ethical question.

The CADRE Team
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