

Kluwer Arbitration Blog

The Contents of the Brazilian Arbitration Journal, Volume XVII, Issue 67 (September 2020)

João Bosco Lee (Lee Taube Gabardo; Editor in Chief, Brazilian Arbitration Journal) · Wednesday, October 28th, 2020

In this 67th edition of the Brazilian Arbitration Journal, the National Doctrine section introduces [Tatiana Dratovsky Sister](#) and [Thiago Del Pozzo Zanelato](#)'s analysis about the recent modifications to the legal framework applied to the franchise system and the use of arbitration in franchise contracts. [Cristina M. Wagner Mastrobuono](#) explores the legislative and regulatory landscape on the rules of impartiality and independence in the production of evidence in arbitration and presents the results of the research conducted within the Brazilian arbitration community and the arbitral institutions of the country.

In the International Doctrine section, [Matthieu de Boissésou](#) and [Katherine Spyrides](#) discuss how arbitration and the oil and the gas fields have been and continue to be built and developed reciprocally. [Frederico Singarajah](#) examines the development of English case law regarding the determination of the law governing the arbitration agreement. Finally, [María Solana Beserman Balco](#) addresses the changes in arbitration practice that have emerged as a response to the COVID-19 crisis.

In the Nacional Judicial Case Law section, [Mateus Aimoré Carreteiro](#) comments on a decision rendered by the Superior Court of Justice, in which it was recognized the possibility of the Judiciary, in justifiable cases, to rely on its authority to request cooperation from a third party in order to enforce the arbitral decision.

Switching to the International Judicial Case Law section, [Thomas Granier](#) assesses two recent decisions issued by the Paris Court of Appeal and by the French Court of Cassation regarding the need for the parties to allege before the arbitral tribunal procedural irregularities that could affect the validity of the award if they wish to invoke them before the French courts.

Furthermore, in the General Information, [Isabel Cantidiano](#) comments on the Decree n° 10.025/2019, published on September 23, 2019, which regulates arbitration as a method for the resolution of disputes involving the Federal Public Administration in the ports and road, rail, waterway and airport transport sectors. The Brazilian Congress on Arbitration and Public Administration, held on February 13 and 14, 2020, is reported by [Aristhéa Totti Silva Castelo Branco de Alencar](#), [Cristiane Cardoso Avolio Gomes](#) and [Tatiana Mesquita Nunes](#). In addition, [Gisela Ferreira Mation](#) comments on the Investment Cooperation and Facilitation Treaty signed between Brazil and India on January 25, 2020.

This edition's Arbitration Classic is Emmanuel Gaillard's Article "*Les Manoeuvres Dilatoires des Parties et des Arbitres Dans l'Arbitrage Commercial International*", containing an introductory note by [Natália Mizrahi Lamas](#).

Lastly, the present edition includes [Cristina Saiz Jabardo](#) and [Flavia Foz Mange](#)'s review of the book "*Multi-Party and Multi-Contract Arbitration in Brazil*", authored by Leonardo Ohlogge.

Stay safe in these times of pandemic!

João Bosco Lee, Director

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The graphic features a black background with white text and a circular icon. The text reads: "Learn more about the newly-updated *Profile Navigator and Relationship Indicator*". The icon depicts a magnifying glass over a group of people icons. At the bottom left is the Wolters Kluwer logo, which consists of a colorful square icon followed by the text "Wolters Kluwer".

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