



## **Curriculum Vitae**

Mrs. Selma Maria Ferreira Lemes  
Place of Birth: São Paulo, Brazil  
Nationality: Brazilian/Spanish

### **Education:**

- \* Bachelor of Laws granted by the University of São Paulo (USP) School of Law in 1978.
- \* Master of International Laws (MD) granted by the University of São Paulo (USP) School of Law (2000). Thesis (achieving the highest possible grade), "Legal Principles of the Independence and Impartiality of the Arbitrator. Approach in Light of International and Comparative Law".
- \* Doctor (PhD) on Integration of Latin America granted by the University of São Paulo (USP) (2006) (approved with recommendation to publish). Thesis: "The State as Part on Arbitration: Cases in Brazil and Chile".
- \* Training in 1990, at the International Arbitration Court of the International Chamber of Commerce (ICC), Paris.
- \* Course on Training for Arbitrators in 1997, offered by the Mediation and Arbitration Center, World Intellectual Property Organization (WIPO), Geneva.

### **Professional Experience**

- \* For 12 years (1987-99) held the position of attorney, legal counsel and head of the Legal Department of the São Paulo State Center and Federation of Industries (CIESP/FIESP), practicing in all areas of business law, contract drafting and review, legal opinions and bill of law appraisal, preventive and advisory legal assistance, editing and supervision of the CIESP/FIESP newspaper's legal section, supervising the work of 16 lawyers under her authority, legal assistance in following up on foreign missions visiting CIESP/FIESP etc.
- \* Director for seven years of the CIESP/FIESP Mediation and Arbitration Chamber.
- \* Member of the legal staff of the telecommunications company Ericsson do Brasil S.A. for four years, working on contract drafting and management 1982/1986.
- \* Partner for two years in the law firm Advocacia José Del Chiaro, in the commercial defense and antitrust group (1999-2001).
- \* Currently owner-partner of Selma Lemes Advogados, practicing in legal counseling and arbitration as either legal counsel or arbitrator in litigation involving business law, competition



defense, commercial and civil law, contracts and civil liability and arbitration in the public sector (since 2002).

\* Outside Advisor of the Commercial Arbitration Court, a body formed by the São Paulo State Justice and Citizens Office and the São Paulo State Federation of Commerce (2003).

\* Brazilian Alternate Member of ICC - International Court of Arbitration (2011-2013).

\* Brazilian Member of ICC - International Court of Arbitration (2013-2015).

### **Teaching Experience**

\* Coordinator and professor of the Arbitration Course at the São Paulo School of Law, Getúlio Vargas Foundation (LAW-FGV), under the Post Graduation Course (GVLAW) in São Paulo (2004-2012)

\* Professor of research on Arbitration of The Economic and Company Law Course at the São Paulo School of Law, Getúlio Vargas Foundation - GVLAW (2006).

\* Professor on Arbitration at the São Paulo School of Law, Getúlio Vargas Foundation - GVLAW (2010 and 2011).

\* Professor on Arbitration at the Pontificia Universidade Católica - PUC/COGEAE - Post Graduation Course on Contract Law (since 2008)

\* Professor on Arbitration at the Rio de Janeiro School of Law, Getúlio Vargas Foundation - GVLAW - Post Graduation Course on Public Contract (since 2009)

\* Qualified to give classes on International Law with respect to International Arbitration, International Trade, Regional Economic Integration, Treaty Law, International Contracts, International Treaties on Investment Promotion and Guarantee, Commercial Defense, Dumping etc.

### **Publications**

### **Books**

\* *Fundamental Aspects of the Arbitration Law*, co-author with Carlos Alberto Carmona and Pedro Batista Martins, Rio de Janeiro: Forense, 1999, 591 pp.

\* *Arbitrator. Principles of Independence and Impartiality*. Approach in International, National and Comparative Law. Jurisprudence, São Paulo: LTr, 2001, 239 pp.

\* *Arbitration on Public Administration. Law and Economic Efficiency*, São Paulo: Quartier Latin, 2007, 319 pp.

\* *Arbitration. Studies in honor of professor Guido Fernando da Silva Soares*, Selma Ferreira Lemes. Carlos Alberto Carmona and Pedro Batista Martins (coordinators), São Paulo: Atlas, 2007, 473 pp.

\* *International Commercial Arbitration – The New York Convention and The Brazilian Law*, Arnaldo Wald and Selma Ferreira Lemes (coordinators), São Paulo: Saraiva, 2011, 445 pp.

\* *Arbitration Contemporaneous Themes*, Selma Ferreira Lemes and Inez Balbino (coordinators) São Paulo: Quartier Latin, 2012, 462 pp.

\* *Arbitration Law, Twenty Years in Honor of Petrônio R. Muniz*, Selma Ferreira Lemes, Carlos Alberto Carmona and Pedro Batista Martins (coordinators) São Paulo: Atlas, 2017, 908 pp.

### **Chapters of Books in Brazil and Abroad**

\* "The Dispute Settlement System under the North American Free Trade Agreement (NAFTA)", IN: *Commercial War or World Integration through Trade?*, CASELLA, Paulo Borba & MERCADANTE, Araminta de Azevedo (org.), São Paulo: LTr, 1998, pp. 756-786.

\* "Arbitrator. The Standard of Ideal Conduct". *Arbitration; Brazilian Law and International Custom*, CASELLA, Paulo Borba (org.), São Paulo, 2<sup>nd</sup> ed., LTr, 1999, pp. 233-268.

\* "MERCOSUL and NAFTA. Investment Protection and Promotion Treaties. Dispute Settlement by Arbitration", IN: *Arbitration in the Globalization Era*, GARCEZ, José (org.), Rio de Janeiro: Forense, 2<sup>nd</sup> ed., 1999, pp. 215-253.

\* "MERCOSUL – Proposed Regulations on Private Dispute Settlement. Conciliation and Arbitration", *Arbitration; Brazilian Law and International Custom*, CASELLA, Paulo Borba (org.), São Paulo: LTr, 2<sup>nd</sup> ed., 1999, pp. 531-545.

\* "Ambiguous or Contradictory Arbitration Clauses and Construction of the Intention of the Parties", *Reflections on Arbitration - In Memoriam of Justice Cláudio Vianna de Lima*, Pedro Batista MARTINS and José M. Rossani GARCEZ (org.), São Paulo, LTr, 2002, pp. 188-208.

\* "Arbitration on Public Service Concessions – Perspectives", *Studies on Arbitration, Mediation and Negotiation*, André Gomma AZEVEDO (org.), University of Brasília, School of Law, Brasília: Ed. Brasília Jurídica, 2002, pp. 45-61.



\* "Arbitration and Award in *ex aequo et bono* in Brazilian and Comparative Law", IN: *Arbitragem. Estudos em Homenagem ao Professor Guido Fernando da Silva Soares*, Selma Ferreira Lemes. Carlos Alberto Carmona e Pedro Batista Martins (coordinators), São Paulo: Atlas, 2007, pp. 189/229.

\* "Arbitration in Brazil: Ten Years of New Arbitration Act". IN: *Estudios de Arbitraje, Libro Homenaje al Profesor Patricio AYLWIN AZÓCAR*", Eduardo Picand Albónico (coordinator), Santiago de Chile: Editorial Jurídica de Chile, 2006, pp. 737/764 (ISBN 956-10-1738-5)

"Arbitration in Brazil: Ten Years of New Arbitration Act", IN: *A Evolução do Direito no Século XXI, Honor Professor Arnoldo Wald*, Diogo Leite de Campos, Gilmar Mendes e Ives Gandra da Silva Martins (coordinators), Coimbra: Almedina, 2007, pp. 543/576.

"*Arbitration and São Paulo State Court Jurisprudence*", IN: *Ten Years Arbitration Law*, Ana Paula R. Bonfim e Hellen Monique F. Menezes (coordinator), Rio de Janeiro: Lumen Juris, 2006, pp.171/182.

"*The Characteristics and Law Effects of Multi-tiered Clause: Mediation, Conciliation and Arbitration, Domestic and International Arbitration*", IN: *Studies in honor Professor Theóphilo de Azeredo Santos, Rafaella Ferraz and Joaquim de Paiva Muniz (coordination)*, Rio de Janeiro: Forense, 2008, pp. 359/376.

"*Arbitrator. Conflict of interests and the arbitrator agreement.*" IN: *Arbitration Law, Twenty Years in Honor of Petrônio R. Muniz*, Selma Ferreira Lemes, Carlos Alberto Carmona and Pedro Batista Martins (coordinators) São Paulo: Atlas, 2017, pp 271/292.

\* *Shakespeare and Venice. The Portrait of the Time.* IN: *He, Shakespeare, viewed by us, the lawyers* (José Roberto Castro Neves, coordinator), Rio de Janeiro: Edições de Janeiro, 2017.

**Articles in Law Journals and Law Review - Several articles published in Brazil, Argentina, Spain, Portugal, France and EUA.**

***Articles in Newspapers in Brazil – over 120 articles.***

**Post Graduation Course - Examination Board (Bancas de Pós- Graduação) -Master Degree and PhD Degree:**

Universidade de São Paulo – USP

Universidade Federal de Rio Grande do Sul - UFRGS

Universidade Federal de Rio de Janeiro – UFRJ

Universidade Federal de Espírito Santo – UFES

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Pontifca Universidade Católica de São Paulo – PUC/SP

Pontifca Universidade Católica de Minas Gerais – PUC/MG

Universidad del País Vasco – Spain

### **Writing Arbitration Rules for several Brazilian Arbitration Chambers**

Writing Statutes and Rules of Arbitration, Mediation and Expeditious Arbitration for the CIESP/FIESP Mediation and Arbitration Chamber in 1995. ([www.camaradearbitragemsp.org.br](http://www.camaradearbitragemsp.org.br) )

Writing together with Mr. Carlos Alberto Carmona and Fábio Nusdeo the Arbitration Rules of Arbitration Center. Brazil - Canada Chamber of Commerce, in 1998. ([www.ccbc.org.br](http://www.ccbc.org.br)).

Writing new Arbitration Rules for The São Paulo Business Arbitration Chamber – SPARBITRAL, in 2003 ([www.trarbitral.org.br](http://www.trarbitral.org.br)).

Writing the Draft of Arbitration Rules for Arbitration Chamber of The National Confederation of Commerce, Rio de Janeiro in 2003.

Writing the Arbitration Rules of Mediation and Arbitration Chamber of Engineering Institute in São Paulo, in 2007 ([www.institutodeengenharia.org.br](http://www.institutodeengenharia.org.br) )

Writing the Draft of new Arbitration Rules for Arbitration Chamber of The BOVESPA in 2011.

Writing the Draft of new Arbitration Rules for the São Paulo Arbitration, Mediation and Conciliation Chamber of FIESP/CIESP, in 2012 ([www.ciesp.org.br](http://www.ciesp.org.br)).

### **Writing the Code of Ethics for Arbitrators**

President of Committee which writing the Code of Ethics for Arbitrator. Brazil-Canada Chamber of Commerce Arbitration Center - CCBC, in 2008 ([www.ccbc.org.br](http://www.ccbc.org.br)).

### ***Lectures and Courses Given in Brazil and Abroad – over 390.***

#### ***Memberships***

\* Enrolled with the Brazilian Bar Association (OAB), São Paulo Chapter, under No. 53524.

\* Brazilian Alternative Member ICC International Court of Arbitration, Paris (2011 -2013).

\* Brazilian Member ICC International Court of Arbitration, Paris (2013-2015).



- \* Founding Member of the Brazilian Arbitration Committee (CBAR) and currently Member of the CBAR Directors Council.
- \* Member of the List of Arbitrators of the Center for Arbitration and Mediation of the Chamber of Commerce Brazil-Canada (CAM/CCBC).
- \* Member of the List of Arbitrators of the São Paulo State Center and Federation of Industries (CIESP/FIESP) Mediation and Arbitration Chamber.
- \* Member of the List of Arbitrators of the Commercial Arbitration Chamber of Brazil- CAMARB
- \* Member of the Management Committee of the São Paulo Arbitration Council (CAESP).
- \* Member of the List of Arbitrators of the Mediation and Arbitration Chamber of Pernambuco (CEMAPE).
- \* Member of the List of Arbitrators of the Brazil-Argentina Chamber of Commerce Arbitration Center - CAMARBRA.
- \* Member of the List of Arbitrators of the Getúlio Vargas Foundation Chamber of Arbitration – CAM/FGV.
- \* Member of the List of Arbitrators of the BOVESPA Chamber of Arbitration – CAM/BOVESPA.
- \* Member of the Management Committee of the Inter-American Development Bank (IDB) Program, in partnership with the Confederation of Commercial Associations of Brazil (CACB), for the Development of Arbitration in Brazil (2000/2003).
- \* Founding Member of the National Mediation and Arbitration Institution Council (CONIMA), having been the 1<sup>st</sup> Vice-President (1998-9) and currently Member of the Ethics Committee.
- \* Member of the List of Arbitrators of the Brazilian Mediation and Arbitration Center (CBMA), Rio de Janeiro.
- \* Member of the Advisory Council of *Basque Procedural Law and Arbitration Review*, Spain.
- \* Member of the Editorial Council of the *Arbitration and Mediation Law Review (RT and Thomson Reuters Publisher)* .
- \* Member of the Editorial Council of the *Brazilian Arbitration Review* of the Brazilian Arbitration Committee (CBAR).
- \* Member of the Latin American Arbitration Group of the International Arbitration Court, International Chamber of Commerce (ICC).



\* Member of the Brazilian Arbitration Group of the Brazilian Committee of International Arbitration Court, International Chamber of Commerce (ICC).

\* Former Member of the IBA Arbitrator Conflicts Guidelines Task Force of the International Bar Association – IBA.

\* President and Vice President of Arbitration Center Committee on American Chamber in São Paulo - AMCHAM (2003-2014).

\* President of Advisory Committee of The Center for Arbitration and Mediation of the Chamber of Commerce Brazil-Canada – CAM/CCBC ( since May 2017).

#### **Medal - Senator Marco Antonio de Oliveira Maciel and Others**

*Comenda Ordem do Mérito - Senador Marco Antonio de Oliveira Maciel* – Special Medal attributed by National Mediation and Arbitration Institution Council - CONIMA due to extraordinary contribution for development of Arbitration in Brazil. Honor granted on January 30, 2008 (*Comendadora Grau Grande Oficial*)

Chambers Women In Law Awards Latin America, 2015. Outstanding Contribution to Arbitration. CAM-CCBC and Chambers and Partners.

#### **Book Foreword**

Foreword of the book of Zínia Baeta and Maíra Magro, *Valor Econômico - Arbitration Guide*, São Paulo:Globo, 2004, 165 pp.

Foreword of the book of Petrônio R. Muniz, *Arbiter Task (Operação Arbiter) – The History of the law No. 9,307/96 on Commercial Arbitration in Brazil*, Brasília: Instituto Tancredo Neves – Senado Federal, 2005, 362 pp.

Foreword of the book of Luciano Benetti Tim, *Arbitration in Corporate, Governmental and International Contracts*. Porto Alegre: Livraria do Advogado, 2009, 167 pp.

Foreword of the book of Maria Odete Duque Bertasi and Oscavo Cordeiro Corrêa Netto (Coordinators), *Arbitration and Development*. São Paulo: Quartier Latin, 2009, 143 pp.

Back cover of Book of Luiz Olavo Baptista *International Commercial Arbitration*, São Paulo: Lex Magister, 2011, 435 pp.

Foreword of the book of Ana Luiza Baccarat da Motta Pinto and Karin Hlavnicka Skitnevsky (Coordinators), *National and International Arbitration, the new debates and the vision of young arbitrators*, Rio de Janeiro: Elsevier, 2012, 299 pp.



Foreword of the book of Petrônio R. Muniz, *Operation Arbitrer – The History of law No. 9,307/96 on Commercial Arbitration in Brazil*. Brasília: Instituto Tancredo Neves – Senado Federal, 2014 (2nd press), 362 pp.

Foreword of the book of Vera Cecília Monteiro de Barros, *The exception given to public policy offenses as a cause for the refusal of recognition of foreign arbitral awards in Brazil*. São Paulo: Quartier Latin, 2017, 297 pp.

Foreword of the book of Nathalia Mazzone, *Arbitration in Intellectual Property*. São Paulo: Saraiva, 2017, 448 pp.

### **Others Important Supplementary Activities**

**\* Member of the Reporting Commission of the Arbitration Bill of Law (Bill No. 78/92 – Senate and House of Representatives No. 4018/93). Law 9307/96 (Marco Maciel Law).**

**\* Brazilian Member of ICC - International Court of Arbitration (2011-2015).**

**\* Acting as arbitrator since 1994 (over 180 domestic and international arbitrations).**

\* Address to the International Monetary Fund Technical Mission on the Brazilian Tax System and Commercial Law. Business View, FIESP, 1992, São Paulo.

\* Advisory assistance to Senator Marco Antonio Maciel. Drafting and Amendments of Suggestions for the Constitutional Revision Process as to Extrajudicial Means of Dispute Settlement (Arbitration). October, 1993.

\* Advisory assistance to the Ministry of Justice (18 months), Technical-Legal Commission of the Meeting of Ministers of Justice of MERCOSUL, on the preparation of the International Convention on Private Commercial Arbitration of MERCOSUL, signed in July 1998, Buenos Aires.

\* Preparation of a Brief in partnership with Pedro Batista Martins, delivered personally to the Justices of the Federal Supreme Court (STF) in March 2001, to support voting on the Ancillary Question of Unconstitutionality of Law 9307/96 (Foreign Judgment--SE 5206, Reporting Justice Sepúlveda Pertence).

\* Arbitrator (domestic and international, co-arbitrator, sole arbitrator and president)

\* Expert Witness on International Arbitration.

\* Attorney in arbitration suits.

\* Legal Opinion issuance.

\* Conference Speaker.





\* Counsel in arbitration suits.

\* Member of the Dispute Settlement and Investment Committees of the Brazilian Business Coalition for the Free Trade Area of the Americas (FTAA)–National Confederation of Industries (CNI).

\* Former Columnist of Revista Resultado (Arbitration Magazine) [www.cacb.org.br](http://www.cacb.org.br)

***Languages***

\* English and Spanish

Full *curriculum vitae* in Portuguese version see: <http://lattes.cnpq.br/4395607430001466>

August/2017

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