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Same Bias, Different Approaches? A Comparative Study on Enforcement Challenges on Grounds of Arbitrator Bias

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- 1 Introduction 102
- 2 China – Applying Justifiable/Reasonable Doubt Test at Broad but Cautious Discretion of the Courts 102
- 3 Switzerland – A Commitment to the Constitutional Guaranteed Fair Procedure while Simultaneously Emphasising the Need for a Robust, Evidence-based Approach *vis a vis* Bias 108
- 4 India – Arbitrator Independence and Impartiality: India’s Approach to Bias in Enforcement of Foreign Awards .. 114
- 5 USA – Evident Partiality Applied Two Ways..... 120
- 6 Comparative Approaches to Arbitrator Bias 122
- 7 Conclusion..... 124

Arbitrator bias poses a significant threat to the integrity of international arbitration. A frequently cited example is the *Sun Yang case*, in which the presiding arbitrator had, prior to the proceedings, posted several tweets with negative and offensive comments concerning the nationality of a party subsequently appearing before him, thereby giving rise to legitimate concerns about an apprehension of bias. This article examines the legal frameworks and judicial approaches to arbitrator impartiality and independence in China, Switzerland, India and the United States. By comparing statutory provisions, case law and enforcement practices across these jurisdictions, this article highlights key differences and similarities in addressing arbitrator bias. Further, it offers insights for practitioners seeking to strengthen impartiality and independence in international arbitration.

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