

RESPONASBILITY OF ARBITRATORS

Roxana Maria ROBA*

ABSTRACT: *Whether an arbitrator may or may not be held liable has been lively discussed in the legal literature. In favor of granting immunity there have been arguments regarding the fact that arbitrators fulfill a quasi-judicial position, so that they should not become subjects of the discontent parties. At the same time, the idea that the arbitrators could be exonerated from liability gave rise to the concern that this would only encourage indifference, fraud or abuse by the use of their power. This study aims to examine the liability of arbitrators in the light of the rules contained in the international conventions relating to arbitration, in the national laws and in the rules of the main arbitral institutions.*

KEYWORDS: *arbitrator, liability, arbitral institution, the Court of International Commercial Arbitration, arbitration.*

JEL CODE: K 49

* Assistant Professor, Phd, „Petru Maior” University of Tg. Mureş, ROMANIA.

The research presented in this paper was supported by the European Social Fund under the responsibility of the Managing Authority for the Sectoral Operational Programme for Human Resources Development, as part of the grant POSDRU/159/1.5/S/133652.