

AMCA ARBITRATION CASE №

## **AMCA ARBITRATOR STATEMENT OF ACCEPTANCE, AVAILABILITY, IMPARTIALITY AND INDEPENDENCE**

*First Name:*

*Last Name:*

### **GENERAL PROVISIONS**

- The arbitrator has a duty to complete the statement of acceptance, availability, impartiality and independence in accordance with the obligations set forth in the Article 12(3) of Arbitration Rules of the Arbitration and Mediation Center of Armenia (AMCA).
- It is the responsibility of the arbitrator to act impartially and independently during the entire course of arbitration proceedings (Article 12(1), AMCA Arbitration rules).
- The Statement should encompass any relevant facts, circumstances, or relationships, whether they are direct or indirect. The arbitrator must disclose the duration of any such aspects, specifying the beginning and ending dates. Additionally, when completing the statement, the arbitrator should take into consideration any ongoing professional relationships they may have with a particular person or organization.
- Each of the parties reserves the right to challenge the arbitrator whether for an alleged lack of impartiality or independence.

**I have carefully reviewed the information provided, and I hereby express my agreement with the terms and conditions outlined.**

## ACCEPTANCE

*Please tick all relevant boxes.*

In accordance with Arbitration rules of the Arbitration and Mediation Center of Armenia (hereafter referred as “**AMCA rules**”).

**DON'T ACCEPT** to serve as arbitrator.

**ACCEPT** to serve as arbitrator.

*(If you wish to specify the reasons of your non acceptance, please do so)*



I hereby agree to serve as an arbitrator under and in accordance with the AMCA rules.

In confirming this acceptance:

- (i) I affirm my familiarity with the AMCA rules and commit to adhere to them throughout the arbitration process.
- (ii) I acknowledge and accept that my fees for serving as an arbitrator will be determined exclusively by the AMCA in accordance with Article 4 of Annex 1 to the AMCA rules. Additionally, any expenses incurred in connection with my role as an arbitrator will be compensated as specified in the relevant provisions of the AMCA Arbitration rules.
- (iii) I understand that my name, nationality, role, the method of my selection, and the termination of my assignment, and other information related to the case may be disclosed on the AMCA's official platform if the parties agreed so.
- (iv) I am aware that any award(s) and procedural order(s) I issue during the arbitration may be subject to publication in accordance with the AMCA rules.

## AVAILABILITY

I hereby confirm, based on the information presently available to me, that I can commit the necessary time to conduct this arbitration throughout its entire duration diligently, efficiently, and expeditiously in accordance with the time limits set forth in the AMCA rules, subject to any extensions granted in accordance with the rules.

My current professional engagements are as below for the information of the AMCA, Arbitration Council and the parties.

### Arbitration

As a Tribunal  
chair/sole arbitrator

As a co-arbitrator

As counsel

### Court litigation

As counsel

## INDEPENDENCE AND IMPARTIALITY

Please consider, in accordance with Article 12(3) of the AMCA Arbitration rules, whether there exists any past or present relationship, whether direct or indirect, of a financial, professional, or any other nature, between yourself and any of the involved parties, their legal representatives, or affiliated entities and individuals. It is imperative that any uncertainty be resolved in favor of disclosure.

Your disclosure should be comprehensive and specific, encompassing relevant details such as commencement and conclusion dates, financial arrangements, particulars of companies and individuals, and all other pertinent information.

### **NOTHING TO DISCLOSE**

I confirm my impartiality and independence, intending to maintain this stance throughout. After due inquiry, I affirm there are no facts or circumstances, past or present, that might call into question my independence in the eyes of any party involved, as well as any circumstances that could give rise to reasonable doubts as to my impartiality.

### **ACCEPTANCE WITH DISCLOSURE**

I am impartial and independent and will uphold these principles. While acknowledging my duty to disclose any facts or circumstances that might raise concerns about my independence or give rise to reasonable doubts about my impartiality, I bring attention to the matters below and/or on the attached sheet.

Date

Signature

\*Use one of the following options to sign the document:

- 1) Copy your signature from a Word document and paste it in this form.
- 2) Draw your ink signature ([click here for further assistance](#)).
- 3) Add your electronic signature.
- 4) Print the form, sign it and scan it.

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## **AMCA ARBITRATION RULES**

### **Article 12. General Provisions**

*1. Every arbitrator must be and remain impartial and independent of the parties involved in the arbitration.*

*2. Arbitrators and prospective arbitrators shall not engage in any ex parte communication with the parties or their representatives regarding the case, except to discuss, prior to the nomination, the general characteristics of the case and the qualification, experience or specific expertise of the prospective arbitrator, as well as the prospective arbitrator's impartiality, independence and availability. Moreover, arbitrators may communicate with parties or party representatives on an ex parte basis for the purpose of the selection of the president of the arbitral tribunal. In all ex parte communications, an arbitrator or prospective arbitrator shall refrain from expressing any views on the substance of the dispute.*

*3. Before appointment or confirmation, a prospective arbitrator shall sign a statement of acceptance, availability, impartiality and independence. The prospective arbitrator shall disclose in writing to the Secretariat any facts or circumstances which might be of such a nature as to call into question the arbitrator's independence in the eyes of the parties, as well as any circumstances that could give rise to reasonable doubts as to the arbitrator's impartiality. The Secretariat shall provide such information to the parties in writing and fix a time limit for any comments from them.*

*4. An arbitrator shall immediately disclose in writing to the Secretariat and to the parties any facts or circumstances of a similar nature to those referred to in Article 12(2) concerning the arbitrator's impartiality or independence which may arise during the arbitration.*

*5. The decisions of the Arbitration Council as to the appointment, confirmation, challenge or replacement of an arbitrator shall be final.*