

Ethics in International Arbitration



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Although international arbitration is a remarkably resilient institution, many unresolved and largely unacknowledged ethical quandaries lurk below the surface. With the expansion of world trade, the pool of parties, counsel, experts and arbitrators has become more numerous and more diverse, such that informal social controls are no longer a sufficient substitute for formal ethical regulation. At the same time, the international arbitration system has veered sharply toward more formal and transparent procedures, meaning that ethical transgressions are bound to become more evident and less tolerable. Despite these clear signals, regulation of various actors in the system-arbitrators, lawyers, experts and arbitral institutions-has not evolved to keep pace of these needs. *Ethics in International Arbitration* provides a framework for developing much needed formal ethical rules and a reliable enforcement regime in the international arbitration system. Catherine Rogers accomplishes this goal in three parts. The first Part analyzes the underlying problems caused by the current lack of regulation and reveal how these problems affect modern international arbitration practice. The Second Part proposes a theoretical framework for resolving these conflicts so effective ethical rules can be developed to guide and regulate various participants' conduct, and the third part proposes integrated mechanisms for enforcing ethical rules.

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