### CHALLENGING ARBITRATORS

<table>
<thead>
<tr>
<th>Rules</th>
<th>What is the Standard for Arbitrator Challenges?</th>
<th>Who Decides Challenges?</th>
</tr>
</thead>
</table>
| ICSID Convention & Arbitration Rules | • Arbitrators may be challenged for *any fact indicating a manifest lack* of such qualities as:  
  o high moral character  
  o ability to be relied upon to exercise independent judgment  
  • Arbitrators *must be* disqualified if the proposal is well-founded.  
  (ICSID Convention Articles 57, 58, 14, 40) | • The remaining members of the Tribunal will decide the challenge.  
  • In cases when the proposal is to disqualify a sole arbitrator, or when the two members cannot decide on the challenge, the Chairman of the Administrative Council will make the decision.  
  (ICSID Convention Article 58) |
| ICSID Additional Facility Rules | • These rules essentially follow the ICSID Convention and Arbitration Rules.  
  (Additional Facility Articles 7, 8, 15) | • The remaining members of the Tribunal will decide the challenge.  
  In cases when the proposal is to disqualify a sole arbitrator, or when the two members cannot decide on the challenge, the Chairman of the Administrative Council will make the decision.  
  (Article 15) |
| UNCITRAL Arbitration Rules | • Any arbitrator may be challenged if circumstances exist that give rise to *justifiable doubts as to the arbitrator’s impartiality or independence.*  
  (Article 10[1] of 1976 Rules, Article 12[1] of 2010 Rules) | • The appointing authority, who will be chosen by the parties or the Secretary-General of Permanent Court of Arbitration, decides the challenge.  
  (Article 12 of 1976 Rules, Article 13 of 2010 Rules) |
| Arbitration Rules of the Stockholm Chamber of Commerce (2010 Rules) | • A party may challenge any arbitrator if “circumstances exist which give rise to *justifiable doubts as to the arbitrator’s impartiality or independence* or if he/she does not possess qualifications agreed by the parties.”  
  (Art. 15[1]) | • The SCC Board of Directors will decide the challenge.  
  (Article 15[4]) |
| Arbitration Rules of the International Chamber of Commerce | • A disputing party may challenge an arbitrator for a “lack of independence or otherwise.”  
  (Article 11[1]) | • The ICC Court decides arbitrator challenges.  
  (Art. 11[3]) |