

Selection of Tribunal Chairman for Arbitrator

1. Introduction

The selection of the Tribunal Chairman (also referred to as the Presiding Arbitrator) is a critical step in arbitration proceedings. The Chairman plays a central role in managing the arbitral process, ensuring fairness, and guiding deliberations toward a final award.

2. Role of the Tribunal Chairman

The Tribunal Chairman is responsible for:

- Leading procedural discussions and hearings
- Ensuring equal treatment of parties
- Coordinating with co-arbitrators
- Managing timelines and procedural efficiency
- Drafting or overseeing the final arbitral award

3. Methods of Selection

The Chairman may be selected through various methods depending on the arbitration agreement or institutional rules:

3.1 Party Agreement

The parties may mutually agree on the Chairman after selecting their respective arbitrators.

3.2 Appointment by Co-Arbitrators

The two party-appointed arbitrators may jointly select the Chairman.

3.3 Institutional Appointment

If parties or arbitrators fail to agree, an arbitral institution may appoint the Chairman.

3.4 Court Appointment

In ad hoc arbitration, courts may appoint the Chairman if other methods fail.

4. Criteria for Selection

Key factors to consider include:

- Independence and impartiality
 - Relevant expertise and experience
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- Availability and commitment
- Language proficiency
- Cultural and legal background neutrality

5. Challenges in Selection

Common challenges include:

- Deadlock between parties or arbitrators
- Concerns about bias or conflicts of interest
- Delays in appointment

6. Best Practices

- Clearly define the selection process in the arbitration agreement
- Use reputable arbitral institutions when appropriate
- Conduct due diligence on candidates
- Ensure transparency in the appointment process

7. Conclusion

The proper selection of a Tribunal Chairman is essential for the integrity and efficiency of arbitration proceedings. A well-chosen Chairman enhances credibility and ensures a fair resolution of disputes.

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