

PROGRAM

In the 11 years since Brazil enacted its Arbitration Law, it has grown from having almost no arbitration practice to being the 4th most active source of international commercial arbitration disputes, according to recent statistics. Brazil's Supreme Court in 2001 declared the Arbitration Law constitutional, encouraging local courts to respect arbitration agreements and awards. Since then Brazilian courts have generally adopted a pro-arbitration approach, even in sensitive areas such as arbitration involving state owned corporations. However, in contrast to its approach to international commercial arbitration, Brazil continues to resist calls to embrace investment treaty arbitration. The country has not ratified the ICSID Convention, the two Mercosur protocols regarding promotion and protection of investments, nor any of the 14 bilateral investment treaties it concluded in the 1990s. Brazil's position on investor-State arbitration has inevitably influenced the negotiation of possible bilateral and regional free trade agreements.

This all-day program will review important issues of Brazilian arbitration law and practice. The morning panels will address substantive and procedural issues in international commercial arbitration in Brazil, and the afternoon panels will discuss investment arbitration, including the reasons for Brazil's traditional reluctance, the implications for bilateral and regional trade agreement negotiations (including agreements to which the U.S. is not a party), and the possibilities for future reconsideration. The luncheon program will focus on the future of U.S.-Brazil trade relations. This program will bring together in lively round-table format leading Brazilian and international attorneys with extensive experience in arbitration, representatives of the leading international arbitration institutions, and government officials from both Brazil and the U.S.

Welcome Remarks, 9:00 a.m.:

Jean E. Kalicki, Arnold & Porter LLP, Chair, D.C. Bar International Dispute Resolution Committee

Panel I- 9:15 a.m. - 10:45 a.m.:

International Commercial Arbitration in Brazil

Speakers: **Luís Roberto Barroso** (Luís Roberto Barroso & Ass ociados, Rio de Janeiro)
José Emílio Nunes Pinto (José Emílio Nunes Pinto Advogados, São Paulo)
Eduardo Gonçalves (President, Brazilian Arbitration Committee, São Paulo)
Cristián Conejero Roos (Counsel, ICC International Court of Arbitration, Paris)

Moderator: **Donald Donovan** (Debevoise & Plimpton LLP, New York)

Panel II- 11:00 a.m.-12:30 p.m.:

International Commercial Arbitration in Brazil (Ctd.)

Speakers: **Carmen Tiburcio** (Luís Roberto Barroso & Associados, Rio de Janeiro)
Pedro A. Batista Martins (Pedro A. Batista Martins Advogados, Rio de Janeiro)
Lise de Almeida (L.O. Baptista, São Paulo)
Luis Martinez (Vice President, International Centre for Dispute Resolution, New York)

Moderator: **Alex Wilbraham** (Freshfields Bruckhaus Deringer, Paris)

Keynote Address (Luncheon, 12:30 p.m.-2:00 p.m.)

“The Future of U.S.-Brazil Trade Relations”

Minister Carlos Henrique Abreu, Deputy Chief of Mission (DCM), Brazilian Embassy, Washington D.C.

Panel III- 2:00p.m.-3:30 p.m

Investment Arbitration in Brazil

Speakers: **Horácio Grigera Naón** (Director of the International Arbitration Program at American University Washington College of Law, Washington, D.C.)
Adriana Noemi Pucci (Veirano Advogados, São Paulo)
Suzana Medeiros (Arnold & Porter LLP, Washington, D.C.)
Claudia Frutos-Peterson (Counsel, International Centre for the Settlement of Investment Disputes - ICSID, Washington, D.C.)

Moderator: **Jean E. Kalicki** (Arnold & Porter LLP, Washington, D.C.)

Panel IV- 3:45-5:15 p.m.:

Dispute Resolution Issues in Free Trade Agreements

Speakers: **Elias Antonio de Luna e Almeida Santos** (Brazilian Embassy, Trade Policy and Agriculture, Washington, D.C.)
Jonathan Josh Kallmer (Assistant General Counsel, Office of the U.S. Trade Representative - USTR, Washington, D.C.)
Omar Garcia-Bolivar (BG Consulting, Inc.; Chair, D.C. Bar Inter-American Legal Affairs Committee)
Arif Hyder Ali (Crowell & Moring LLP, Washington, D.C.)

Moderator: **Aluisio de Lima-Campos** (Chairman, ABCI Institute, Washington, D.C.)

Closing remarks, 5:15 p.m.:

Mark Kantor, Co-Chair, D.C. Bar International Dispute Resolution Committee

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and

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of the International Law Section

in cooperation with

The ABCI Institute - Brazilian International Trade Scholars, Inc.

The Brazilian Arbitration Committee (CBAr)

The ICC International Court of Arbitration

The International Centre for Dispute Resolution (ICDR)

*cordially invite you to a **full-day** program on*

International Arbitration in Brazil

Panel I- International Commercial Arbitration in Brazil

Panel II- International Commercial Arbitration in Brazil (Ctd.)

Keynote Address- The Future of U.S.-Brazil Trade Relations

Panel III- Investment Arbitration in Brazil

Panel IV- Dispute Resolution Issues in Free Trade Agreements

Thursday, September 6, 2007

9:00 a.m. - 5:30 p.m.

**Arnold & Porter LLP, 555 12th Street, NW,
(Metro Center)**