

Inculcating Ethics and Integrity in the Modern ADR Profession: A Necessary Imperative for Sustainability

Kariuki Muigua

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Inculcating Ethics and Integrity in the Modern ADR Profession: A Necessary Imperative for Sustainability

Kariuki Muigua*

Abstract

This paper critically discusses how ethics and integrity can be inculcated in the modern Alternative Dispute Resolution (ADR) profession. The paper argues that ethics and integrity are fundamental tenets towards enhancing the appropriateness of the modern ADR profession. It critically examines some of the fundamental ethics and integrity concerns in ADR and their role in strengthening access to justice. In addition, the paper explores how ethics and integrity can be inculcated in the modern ADR profession for sustainability.

1.0 Introduction

The term ethics describes well-based standards of right and wrong that prescribe what humans ought to do, usually in terms of rights, obligations, benefits to society fairness, or specific virtues¹. Ethics has also been defined as a system of moral principles that determines what is good or bad for individuals and society in a given context². Further, it has been argued that ethics entail guidelines for conduct that address questions of morality³. Ethics shape human conduct by determining what is right or wrong in a particular society⁴. They usually relate to an individual's morals and their sense of right

* PhD in Law (Nrb), FCI Arb (Chartered Arbitrator), OGW, LL. B (Hons) Nrb, LL.M (Environmental Law) Nrb; Dip. In Law (KSL); FCPS (K); Dip. in Arbitration (UK); MKIM; Mediator; Consultant: Lead expert EIA/EA NEMA; BSI ISO/IEC 27001:2005 ISMS Lead Auditor/ Implementer; ESG Consultant; Advocate of the High Court of Kenya; Professor of Environmental Law and Conflict Management at the University of Nairobi, Faculty of Law; Member of the Permanent Court of Arbitration (PCA) [September, 2025].

¹ Velasquez M., Andre C., Shanks, S.J., and Meyer M., (1987), "What is Ethics?", *Journal of Issues in Ethics*, IIE Vol. 1(1).

² Ethics: A General Introduction., Available at https://www.bbc.co.uk/ethics/introduction/intro_1.shtml (Accessed on 08/09/2025)

³ Evans. W. G., 'Ethics, Values and Practice' Available at http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S0011-85162019000600013 (Accessed on 08/09/2025)

⁴ Ibid

Inculcating Ethics and Integrity in the Modern ADR Profession: A Necessary Imperative for Sustainability and wrong⁵. Further, ethics provide a lens for humanity to base its morality and shape its decision-making process⁶.

Integrity on the other hand has been defined as a moral virtue and principle that involves acting with honesty, decency and fairness⁷. Integrity has been identified as a central value in human relationships which requires people to act with honesty, sincerity, and authenticity towards each other⁸. It can also be described as the quality of a person to adhere to a particular set of ethical and moral principles, including honesty, responsibility, and accountability at all times and in all given circumstances⁹. Integrity therefore entails the quality of being honest and having strong moral principles that cannot be compromised¹⁰.

Ethics and integrity are core values in dispute resolution. Ethics and integrity ensure respect for the rule of law, efficiency, fairness and enhanced access to justice¹¹. It has been argued that by adhering to ethics and integrity, it is possible to foster public confidence, acceptability, and legitimacy of dispute resolution processes¹². Embracing ethics and integrity is therefore vital for effective dispute resolution processes.

⁵ Sustainability Methods and Perspectives., Available at <https://pressbooks.pub/sustainabilitymethods/chapter/ethics-in-sustainability/#:~:text=Environmental%20ethics%20focuses%20on%20the%20relationship%20between%20human%20beings%20and,it%20can%20best%20be%20protected> (Accessed on 08/09/2025)

⁶ Ibid

⁷ Integrity., Available at <https://ethicsunwrapped.utexas.edu/glossary/integrity> (Accessed on 08/09/2025)

⁸ Integrity., Available at <https://www.awork.com/glossary/integrity> (Accessed on 08/09/2025)

⁹ Integrity Meaning, Characteristics & Importance., Available at <https://study.com/academy/lesson/what-is-integrity-definition-examples.html> (Accessed on 08/09/2025)

¹⁰ Integrity., Available at <https://dictionary.cambridge.org/dictionary/english/integrity> (Accessed on 08/09/2025)

¹¹ Muigua. K., 'Promoting Professional Conduct, Ethics, Integrity & Etiquette in ADR' Available at <https://kmco.co.ke/wp-content/uploads/2022/05/Promoting-Professional-Conduct-Ethics-Integrity-Etiquette-in-ADR.pdf> (Accessed on 08/09/2025)

¹² Menkel-Meadow. C., 'Ethics in Alternative Dispute Resolution: New Issues, No Answers from the Adversary Conception of Lawyers' Responsibilities' Available at <https://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=2758&context=facpub> (Accessed on 08/09/2025)

This paper critically discusses how ethics and integrity can be inculcated in the modern Alternative Dispute Resolution (ADR) profession. The paper argues that ethics and integrity are fundamental tenets towards enhancing the appropriateness of the modern ADR profession. It critically examines some of the fundamental ethics and integrity concerns in ADR and their role in strengthening access to justice. In addition, the paper explores how ethics and integrity can be inculcated in the modern ADR profession for sustainability.

2.0 The Need for Ethics and Integrity in the Modern ADR Profession

ADR has been defined as a collective term that covers all dispute resolution processes other than litigation¹³. ADR can also be defined as an umbrella term and concept for a wide range of processes used to resolve disputes outside of the traditional judicial and administrative fora¹⁴. The United Nations points out that ADR comprises various approaches and techniques for resolving disputes in a non-confrontational way¹⁵. In addition, it has been argued that ADR covers a set of mechanisms that are applied in managing disputes that may be linked to but function outside formal court litigation processes¹⁶. These processes include negotiation, mediation, arbitration, conciliation, adjudication, expert determination, early neutral evaluation, and Traditional Dispute Resolution Mechanisms (TDRMs) among others¹⁷.

It has been argued that the acceptance and use of ADR has grown rapidly over the past decades all over the world¹⁸. The growth of ADR has been attributed to several factors

¹³ Walker. M., & Deavel. P., 'The Strategic Relationship between Ethics and Dispute Resolution: What Every CEO Should Know' *Pepperdine Dispute Resolution Law Journal.*, Volume 8, Issue 3 (2008)

¹⁴ Ibid

¹⁵ United Nations., 'Alternative Dispute Resolution Approaches and their Application in Water Management: A Focus on Negotiation, Mediation and Consensus Building' Available at https://www.un.org/waterforlifedecade/water_cooperation_2013/pdf/adr_background_paper.pdf (Accessed on 08/09/2025)

¹⁶ Uwazie. E., 'Alternative Dispute Resolution in Africa: Preventing Conflict and Enhancing Stability.' *Africa Security Brief*, No. 16 of 2011

¹⁷ Muigua. K., 'Alternative Dispute Resolution and Access to Justice in Kenya.' Glenwood Publishers Limited, 2015

¹⁸ Walker. M., & Deavel. P., 'The Strategic Relationship between Ethics and Dispute Resolution: What Every CEO Should Know' Op Cit

including the challenge of backlog of cases that face court processes, the opportunity for party autonomy and confidentiality, the ability to come up with creative solutions tailored to the particular needs and interests of parties, and the promise of a cost-effective and expeditious avenue of accessing justice¹⁹. It has been argued that if effectively harnessed, ADR can provide more creative, particularized, flexible and collaborative outcomes to disputes than the adversarial litigation processes²⁰. ADR processes therefore ensure numerous advantages in the administration of justice including a system with procedural flexibility, a broad range of remedial options, and a focus on individualized justice²¹. It has been argued that with the exception of binding arbitration, the goal of ADR is to provide a forum for disputing parties to work toward a voluntary, consensual agreement, as opposed to having a judge or other authority impose a determination upon them²². ADR mechanisms contain several key attributes including informality, flexibility, privacy, confidentiality, party autonomy and the ability to foster expeditious and cost effective management of disputes making them a suitable avenue in enhancing access to justice²³.

Due to their advantages, ADR mechanisms have been embraced in dispute resolution processes both globally and at national levels. At the global level the *Charter of the United Nations* encourages a peaceful approach to management of conflicts amongst states²⁴. The Charter provides that parties to a dispute shall first of all seek a solution by *negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means* of their own choice²⁵ (Emphasis added). Further,

¹⁹ Ibid

²⁰ Menkel-Meadow. C., 'Ethics in Alternative Dispute Resolution: New Issues, No Answers from the Adversary Conception of Lawyers' Responsibilities' Op Cit

²¹ Main. T., 'ADR: The New Equity.' Available at https://www.researchgate.net/profile/ThomasMain/publication/228182886_ADR_The_new_equity/links/53d00e470cf2fd75bc5c57a5/ADR-The-newequity.pdf (Accessed on 08/09/2025)

²² Alternative Dispute Resolution., Available at <https://www.dol.gov/general/topic/labor-relations/adr#:~:text=Types%20of%20ADR%20include%20arbitration,%2C%20neutral%20factfinding%2C%20and%20minitrials.> (Accessed on 08/09/2025)

²³ Muigua. K., 'Alternative Dispute Resolution and Access to Justice in Kenya.' Op Cit

²⁴ United Nations, Charter of the United Nations, 24 October 1945, 1 UNTS XVI

²⁵ Ibid, article 33 (1)

Inculcating Ethics and Integrity in the Modern ADR Profession: A Necessary Imperative for Sustainability at a national level, the *Constitution of Kenya*²⁶ mandates courts and tribunals to promote ADR mechanisms including reconciliation, mediation, arbitration and TDRMs²⁷.

Ethics and integrity are core values in the modern ADR profession. They are key in strengthening access to justice through ADR by guiding the conduct of ADR practitioners including arbitrators, conciliators and mediators, informing parties about the standards they should expect during ADR proceedings, and promoting legitimacy and public confidence in ADR as a conflict management process²⁸. In ADR processes such as arbitration which are final and binding in nature and therefore significantly shielded from judicial review, it has been argued that ethics and integrity ensure transparency and trust in the conduct of the arbitration proceedings towards fostering legitimacy of the process and the awards rendered²⁹. By upholding ethics and integrity, parties can have confidence that ADR practitioners such as arbitrators have the necessary experience, are impartial, independent, possess the relevant qualifications, are fair-minded and will be able to effectively dispense justice through fair and just outcomes³⁰. In most ADR proceedings, the standards of ethics and integrity give confidence to parties that the process will meet their expectations in relation to fairness, transparency, trust, cost-effectiveness and finality in managing disputes³¹.

Ethics and integrity are therefore fundamental in ensuring access to justice through ADR for sustainability. However, it has been argued that with the expanding scope and use of ADR globally, the standards of ethics and integrity applicable to this process is a matter

²⁶ Constitution of Kenya., 2010., Government Printer, Nairobi

²⁷ Ibid, article 159 (2) (c)

²⁸ Law Council of Australia., 'Ethical Guidelines for Mediators.' Available at <https://lawcouncil.au/docs/db9bd799-34d8-e911-9400-005056be13b5/Ethical> (Accessed on 09/09/2025)

²⁹ Rajoo. D., 'Importance of Arbitrators' Ethics and Integrity in Ensuring Quality Arbitrations.' *Contemporary Asia Arbitration Journal*, Vol. 6, No. 2, pp 329-347 (2013)

³⁰ Ibid

³¹ Rogers. C., 'The Ethics of International Arbitrators.' Available at https://www.international-arbitration-attorney.com/wp-content/uploads/International-Arbitration-Doctrine-49international_arbitration.pdf (Accessed on 09/09/2025)

Inculcating Ethics and Integrity in the Modern ADR Profession: A Necessary Imperative for Sustainability of growing concern³². The modern ADR profession is confronting a wide range of ethical issues which if not successfully navigated can undermine its suitability as a just, expeditious, effective and flexible dispute resolution procedure³³. Several ethical and integrity dilemmas are evident in the modern ADR profession that may arise from the nature of the dispute, the conduct of parties, counsel and ADR practitioners, or systematic biases³⁴. Ethics and integrity concerns in ADR range from the particular ethical behavioral choices made by the actors inside ADR proceedings, including the arbitrators, mediators, lawyers (or other representatives), parties, and witnesses, to the institutions who choose, administer, and promote ADR and courts³⁵. In addition to such behavioral choices, there are ethical and integrity issues relating to how choices and decisions in ADR are made when compared to other available methods of managing disputes such as litigation³⁶. Further, the conduct of ADR including arbitral and mediation proceedings could result in several ethical concerns³⁷. The common ethical and integrity concerns in ADR include confidentiality, impartiality, independence, conflict of interest, competence, costs and fees³⁸.

Ethical and integrity dilemmas are therefore inevitable in ADR. It is therefore imperative to successfully navigate these dilemmas in order to not only enhance access to justice through ADR but to do in a manner that builds confidence as to the credibility, fairness and acceptability of ADR as an appropriate dispute resolution process³⁹. Inculcating

³² McKay. R., 'Ethical Considerations in Alternative Dispute Resolution' *Dispute Resolution Journal.*, Volume 45, No.1

³³ Ethics in ADR., Available at <https://viamediationcentre.org/readnews/NDMy/Ethics-In-ADR> (Accessed on 09/09/2025)

³⁴ The Ethical Minefield of ADR., Available at <https://www.schreiberadr.com/the-ethical-minefield-of-adr> (Accessed on 09/09/2025)

³⁵ Meadow. C., 'Ethics Issues in Arbitration and Related Dispute Resolution Processes: What's Happening and What's Not.' *University of Miami Law Review*, Volume 56, N0. 4 (2002)

³⁶ Ibid

³⁷ Ibid

³⁸ Muigua. K., 'Promoting Professional Conduct, Ethics, Integrity & Etiquette in ADR.' Available at <http://kmco.co.ke/wp-content/uploads/2022/05/Promoting-ProfessionalConduct-Ethics-Integrity-Etiquette-in-ADR.pdf> (Accessed on 09/09/2025)

³⁹ The Ethical Minefield of ADR., Op Cit

ethics and integrity in the modern ADR profession is therefore a necessary ideal for sustainability.

3.0 Inculcating Ethics and Integrity in the Modern ADR Profession

ADR has developed into an appropriate mode of dispute resolution globally. ADR processes provide several benefits including informality, privacy, confidentiality, flexibility and the ability to promote expeditious and cost-effective management of disputes making ADR a viable and appropriate tool in enhancing access to justice⁴⁰. They also provide a platform for more creative and collaborative solutions than those available through litigation processes⁴¹. It has been argued that ADR is more advantageous than litigation processes since it comprises different approaches which can be more appropriate for different types of disputes or in different settings⁴². ADR therefore encompasses more than just alternatives to the litigation system⁴³. ADR mechanisms are therefore appropriate in strengthening access to justice for sustainability.

Despite its appropriateness, the modern ADR profession faces ethical and integrity dilemmas. Consequently, it is imperative to inculcate ethics and integrity in the modern ADR profession for sustainability. This can be achieved through complying with the ethical standards of independence, confidentiality, competence, duty to avoid conflict of interests, and rules on costs and fees in order to maintain the integrity and public confidence in ADR⁴⁴. The ethical duty of independence ensures that ADR practitioners such as arbitrators are able to arrive at decisions in a neutral and fair manner basing the conclusions on reality and objectivity therefore strengthening access to justice through

⁴⁰ Muigua. K., 'Alternative Dispute Resolution and Access to Justice in Kenya.' Op Cit

⁴¹ JAMS ADR., 'What is ADR' Available at <https://www.jamsadr.com/adr-spectrum/> (Accessed on 09/09/2025)

⁴² Menkel-Meadow. C., 'Ethics in ADR: The Many "Cs" of Professional Responsibility and Ethics in ADR: The Many "Cs" of Professional Responsibility and Dispute Resolution Dispute Resolution' Available at <https://scispace.com/pdf/ethics-in-adr-the-many-566f2nu9sw.pdf> (Accessed on 09/09/2025)

⁴³ Ibid

⁴⁴ Muigua. K., 'Promoting Professional Conduct, Ethics, Integrity & Etiquette in ADR.' Op Cit

ADR⁴⁵. In addition, competence is a fundamental ethical requirement that can foster the integrity and acceptability of ADR processes including mediation and arbitration. It has been argued that competence requires ADR practitioners to know the limit of their ability; to avoid taking on disputes that they are not equipped to handle; and to communicate candidly with the parties about their background and professional experience⁴⁶. Competence relates to knowledge and skills in ADR which would normally be acquired through training, education, and experience⁴⁷. It is therefore important for both ADR practitioners and counsel to build their competence by familiarizing themselves with ADR processes in order to strengthen the integrity and appropriateness of ADR as a tool for justice and sustainability⁴⁸.

In addition, it is a fundamental ethical duty in ADR to avoid conflict of interest towards fostering integrity, impartiality and preventing bias in management of disputes which could arise due to involvement of an arbitrator or mediator with the subject matter of the dispute or relationship between the arbitrator or mediator and either of the participants in the proceedings⁴⁹. It has been argued that conflict of interest can arise in several instances in ADR such as where ADR practitioners perform multiple roles including as a mediator and as an advocate, at different times and in different cases or where mediators, conciliators, arbitrators, and other dispute resolvers practice in law firms with others who perform the more conventional advocate's role, sometimes for the same or adverse parties⁵⁰. ADR practitioners have a duty to disclose all actual and potential conflicts of interest known to them and avoid acting in cases where their judgment may be impaired

⁴⁵ Harding. K., 'Arbitration - The Role Of Ethics and its Nature.' Available at <https://kluwerlawonline.com/journalarticle/Arbitration:+The+International+Journal+of+Arbitration,+Mediation+and+Dispute+Management/64.3/AMDM1998013> (Accessed on 09/09/2025)

⁴⁶ Hoffman. D., 'Ten Principles of Mediation Ethics.' Available at <https://blc.law/wp-content/uploads/2016/12/2005-07-mediation-ethics-branchmainlanguagedefault.pdf> (Accessed on 09/09/2025)

⁴⁷ Law Council of Australia., 'Ethical Guidelines for Mediators.' Op Cit

⁴⁸ Ibid

⁴⁹ Muigua. K., 'Promoting Professional Conduct, Ethics, Integrity & Etiquette in ADR.' Op Cit

⁵⁰ Menkel-Meadow. C., 'Ethics in ADR: The Many "Cs" of Professional Responsibility and Ethics in ADR: The Many "Cs" of Professional Responsibility and Dispute Resolution Dispute Resolution' Op Cit

Inculcating Ethics and Integrity in the Modern ADR Profession: A Necessary Imperative for Sustainability due to conflict of interest⁵¹. It has been argued that the ethical duty to avoid conflict of interest is aimed at preventing bias in ADR and fostering fairness and integrity of ADR processes⁵².

Further, it has been observed that confidentiality is a fundamental ethical duty in ADR which allows parties to freely engage in candid, informal discussions of their interests to reach the best possible settlement of their dispute without concerns of such information leaking to third parties⁵³. In addition, it has been argued that the rules on costs and fees in ADR processes especially arbitration are aimed at ensuring appropriateness and reasonableness of fees charged towards fostering cost-effectiveness in dispute resolution⁵⁴. Further, it has been pointed out that lawyers have an ethical obligation to counsel their clients about the multiple ways of resolving disputes including the appropriateness of the various ADR mechanisms⁵⁵.

Inculcating ethics and integrity in the modern ADR profession is therefore a necessary imperative towards strengthening access to justice for sustainability. Several institutions have developed rules and guidelines aimed at strengthening ethics and integrity in the modern ADR profession. For example, the *International Bar Association (IBA) Guidelines on Conflicts of Interest in International Arbitration* are designed to assist parties, practitioners, arbitrators, institutions and courts in dealing with the fundamental ethical concerns of impartiality, independence and conflict of interest in international arbitration⁵⁶. The

⁵¹ McCorkle. S., 'The Murky World of Mediation Ethics: Neutrality, Impartiality, and Conflict of Interest in State Codes of Conduct.' 23 *Conflict Resol.* Q. 165 (2005-2006)

⁵² Muigua. K., 'Promoting Professional Conduct, Ethics, Integrity & Etiquette in ADR.' Op Cit

⁵³ Ibid

⁵⁴ Meadow. C., 'Ethics Issues in Arbitration and Related Dispute Resolution Processes: What's Happening and What's Not.' Op Cit

⁵⁵ Menkel-Meadow. C., 'Ethics in ADR: The Many "Cs" of Professional Responsibility and Ethics in ADR: The Many "Cs" of Professional Responsibility and Dispute Resolution Dispute Resolution' Op Cit

⁵⁶ International Bar Association., 'IBA Guidelines on Conflicts of Interest in International Arbitration.' Available at <https://www.ibanet.org/MediaHandler?id=e2fe5e72-eb14-4bba-b10d-d33dafee8918> (Accessed on 09/09/2025)

*Inculcating Ethics and Integrity in the Modern ADR Profession: A Necessary Imperative for Sustainability Chartered Institute of Arbitrators Code of Professional and Ethical Conduct for Members*⁵⁷ also governs fundamental ethical and integrity concerns including competence, trust, confidence, and conflict of interest. The *Nairobi Centre for International Arbitration (NCIA) Code of Conduct for Arbitrators* also requires arbitrators to avoid conflict of interest, to be independent, to ensure that they are competent to manage disputes, and to conduct proceedings with integrity and fairness⁵⁸. Further, the *NCIA Code of Conduct for Mediators*⁵⁹ seeks to uphold the ethical duties of independence, impartiality, competence and the duty to avoid conflict of interest in mediation practice.

It is imperative for all parties to ADR proceedings to comply with the rules of ethics and integrity in order to bolster the appropriateness of ADR in the quest towards justice and sustainability.

4.0 Conclusion

Ethics and integrity are fundamental tenets in enhancing the viability of ADR processes in access to justice and sustainability. It is therefore vital for all parties in ADR including dispute resolvers (such as conciliators, mediators and arbitrators), lawyers and parties representatives and ADR institutions to embrace ethical and integrity standards including competence, independence, impartiality, fairness and avoiding conflict of interest⁶⁰. Inculcating ethics and integrity in the modern ADR profession is therefore a necessary and achievable imperative towards strengthening access to justice for sustainability.

⁵⁷ Chartered Institute of Arbitrators., 'Code of Professional and Ethical Conduct for Members.' Available at <https://www.ciarb.org/media/4231/ciarb-code-of-professional-and-ethical-conduct-for-members.pdf> (Accessed on 09/09/2025)

⁵⁸ Nairobi Centre for International Arbitration., 'Code of Conduct for Arbitrators, 2021.' Available at <https://ncia.or.ke/wp-content/uploads/2021/07/3.-NCIA-CODE-OF-CONDUCT-FOR-ARBITRATORS-2021.pdf> (Accessed on 09/09/2025)

⁵⁹ Nairobi Centre for International Arbitration (NCIA), Code of Conduct for Mediators, 2021, available at <https://ncia.or.ke/wp-content/uploads/2021/07/5.-NCIA-CODE-OF-CONDUCT-FOR-MEDIATORS2021.pdf> (Accessed on 09/09/2025)

⁶⁰ Menkel-Meadow. C., 'Ethics in ADR: The Many "Cs" of Professional Responsibility and Ethics in ADR: The Many "Cs" of Professional Responsibility and Dispute Resolution Dispute Resolution' Op Cit

Alternative Dispute Resolution., Available at <https://www.dol.gov/general/topic/labor-relations/adr#:~:text=Types%20of%20ADR%20include%20arbitration,%2C%20neutral%20factfinding%2C%20and%20minitrials>

Chartered Institute of Arbitrators., 'Code of Professional and Ethical Conduct for Members.' Available at <https://www.ciarb.org/media/4231/ciarb-code-of-professional-and-ethical-conduct-for-members.pdf>

Constitution of Kenya., 2010., Government Printer, Nairobi

Ethics in ADR., Available at <https://viamediationcentre.org/readnews/NDMy/Ethics-In-ADR>

Ethics: A General Introduction., Available at https://www.bbc.co.uk/ethics/introduction/intro_1.shtml

Evans. W. G., 'Ethics, Values and Practice' Available at http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S0011-85162019000600013

Harding. K., 'Arbitration - The Role Of Ethics and its Nature.' Available at <https://kluwerlawonline.com/journalarticle/Arbitration:+The+International+Journal+of+Arbitration,+Mediation+and+Dispute+Management/64.3/AMDM1998013>

Hoffman. D., 'Ten Principles of Mediation Ethics.' Available at <https://blc.law/wp-content/uploads/2016/12/2005-07-mediation-ethics-branchmainlanguagedefault.pdf>

Integrity Meaning, Characteristics & Importance., Available at <https://study.com/academy/lesson/what-is-integrity-definition-examples.html>

Integrity., Available at <https://dictionary.cambridge.org/dictionary/english/integrity>

Integrity., Available at <https://ethicsunwrapped.utexas.edu/glossary/integrity>

Integrity., Available at <https://www.awork.com/glossary/integrity>

International Bar Association., 'IBA Guidelines on Conflicts of Interest in International Arbitration.' Available at <https://www.ibanet.org/MediaHandler?id=e2fe5e72-eb14-4bba-b10d-d33dafee8918>

JAMS ADR., 'What is ADR' Available at <https://www.jamsadr.com/adr-spectrum/>

Law Council of Australia., 'Ethical Guidelines for Mediators.' Available at <https://lawcouncil.au/docs/db9bd799-34d8-e911-9400-005056be13b5/Ethical>

Main. T., 'ADR: The New Equity.' Available at https://www.researchgate.net/profile/ThomasMain/publication/228182886_ADR_The_new_equity/links/53d00e470cf2fd75bc5c57a5/ADR-The-newequity.pdf

McCorkle. S., 'The Murky World of Mediation Ethics: Neutrality, Impartiality, and Conflict of Interest in State Codes of Conduct.' 23 *Conflict Resol. Q.* 165 (2005-2006)

Mckay. R., 'Ethical Considerations in Alternative Dispute Resolution' *Dispute Resolution Journal.*, Volume 45, No.1

Meadow. C., 'Ethics Issues in Arbitration and Related Dispute Resolution Processes: What's Happening and What's Not.' *University of Miami Law Review*, Volume 56, NO. 4 (2002)

Menkel-Meadow. C., 'Ethics in ADR: The Many "Cs" of Professional Responsibility and Ethics in ADR: The Many "Cs" of Professional Responsibility and Dispute Resolution' Available at <https://scispace.com/pdf/ethics-in-adr-the-many-566f2nu9sw.pdf>

Menkel-Meadow. C., 'Ethics in Alternative Dispute Resolution: New Issues, No Answers from the Adversary Conception of Lawyers' Responsibilities' Available at <https://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=2758&context=facpub>

Muigua. K., 'Alternative Dispute Resolution and Access to Justice in Kenya.' Glenwood Publishers Limited, 2015

Muigua. K., 'Promoting Professional Conduct, Ethics, Integrity & Etiquette in ADR' Available at <https://kmco.co.ke/wp-content/uploads/2022/05/Promoting-ProfessionalConduct-Ethics-Integrity-Etiquette-in-ADR.pdf>

Muigua. K., 'Promoting Professional Conduct, Ethics, Integrity & Etiquette in ADR.' Available at <http://kmco.co.ke/wp-content/uploads/2022/05/Promoting-ProfessionalConduct-Ethics-Integrity-Etiquette-in-ADR.pdf>

Nairobi Centre for International Arbitration (NCIA), Code of Conduct for Mediators, 2021, available at <https://ncia.or.ke/wp-content/uploads/2021/07/5.-NCIA-CODE-OF-CONDUCT-FOR-MEDIATORS2021.pdf>

Nairobi Centre for International Arbitration., 'Code of Conduct for Arbitrators, 2021.' Available at <https://ncia.or.ke/wp-content/uploads/2021/07/3.-NCIA-CODE-OF-CONDUCT-FOR-ARBITRATORS-2021.pdf>

Rajoo. D., 'Importance of Arbitrators' Ethics and Integrity in Ensuring Quality Arbitrations.' *Contemporary Asia Arbitration Journal*, Vol. 6, No. 2, pp 329-347 (2013)

Inculcating Ethics and Integrity in the Modern ADR Profession: A Necessary Imperative for Sustainability

Rogers. C., 'The Ethics of International Arbitrators.' Available at https://www.international-arbitration-attorney.com/wp-content/uploads/International-Arbitration-Doctrine-49international_arbitration.pdf

Sustainability Methods and Perspectives., Available at <https://pressbooks.pub/sustainabilitymethods/chapter/ethics-in-sustainability/#:~:text=Environmental%20ethics%20focuses%20on%20the%20relationship%20between%20human%20beings%20and,it%20can%20best%20be%20protected>

The Ethical Minefield of ADR., Available at <https://www.schreiberadr.com/the-ethical-minefield-of-adr>

United Nations, Charter of the United Nations, 24 October 1945, 1 UNTS XVI

United Nations., 'Alternative Dispute Resolution Approaches and their Application in Water Management: A Focus on Negotiation, Mediation and Consensus Building' Available at https://www.un.org/waterforlifedecade/water_cooperation_2013/pdf/adr_background_paper.pdf

Uwazie. E., 'Alternative Dispute Resolution in Africa: Preventing Conflict and Enhancing Stability.' *Africa Security Brief*, No. 16 of 2011

Velasquez M., Andre C., Shanks, S.J., and Meyer M., (1987), "What is Ethics?", *Journal of Issues in Ethics*, IIE Vol. 1(1).

Walker. M., & Deavel. P., 'The Strategic Relationship between Ethics and Dispute Resolution: What Every CEO Should Know' *Pepperdine Dispute Resolution Law Journal.*, Volume 8, Issue 3 (2008)