



## **Patricia Rosario**

### **Lawyer Arbitrator**

#### **Overview**

Patricia Rosario is a practicing lawyer and Visiting Research Fellow at the Oxford Institute for Energy Studies with an LL.M in Comparative and International Dispute Resolution from Queen Mary, University of London. She has worked in the International Arbitration Departments of international American law firms in London and Paris and at the International Court of Arbitration (ICC) in Paris. Patricia has acted for international developers, employers and contractors in some of the largest and most complex building and engineering projects undertaken in Europe and Africa. She is a qualified international Arbitrator at the Dubai International Arbitration Centre. Patricia is also a Member of the Swiss Arbitration Association, the Brazilian Arbitration Committee, the Latin American Association of Arbitration and the British Institute of International and Comparative Law.

#### **Languages**

English, Portuguese, French and Spanish.

#### **PROFESSIONAL EXPERIENCE**

2010 - To date            Lawyer - Partner at Rosário e Abrantes Garcia Advogados (RAGA Advogados), Portugal, U.K. Partner at RAGA & AV Advogados, Angola.

- Counsels businesses on international trade and foreign direct investment in Europe and Lusophone Africa (in particular, Angola and Mozambique).
- Counsel in several ad hoc arbitrations, mediations and conciliations.
- Ad-hoc arbitration experience.

- Assists clients, from large companies to local businesses, in a variety of complex litigated matters, both at the trial and appellate levels.
- Advises companies on Angolan corporate law issues, construction law and infrastructure projects involving complex contracts, and corporate restructuring.
- Assists companies on pre-litigation analysis and on the various dispute resolution mechanisms, including international arbitration available to parties and States.
- Assists in initial consultation, legal due diligence, negotiations, contract drafting (in both English and Portuguese) and advising on various operational and regulatory issues engendered by oil and gas operational activities, mergers and acquisitions and foreign direct investment activities and mining related projects.

2009                                      Visiting Lawyer - Baker Botts, LLP - International Arbitration Department, London, UK.

- Advised a Latin American country in CIAC arbitration against a shipping company.
- Advised a Dutch company in an ICSID arbitration against a North African State.
- Advised an Asian pharmaceutical company in an ICC arbitration against an international company.
- Advised a Russian company in ICC arbitration against an Italian construction company.
- Advised an African energy company in an ICC arbitration against another energy company.
- Advised an Azerbaijani energy company in a pre-arbitral proceeding concerning oil price review clauses.

2008                                      Visiting Lawyer - Dewey & LeBoeuf, LLP - International Arbitration Department, Paris, France.

- Advised a German Consortium in an ICSID arbitration against an Asian country for a breach of an airport concession agreement.

- Advised an international building consortium in a construction arbitration proceedings involving breach of contract and subcontract claims against an African employer.
- Advised a private German investor in an ICSID arbitration against a Latin American country involving an expropriation and environmental issues.
- Advised on international public law and international investment law.

Mar -July 2008                      Lawyer - L'OREAL, Paris, France.

- Elaborated, negotiated and concluded contracts (lease, construction, selective distribution, retail, manufacture, cash management and logistic).
- Elaborated, negotiated and revised arbitration clauses and arbitration agreements.
- Advised L'OREAL in an EU/antitrust litigation before the Court of Justice of the European Communities.

Jan -Mar 2008                      Internship - International Court of Arbitration - International Chamber of Commerce, Paris, France.

- Assisted the Documentation Centre, the Latin American and French arbitration teams.
- Wrote, reviewed, and edited Court agendas and comments; attended closed Court sessions; reviewed cases before the Court; wrote "recommendations" (tentative rulings), all of which were adopted by the Court; edited arbitration awards, new submissions to the Court, party requests and arbitration decisions; attended presentations on the latest arbitration developments.

Mar -Oct 2006                      Associate Lawyer, Gouveia Pereira e Associados - (*Spin-off* Landwell - Pricewaterhouse Coopers) Lisbon, Portugal.

- Acted as an adjudicator in a construction dispute arising out of a construction contract (FIDIC).
- Developed investment strategies for a leading Irish provider of properties in Cape Verde and Brazil.
- Drafted, reviewed and concluded standard forms of construction contract (FIDIC) and building contracts.

- Prepared ancillary construction documentation and construction provisions of property documentation (e.g. construction and environmental licenses, sale and purchase agreements)
- Dealt with all legal issues related to the construction process from land acquisition and project financing to post-construction claims settlement.
- Advised on settlement negotiation and dispute resolution strategy.
- Counsel in State court disputes, including having the lead conduct of individual disputes valued in hundreds of millions of euros.

Feb 2005- May 2006 In-house Lawyer, AICE - Private Construction Association, Lisbon, Portugal.

- Acted for Portuguese and European developers, employers and contractors in some of the largest and most complex building and engineering projects undertaken in Portugal.
- Involved in legislative drafting and public affairs advice.
- Strategic advice on construction projects, health, safety and environmental law.
- Advised on tendering, construction claims and legal issues arising from public and private building projects.
- Attended mediation and settlement discussions, drafted and reviewed settlement agreements.

Jul 2003- Oct 2005 Trainee-Lawyer, Rogério Alves Advogados, Lisbon, Portugal.

- Business litigation in a variety of subject matter areas at trial and appellate levels before the Courts of Portugal.
- Advised clients on a wide range of general commercial transactions, investment structures and dispute resolution strategy.

## **EDUCATION**

2012 **Visiting Research Fellow at the Oxford Institute for Energy Studies -University of Oxford, Oxford, U. K.**

2010 **Visiting Scholar at the *Facoltà di Giurisprudenza - Università degli Studi di Padova (University of Padua),***

**the International Centre for Climate Governance in Venice (ICCG), and Università Ca' Foscari di Venezia, (University of Venice) - Italy. Diploma in International and European Law & Policy on Investments and Environment.**

- 2007 **Queen Mary, University of London LLM in Comparative and International Dispute Resolution - with Merits**  
Final Dissertation - International Construction Contracts and Arbitration: "*Pacta Sunt Servanda - to what extent ?*"  
Supervisor: His Honour Judge Humphrey Lloyd Q.C.
- 2005 **Instituto Superior de Ciências do Trabalho e da Empresa - Lisbon, Portugal Master in Domestic and International Tax Law - with Distinction**
- 2005 **Qualified Lawyer by the Portuguese Bar Association - with Distinction**
- 2003 **Catholic University of Lisbon, Portugal - with Merits**  
Law Degree (five year degree)

#### **PUBLISHED ARTICLES**

- ***Salient features of the proposed New Portuguese Arbitration Act***, published in January 2011 in the *International Construction Law Review*.
- ***Investments In Sub Saharan Africa: The Role of International Arbitration in Dispute Settlement***. Jointly written with Diran Ajayi, published in the *Brazilian Arbitration Review*, Vol. 23, September 2009.
- ***Foreign Direct Investment in Angola and Agreements on Environmental Cooperation***, to be published at the *Revista Catalana De Dret Ambiental Copublished By The Departament De Medi Ambient I Habitatge De La Generalitat De Catalunya And The Centre D'estudis De Dret Ambiental De Tarragona, Universitat Rovira I Virgili*.
- ***The New Arbitration Rules of the Portuguese Chamber of Commerce***. Jointly written with Gonçalo Malheiro and published in *Vida Judiciaria* (Portuguese Law Review) September 2008.
- ***Pacta Sunt Servanda - to what extent?*** To be published.

- ***Upstream Law and Regulation. (Angola chapter).*** To be published.

## **AFFILIATIONS**

- Member of the ALARB – Latin American Association of Arbitration, 2011.
- Young ICCA Advisory Member, for the year 2011- 2012.
- Qualified Arbitrator in the Dubai International Arbitration Centre, since 2010.
- Member of the Young CEAC Circle within the Chinese European Legal Association, since 2010.
- Member of the ICDR Young & International, since 2010.
- Member of the Swiss Arbitration Association – ASA, since 2008.
- Member of the Brazilian Arbitration Committee, since 2008.
- Member of the Belgian Arbitration Association – CEPANI, since 2008.
- Member of the Alumni and Friends of the School of International Arbitration, since 2007.
- Member of the British Institute of International and Comparative Law, since 2007.
- Member of LCIA - Young International Arbitration Group, since 2007.
- President of the European Law Student Association in Catholic University in Lisbon in 2000.

## **ACTIVITIES**

- Invited Lecturer – Arbitration and Construction: Selection of arbitrators, at MFRA – Motta, Fernandes, Rocha Advogados, Rio de Janeiro, Brazil, September 2011.
- Arbitrator at the Annual *Willem C. Vis* (East) International Commercial Arbitration Moot April 2011.
- Co-founder of the Portuguese Committee of the AFSIA “School of International Arbitration” in Lisbon, April 2010.
- Collaboration with the International Construction Law Review, since April 2010.
- Collaboration with Associate Professor and deputy director Weidong Zhu, Centre for African Laws and Society, Faculty of Law, Xiangtan, University,

China, in designing a questionnaire about the legal issues relating to Chinese enterprises doing business in Africa, in February 2010.

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