



José Miguel Júdice

Independent Arbitrator

+351 917 211 589

+351 218 067 074

jmj@josemigueljudice-arbitration.com

Calçada do Galvão, 99, r/c
1400-165 Lisboa
Portugal

It is possible to download my cv in a short and a more complete versions, this later with my experience as arbitrator provided in detail. No CV is enough to inform about a possible choice of an arbitrator. Please feel free to contact me by email if more or deeper information about my practice is deemed necessary or convenient.

University Experience

University of Coimbra Law School

- Graduate in Law (grade 17/20)
- Assistant Professor (Political Science and Constitutional Law, Economic Law), 1972-1977

University of Lisbon Law School

- Professor (International Law and Political Science), 1978-1981

Faculty of Law, Universidade Nova de Lisboa

- Visiting Associate Professor at the Faculty of Economics ("Business Law" in the Lisbon MBA from 2005-2012, and scientific coordination of the postgraduate course in Management for Lawyers and chair of Alternative Dispute Resolution, 2005).
- Visiting Professor at the Faculty of Law (Chair of Legal Ethics (2006-2007) and several chairs in the Postgraduate Programme in Arbitration, 2009; Chair of International Commercial Arbitration (2018-

Present) and Chair of Investment Treaty Arbitration (2021- Present) in the Master in Forensic Law and Arbitration.

ISCTE (Lisbon)

- MBA in Energy with Columbia University (NY): Visiting Professor 2010-2014 (Energy & Policy)

ISDE (Madrid)

- Lecturer in the International LLM with Columbia Law School (NY) (currently suspended)

Lawyer Experience

Institutional Activity as Lawyer

- Member of the Superior Council of the Judiciary: 1997-2001
- Member of the Board of the Portuguese Bar Association: 1995-1998
- President of the Portuguese Bar Association: 2002-2005
- President of the Human Rights Commission of the Portuguese Bar Association: 2003-2004
- IBA Council Member: 2005
- Founding Partner of PLMJ - Pereira, Saragga Leal, Martins, Júdice & Associados, RL: 1980-2019
- Head of PLMJ Arbitration: since its foundation until 2017

Arbitration Experience

Institutional Activity

- ICC International Court of Arbitration: Member, 2009-2015
- ICC National Committee of Arbitration: Vice-Chairman, 2009-2013
- Confederação do Comércio Português: Chairman of the Ethics Council, 2005-2009
- Arbitration Centre of the Portuguese Chamber of Commerce and Industry: Vice-president, 2011-2013; President, 2013-2016
- Portuguese Arbitration Association: Chairman of the Procedural Law Commission and Practice Committee, 2006-2008; Member of the Board of Directors with International Relations functions, 2008-2014; Chairman of the General Assembly, 2021-
- Spanish and Iberoamerican Arbitration Club: Member of the Board of Directors, 2013-2017
- ITA - Institute for Transnational Arbitration: Country Reporter for Portugal, 2008- 2008
- Commercial Dispute Resolution: Editorial Board Member, 2012-2015
- Member of the List of Arbitrators of the Portuguese "Conselho Económico e Social", 2006-2011
- "Anuario Latinoamericano de Arbitraje" of the Instituto Peruano de Arbitraje (Peru): Member of the Council
- ICC World Institute of Business Law Council: Member, 2021-Present
- CIAM - Centro Internacional de Arbitraje de Madrid Committee for the Appointment of Arbitrators: Member, 2020-2023

- Member of the CIAM "Arbitration with States and Investment Arbitration" Committee, 2024-Present)
- Member of IBA, LCIA, ICCA, Brazilian Committee of Arbitration

Rosters and Panels of Arbitrators

- ICSID (Washington) Panel of Conciliators and Panel of Arbitrators (since 2013 and re-appointed in 2019 for a further 6 years)
- List of Arbitrators of the Permanent Court of Arbitration (The Hague)
- Arbitration Centre of the Brazil-Canada Chamber of Commerce (S. Paulo)
- Arbitration Centre of the Federation of Industries of the State of São Paulo (FIESP-CIESP)
- Arbitration Centre of the Portuguese Chamber of Commerce in Brazil (S. Paulo)
- CAMARB - Brazilian Chamber of Business Arbitration (Belo Horizonte, Brazil)
- CAE - Chamber of Mediation and Arbitration of the Eurochambres (S. Paulo)
- CBMA - Brazilian Centre for Mediation and Arbitration (Rio de Janeiro)
- Paraná Chamber of Mediation and Arbitration (Curitiba, Brazil)
- CAMITAL - Chamber of Mediation and Arbitration of the Italian-Brazilian Chamber of Commerce, Industry and Agriculture (S. Paulo, Brazil)
- CEASP - Arbitration Chamber of the State of S. Paulo (S. Paulo, Brazil)
- CAMOB - Bahia-West Chamber of Arbitration and Mediation (Brazil)
- CCIP Commercial Arbitration Centre - Chamber of Commerce (Lisbon)
- Arbitration Centre of the Commercial Arbitration Institute of Oporto
- Centro de Arbitragem Concórdia (Lisbon)
- Portuguese Construction Arbitration Centre (Porto)
- Arbitration Centre of the Luso-Spanish Chamber of Commerce and Industry (Lisbon)
- CIMA - Madrid Civil and Commercial Court of Arbitration
- Korean Arbitration Centre (Seoul)
- Shanghai Arbitration Commission (Shanghai)
- Mozambique Arbitration Centre (Maputo)
- BVI Arbitration Centre (British Virgin Islands)
- Member of the list of Presiding Arbitrators of the Portuguese Social Economic Council, to resolve collective bargaining disputes and minimum services during strikes, from 2006 to 2011.

Professional Associations

- Portuguese Bar Association
- International Bar Association (IBA)
- Associação Portuguesa de Arbitragem (APA)
- Brazilian Committee of Arbitration
- Spanish and Ibero-American Arbitration Club (CEIA)
- ICCA
- LCIA

Professional Arbitration Experience

40 years of experience in litigation and arbitration in almost all fields of law.

As an arbitration lawyer: since 1979, more than 80 UNCITRAL, ICC, OHADA, ICSID, NAI and ad hoc

arbitrations, domestic and international (shareholder and corporate agreements, construction and urban planning, mining and industrial law, public works and service concessions, agency and distribution, international contracts, BIT's, banking, finance and insurance, investment disputes, oil and gas, transport, hotel and tourism, labour, M&A, media and telecommunications). Applicable law of Spain, Brazil, France, Holland, Guinea Conakry, Angola, Mozambique, Portugal, Cape Verde, S. Tome and Principe, Investment Protection Treaties and International Law.

As Arbitrator: over 70 ICSID, PCA (The Hague), ICC, LCIA, ad hoc and UNCITRAL arbitrations, Madrid Chamber, Brazil/Canada Chamber, CAIP (Chambre d'Arbitrage International de Paris), Portuguese arbitration centres, in domestic and international arbitrations, as co-arbitrator, sole arbitrator (6) and Chairman (50), subject to the law of Spain, Ecuador, Colombia, Bolivia, Peru, France, Portugal, Brazil, Angola, BITs and international law (international contracts, shareholder and corporate agreements, construction, investment, agency and distribution, insurance, public works and services concessions, media and telecommunications, banking and finance, mining law, tourism, public-private partnerships, pharmaceutical, energy (oil and gas, electricity), hotel management, golf and tourism, BIT disputes, etc.).

The seats of arbitration are or have been S. Paulo, Rio de Janeiro, Luanda, Madrid, Barcelona, London, Zurich, Geneva, Paris, Brussels, The Hague, New York, Washington D.C., Santiago de Chile, Lisbon and Porto.

As a member of the Board of Directors of the Associação Portuguesa de Arbitragem, he was one of the authors of the New Portuguese Arbitration Law.

In January 2020, he became a sole arbitrator and legal expert.

Main recent cases as President of arbitral tribunals

- ICC arbitration between US and Brazilian companies relating to a shareholders' agreement in the energy area, seat in Rio de Janeiro, Portuguese and English languages, Brazilian law.
- ICC arbitration between Swiss and Brazilian companies concerning the termination of a distribution contract in the textile area, seat in London, Portuguese and English languages, Brazilian law.
- ICC arbitration between German and US companies concerning a procurement contract (representations and warranties and engine malfunction) in the automotive industry, seat in Zurich, Portuguese and English languages (since the proceedings were bifurcated, two arbitral awards were rendered), Brazilian law.
- ICC arbitration between companies from Ecuador and Brazil, both controlled by the respective States, related to a financing contract, banking sector and electricity production industry, seat in Rio de Janeiro, Portuguese and Spanish languages, Brazilian law.
- ICC arbitration between an Angolan hotel group and a French hotel group, relating to a hotel management contract, seat in Lisbon, Portuguese language, Angolan law.
- Ad hoc arbitration between a Portuguese public entity and an international consortium related to the

construction of a large underground transport system, seat in Oporto, Portuguese language and *ex aequo et bono* arbitration.

- Three ad hoc arbitrations between a Portuguese public entity and a construction consortium relating to the construction of a large water treatment and distribution system in Alentejo, seat in Lisbon, Portuguese language and Portuguese law.
- Ad hoc arbitration between the Portuguese State and the concessionaire of a highway to re-establish financial equilibrium in a public law contract, seat in Lisbon, Portuguese language and Portuguese public law.
- Ad hoc arbitration between the owner company of a tourist resort and an investor, concerning a plot of land for construction on the seafront in the Lisbon area, seat in Lisbon Portuguese language, and Portuguese public law.
- PCA Investment Protection Arbitration between the English company Rurelec and the Republic of Bolivia, relating to the energy industry, seat in The Hague, Spanish and English languages, in application of the Bilateral Investment Treaty between that country and the United Kingdom (also relevant to the BIT between Bolivia and the United States).
- Ad hoc arbitration between a Portuguese public entity and an international consortium concerning the concession of a motorway, financial and construction areas, seat in Lisbon, Portuguese language, and Portuguese public law.
- Arbitration at the Madrid Chamber of Arbitration between a large English insurance group and a Spanish bank relating to a shareholders' agreement and a contract for the sale of insurance in the banking network, seat in Madrid, Spanish language and Spanish law.
- Ad hoc arbitration between pharmaceutical groups (both foreign) related to patent licensing, seat in Lisbon, Portuguese language and Portuguese law.
- Centro de Arbitragem e Mediação Brasil-Canada, arbitration between a Brazilian oil company and a construction consortium, concerning a contract for works in a refinery (coking plant), seat in S. Paulo, Portuguese language and Brazilian law.
- Ad hoc UNCITRAL arbitration between two European countries and an international consortium, based on an International Treaty concluded between those two countries, relating to a contract for the concession, construction and exploration of a high-speed railway line, seat in Brussels, Spanish and French languages and Law.
- ICC arbitration between a large European industrial group and a South American consultancy relating to a public tender for the sale of aircraft in a South American country, English language, seat in Madrid, Spanish law (sole arbitrator).
- Arbitration by the Portuguese Chamber of Commerce between a Portuguese hotel group and a Spanish hotel group, concerning a management contract, seat in Lisbon, Portuguese language and Portuguese law.
- Arbitration by the Portuguese Chamber of Commerce between Portugal and a private hospital concessionaire, concerning a public-private partnership contract, seat in Lisbon, Portuguese language and Portuguese public law.
- LCIA arbitration, between a large multinational company in the oil and gas sector and a Brazilian company in the same sector, concerning an upstream contract, seat in S. Paulo, English language, Brazilian law.
- ICC emergency arbitration in a dispute between an African country and a large telecommunications

group, seat in Paris, French language and French law.

- ICC arbitration between a large international hotel group and a local real estate developer, concerning a set of contracts for two hotels in the south of Brazil, seat in S. Paulo, Portuguese and English languages, Brazilian law.
- PCA commercial arbitration concerning an upstream oil concession contract between a Singapore oil and gas group and a South American state, seat in Santiago (Chile), Spanish language, Ecuadorian law.
- ICC arbitration between a Spanish construction group and a local concessionaire controlled by an Australian private equity fund, concerning a public motorway concession contract in a South American State, Spanish language, seat in Madrid, Colombian law.
- Arbitration of the PCA of Investment Protection between and investors of dual nationality (Swiss and a South American country) against that country, concerning an investment in the telecommunications sector, Spanish and English languages, seat in The Hague.
- ICC arbitration concerning a real estate M&A contract and guarantee insurance contract, between a Spanish group and an English insurance group, seat in Lisbon, English language, Portuguese law (sole arbitrator).
- PCA Investment Protection Arbitration between a Spanish group and a Central American country, concerning an investment in the agricultural sector, seat in The Hague, Spanish language.
- ICSID - Ad Hoc Committee for annulment of an award in an arbitration under a Multilateral Treaty (Energy Charter) between a British investor and the Kingdom of Spain, Spanish and English languages.
- ICC arbitration between a Swiss and a Brazilian group, concerning a banking M&A contract, seat in S. Paulo, Portuguese language and Brazilian law.
- PCA arbitration between an American investor (Argentinean subsidiary) and an Argentinean state-owned entity, concerning a renewable electricity supply contract, seat in The Hague, Spanish language, Argentinean law.
- ICC arbitration between a consortium of Spanish companies and a consultant in a Middle Eastern country, concerning an investment consultancy contract, seat in Madrid, English language, Spanish law.
- Arbitration Chambre d'Arbitrage International de Paris between a City Council of a South American country and a French construction group, concerning a Concession and Construction Contract for a highway, seat in Paris, Spanish language, Peruvian law.
- Ad hoc arbitration between two companies of a Spanish hotel group and a Portuguese construction company, concerning the construction of two hotels, seat in Lisbon, Portuguese language and Portuguese law.
- ICSID - Ad Hoc Committee for annulment of an award in an arbitration under an Investment Protection Treaty between an investor from Singapore and the Republic of Peru, Spanish and English language.

Main recent international cases as co-arbitrator

- Ad hoc arbitration between a French group and a Portuguese company, in the field of the construction industry, concerning an M&A contract (representations and warranties, SPV accounts, construction), seat in Lisbon, Portuguese and French languages, Portuguese law.
- ICC arbitration between a Portuguese and a Spanish company, concerning a pharmaceutical and commercial concession contract, seat in Barcelona, English language and Spanish law.

- Ad hoc arbitration between a port authority and a concessionaire, seat in Lisbon, Portuguese language and public law.
- Ad hoc arbitration, under UNCITRAL rules, between a French group and a Portuguese investor, concerning a shareholders' agreement in the banking sector, seat in Lisbon, Portuguese and French languages, Portuguese law.
- Ad hoc international arbitration between a European banking consortium and a construction consortium, concerning financing contracts for a public-private road partnership, seat in Lisbon, Portuguese and English languages.
- Arbitration by the Arbitration Institute of the Porto Commercial Association between a Portuguese group and a public entity, concerning an internet infrastructure contract, seat in Porto, Portuguese language and Portuguese public law.
- Several ad hoc arbitrations between (foreign) pharmaceutical groups concerning patent licensing, seat in Lisbon, Portuguese language and Portuguese law.
- Ad hoc arbitration between a Portuguese bank and a financial company partner of the bank concerning a financial contract, seat in Lisbon, Portuguese language and Portuguese law.
- ICC arbitration between an African State and a European airline concerning a privatization, seat in Lisbon, Portuguese language and Portuguese law.
- Arbitration in the Centro de Arbitragem e Mediação Brasil-Canada between a mining company and a port concessionaire, both controlled by foreign entities, concerning a take or pay mining contract, seat in S. Paulo, English language, Brazilian law.
- Ad hoc arbitration between a private developer and the State of Portugal concerning a contract for the development of an urbanization plan, construction and sale of buildings for a large plot of land in the Lisbon area, seat in Lisbon, Portuguese language and Portuguese law.
- Arbitration in the Centro de Arbitragem e Mediação Brasil-Canada between a large South American oil and gas company and a Brazilian entity, relating to a contract for the production of oil exploration equipment and a shareholders' agreement, seat in S. Paulo, Portuguese language, Brazilian law.
- ICC arbitration between a large South American oil and gas company and a Central American shipyard, concerning an engineering, procurement and construction management contract, seat in New York, English language, Brazilian law.
- ICC arbitration concerning a merger and acquisition contract in the food industry between a Swiss group and a Brazilian group, seat in São Paulo, English language, Brazilian law.
- Two ICC Arbitrations between a French group and the Portuguese State, relating to a contract for the construction and concession of bridges in Lisbon, Portuguese language and Portuguese law.
- ICC arbitration between a Chinese and a Spanish group concerning a set of contracts in the renewable energy industry, seat Lisbon, English language, Portuguese law.
- Arbitration by the Construction Arbitration Centre between a municipality in the north of Portugal and a Portuguese consortium, concerning a pre-contractual dispute in a public tender for outdoor advertising, seat in Porto, Portuguese language, Portuguese law.
- ICC arbitration between a Luxembourg group and a Portuguese group, concerning a shareholders' contract in the motorway construction and concession industry, seat in Lisbon.
- ICC arbitration concerning a shareholders' agreement in the real estate sector between a Luxembourg group and a Portuguese group based in Lisbon.
- ICC arbitration between an industrial multinational and a Spanish group, concerning subcontracting

around a large Brazilian power plant, seat in S. Paulo, Portuguese language, Brazilian law.

- Arbitration by the Portuguese Chamber of Commerce and Industry between a Portuguese construction group and a Luxembourg fund, concerning a real estate M&A transaction, seat in Lisbon, Portuguese language and Portuguese law.
- Arbitration by the Portuguese Chamber of Commerce and Industry, between a Spanish energy group and an international construction consortium, concerning the construction of a hydroelectric power plant, seat in Lisbon, Portuguese language and Portuguese law.
- Ad hoc arbitration concerning a contract between a state real estate fund and the shareholders of a textile group, seat in Lisbon, Portuguese language, Portuguese law.
- CAIP arbitration between an Italian company and an African State concerning a mining contract, seat in Paris, language and law of the African State.
- Ad hoc arbitration concerning a real estate investment between a Portuguese municipality in the Lisbon district and a real estate group, seat in Lisbon, Portuguese language, Portuguese law.
- ICC arbitration between an international banking group and a Portuguese public fund concerning a financial M&A contract, seat in Lisbon, English language, Portuguese law.
- LCIA arbitration between a Cypriot group and a Portuguese group, concerning a mergers and acquisitions transaction, seat in London, English language, Portuguese law.
- Ad hoc arbitration between a French company and the Mozambican public airport authority, concerning a construction contract, seat in Lisbon, English language, Mozambican law.
- ICC arbitration between an Asian group and a Brazilian group concerning an M&A transaction in the paper industry, seat in S. Paulo, Portuguese language, Brazilian law.
- Arbitration of the Portuguese Chamber of Commerce and Industry between a Spanish international distribution group and an Portuguese start-up, concerning an M&A transaction in the food distribution industry, seat in Lisbon, English language, Portuguese law.
- Arbitration by the Portuguese Chamber of Commerce and Industry, between a motorway concessionaire in Portugal and the Portuguese State, concerning financial rebalancing, seat Lisbon, Portuguese law.
- ICC arbitration between a Uruguayan company (part of a Finnish construction group) and a Spanish and an Uruguayan construction group, concerning a contract for the manufacture and assembly of pipes and equipment for an industrial plant, seat in Madrid, English language, Uruguayan law.

Additional Information

On 1 January 2020, he ceased practicing as a lawyer, devoting himself exclusively to the practice of arbitration as an arbitrator and legal expert.

Publications and papers:

Capital Markets in Portugal (1994); *Security Law, Portuguese Chapter* (1996); *Takeover Portuguese Law* (1996); Annotation to the Portuguese Arbitration Law (Fourth Edition 2019), Chapter on Arbitration in the Collective work *Petroleum Law* (University of Coimbra Law School).

Several conferences and articles published in Spain, Argentina, Peru, Costa Rica, Brazil, Portugal, Cape Verde, Angola, Mozambique, South Korea, Macao, France, Germany, USA, UK, on litigation and arbitration,

construction and public-private partnerships, investment treaties, oil and gas, consumer law, popular actions, public law, constitutional law, contracts, capital markets, commercial law, etc.

He has participated as a speaker at the 1st and 2nd ICC PIDA in Paris (2009 and 2010), in S. Paulo (2011) and in Luanda (2014), member of the jury of the "International Arbitration Competition" (organized by the Universities of Buenos Aires and Rosario of Colombia (2011) and jury of the Vis Pre-Moot in Madrid, London and Curitiba. He was a speaker in Brasilia at an international conference organized by the Superior Court of Justice on the NY Convention.

Some of these publications, articles and conference abstracts are available at www.josemigueljudice-arbitration.com.

Professional decorations and awards

Order of the Légion d'Honneur (France).

Order of Infante D. Henrique (Portugal).

Star Individual in the Chambers Directory (Dispute Resolution) and Tier 1 in the most important directories.

He has received in July 2019 the "Chambers Lifetime Achievement Award", being one of only two Portuguese (the other in 2006).

Languages

Portuguese, English, French and Spanish. He has acted as presiding arbitrator or co-arbitrator in more than 20 bilingual international arbitrations.