

Abengoa v Ometto: First Impressions on the Non-Recognition Decision by the Brazilian Superior Court of Justice

MAY 19, 2017

The Court in *Abengoa v Ometto* refused recognition of a New York award, primarily on the basis that the tribunal Chair's inadvertent failure to disclose his firm's participation in transactions involving one of the parties gave rise to an impression of bias, contrary to Brazilian public policy.

The tribunal Chair was David Rivkin. The speakers discussed the applicable standards for disclosure of conflicts by arbitrators, the consequences of non-disclosures (particularly where it is inadvertent), the test of independence and impartiality for non-recognition and the applicable New York Convention grounds to refuse recognition for bias.

Dharshini Prasad provided the English and international arbitration perspectives. The seminar was organised by Dias Carneiro Advogados.

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