

Kluwer Arbitration Blog

The Contents of *b-Arbitra*, Issue 2019-1

Annet van Hooft (Bird&Bird) and Jean-François Tossens (Tossens Goldman Gonne) · Sunday, November 10th, 2019

We are pleased to present you with this new issue of *b-Arbitra* which not only includes four articles but also reports a significant number of cases from the Belgian courts.

In this issue you will find [Dilyara Nigmatullina](#)'s article on how arbitration and mediation can be adapted so as to meet the global demands for change that the users of these dispute resolution mechanisms are calling for. We then have [Herman Verbist](#)'s contribution on the so-called "UN Mediation Convention." In his article, he discusses the drafting process of the Convention, its contents as well as the position of the European Union.

[Tilman Niedermaier](#) contributes on the new DIS Rules in his article called "Hello, DIS Rules 2018," in which he explains, among other things, the enhanced role that the DIS, as an arbitral institution, assumes under the new rules. He also addresses the features that have been introduced to increase the efficiency and quality of DIS-administered proceedings, without altering their distinct character.

[Maarten Draye](#), in his article called "Three Card Trick," discusses the Court of First Instance judgment of 16 February 2017, the first time a Belgian court dealt with a third party opposition to an arbitral award.

We have several annotations in this issue. Our first annotation is from [Adriaan Wijckmans](#) and concerns the well-known decision of the Brussels Court of Appeal (of 29 August 2018) concerning the validity of arbitration clauses in the FIFA Articles of Association. [Maxime Berlingin](#) treats a case from the Brussels Court of Appeal (of 25 October 2018) in which the Court not only confirmed that jurisdictional objections must be raised before all other defenses but also that it is possible for non-signatories to be bound by an arbitration clause.

[Luc Demeyere](#) has annotated two decisions of the Brussels Court of Appeal (of 28 November 2017 and 11 September 2018) concerning the liability of arbitrators. The decision of the Brussels Court of First Instance of 2014 was already published in *b-Arbitra* 2016, 215. Finally, we have a note prepared by Professor [Johan Erauw](#) and [Herman Verbist](#) concerning two decisions of the Courts of First Instance of Tournai and Hasselt (of 21 December 2016, respectively 13 July 2017) relating to the use of arbitration clauses in distribution contracts.

We conclude with one book review by [Sigvard Jarvin](#) on "Post-M&A-Schiedsverfahren – Recht und Rechtsfindung jenseits gesetzlichen Rechts" edited by Rüdiger Wilhelmi and Michael Stürner.

We hope you enjoy this issue and always welcome further views, exchanges and suggestions from our readers.


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The graphic features a black background with white text and a circular icon. The icon depicts a group of five stylized human figures, with a magnifying glass positioned over the central figure. The background is accented with horizontal lines in blue and green.

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