# Cassation of the Arbitral Award

## Decision Tree Table for Cassation (Annulment or Appeal) of Arbitral Award

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| Step | Question | Code | Answer | Sub-Code | Action |
| 1 | Has an arbitral award been issued that a party wishes to challenge? | C1 | No | C1.1 | End process. The award stands as final. |
|  |  |  | Yes | C1.2 | Proceed to Step 2. |
| 2 | Does the applicable arbitration law or rules allow for challenging the award? | C2 | No | C2.1 | Award is final and binding; cassation not possible. |
|  |  |  | Yes | C2.2 | Proceed to Step 3. |
| 3 | Is the arbitration seated in a jurisdiction that permits annulment of awards? | C3 | No | C3.1 | Award is final in this jurisdiction. |
|  |  |  | Yes | C3.2 | Proceed to Step 4. |
| 4 | Has the request for cassation been filed within the statutory time limits? | C4 | No | C4.1 | Request is time-barred; cassation not possible. |
|  |  |  | Yes | C4.2 | Proceed to Step 5. |
| 5 | Is there a valid ground for cassation (e.g., excess of authority, procedural irregularities, public policy violations)? | C5 | No | C5.1 | Award likely upheld; cassation unlikely. |
|  |  |  | Yes | C5.2 | Proceed to Step 6. |
| 6 | Is the challenge based on alleged bias, corruption, or misconduct by the tribunal? | C6 | No | C6.1 | Proceed to Step 8. |
|  |  |  | Yes | C6.2 | Proceed to Step 7. |
| 7 | Is there evidence of bias, corruption, or misconduct? | C7 | No | C7.1 | No evidence; challenge is weak. |
|  |  |  | Yes | C7.2 | Cassation may proceed; award could be annulled. |
| 8 | Did the tribunal exceed its jurisdiction or issue an award beyond the scope of the agreement? | C8 | No | C8.1 | Tribunal acted within authority; cassation unlikely. |
|  |  |  | Yes | C8.2 | Cassation may proceed; award could be annulled. Proceed to Step 9. |
| 9 | Was there a violation of due process (e.g., lack of fair hearing or notice)? | C9 | No | C9.1 | Due process followed; cassation unlikely. |
|  |  |  | Yes | C9.2 | Cassation may proceed; award could be annulled. Proceed to Step 10. |
| 10 | Does the cassation request allege a violation of public policy? | C10 | No | C10.1 | Award unlikely to be annulled; no public policy violation. |
|  |  |  | Yes | C10.2 | Cassation may proceed; strong ground for annulment. |

## Notes

Note 1: Grounds for cassation typically include excess of authority, procedural irregularities, bias, corruption, misconduct, jurisdictional excess, due process violations, or breach of public policy. The applicability and scope of cassation vary across jurisdictions.