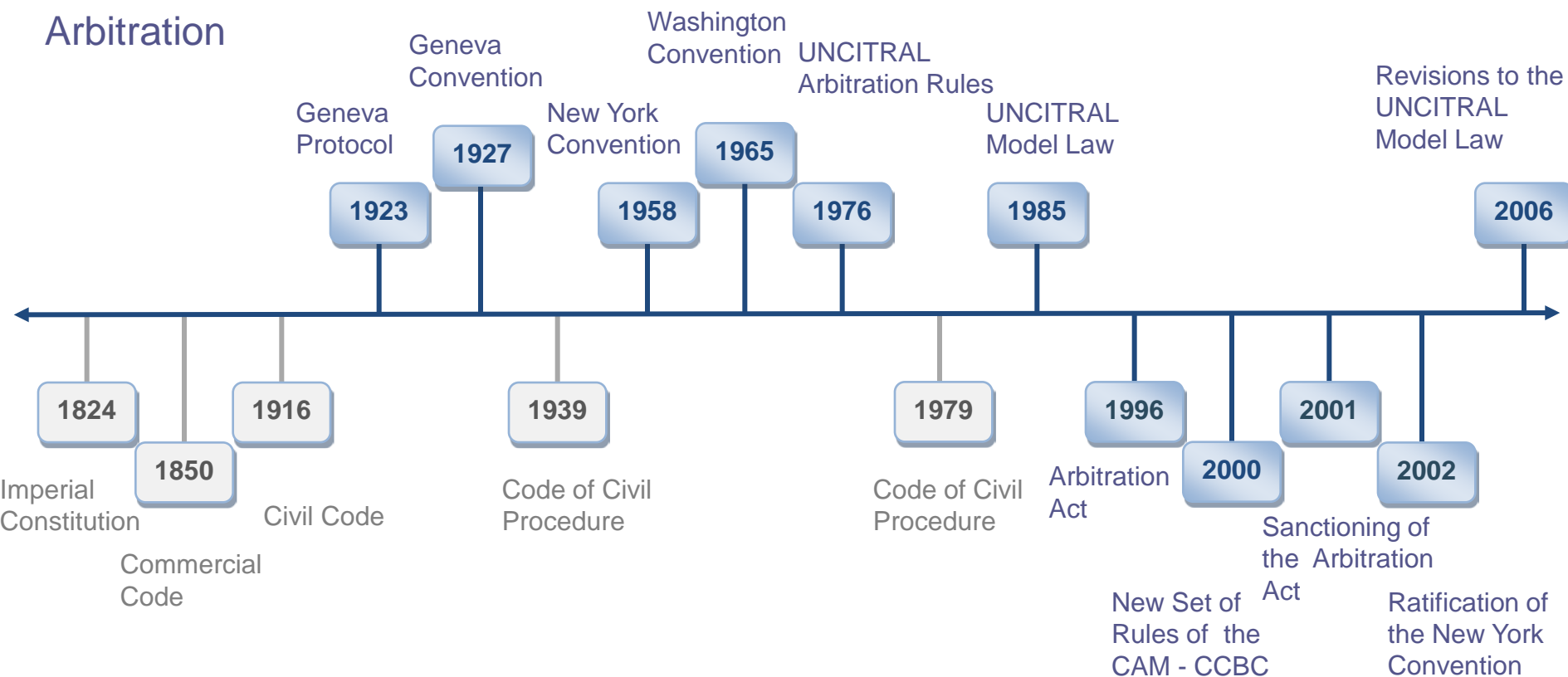


How is Arbitration Faring as a Means of Resolving International Business Disputes?

the Brazilian Experience

Frederico J. Straube
President of CAM-CCBC

International Arbitration



Brazil

Before the Law

Arbitration Clause was merely
a pactum in contrahendo

Requirement for recognition
of arbitral awards

Reassessment of merit by a
Court

After the Law

Binding effect and autonomy
of the arbitration clause

Arbitrator = Judge
Arbitral award = Judicial
decision

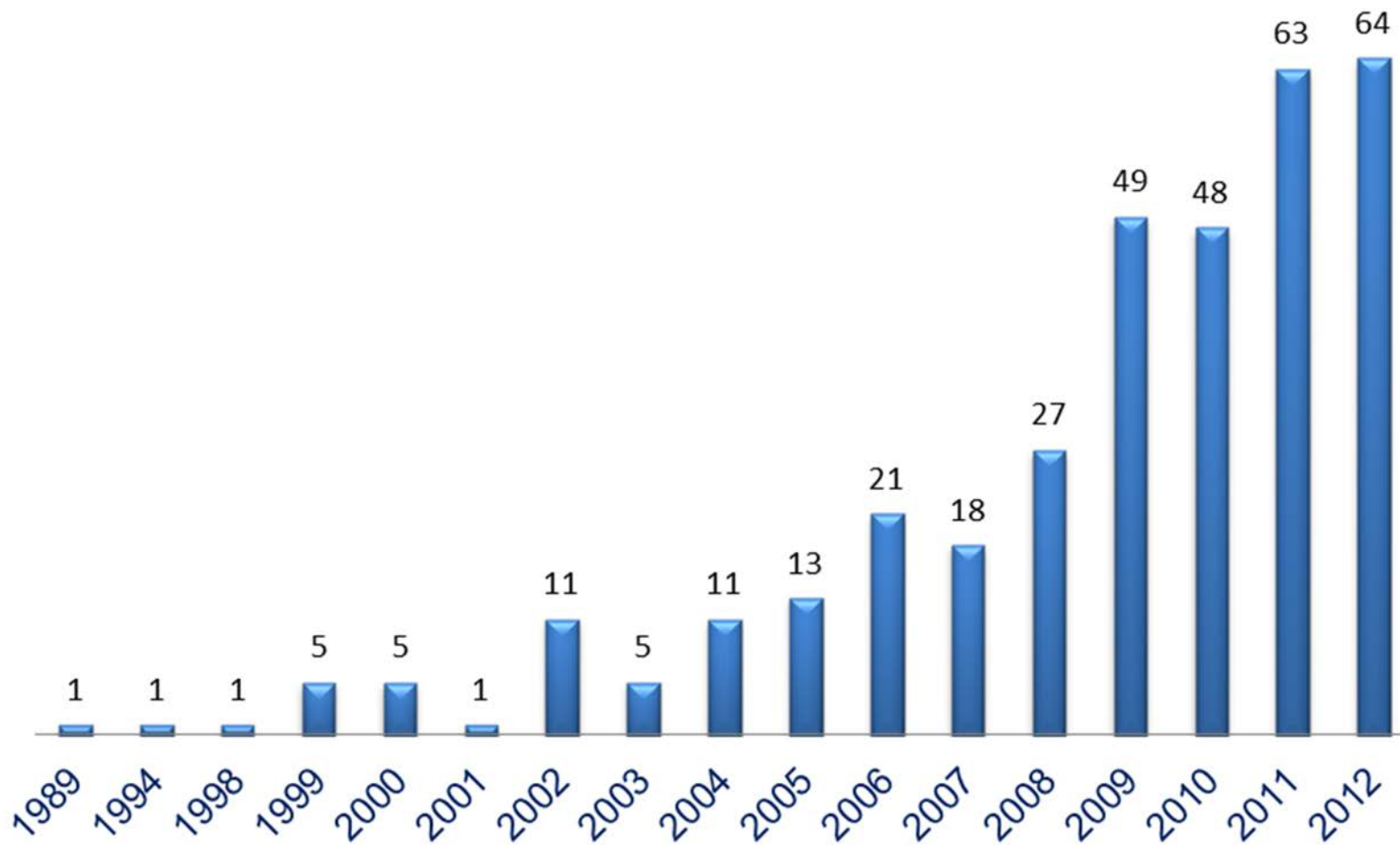
kompetenz- kompetenz
principle

Arbitral award = not
appealable

1996: Brazilian Arbitration Act

- Based on the UNCITRAL Model Law
 - Applicable to domestic and international Arbitration;
 - Arbitration clause and submission agreement;
 - The award shall state the reasons for the decision reached.

Arbitration Proceedings Instituted per year in CAM/CCBC

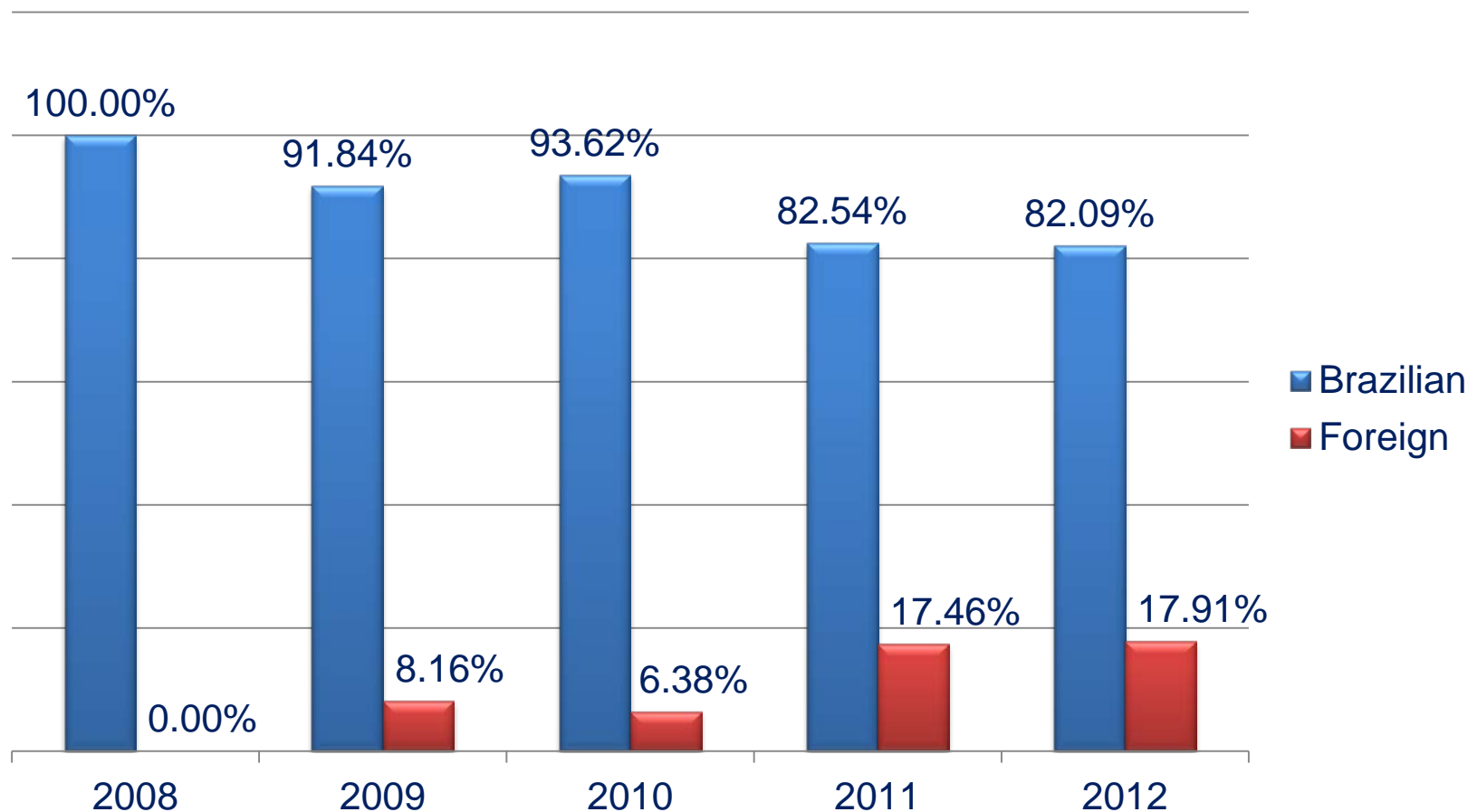


Best Practices in Arbitration

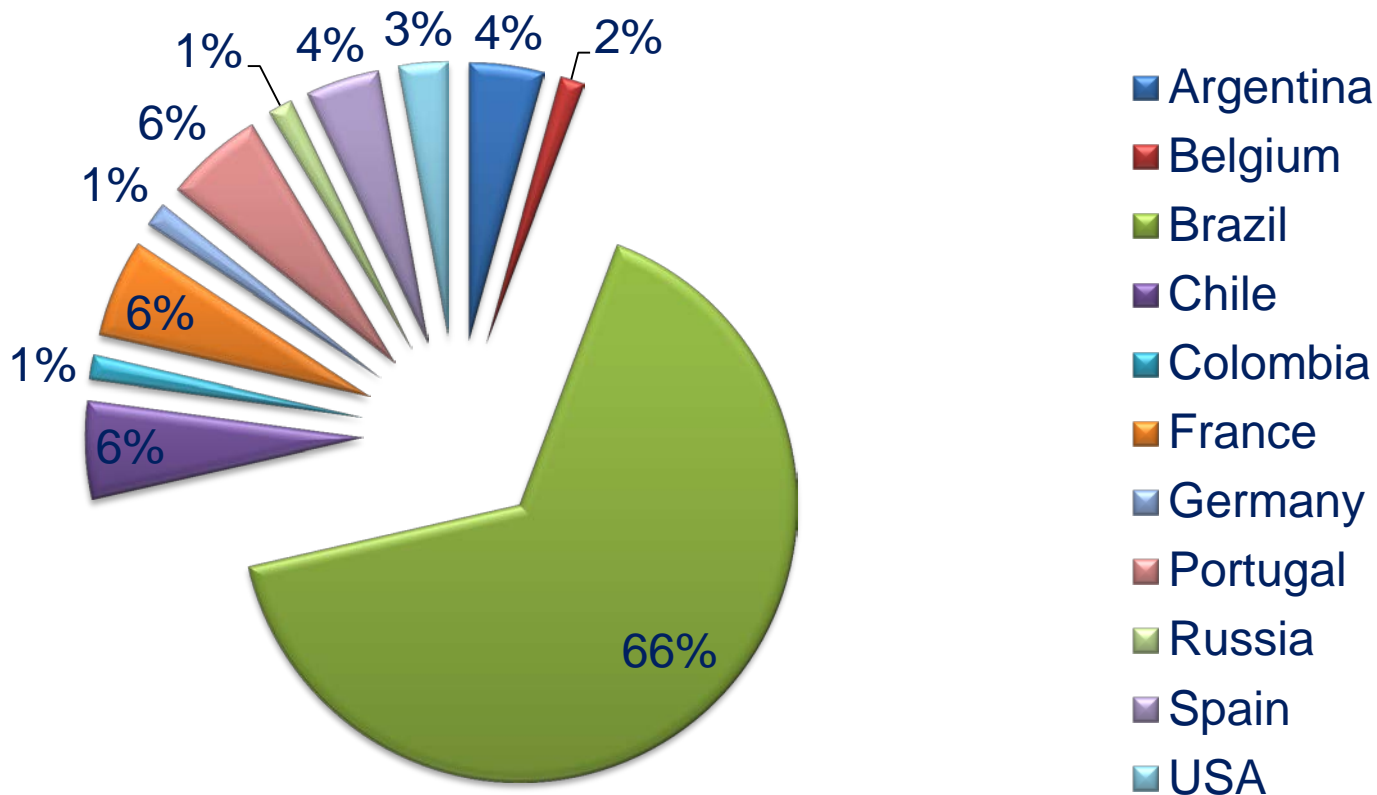
- When should resort to arbitration be made?
- Which rules should govern the proceedings?
- How many arbitrators should be used?
- What type of background and experience should an arbitrator have?
- What steps can practitioners take to make certain the process runs smoothly?

Year	Nr. of Proceedings Instituted	Amount in R\$	Amount in US\$
Until 2000	13	433.190.793,05	217.935.701,09
2001	1	32.638.886,49	16.420.428,88
2002	11	147.328.033,79	74.119.854,00
2003	5	8.129.340,30	4.089.822,56
2004	11	115.659.199,11	58.187.452,39
2005	13	53.811.706,48	27.072.348,18
2006	21	331.969.562,76	167.011.904,59
2007	18	276.305.560,71	139.007.677,57
2008	27	4.891.096.748,58	2.460.681.565,92
2009	49	1.806.243.780,36	908.710.459,50
2010	48	814.225.361,55	409.631.917,07
2011	63	1.450.834.108,12	729.905.975,81
2012	64	1.374.707.231,04	691.606.998,56
Total amount in dispute	344	11.736.140.312,34	5.904.382.106,12

Parties Nationalities



CAM/CCBC's List of Arbitrators



Partnerships

- German Institution of Arbitration (DIS)
- Chamber of Commerce and Industry Brussels (BECI)
- Arbitration Center of the Lisbon Trade Association
- Chamber of Arbitration of Milan
- Arbitration and Mediation Center of the Chamber of Commerce of Santiago (CAM Santiago)
- Court of Arbitration of Madrid

THANK YOU

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