



MERCOSUR  
TPR  
Tribunal Permanente  
de Revisión

# RSTPR

Revista de la Secretaría del Tribunal Permanente de Revisión  
Revista da Secretaria do Tribunal Permanente de Revisão



MERCOSUL  
TPR  
Tribunal Permanente  
de Revisão

Updated in  
October  
2024

# EDITORIAL STANDARD



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Mariscal López 1141 almost General Melgarejo, Villa Aucinera,  
Asuncion – Republic of Paraguay Tel. 595 21 221 411  
[www.revistastpr.com](http://www.revistastpr.com)

## **PRESENTATION**

### **How did the journal come about**

The Journal of the Permanent Review Tribunal Secretariat was created to publish academic articles dealing with general legal issues such as regional integration, international organizations, and in particular MERCOSUR law.

### **Topics and scope**

The project has as its central objective the dissemination of MERCOSUR law and is not restricted to the law of the regional organization. Academic productions that deal with the Mercosur legal framework, such as general international law, international economic law, and integration law, can integrate the project.

### **Publishing**

Since 2022, the journal adopts a continuous publication system, with a minimum of 12 articles per year, to contribute to the faster dissemination of knowledge generated by authors and to give greater visibility to the journal.

### **Languages**

The languages of the magazine are the official languages of MERCOSUR: Spanish and Portuguese. Papers can also be presented in English and French.

### **Publication is free of charge.**

The journal is non-profit. There are no fees associated with submitting or publishing articles. All published content is freely available online.

### **Open Access Policy**

The Journal of the Permanent Review Tribunal Secretariat provides immediate open access to its content under the principle that making research freely available to the public supports a greater global exchange of knowledge.

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## **Copyright Statement**

Authors whose article is approved for publication retain copyright and grant the journal the right of first publication of the work under a Creative Commons CC BY license.

## **Privacy Statement**

The names and email addresses entered in this journal will be used exclusively for the purposes stated herein and will not be made available to third parties or used for other purposes.

## **Indices**

RSTPR is currently member of CrossRef and WordCat. It is indexed in the following databases: Latindex, DOAJ, SciELO, Dialnet, Redib, Qualis Capes and the Web of Science.

## **REVIEW SYSTEM**

A technical and academic Council under the double-blind review modality analyzes the works presented. The members of the Council are professors, scholars and researchers of law with a notable academic background and have full freedom to criticize, review, approve and disapprove the articles presented. Your identification is reserved and the review issued is considered as if it were from the journal.

The articles are unpublished, of scientific rigor and do not represent in any hypothesis the opinion of the TPR regarding the topics covered. The Magazine accepts articles published in preprints servers. Articles are subjected to a plagiarism detection program and a 20% of similitude is accepted. If the program detects bibliographic citations that are not correctly referenced, the work is not published.

Regarding the form, the articles must meet the criteria and requirements established in this editorial standard. These format criteria constitute, together with the content analysis, an essential condition for its publication, and it will therefore be submitted to the Editorial Team for consideration.

The review time is approximately 6 to 10 weeks.

## **GENERAL CRITERIA FOR MANUSCRIPT ACCEPTANCE**

The articles will be unpublished, of scientific rigor and do not represent in any hypothesis the opinion of the TPR regarding the topics addressed by the author.

The magazine reserves all legal rights to reproduce the content.

The submission of articles by the author implies authorization for publication in the Journal of the Secretariat of the Permanent Review Tribunal. This process ends with the signing of a letter of assignment of rights by the author. The submission of articles will be done exclusively through the magazine page <http://www.revistastpr.com/index.php/rstpr>.

Under no circumstances will articles be received by other means of communication.

Conflict of interest: any interest of authors, reviewers and editors that may influence the preparation or evaluation of an article must be declared for the identification of possible conflicts of interest. Once the conflict of interest is recognized, the article will be rejected.

Self-citations: the journal accepts self-citation of scientific works not greater than 30% of the total bibliographic references used for the development of the article.

## **1. SHIPPING OF ITEMS**

The shipment is made through the magazine's website: <http://www.revistastpr.com/index.php/rstpr>

### **Steps to follow**

The author must enter the following data in step 3 of the submission procedure- (Enter the submission metadata):

- 1.- Title in Portuguese, Spanish, French and English;
- 2.- Name of each author, followed by their institutional affiliation and title on the occasion of submission of the work; ORCID. (sign up: <https://orcid.org/signin>)
- 3.- Electronic address of each author for correspondence of article procedures, including fax, telephone.
- 4- In addition, the author must include brief curriculum vitae in the Biographical Summary section in the corresponding field of the system, not exceeding 50 words, since it is incorporated in the publication by using a call. The current institutional affiliation must also be indicated.
- 5- Author contribution: each author should send its contribution signed followed by the manuscript. Example: AA (author`s initials) developed the introduction.  

BB (author`s initials) made the manuscript writing.
- 6- Financial support if the case. Add all the information required as name of the project, date, financial source, etc.

7- Author's conflict of interest. All authors should disclose all the impediments if the case.

8- All thanks at the end of article, no more 20 words, and before the bibliography.

At the end of the shipment, the system assigns an identification code (Id.) to the newly uploaded article by which the author will follow the review process.

## 2. SHIPPING FORMAT

The article must be sent, editable, in the .doc extension; A4 sheet size, with top left margin 3 cm, bottom right 2 cm.

In the original format, the "Times New Roman" font, size 12, normal and justified style will be used. Line spacing 1.5; no space between paragraphs. The initial paragraphs at 1.25 cm. indented.

The original must contain a minimum of 15 (fifteen) pages and **must not exceed 25 (twenty-five) pages**, including the title, abstract, development, bibliographic references, charts, graphs and images, if any.

In case the article contains statistical charts or graphs, they must have a title in the body of the article in "Times New Roman", size 10, normal style. It is requested to send them in an electronic spreadsheet file.

In case the article contains images, they must have a title in the body of the article in "Times New Roman", size 10, normal style. You are requested to send them in an image-editing format (JPG, TIF, GIF, PNG) with a minimum height of 700 px, with a resolution of 300 dpi.

These files must be uploaded in "Step 4 Upload supplementary file" during the article submission process.

## 3. STRUCTURE OF THE ARTICLE

The structure of the article must contain:

**Title:** in the original language of the text and the corresponding translation depending on whether it is into Spanish or Portuguese, with English being incorporated into the remaining three languages.

Eg: if the original text is in Spanish, the translation must be in Portuguese, English and French.

The title should not exceed 20 words, it should reflect the main content of the work in an objective and clear way. The publishing team reserves the right to make adjustments to it.

**Explanatory notes:** when they correspond to the title it must be inserted at the end of the page with a call of \*.

**Summary/Abstract:** in Spanish, Portuguese, English and French, it consists of a sequence of concise and objective sentences that give a general idea of the article; and as a whole, they should not pass 250 words in each language.

**Keywords:** in Spanish, Portuguese, English and French, between 3 and 5 representative words of the content of the work to be placed after the abstract should be indicated, separated by commas preceded by the expression “Palabras clave / Palavras-chave / Keywords / Mots clés ”

**Body of the article:** it must have the following structure: INTRODUCTION, DEVELOPMENT, CONCLUSION. DEVELOPMENT can be subdivided.

The development of the article will be numbered with an Arabic number beginning the Introduction with the number 1.

Text that you want to highlight within a paragraph must be written in italics, with no bold or underlined parts anywhere.

Notes should be inserted at the end of each page, without indentation, “Times New Roman” font, size 10, with sequential numbering starting with number 1 in the body of the article. They will be for the use of explanatory notes in the text and citations-notes.

#### Direct dating

Direct citations that exceed 3 (three) lines must start in a new paragraph with a different margin, in “Times New Roman” 10, single spacing and must end in the right margin. Quotation marks should be removed and a blank line should be left before and after the quote.

#### Dating in notes

The appointment-note system will be used, inserting a number as an exponent after each appointment that forwards the note. These notes may contain citations or references to citations. A note number is used for each appointment or each group of appointments; the corresponding note may cite more than one document.

#### a) First date

The first citation to a document must contain the necessary elements to ensure the exact correspondence between the citation and the appropriate entry within the list of bibliographic references.

The first citation must include at least the name (s) of the authors and the full title, as they appear within the bibliographic reference followed by cited page numbers, if necessary.

If the author or authors and the title are not sufficient to differentiate the entries within the list of bibliographic references, the citation will include the supplementary elements (edition, year of publication, etc.) necessary to ensure exact correspondence with the reference.

Example:

Text:

Still, art. 21 Regulation 650/2012 assumes that each person has a habitual residence. For a subsidiary connection point - such as, for example, the factual presence - is not found in the standard. In addition, Recital 24, sentences 3 and 4, contemplates this case, mentioning that, under these circumstances, the person's nationality or the location of the situation of his main assets could be "a special factor" in the assessment of all circumstances factual. In this way, the European legislator implies that, for the purposes of Regulation 650/2012, a person without habitual residence does not exist.

Quotes in footnotes:

1. VON BAR, Christian; MANKOWSKI Peter. *Internationales Privatrecht Band I – Allgemeine Lehren*, p. 568-569.
2. Diverging, KUNZ Lena. "Die neue europäische Erbrechtsverordnung – ein Überblick (Teil 1)". *Zeitschrift für Gemeinschaftsprivatrecht*. 2012, vol 3, p. 208-210, stating that there may be cases in which habitual residence is indeterminable. No manifest position, based on the Proposal for Regulation; SCHURIG Klaus. "Das internationale Erbrecht wird europäisch – Bemerkungen zur kommenden Europäischen Verordnung". Em: BERNREUTHER, Jörn; FREITAG, Robert; LEIBLE, Stefan; SIPPEL, Harald; WANITZEK, Ulrike. *Festschrift für Ulrich Spellenberg*. 2010. p. 343, 346.

## 2) Second date and the following

If a document is cited multiple times, subsequent citations receive different numbers.

The second citation of a document and the following ones can be reduced to the author's name or names and to a summary title, followed by one of the following abbreviations as appropriate:

Op. Cit. : Work cited. It is used when referring to an already mentioned but not consecutive appointment and when it corresponds to different pages. The surname and name of the author / s are repeated, followed by Op. Cit. and the page number.

If the author or authors were not sufficient to differentiate the entries within the list of bibliographic references, the citation will include the title of the cited publication.

Example:

6. DRNAS DE CLEMENT, Zlata. The “environmental clause” in MERCOSUR, p. 8.

7. ....

fifteen. ....

16. DRNAS DE CLEMENT, Zlata. Op. Cit., P. 84.

Idem .: Same as the previous reference. It is used when the current quote comes from the same work and on the same page as the immediately previous quote.

Example:

6. DRNAS DE CLEMENT, Zlata. The “environmental clause” in MERCOSUR, p. 8.

7. Idem.

Ibid .: In the same place. It is used to avoid the repetition of the previous quote in case it was a different page, but the same work cited.

6. DRNAS DE CLEMENT, Zlata. The “environmental clause” in MERCOSUR, p. 8.

7. Ibid., P. 24

**Bibliographic references:** will be incorporated at the end of the article, under the title **BIBLIOGRAPHIC REFERENCES**. A minimum of 20 references is recommended and should be cited in the body of the article. The ISO 690 and ISO 690-2 formats will be used and they will be ordered alphabetically by the authors' last names.

## **PRINTED PUBLICATIONS**

### **- BOOKS**

SURNAMES, Names. Book title -in italics-. Edition number. Place of publication: Editorial, year of publication.

The edition number is mentioned from the second edition on.

### **An author**

FERREIRA FILHO, Manuel Gonçalves. Human Rights Fundamentais. 6th ed. São Paulo: Saraiva, 2004.



## **Two authors**

KISS, Alexandre and SHELTON Dinah. Guide to international environmental law. Leiden: Koninklijke Brill NV, 2007.

## **More than two authors**

MONCAYO, Guillermo; VINUESA, Raúl and GUTIÉRREZ POSSE, Hortensia. Public International Law. Buenos Aires: Zavalía, 1997.

## **Corporate Author**

PARAGUAY. SUPREME COURT OF JUSTICE. Compilation of private international law treaties signed in the inter-American system between 1888 and 1994: Montevideo treaties and inter-American conventions on private international law. Assumption: CSJ, 1998.

Editor, coordinator, compiler, organizer of a book

HOWARD, Michael; ANDREOPOULOS, George; SHULMAN, Mark (eds) .The Laws of War: constraints on warfare in the Western World. New Haven, London: Yale University Press, 1994.

For all cases use (ed) or (eds) depending on one or more authors.

## **- CHAPTER OF A BOOK**

SURNAMES - in capital letters -, Names of the author of the chapter. "Title of the book chapter - between quotation marks-". In: SURNAMES -in capitals-, Names of the publisher / s of the book followed by the abbreviation in parentheses (ed) or (eds) depending on the case. Book title - in italics - Edition number. City of publication: Publisher, year of publication. Chapter start and end page.

FELDSTEIN DE CÁRDENAS, Sara Lidia; SCOTTI, Luciana Beatriz. "Sovereignty or crisis of the Lex Mercatoria?". In: FELDSTEIN DE CÁRDENAS, Sara Lidia (ed). Private international and integration law. Buenos Aires: The Law, 2011.p. 543-559.

## **- PART OF A COLLECTION OF BOOKS**

SURNAMES - in capital letters -, Author's names. "Title of the book chapter - between quotation marks-". In: SURNAMES -in capitals-, Names of the publisher / s of the book followed by the abbreviation in parentheses (ed) or (eds) depending on the case. Book title - in italics-.

-.Number of the edition. City of publication: Publisher, year of publication. (name the collection or series and its volume or number).

DREYZIN DE KLOR, Adriana; FERNÁNDEZ ARROYO, Diego (ed). Foreign Investments. Buenos Aires: Zavalia, 2005. (DeCITA 03.2005).

#### **- JOURNALS**

Journal title –in italics-, place of publication, vol, number. Year of publication

BUSINES review, New York, vol 25, nº 10. 1993.

#### **- MAGAZINE ARTICLE**

SURNAMES - in capital letters -, Names. "Article title - between quotation marks". Magazine title -in italics-. year of publication, vol, number or volume, initial and final page of the article.

#### **An author**

LACERDA, Antônio Corrêa de. "Direct Investigations Strangers and Development Policies". Administração em Diálogo Magazine. 2003, no. 5, p. 11-18.

#### **Two authors or more authors**

SARTI, Fernando and LAPLANE, Mariano F. "Or investimento direto estrangeiro and to the internationalization of the Brazilian economy in the 1990s." Economia e Sociedade Magazine. 2002, vol 11, no. 1, p. 63-94.

#### **- NEWSPAPER ARTICLE**

"Article title - between quotation marks". Newspaper title –in italics-. Date of publication, page

"IPA report confirms situation of water crisis in the northern region". *Diario Cambio*. December 30, 2014, p. 14

#### **- THESIS**

SURNAMES - in capital letters -, Author's names. "Title –in between quotation marks–" [Document type]. Counselor. Academic institution where you present. Place, year.

VILLAR, Pilar Carolina. "A looking here for the two transborder aquifer here and in the case of the guarani aquifer." [Tese of doctorate]. Counselor: Wagner Ribeiro. University of São Paulo. São Paulo, 2012.

#### **- REPORTS**

SURNAMES - in capital letters -, Names of the author of the chapter. Title of the report -in italics-. Place of publication: publisher, year. (Type of report)

GUIRARDO ROMERO, Nuria. Conservation and recovery project for an endangered species. Almeria: s.n, 1988. (Technical report of the General Directorate for the Environment).

#### **- CONFERENCES OR CONGRESSES (PROCEEDINGS)**

Name of the congress, conference or meeting in italics- (number of the conference, date and place of performance -in parentheses-) Title of the minutes. Secondary responsibility. Place of publication: publisher, year.

Brazilian Congress of International Law (5th, 2007). International law studies: anai. Menezes, Wagner (ed). Curitiba: Juruá, 2007, vol. X.

#### **- PRESENTATION PRESENTED AT A CONGRESS**

SURNAMES - in capital letters -, Names of the author of the chapter. "Title of the paper - between quotation marks-". In: Name of the congress, conference or meeting in italics- (number of the conference, date and place of holding –between brackets-) Title of the minutes. Secondary responsibility. Place of publication: publisher, year, vol. p. Last initial.

ALMEIDA, Guilherme de Vasconcellos. “The appropriation of culture by nationalist states at the end of the 19th century. One hypothesis: the use of culture as a factor in the analysis of international relations ”. En: Brazilian Congress of International Law (5th, 2007). International law studies: anai. MENEZES, Wagner (ed). Curitiba: Juruá, 2007, vol. 10. p. 224-230.

#### **- LEGISLATION**

##### **Law**

Country. Title. Official publication in which it is published, publication date, number, pages.

SPAIN. Organic Law 9/2011, of July 27, on the rights and duties of members of the Armed Forces. Official State Gazette, July 28, 2011, no. 180.

##### **Treaties**

MERCOSUR. Treaty of Asunción, signed in Asunción, Republic of Paraguay, on March 26, 1991.

##### **Protocol**

MERCOSUR. Protocol of Olivos for the Solution of Controversies in MERCOSUR, signed in Olivos, Province of Buenos Aires, Argentine Republic, on February 18, 2002.

### **Decision**

MERCOSUR. MERCOSUR / CMC / DEC decision. No. 40/00. Cooperation agreement between the central banks of the States Parties to MERCOSUR for the prevention and suppression of maneuvers aimed at the legitimization of assets from illegal activities, signed in Florianópolis-SC, Federative Republic of Brazil, on December 14, 2000.

### **Jurisprudence of national courts**

SPAIN. SUPREME COURT (Civil Chamber, Section 1). Judgment no. 544/2011, of July 27.

### **Jurisprudence of international courts**

EUROPEAN COURT OF HUMAN RIGHTS (Section 2). Capriati case against Italy. Judgment of July 26, 2011.

PERMANENT COURT OF REVIEW OF MERCOSUR. Case of the Exceptional Emergency Procedure requested by the Republic of Paraguay regarding the suspension of its participation in the organs of the Southern Common Market (MERCOSUR) and the incorporation of Venezuela as a full member. Award 01/2012 of July 21, 2012. Available at: <[http://www.tprmercosur.org/es/docum/laudos/Laudo\\_01\\_2012\\_es.pdf](http://www.tprmercosur.org/es/docum/laudos/Laudo_01_2012_es.pdf)>.

## **ELECTRONIC PUBLICATIONS**

### **- BOOKS**

LAST NAMES –in capital letters-, Names Book title –in italics-. Edition number. Place of publication: Editorial, year of publication. Available at: <page address>

### **An author**

MONGE-NARANJO, Alexander. The Impact of NAFTA on Foreign Direct Investment flows in Mexico and the Excluded Countries. s.l: Department of Economics. Northwestern University, 2002. Available at: <[http://web.worldbank.org/archive/website00894A/WEB/PDF/MONGE\\_NA.PDF](http://web.worldbank.org/archive/website00894A/WEB/PDF/MONGE_NA.PDF)>

### **More than one authors**

BURREL, A .; FERRARI, E .; GONZÁLEZ MELLADO, A; HIMICS, M .; MICHALEK, M .; SHRESTHA, S .; VAN DOORSLAER, B .; (2011) Potential EU-Mercosur free trade agreement: impact assessment. Volume 1: main results. Luxembourg: European Union.

Luxembourg: European Union, 2011. Available at:  
<[http://www.redeagro.org.br/images/stories/vol%201\\_main%20results\\_jrc67394.pdf](http://www.redeagro.org.br/images/stories/vol%201_main%20results_jrc67394.pdf)>

### **Corporate Author**

UNCTAD. World Investment Report 2011: non-equity modes of international production and development. Geneva: UN Publications, 2011. Available at:  
<[http://unctad.org/en/PublicationsLibrary/wir2011\\_en.pdf](http://unctad.org/en/PublicationsLibrary/wir2011_en.pdf)>

### **- CHAPTER OF A BOOK**

SURNAMES - in capital letters -, Names of the author of the chapter. "Title of the book chapter - between quotation marks-". In: SURNAMES -in capitals-, Names of the publisher / s of the book followed by the abbreviation in parentheses (ed) or (eds) depending on the case. Book title - in italics - Edition number. City of publication: Publisher, year of publication. Chapter start and end page. Available at: <web address>

### **- PART OF A COLLECTION OF BOOKS**

SURNAMES - in capital letters -, Names of the author of the chapter. "Title of the book chapter - between quotation marks-". In: SURNAMES -in capitals-, Names of the publisher / s of the book followed by the abbreviation in parentheses (ed) or (eds) depending on the case. Book title - in italics - Edition number. City of publication: Publisher, year of publication. (name the collection or series and its volume or number). Available at: <web address>

### **- JOURNALS**

Journal title –in italics- [online]., Place of publication, vol, number. Year of publication.

BUSINES review, New York, vol 25, n° 10. 1993

### **- MAGAZINE ARTICLE**

SURNAMES - in capital letters -, Names. "Article title - between quotation marks". Journal title –in italics- year of publication, vol, number or volume, initial and final page of the article. Available at: <web address>

### **An author**

GUTIERREZ – HACES, Teresa. "Foreign Direct Investment in NAFTA". *Economía* unam 2004, vol 1, n° 3, p. 23-42. Available at:  
<<http://www.revistas.unam.mx/index.php/ecu/article/view/2814>>

### **- NEWSPAPER ARTICLE**

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"Article title - between quotation marks" [online]. Newspaper title –in italics-. Publication date. Available at: <web address>

"Water crisis in Mendoza: another year in which water is scarce". UNO newspaper. Oct 31, 2014. Available at: <<http://www.diariouno.com.ar/mendoza/Crisis-hidrica-in-Mendoza-another-year-in-the-water-scarce-20141031-0036.html>>

#### **- REPORTS**

SURNAMES - in capital letters -, Names of the author of the chapter. Report title –in italics- [online]. Place of publication: publisher, year. (Type of report). Available at: <web address>

#### **- CONFERENCES OR CONGRESSES (MINUTES)**

Name of the congress, conference or meeting in italics- (number of the conference, date and place of performance -in parentheses-) Title of the minutes. Secondary responsibility. Place of publication: publisher, year. Available at: <web address>.

#### **- PRESENTATION PRESENTED AT A CONGRESS**

SURNAMES - in capital letters -, Names of the author of the chapter. "Title of the paper - between quotation marks-". In: Name of the congress, conference or meeting in italics- (number of the conference, date and place of holding –between brackets-) Title of the minutes. Secondary responsibility. Place of publication: publisher, year. p. Last initial. Available at: <web address>

#### **- WEB PAGE**

SURNAMES - in capital letters -, Names of the author of the chapter or NAME OF THE INSTITUTION - in capital letters -. Web page title. Available at: <web address>

BRAZIL. MINISTRY OF FOREIGN AFFAIRS. Brazil-Paraguay joint statement. Available at: <[http://dai-mre.serpro.gov.br/atos-internacionais/bilateral/1971/b\\_52/](http://dai-mre.serpro.gov.br/atos-internacionais/bilateral/1971/b_52/)>