

VIAC – Questionnaire for Arbitrators

1. Name: Cesar Pereira C.Arb FCIarb

2. Citizenship: Brazilian and Italian

3. Contact information:

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4. Current position: Senior Partner at Justen, Pereira, Oliveira & Talamini, co-head of the firm's Arbitration and Infrastructure practices. Attorney admitted to practice in Brazil. Chartered Arbitrator (C.Arb/CIarb).

5. Education: JSD/Doctorate (Pontifícia Universidade Católica de São Paulo, PUC/SP, 2005). LL.M/Master (Pontifícia Universidade Católica de São Paulo, 1998). Visiting Scholar at the George Washington University (Public Procurement, 2022), the University of Nottingham (Public Procurement, 2016), and the Columbia University Law School (International Arbitration, 2013).

6. Practiced experience in arbitration

- How many arbitrations have you participated in (domestic/international); under which Rules?
Over 60 arbitrations under different sets of institutional rules, such as the ICC Rules, ICDR Rules, CAM-CCBC Rules, CAMARB Rules, FGV Rules, CBMA Rules, and others.
- How often have you acted as Chairman?
12 times.
- How often have you acted as Sole Arbitrator?
3 times.
- How often have you acted as Co-Arbitrator?
12 times.
- How often have you acted as Counsel?
More than 30 times.
- How often have you acted in a different function (e.g. Administrative Secretary)?
2 times as legal expert on Brazilian public law and numerous times as President of CAMFIEP, an arbitration center based in Curitiba, Brazil.

7. Publications and other activities in arbitration (e.g. training sessions, seminars, conferences, articles and others):

Has authored more than a hundred academic articles and book sections. Below is a subset of his most recent or relevant academic works.

Books (selection):

- PEREIRA, C. A. G.; SIGNORELLI, A. S. M. **Antitrust Arbitration in Perspective:** From Legal Nature to Procedural Challenges [Arbitragem concorrencial em perspectiva: da natureza jurídica aos desafios processuais]. São Paulo: Revista dos Tribunais, 2023. In Portuguese.

- PEREIRA, C. A. G., TALAMINI, E. **Arbitration and Public Power** [Arbitragem e Poder Público]. São Paulo: Saraiva, 2010. In Portuguese.
- SCHWENZER, I.; COSTA E SILVA, P.; PEREIRA, C. A. G. (Org.) **CISG, Brasil e Portugal**. São Paulo: Almedina, 2021. In Portuguese.
- JUSTEN FILHO, M., PEREIRA, C. A. G., ROST, M. A. (Org.) **Brazil Infrastructure Law**. Haia: Eleven International Publishing, 2016. In English
- SCHWENZER, I., PEREIRA, C. A. G., TRIPODI, L. (Org.) **CISG and Latin America**. Haia: Eleven International Publishing, 2016. In English
- PEREIRA, C. A. G.; SCHWIND, R. W. (Org.) **Brazilian Port Law** [Direito Portuário Brasileiro]. 3ª edição. Belo Horizonte: Editora Fórum, 2019. In Portuguese.
- PEREIRA, C. A. G. **Users of Public Services** [Usuários de Serviços Públicos]. 2ª edição. São Paulo: Editora Saraiva, 2008. In Portuguese.
- PEREIRA, C. A. G. **Tax Avoidance and Government Powers** [Elisão Tributária e Função Administrativa]. São Paulo : Editora Dialética, 2001. In Portuguese.

Articles and book chapters (selection):

- PEREIRA, C. A. G., SANTINI, C., CARDOSO, A. G., & SOUZA-MCMURTRIE, L. F. (2024). "AI and Dispute Resolution: A Powerful (New) Tool in International Commercial Arbitration." In "International Commercial Arbitration Practice: 21st Century Perspectives" (LexisNexis/Matthew Bender, NY, ongoing updates from 2010). Jan 2024.
- PEREIRA, C. A. G., & SOUZA-MCMURTRIE, L. F. (2024). "The Brazilian Model of Investment Arbitration: The Protection of Foreign and Domestic Investors" ["O modelo brasileiro de arbitragem com o Estado: proteção de investidores estrangeiros e nacionais"]. In Costa, J. A. F., Pela, J. K., & Amadeo, R. C. M. R. (Eds.), "Estudos em Homenagem ao Professor Hermes Marcelo Huck." São Paulo. Expected Mar 2024. In Portuguese.
- PEREIRA, C. A. G. & TONIN, M. G., (2024) Corruption in Public Procurement in Brazil. In S. Williams & J. Tillipman (eds), Routledge Handbook of Public Procurement Corruption (Routledge, 2024).
- PEREIRA, C. A. G. (2023). "Application of the CISG to International Government Contracts for the Procurement of Goods". Kopaonička škola prirodnog prava, n. 2/2023, Belgrade, 2023.
- PEREIRA, C. A. G. and SCHWIND, R. W., (2023) "The GPA/WTO and Latin America: lessons from Brazil's accession process", approved for publication on the Public Procurement Law Review, University of Nottingham.
- PEREIRA, C. A. G., & SOUZA-MCMURTRIE, L. F. (2022). "Arbitration and Corruption: What Can (and Should) Arbitrators Do?" (Original title: "Arbitragem e Corrupção: O Que Os Árbitros Podem (e Devem) Fazer?"). Desafios da Arbitragem com a Administração Pública. Revista da AGU, Vol. 21, n 2, Brasília, Apr/Jun 2022. In Portuguese.
- PEREIRA, C. A. G., SOUZA-MCMURTRIE, L. F., & OKINY, B. (2024). "Arbitration as a Tool for Efficiency in Government Contract Management: Why, How, and When It Works." Public Procurement Law Review. University of Nottingham, 0963-8245, Jan 2024.
- PEREIRA, C. A. G., & SOUZA-MCMURTRIE, L. F. (2022). "The Modernisation of Conflict Resolution with Public Entities: From Arnaldo Wald's Lessons in 1962 to the Federal Law 14.133" (Original title: "A Modernização Da Resolução de Conflitos Com a Administração Pública: Das Lições de Arnaldo Wald Em 1962 à Lei 14.133"). In Selma Lemes, Fábio Ulhoa Coelho & Gustavo Tepedino Tepedino (eds.), "A Evolução do Direito no Século XXI. Seus princípios e valores - ESG, Liberdade, Regulação, Igualdade e Segurança Jurídica" (Homenagem ao Professor Arnaldo Wald), vol 1, 1st edn, IASP 2022. In Portuguese.
- PEREIRA, C. A. G., SCHWIND, R. W. (2020). "The Regulatory Framework of the Brazilian Port Sector" (Original title: "O marco regulatório do setor portuário brasileiro"). In Cesar Pereira & Rafael Wallbach Schwind (Org.), "Direito Portuário Brasileiro," 3rd ed. Belo Horizonte: Fórum, pp. 31-63.
- PEREIRA, C. A. G., SCHWIND, R. W. (2020). "Dispute Resolution in Cabotage Shipping: Reality and Prospects for Regional Arbitration Hubs." In Camila Mendes Vianna Cardoso (Org.), "International Congress of Maritime Arbitrators: articles of the Brazilian Committee." Rio de Janeiro: FGV Direito Rio, pp. 77-96.

- PEREIRA, C. A. G. (2019). "Arbitration and Administrative Powers" (Original title: "Arbitragem e função administrativa"). In Marçal Justen Filho & Marco Aurélio de Barcelos Silva (Org.), "Direito da Infraestrutura: Estudo de Temas Relevantes." Belo Horizonte: Fórum, pp. 63-87.
- PEREIRA, C. A. G. (2019). "Arbitration or Judicial Branch in Conflicts with Public Entities: Draft of a Guideline for a Rational Choice" (Original title: "Arbitragem ou Poder Judiciário nos litígios com a Administração Pública: esboço de roteiro para uma escolha racional"). In Napoleão Casado Filho et al. (Org.), "Direito Internacional e Arbitragem: estudos em homenagem a Prof. Cláudio Finkelstein." São Paulo: Quartien Latin, pp. 587-614.
- PEREIRA, C. A. G. (2017). "Arbitration on Law 13.448 and Contracts with Public Administration in the Highway, Railway and Airport Sectors" (Original title: "Arbitragem na Lei 13.448 e os contratos com a administração pública nos setores de rodovias, ferrovias e Aeroportos"). Revista de Arbitragem e Mediação, Vol. 55, pp. 111-133.

Regularly giving lectures and courses in Brazil and abroad in the areas of arbitration, public law, and commercial law.

8. Membership in arbitral institutions / functions in arbitral institutions/organizations:

Chartered Institute of Arbitrators – CI Arb, C.Arb (since 2022) and FCI Arb (since 2013).

Chartered Institute of Arbitrators - Brazil Branch: Founder (2019); former Branch Chair (2019-2022); former Branch Treasurer (2022-2024).

President of CAMFIEP (arbitration center in Southern Brazil) between 2011 and 2017.

Listed in the roster of Arbitrators of AMCHAM Brazil (2024), FGV (2024), SHIAC (2022), CCL (2022), LYDECO (2022), CIABLP (2022), CAM-B3 (2021), CAMNORTE (2020), CCBL (2019), CAM-CCBC (2019), CIESP-FIESP (2018), CMAA (2018), CINDES/FINDES(2018), CAMES (2018), CAMESC (2017), CAESP (2017), CBMA (2017), CAMEDIARB (2016), HKIAC (2014), CAMARB (2014), ARBITAC (2014), ICDR (2014), CAC-Lisboa (2014), CAMFIEP (2006), and others.

Co-head of the Arbitration and Public Administration Studies Group of the CBar – Comitê Brasileiro de Arbitragem [Brazilian Arbitration Committee] since 2015.

Member of the Board of Directors of the Vis East Moot Foundation Ltd, Hong Kong, since 2022.

Fellow of the Public Procurement Research Group (PPRG) of the University of Nottingham, since 2022.

9. Languages

Mother tongue: Portuguese

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct arbitral proceedings in this language): English and Spanish.

10. In which legal systems have you trained?

- Civil Law
- Common Law
- Austrian Law
- Hungarian Law
- Swiss Law
- Czech Law
- Polish Law
- Ukrainian Law
- German Law
- Slovakian Law
- European Law

Other: Brazilian Law

11. What is your main jurisdiction of practice?

Brazil.

12. In which jurisdictions are you admitted to the bar?

Brazil.

13. Special expertise or specializations (please list a maximum of five):

- Antitrust/Unfair competition
- Damages
- Insolvency
- Natural resources
- Aviation
- Distribution
- Insurance
- Power plants
- Banking & Finance
- Domain name disputes
- Intellect. property (IP)
- Private Intern. Law
- Capital markets
- Employment
- Investment arbitration
- Public Intern. Law
- CISG
- Energy
- ISDS/Foreign inves.
- Real estate
- Civil fraud disputes
- Engineering
- Joint ventures
- Shipping
- Commercial disp. / transactions
- Entertainment
- Licensing
- Sports
- Commodity market
- Healthcare & Pharmac.
- Life sciences
- State/Public contracts
- Company/Corporate/M&A
- Hotel/Gastro./Tour.
- Maritime arbitration
- Technology
- Construction
- Inform. technology (IT)
- Media
- Telecommunication
- Contract law
- Infrastructure
- Mining
- Transport
- Other _____

14. Date of birth: 28 August 1967

VIAC offers arbitration practitioners the possibility to present themselves on its website. VIAC reserves the right to publish any presentations submitted and to remove it as the case may be. Parties are free to nominate an arbitrator of their choice and so is the VIAC Board when appointing an arbitrator. These presentations do not constitute recommendations but may assist the parties in choosing an arbitrator willing to conduct proceedings according to the Vienna Rules. The fact that an arbitration practitioner appears on this list, does not authorize this person to use the title "VIAC-arbitrator".

I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate.

I hereby consent that the data provided in this questionnaire may be processed for the appointment of arbitrators and published by VIAC. This includes in particular publication on the website of VIAC as well as use in any presentations, etc. This consent may be withdrawn at any time by contacting VIAC at our general contacts, in particular by email addressed to office@viac.eu. The consequence of any such withdrawal will be that my data will no longer be processed by VIAC. For further information, see our privacy statement at <http://www.viac.eu>.

15 April 2024

Date

Cesar Pereira C.Arb FCIarb - Signature