

Asian Domain Name Dispute Resolution Centre Code of Ethical Conduct for Panelists

Introduction

The Oxford English Dictionary defines 'ethics' as "moral principles or rules of conduct". A Code of Ethics provides a set of moral principles according to which one can conduct one's affairs.

The purpose of adopting a Code of Ethics for panelists is not only to serve as a guide to the conduct of panelists, but also to serve as a point of reference for users of the administrative proceedings and to promote public confidence in administrative proceedings as a suitable forum for domain name disputes. The Code itself is not a rigid set of rules but is a reflection of internationally acceptable norms.

Rule One

A panelist has an overriding obligation to act fairly and impartially as between the parties, at all stages of the proceedings.

Rule Two

A panelist shall be free from bias and shall disclose any interest or relationship likely to affect his/her impartiality or which might reasonably create an appearance of partiality or bias. This is an ongoing duty and does not cease until the administrative proceedings have been concluded. Failure to make such disclosure itself may create an appearance of bias, and may be a ground for disqualification.

A panelist shall not permit outside pressure, fear of criticism or any form of self-interest to affect his/her decisions. A panelist shall decide all the issues submitted for determination after careful deliberation and the exercise of his own impartial judgment.

A panelist in communicating with the parties shall avoid impropriety or the appearance of impropriety. There shall be no private communications between a panelist and any party, regarding substantive issues in the case. All communications, other than proceedings at a hearing, should be in writing. Any correspondence shall remain private and confidential and shall not be copied to anyone other than the parties to the dispute and the Administrative Body, without the agreement of the parties.

A panelist shall not accept any gift or substantial hospitality, directly or indirectly, from any party to the administrative proceedings, except in the presence of the other parties and/or with their consent.

Rule Three

A panelist shall only accept an appointment if he/she has suitable experience and ability for the case and available time to proceed with the administrative proceedings.

Rule Four

A panelist shall be faithful to the relationship of trust and confidentiality inherent in that office.

Rule Five

Panelists may publicize their expertise and experience but shall not actively solicit appointment as panelists.