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Organization of American States

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Tuesday, October 27, 2015

TO WHOM IT MAY CONCERN

The Department of International Law of the General Secretariat of the Organization of American States is pleased to support the academic project concerning different issues of arbitration in Latin America which is being carried out by Professor Manuel A. Gomez, Associate Dean of International Graduate Studies at the College of Law of Florida International University, in association with Doctors Tony Cole, Stacie Strong, Daniel De Andrade and Pietro Ortolani.

This Department has to recognize the excellent quality of this initiative which upon review acquaints us in deep knowledge of the situation and actual problems being faced by arbitration in the hemisphere. From the substantial aspects of applicable law to the validity of the arbitration clause; aspects such as procedural resources and the agility of the arbitration process; to commercial issues such as the use of arbitration and the general perception of the same, and practical matters such as the procedure to choose arbitrators and the relationship between them, these are all collected and disaggregated in a survey which is indispensable for the Americas and among them, for this Organization.

Under the unique characteristics of this alternative dispute resolution mechanism it is difficult to follow its tendencies closely, in part because of the variety of applicable legislation and the intrinsic complexity of commercial relations. Within the context of the accelerated development undergone by commercial arbitration, the actual situation is measured precisely based on the experience of those actors involved in its development, mirroring the same and determining its expansion.

Since its adoption by the countries members of the OAS of the Inter-American Convention on International Commercial Arbitration (Panama Convention, 1975), and recently as of the development of the international cooperation program within the frame of which several high level meetings were held on the subject of commercial arbitration, and the role of the judiciary in international commercial arbitration developed as of 2013, the Organization is vigilant in order to contribute to the development, and to the solution of any challenges in the field of arbitration.



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The project implemented by the OAS covered all countries in the continent and it was developed as a result of the meeting of several academics and practicing lawyers during which recent studies and updated knowledge concerning arbitration and its tendencies were shared. Studies and initiatives of similar nature as those presented by Dr. Gomez, constitute an important contribution to the development of work that this organization is conducting and are an important source of reference for all initiatives of cooperation undertaken by this Department.

For these reasons, it is an honor to extend this acknowledgement and thank as of now for the cooperation that can be rendered to the administrators of this initiative.

In case that you require additional information, please contact the coordinator for international commercial arbitration, Dr. Magaly McLean, who will assist you gladly (email MMcLean@oas.org , telephone (202) 370 0653).

Thank you so much for your kind attention,

Dante Negro
 Director
 Department of International Law
 Secretariat for Legal Affairs