Letter from the Editor

The International Commercial Arbitration Brief is a student publication of American University Washington College of Law prepared with the assistance of the Washington College of Law Center on International Commercial Arbitration. The mission of this publication is to provide timely information, both practical and academic, on developments in the field of international commercial arbitration.

In this inaugural issue, you will find student columns that highlight the changes to arbitration rules regarding the use of expert testimony both under the UNCITRAL Model Arbitration Rules and the IBA Rules on the Taking of Evidence. In addition there is a piece providing perspective to students looking to break into the field of international commercial arbitration, followed by a list of resources for finding international commercial arbitration events.

The substance of this issue highlights the different perspectives and approaches taken to international commercial arbitration. The first piece summarizes panelist remarks from an event sponsored by the Center on International Commercial Arbitration at the Washington College of Law and the Inter-American Bar Association that focused on the procedural, evidentiary, and current issues that occur in international commercial arbitration in Latin and North America. The piece that follows by Nicolás Gamboa-Morales touches on the issues of cooperation between Latin American court systems and arbitral tribunals regarding the taking of evidence in arbitral proceedings.

Along the lines of the idea of cooperation, Marco Tulio Venegas explores the shift to a more arbitration friendly system in Mexico and the growing development of international commercial arbitration as a means of dispute resolution within the nation. Although acknowledging that there are still challenges to overcome, he highlights the progress that has been made thus far that provide a basis for hope of continued advancements in cooperation between the judiciary and arbitral proceedings. The focus moves next an overview of the state of international commercial arbitration in Brazil, with Renata David emphasizing the changes that have led to Brazil’s shift to an arbitration-friendly country.

Finally, Xiaohong Xia takes us around the globe with an exploration of the implementation of the New York Convention in China. The piece looks at how the New York Convention gained the force of law, how such an implementation has affected the landscape of international commercial arbitration in China, and an overview of the cases that relate to the application of the New York Convention in China.

This is just the beginning of what we hope will be an informative legal resource for the international arbitration community. The International Commercial Arbitration Brief staff especially wishes to thank Horacio Grigera Naón, Susana Castiglione, Salua V. Baida, Jacqueline Chamberlain, Renata B. David, and the students and staff of the Center on International Commercial Arbitration for their efforts. If you would like more information about the International Commercial Arbitration Brief or on how to submit an article for publication please contact us at wclarbitrationbrief@gmail.com.

The International Commercial Arbitration Brief is a student publication of the Washington College of Law produced with the assistance of the Center for International Commercial Arbitration. The purpose of the Brief is to provide timely insights into developments in the field and to highlight trends and practices occurring around the globe. The Brief welcomes pieces from both practitioners and students. For more information please write to wclarbitrationbrief@gmail.com. The views expressed in this publication are those of the writers and are not necessarily those of the editors, the Center on International Commercial Arbitration, or American University.

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