



CODE OF ETHICS

FOR AN ARBITRATOR

ARTICLE 1 – ACCEPTANCE OF THE CODE OF ETHICS

1. An arbitrator accepting an appointment in an arbitration administered by the Belgrade Arbitration Center shall act in accordance with the Belgrade Rules and this Code of Ethics.
2. An arbitrator who fails to comply with this Code of Ethics may be replaced by the Belgrade Arbitration Center.
3. The Belgrade Arbitration Center may refuse to confirm an arbitrator who has violated the Code of Ethics in subsequent proceedings by taking into consideration the seriousness and the relevance of the violation.

ARTICLE 2 – COMPETENCE

A prospective arbitrator shall only accept appointment if he/she, to the best of his/her knowledge, has sufficient competence to perform his/her task, including the knowledge of the language of the proceedings.

ARTICLE 3 – AVAILABILITY

1. A prospective arbitrator shall only accept appointment if he/she is able to devote the time necessary to conduct the arbitration diligently, efficiently and in accordance with the time limit set out in the Rules.
2. If, due to the changed circumstances, an arbitrator becomes unable to perform his/her duties within the appropriate time frame, he/she may withdraw from his/her office, unless such withdrawal would seriously disrupt or delay the conduct of the arbitration.

ARTICLE 4 – IMPARTIALITY

1. An arbitrator shall remain impartial towards the parties during the entire course of the arbitration and shall act fairly and impartially, in the interest of resolving the dispute between the parties, at all stages of the proceedings.
2. An arbitrator shall remain impartial irrespective of any attempt by a party to influence his/her decisions by introducing, after the appointment, arbitrator's personal or business connections as representatives or experts in the proceedings.

ARTICLE 5 – INDEPENDENCE

1. An arbitrator shall remain independent from the parties during the entire course of arbitration, as well as after the award is issued, during the period in which an annulment of the award can be sought.
2. An arbitrator shall remain independent irrespective of any attempt to influence his/her decisions by outside pressure or any other form of influencing by any organization or individual.

ARTICLE 6 – DISCLOSURE

1. As a guarantee of his/her availability, impartiality and independence, the arbitrator shall supply the written statement provided for by the Belgrade Rules when accepting his/her appointment.
2. An arbitrator has a duty to promptly disclose any facts or circumstances that arise after the appointment and that might raise doubts as to his/her impartiality or independence.
3. Circumstances that might raise doubts as to arbitrator's impartiality may be, inter alia, his/her personal or business connections or relationships with the parties, the parties' representatives or other members of the Arbitral Tribunal.
4. Any doubt as to whether an arbitrator should disclose certain facts or circumstances should be resolved in favor of disclosure.

ARTICLE 7 – COMMUNICATIONS

1. Unless agreed otherwise by the parties, and subject to the exceptions below, an arbitrator shall not engage in any ex parte communications with a party or a party representative or affiliate concerning any matters relevant to the dispute.
2. Where such ex parte communication attempt had taken place, the arbitrator shall immediately notify the Belgrade Arbitration Center, the other parties and other members of the Arbitral Tribunal.
3. "Ex parte communications" means oral or written communications between a party, or a party representative or affiliate, and an arbitrator or prospective arbitrator without the presence or knowledge of the opposing party or parties.
4. It is not improper for an arbitrator to have ex parte communications with a party or a party representative or affiliate, for the following purposes:

- a. to discuss and determine his/her expertise, experience, ability, availability, willingness, and the existence of potential conflicts of interest. While communications with a prospective party-appointed arbitrator may include a general description of the dispute, a prospective party-appointed arbitrator shall not express his/her views on the substance of the dispute even if asked to do so.
 - b. to discuss the selection of the Presiding Arbitrator. The indications provided by the party regarding the selection of the presiding arbitrator shall not be binding on the party-appointed arbitrator.
5. An arbitrator shall not engage in oral or written communication with another member of the Arbitral Tribunal concerning any matters relevant to the dispute, without the presence or written notification of all members of the Arbitral Tribunal.

ARTICLE 8 – CONDUCT OF THE PROCEEDINGS

1. An arbitrator shall conduct the proceedings diligently and expeditiously, ensuring equal treatment of all parties and their right to be heard at the appropriate stages of the proceedings. The obligation to ensure equal treatment of all parties and their right to be heard means that each party shall be given sufficient opportunity to present its case.
2. Upon the commencement of the proceedings, the arbitrator shall without delay acquaint himself/herself with the facts and arguments presented in the statement of claim and in the statement of defense and in other submissions, so that he/she may properly understand the subject matter of the dispute and be able to discuss all relevant issues with the parties, including the timetable at the case management conference, the taking of evidence and a possible settlement within the meaning of Article 10.

ARTICLE 9 – CONFIDENTIALITY

1. An arbitrator shall keep confidential the existence of the dispute, the names of the parties and the subject matter of the dispute.
2. An arbitrator shall not use confidential information disclosed during the course of the proceedings to gain personal advantage or advantage for others, or to affect adversely the interest of others.

ARTICLE 10 – SETTLEMENT

The arbitrator may at all stages suggest the possibility of a settlement or conciliation of the dispute or any part of the dispute to the parties but may not influence their decision by indicating that he/she has already reached a decision on the outcome of the proceedings.

ARTICLE 11 – DELIBERATION OF THE AWARD

1. The arbitrators deliberate the award by expressing and discussing their respective opinions.
2. The deliberation of the award is held in private, at meetings or through correspondence in which all the members of the Arbitral Tribunal participate. No opinions expressed or

correspondence exchanged during the deliberations shall be disclosed to the parties during or after the dispute.

3. An arbitrator shall refrain from any obstructive or non-cooperative behavior and shall diligently participate in the deliberation.
4. An arbitrator shall remain free to refuse to sign the award or to write a dissenting opinion, where the decision is taken by majority vote by the Arbitral Tribunal.

ARTICLE 12 – REMUNERATION

1. An arbitrator shall not accept any direct or indirect arrangement on fees and expenses with any of the parties or the party representatives or affiliates.
2. An arbitrator shall not accept direct or indirect gifts or substantial hospitality from any of the parties or the party representatives or affiliates.
3. An arbitrator shall be entitled to a fee and reimbursement of expenses as solely determined by the Secretariat of the Belgrade Arbitration Center in accordance with its Schedule of Costs, which is deemed to be accepted by the arbitrator when accepting his/her appointment.
4. An arbitrator shall avoid unreasonable and unjustified expenses that can increase the costs of the proceedings in an unjustified manner.