

**Ana GERDAU de BORJA MERCEREAU**

Member of the Brazilian and Portuguese Bars, Registered with the Paris Bar (Directive List)  
agerdaudeborja@derainsgharavi.com

*Cambridge-educated attorney specialising in international arbitration*

**I. EXPERIENCE**

**Derains & Gharavi, Paris**

*2018 - present*

*Senior Associate, International Arbitration*

- Has acted as Counsel to parties and as Secretary to arbitral tribunals in ICC, ICSID and LCIA-MIAC arbitration proceedings
- Listed on the LCIA database of arbitrators; on the list of arbitrators of the Arbitration Centre of the Portuguese Chamber of Commerce and Industry (Portugal); on the list of arbitrators of CAMARB, CBMA and ARBITAC (Brazil); and on the list of arbitrators of the Centre of Arbitration Amcham Perú (Peru)
- Member of: Delos' Long View Steering Committee; CIArb YMG Global Steering Committee; ICC Brasil; Brazilian Arbitration Committee (CBAr); Comité français de l'arbitrage (CFA); International Arbitration Institute (IAI); Dispute Resolution Board Foundation (DRBF); Club Español del Arbitraje (CEA)
- Founder of the Rising Arbitrators Initiative (RAI) and Co-Chair of its Executive Committee

**ICC Commission on Arbitration and ADR**

*2018 - present*

*Member, upon nomination of the Brazilian Committee*

**ICC Task Force on Corruption in International Arbitration**

*2019 - present*

*Member and Coordinator of Track 5 Responsible for the Americas*

**Université Paris-XIII, Paris**

*2017*

*Lecturer*

- Lectured on private international law (master course of Professor Bernard Haftel)
- Spoke in international conferences

**Cleary Gottlieb Steen & Hamilton, Paris**

*2015 - 2017*

*Associate, International Arbitration*

- Acted as Counsel in ICSID arbitration proceedings
- Provided advice on dispute settlement clauses on investment (re)structuring to take advantage of protections offered by investment treaties

**Wald, founded by Professor Arnaldo Wald, São Paulo**

*2010 - 2015*

*Associate, International and Domestic Arbitration*

- Acted as Counsel in commercial arbitration proceedings under ICC, ICDR and Brazilian rules such as CAM-CCBC, CCMA CIESP/FIESP and CAM-BM&FBOVESPA. Clients included (i) a major Brazilian group against one of the largest French mass retailers; (ii) the world's largest meat processing company; (iii) a leading Scandinavian energy investor; (iv) Brazilian leading oil & gas and transportation players
- Helped successfully settle several of these proceedings
- Created research groups at the Brazilian Arbitration Committee (CBAr) and at the Conflict Resolution Center (CRC-USP) of the University of São Paulo

**ICC Task Force on the Revision of ADR, Expert and Dispute Board Rules**

*2012 - 2014*

*Member, upon nomination of the Brazilian Committee*

**BKBG**, founded by Mr. Eduardo D. Gonçalves (now partner at Mattos Filho), São Paulo  
*Associate, International and Domestic Arbitration*

- Acted as Counsel to Brazilian and foreign companies in commercial arbitration proceedings, and as Secretary to arbitral tribunals in proceedings under ICC, CCMA CIESP/FIESP and the Engineering Institute's CMA arbitration rules

**ICC International Court of Arbitration Secretariat, Latin American Team**, Paris  
*Intern*

2007

- Helped prepare reports on arbitral awards for ICC Court sessions involving Latin American parties

## II. PROFESSIONAL CERTIFICATION AND RANKINGS

**Fellow**, Chartered Institute of Arbitrators (CIArb)

2018

**Women in Law Award**, Latin America

2014

*Granted by Lawyer Monthly to only 14 Brazilian attorneys*

## III. EDUCATION

**University of Cambridge** (UK)

2005 - 2010

- PhD in Law under the supervision of ICJ Judge James Crawford: "Regional Economic Community Rules and Investment Treaty Arbitration: The EU Experience and its Relevance for the Andean Community"*
- LLM (International Law)*

**University of Texas at Austin** (USA)

2004

*Visiting Law Student*

**Federal University of Rio Grande do Sul**, Porto Alegre (Brazil)

2000 - 2005

*LLB, with distinction*

## IV. SELECTED PUBLICATIONS

- "Is Corporate Social Responsibility There to Stay in International Arbitration?" (TDM Special Issue 2019)
- "La corruption et l'arbitrage", in *Un demi-siècle africain d'arbitrage d'investissement*. Paris, LGDJ (2019)
- "Prise en compte des droits de l'homme et de l'environnement dans les traités bilatéraux d'investissement" in *La protection des investissements étrangers : vers une réaffirmation de l'État ?* Paris, A. Pedone (2018)
- Investment Protection in Brazil*. The Hague, Kluwer (2014) (with D Levy, A Pucci)
- "Brazil as 'La Belle of the Ball': The Brazilian Courts' Pro-Arbitration Stance (2011-2012)" 2013(2) *The Paris Journal of International Arbitration* 381 3 (with A Wald)

## V. LANGUAGES

- Portuguese** (native); **English** (fluent); **French** (fluent); **Spanish** (fluent)