

## *Chapter IV*

### **CODE OF ETHICS FOR CONCILIATORS AND MEDIATORS**

*Article 44.* This set of rules is the Code of Ethics for conciliators and mediators of the Conciliation and Arbitration Center of Panama.

*Article 45.* The rules of ethics set in this Code, establish the general guidelines given to conciliators and mediators with the purpose of setting the principles of professional performance. They do not limit liabilities nor exclude other stricter rules subscribed by mediators or conciliators corresponding to their careers.

*Article 46.* The mediator and conciliator act as neutral third parties. They have a duty to one of the parties, their profession and themselves. They shall act clearly in their relationship with the participants, they shall be honest and impartial, promote trust of the parties, act in good faith, be diligent and not seek their own interests, nor have interest in the agreement of the parties. They have the duty of making available for the participants all the aptitudes inherent to their profession and all the efforts aimed at conducting the mediation or conciliation with the greatest excellence, in order to ensure access to justice.

*Article 47.* In addition to the functions assigned to them by the Decree Law, the Conciliators and Mediators must abide by the procedures and regulations established by the Center. In particular they should:

1. Accept the cases that are assigned to them, when there is no impediment.
2. Attend the conciliation or mediation sessions on the scheduled day and time.
3. Process their corresponding cases in accordance with the philosophical and ethical principles governing Conciliation and Mediation, acting neutral, objective, transparent, impartial, responsible and consistent with the functions, which are developed.
4. Notify the Conciliation and Mediation Secretary General of the Center if they are unable to exercise the position.
5. Provide accurate and reliable information requested.
6. Participate in the refresher courses required by the Center.

7. Contribute to the implementation of established monitoring and control policies in the center.
8. Participate in evaluation and research projects organized by the Center that are related with its functions.
9. Keep a strict reserve of the cases that are processed in the Center.
10. Comply with the precepts of this Regulation.
11. They must refrain from acting as arbitrators, arbitral or judicial representatives in disputes in which they acted as conciliators or mediators
12. When the parties have not reached any agreement on the solution of the controversy object of the Conciliation or Mediation, the facilitator will be in the obligation to draft a Minutes stating the hearing of the agreement, by which the procedure is terminated.

*Article 48.* In case of failure to comply with any of the duties contemplated in the previous article, the Conciliation and Mediation General Secretariat will convene the conciliator or the mediator, in order for them to render a report on the facts.

The Conciliation and Mediation Secretary General will determine if the circumstances involve or not the breach of obligations and the Code of Ethics. In case of non-compliance, the Secretary will draw up a report and send it to the Director of the Center, for the consideration of the Board of Directors.

*These Conciliation and Mediation Regulations will come into effect from their approval by the Board of Directors of the Conciliation and Arbitration Center of Panama, and repeals the existing ones from the same date.*