Record Nr. UNINA9910337830303321 Autore Fach Gómez Katia **Titolo** Key Duties of International Investment Arbitrators : A Transnational Study of Legal and Ethical Dilemmas / / by Katia Fach Gómez Pubbl/distr/stampa Cham:,: Springer International Publishing:,: Imprint: Springer,, 2019 **ISBN** 3-319-98128-5 Edizione [1st ed. 2019.] 1 online resource (230 pages) Descrizione fisica Disciplina 347.09 Soggetti Mediation Dispute resolution (Law) Arbitration (Administrative law) International law Trade regulation Business enterprises - Finance Law - Europe Private international law Conflict of laws Comparative law Financial services industry Dispute Resolution, Mediation, Arbitration International Economic Law, Trade Law Corporate Finance **European Law** Private International Law, International and Foreign Law, Comparative Law **Financial Services** Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia 1 Introduction. A Transnational Study of Legal and Ethical Dilemmas --

> 2 The Duty of Disclosure: An Overview -- 3 The Duty of Disclosure and Conflicts of Interest in Investment Arbitration Disputes -- 4 The Duty of Personal Diligence and Integrity -- 5 The Duty of Confidentiality -- 6

Nota di contenuto

Sommario/riassunto

Other Duties. Control of Arbitration Costs and Continuous Training -- 7 Conclusion. A New Code of Conduct for Present and Future Investment Adjudicators.

This book critically analyses how arbitration cases, institutional rules and emerging codes of conduct in the international arbitration sector have dealt with a series of key arbitrator duties to date. In addition, it offers a range of feasible and well-grounded proposals regarding investment arbitrators' duties in the future. The following aspects are examined in depth: the duty of disclosure the duty to investigate the duty of diligence and integrity, which in turn may be divided into temporal availability, a non-delegation of responsibilities, and adhering to appropriate behaviour the duty of confidentiality, and other duties such as monitoring arbitration costs, or continuous training. Investment arbitration is currently undergoing sweeping changes. The EU proposal to create a Multilateral Investment Court incorporates a number of ground-breaking developments with regard to arbitrators. Whether this new model of permanent "members of the court" will ever become a reality, or whether the classical ex-parte arbitrator system will manage to retain its dominance in the investment arbitration milieu, this book is based on the assumption that there is a current need to re-examine and rethink the main duties of investment arbitrators. Apart from being the first monograph to analyse these duties in detail, the book will spark a crucial debate among international scholars and practitioners. It is essential to identify arbitrators' duties and find consensus on how they should be reshaped in the near future, so that these central figures in investment arbitration can reinforce the legitimacy of a system that is currently in crisis.