

Dispute Resolution Hotline

July 21, 2021

HALLIBURTON V. CHUBB: AN ENGLISH LAW TREATISE ON ARBITRAL BIAS AND THE INDIAN PERSPECTIVE

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SUMMARY

Impartiality and fairness of the arbitrator are cardinal principles of an arbitral proceeding. Issues often arise with respect to arbitrator conflicts and apparent bias, necessitating a critical guidance for arbitrators, practitioners and arbitral institutions. The UK Supreme Court in its recent judgement, *Halliburton Company v. Chubb Bermuda Insurance Ltd.*, has clarified and set precedent for issues relating to the apparent bias and extent of an arbitrator's duty to disclose material circumstances which may raise questions of bias in arbitrations. London is one of the principal global hubs for arbitration and frequently selected as a seat of arbitration in commercial contracts. Thus, the Supreme Court's decision setting out the importance of fair disclosures, independence and impartiality in English-seated arbitrations will act as a ready reference going forward for examining these issues across the globe. The case brief examines such critical issues and delves into the observations of the Supreme Court on issues relating to multiple arbitral appointments on overlapping subject matters, involving a common party giving rise to justifiable doubts and arbitrator's duty to disclose the same. In this context, it further provides an overview of the Indian law on impartiality and independence of arbitrators.

For complete article, please click [here](#).

– Shweta Sahu, Alipak Banerjee & Payel Chatterjee
You can direct your queries or comments to the authors

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