# José Miguel **ÁRBITRO INDEPENDENTE**

# **ACADEMIC DEGREES / QUALIFICATIONS**

### University of Coimbra: Degree in law in 1972 (graded 17/20); Assistant Professor, Law School (Political Science, Constitutional Law, Economic Organization Law), 1972-1977. University of Lisbon: Professor (International Law and Political Science), 1978-1981. Portuguese High Council of Judiciary: Member, 1997-2001. Portuguese Bar Association: National Council Member (1995/8); President (2002-2005). Human Rights Bar Association Institute (President - 2003-4) University Nova of Lisbon Management and Economy School): Associate Professor since 2004 (Business Law). Law School: Visiting Professor since 2018 (International Commercial Arbitration) University ISCTE (Lisbon) Energy MBA with Columbia University (NY): Visiting Professor 2010-4 (Energy and Politics). ISDE (Madrid) and Columbia Law School (NY) Master on Arbitration, Professor (the course has been suspended sine die) **CURRENT PROFESSIONAL ACTIVITIES AND POSITIONS**

Member of the Portuguese Bar Association, IBA, Associação Portuguesa de Arbitragem (President of Procedural Law and Practice Committee, 2006-2008, Member of the Board - International Relations -2008 - 2014), Association Suisse de l'Arbitrage, Club Español del Arbitraje (member of the Board of Directors, 2013-7), Comitê Brasileiro de Arbitragem.

Commercial Dispute Resolution Editorial - Board Member (2012-5)

Panel of Presidents for Labor Law Arbitrations of the Portuguese "Conselho Económico e Social" (2006-2011)





CCIP - Portuguese Chamber of Commerce and Industry: Vice-President (2008 - ) ITA – Institute for Transnational Arbitration: Country Reporter for Portugal (2008 - ) ICC Arbitration National Committee: Vice-President (2009-12) ICC International Court of Arbitration: Member (2009-15) President of the Chamber of Commerce Centre of Arbitration, Lisbon (2013-6)

# **ROSTERS AND PANELS OF ARBITRATORS**

ICSID Roster of Arbitrators and Conciliators (reappointed for more 6 years recently) Permanent Court of Arbitration (The Hague) Listed in more 18 arbitration centres in Brazil, Spain, Mozambique, Korea, BVI and Portugal

## PROFESSIONAL ARBITRATION EXPERIENCE

More than 40 years of experience in litigation and arbitration, as Founding Partner of PLMJ (the largest Portuguese law firm, also present in Africa and Asia) covering almost all the fields of law (International Contracts and Investments Public and Private Law, Public Procurement, Insurance and banking, Construction, Oil & Gas and Energy, Concession contracts, Corporate Law, Environment, Real Estate, Hospitality and Tourism, Life Sciences, Mining, PPP's, Constitutional).

During his practice as lawyer, he accumulated large experience working for private and state controlled entities in areas related with different fields of practice.

As Counsel in Arbitration: more than 80 ad hoc, UNCITRAL, ICC, OHADA, ICSID and NAI, national and international arbitrations, since 1979 (international contracts, transport, public procurement, public concession contracts, agency and distributorship, energy, oil & gas, construction and zoning, banking, finance and insurance, investment disputes, hospitality and tourism, labour, shareholder agreements and corporate, mining and industrial law, M&A, media and telecommunications). Applicable laws: Brazil, Angola, Mozambique, Cap-Vert, Portugal, S. Tomé and Príncipe, Spain, France, Nederland, Guinea Conakry, BIT's and International Law.

As Arbitrator: since 1997, more than 60 ICC, LCIA, Brazil-Canada Arbitration Centre (CCBC), ad hoc/UNCITRAL, Cámara de Madrid, Lisbon and Oporto Arbitration centres, national and international arbitrations, as coarbitrator, sole-arbitrator (4) and Chairman (35), submitted to Brazil, Angola, Spain, France, Ecuador, Colombia, Peru, Bolivia, Portugal, BITs and International Law (oil & gas, energy, construction, agency and distributorship, insurance, transport, banking and finance, international contracts, mining, tourism, ppp's, telecommunications, investment disputes, public procurement, public concessions, pharmaceutical and patents, mining, hospitality, golf and resort management, BIT disputes, etc) (see more details on some of these cases below).



The seat of the arbitration he chaired, or in which he is or has been co-arbitrator are S. Paulo, Rio de Janeiro, Luanda, Madrid, Barcelona, London, Zurich, Genève, Paris, Brussels, The Hague, New York, Santiago (Chili), Lisbon and Oporto.

### ADDITIONAL INFORMATION

From the 1<sup>st</sup> January 2020 will be only active as Independent Arbitrator.

Publications: Capital Markets in Portugal (1994); Securities Law, Portuguese Chapter (1996); Takeover Portuguese Law (1996); "Direito do Petróleo" (2013), "100 years landmark international arbitral decisions (2016). Portuguese Arbitration Law – A commentary (4<sup>th</sup> edition 2019)

Various conferences held and articles published in Portugal, Cap Verde, Brazil, Angola, Mozambique, Peru, Spain, South Korea, France, Argentina, USA, UK, Costa Rica, on litigation and arbitration, construction and PPP's, investment treaties, oil and gas, consumer law, class actions, public law, contracts, capital markets, business law, etc.

Some of these publications, articles and conferences scripts are available at <u>www.josemigueljudice-arbitration.com</u>

As Professor he teaches Arbitration and Dispute Resolution (International Commercial Arbitration), Energy and Politics and Business Law.

Star Individual in Chambers Directory (Dispute Resolution) and Tier 1 in the more relevant directories. Tier 1 in Chambers Most in demand Arbitrators. Received in July 2019 the "Chambers Lifetime Achievement Award" (the second Portuguese awarded ever)

Order of the Légion d'Honneur (France) and of Henri the Navigator (Portugal)

### LANGUAGES SPOKEN

Portuguese, English, French and Spanish. He acts as President of international arbitration tribunals in which the language was one of these, some of them bilingual cases.