

## MERCÉDEH AZEREDO DA SILVEIRA

Place of birth: Geneva, Switzerland  
Nationalities: Swiss and Brazilian

AZHA Avocats – Attorneys-at-Law  
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### EDUCATION

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**UNIVERSITY OF GENEVA FACULTY OF LAW**, Geneva, Switzerland 1/2013  
**Ph.D.** (*The Effects of Trade Sanctions on International Sales Contracts in International Arbitration and Swiss and European Litigation*, published by Kluwer Law International in 2014)

**FORDHAM UNIVERSITY SCHOOL OF LAW**, New York, NY, USA 4/2010-12/2011  
**Visiting research fellow**

**COLUMBIA LAW SCHOOL**, New York, NY, USA 1/2008-3/2010  
**Visiting scholar**

**HARVARD LAW SCHOOL**, Cambridge, MA, USA Fall 2007  
**Visiting doctoral student**

**COLUMBIA LAW SCHOOL**, New York, NY, USA 5/2005  
**LL.M.**

**CONSERVATOIRE DE MUSIQUE DE GENÈVE**, Geneva, Switzerland 1986-2002  
**Complete cello studies**  
*Orchestre du Conservatoire de musique de Genève (1997-1999)*

**UNIVERSITY OF GENEVA FACULTY OF LAW**, Geneva, Switzerland 10/2001  
**Licence en droit** – completion at age 21

### BAR ADMISSION

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**Paris Bar** (Directive 98/5/EC of the European Parliament and of the Council, 16 February 1998) 2013-2016  
**Geneva Bar** 2004

### PROFESSIONAL EXPERIENCE

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**SCIENCES PO LAW SCHOOL**, Paris, France Since 9/2020  
**Lecturer – Master in Economic Law, Global Governance Studies**  
*Economic Sanctions and International Arbitration*

**AZHA AVOCATS**, Geneva, Switzerland Since 2/2019  
**Founding partner**  
Arbitrator in international commercial arbitration proceedings. Counsel before international arbitral tribunals in commercial and investment disputes. Party-appointed expert on questions related to international arbitration, private international law, international trade and economic sanctions. Switzerland's designee to the ICSID Panel of Conciliators (2021-2027).

**BAER & KARRER S.A., ATTORNEYS-AT-LAW**, Geneva, Switzerland 11/2016-1/2019  
**Senior associate – International Arbitration Department**  
Arbitrator in international commercial arbitration proceedings. Counsel before international arbitral tribunals in commercial disputes. Counsel before the Swiss Supreme Court in proceedings related to challenges of international arbitral awards (including sports-related awards).

**DERAINS & GHARAVI INTERNATIONAL, ATTORNEYS-AT-LAW**, Paris, France 4/2013-4/2016  
**Senior associate**  
Counsel before international arbitral tribunals in investment disputes. Legal expert on economic sanctions.

**SCHELLENBERG WITTMER LTD, ATTORNEYS-AT-LAW**, Geneva, Switzerland 9/2005-8/2007  
**Associate – International Arbitration Department**  
Counsel before international arbitral tribunals in commercial disputes. Official secretary to arbitral tribunals in proceedings governed by the ICC Arbitration Rules. Assistant to arbitral tribunals in proceedings governed by the ICSID, the LCIA and the UNCITRAL Arbitration Rules.

**PYTHON PETER & PARTNERS, ATTORNEYS-AT-LAW**, Geneva, Switzerland 7/2002-3/2004  
**Junior lawyer**  
Representation of private and institutional clients in bankruptcy proceedings, employment disputes and commercial disputes. Legal advice in the areas of international arbitration, corporate law, private international law, employment law, property law, intellectual property and estate planning.

**CANTON AND REPUBLIC OF GENEVA**, Geneva, Switzerland 7/2002-12/2003  
**Court-appointed defense attorney in criminal trials**  
Representation of private clients before examining magistrates and judges in cases of theft, battery, possession and sale of narcotics, resisting arrest and contempt of court.

**JUDGE JEAN-MARC STRUBIN, CIVIL COURT OF FIRST INSTANCE**, Geneva, Switzerland 11/2001-4/2002  
**Clerk**  
Legal research in areas including sales, service and construction contracts. Drafting of sixteen final judgments in the fields of bankruptcy, contract, commercial, family and inheritance law.

**PYTHON PETER & PARTNERS, ATTORNEYS-AT-LAW**, Geneva, Switzerland Summer 2000  
**Intern**  
Legal research in the areas of international commercial arbitration, sales contracts and Swiss corporate law. Preparation of briefs for civil courts in debt collection and bankruptcy proceedings.

## **PAST TEACHING EXPERIENCE**

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**THE EUROPEAN LAW STUDENTS' ASSOCIATION (ELSA)**, Geneva, Switzerland 8/2017  
**Lecturer**  
*International Commercial Arbitration*

**UNIVERSITY OF GENEVA FACULTY OF LAW**, Geneva, Switzerland Fall 2013/Fall 2014  
**Guest lecturer**  
*Trade Sanctions and International Sales*

**FORDHAM UNIVERSITY SCHOOL OF LAW**, New York, NY, USA 10/2010  
**Guest lecturer**  
*Authority of Arbitral Tribunals to Assess the Legitimacy of Economic Sanctions*

**EUROPEAN LEGAL STUDIES CENTER, COLUMBIA LAW SCHOOL**, New York, NY, USA 10/2009  
**Guest lecturer**  
*Authority of Arbitral Tribunals and Domestic Courts to Give Effect to Trade Sanctions and Circumstances in Which Such Measures May Be Taken into Account*

**COLUMBIA LAW SCHOOL**, New York, NY, USA 4/2009  
**Guest lecturer**  
*Legal Effects of Economic Sanctions on International Contracts*

## **SPEAKING ENGAGEMENTS (NON-EXHAUSTIVE LIST)**

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**3<sup>RD</sup> ANNUAL GAR LIVE EVENT**, Vienna, Austria 10/2019  
*How to Deal with Economic Sanctions?*

<b>38<sup>TH</sup> ICC INSTITUTE ANNUAL CONFERENCE ON HARDSHIP AND FORCE MAJEURE IN INTERNATIONAL COMMERCIAL CONTRACTS</b> , Paris, France <i>Economic Sanctions, Force Majeure and Hardship</i>	11/2018
<b>OMNIA STRATEGY LLP</b> , London, UK <i>Economic Sanctions and Contractual Disputes</i>	9/2018
<b>7<sup>TH</sup> ANNUAL GAR LIVE EVENT</b> , London, UK <i>Sanctions – A Triangular Look</i>	5/2017
<b>INTERNATIONAL LAW ASSOCIATION</b> , Bonn, Germany <i>Trade Sanctions and International Arbitration</i>	3/2016
<b>ACADEMY OF EUROPEAN LAW</b> , Trier, Germany <i>Sanctions at the Crossroads of Public and Private International Law</i>	9/2015
<b>HEUKING KÜHN LÜER WOJTEK, ATTORNEYS-AT-LAW</b> , Düsseldorf, Germany <i>Economic Sanctions and Commercial Transactions</i>	8/2015
<b>LONDON CENTER OF INTERNATIONAL LAW PRACTICE</b> , London, UK <i>Economic Sanctions, International Arbitration and Commercial Disputes</i>	3/2015
<b>RUSSIAN ARBITRATION ASSOCIATION</b> , Moscow, Russia <i>Sanctions and Arbitration</i>	10/2014

#### **AWARDS, DISTINCTIONS AND GRANTS**

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<i>Professor Walther Hug Prize</i>	2015
<i>Mention très bien (summa cum laude), Doctorat en droit</i> , University of Geneva Faculty of Law	2013
<b>Research grant</b> , Fondation Boninchi	2009-2010
<b>Research grant</b> , Fondation Schmidheiny	2008-2009
<b>Research grant</b> , Société académique de Genève	2008
<b>Research grant</b> , Fonds national suisse de la recherche scientifique	2007-2008
<i>Harlan Fiske Stone Scholar</i> , Columbia Law School	2005
<i>Werner Melis Award, Eighth Willem C. Vis International Commercial Arbitration Moot</i>	2001
<i>Summa cum laude, Maturité scientifique</i> , Collège Claparède	1997
<i>British Council Prize</i>	1997
<i>Prix de poésie Arthur Rimbaud</i>	1996
<i>Prix Jeunes Auteurs – Poésie</i>	1995

#### **PROFESSIONAL ASSOCIATION MEMBERSHIP**

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<b>International Law Association</b>	Since 2014
<b>Association suisse de l'arbitrage (ASA)</b> , Switzerland	Since 2005
<b>Ordre des avocats de Genève (ODA)</b> , Geneva, Switzerland	Since 2002
<b>Fédération suisse des avocats (FSA)</b> , Switzerland	2005-2009
<b>London Court of International Arbitration (LCIA) European Users' Council</b> , UK	2006-2007

#### **LANGUAGES**

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**French and English:** fluent (speaking, reading and writing)  
**Persian:** fluent (speaking); basic (reading and writing)  
**German:** basic (speaking, reading and writing)

## **PUBLICATIONS**

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### **BOOK**

*Trade Sanctions and International Sales: An Inquiry into International Arbitration and Commercial Litigation* (Kluwer Law International, 2014)

### **CHAPTERS**

*Economic Sanctions and Contractual Disputes between Private Operators*, in RESEARCH HANDBOOK ON U.N. SANCTIONS AND INTERNATIONAL LAW, Larissa van den Herik ed. (Edward Elgar Publishing, 2017) pp. 330-376

*Transgression of the Arbitrator's Authority: Article V(1)(c) of the New York Convention* (co-authored with Dr Laurent Lévy), in ENFORCEMENT OF ARBITRATION AGREEMENTS AND INTERNATIONAL ARBITRAL AWARDS – THE NEW YORK CONVENTION 1958 IN PRACTICE, Emmanuel Gaillard and Domenico di Pietro eds (Cameron May, 2008) pp. 639-678

*Le transfert d'entreprises en droit suisse*, in TRANSFERTS D'ENTREPRISES – LES ENJEUX SOCIAUX, Viviane Stulz ed. (EFE Editions Formation Entreprise, 2004) pp. 457-469

### **ARTICLES**

*Economic Sanctions, Force Majeure and Hardship*, in ICC INSTITUTE DOSSIER XVII: HARDSHIP AND FORCE MAJEURE IN INTERNATIONAL COMMERCIAL CONTRACTS – DEALING WITH UNFORESEEN EVENTS IN A CHANGING WORLD (November 2018) pp. 161-211

*Impartiality v. Substantive Neutrality: Is the Mediator Authorized to Provide Legal Advice?*, DISPUTE RESOLUTION JOURNAL, Vol. 62, N. 1 (February-April 2007) pp. 26-33; republished in TRANSNATIONAL DISPUTE MANAGEMENT, Vol. 5, N. 4 (July 2008)

*Termination of Contract under the Principles of European Contract Law*, VINDOBONA JOURNAL OF INTERNATIONAL COMMERCIAL LAW AND ARBITRATION, Vol. 10, N. 1 (2006) pp. 123-144

*Termination of Contract under the Principles of European Contract Law – A Comparative Study*, ELECTRONIC LIBRARY ON INTERNATIONAL TRADE LAW AND THE CISG, <http://www.cisg.law.pace.edu/cisg/biblio/silveira.html> (2006) (35 pages)

*Anticipatory Breach under the United Nations Convention on Contracts for the International Sale of Goods*, NORDIC JOURNAL OF COMMERCIAL LAW, N. 2/2 (2005); also available in the ELECTRONIC LIBRARY ON INTERNATIONAL TRADE LAW AND THE CISG, <http://www.cisg.law.pace.edu/cisg/biblio/azeredo.html> (60 pages)

### **OTHER PUBLICATIONS**

*Economic Sanctions, Exchange Control Regulations and the Like: Black Sheep Among the Provisions of the Lex Contractus?*, KLUWER ARBITRATION BLOG (14 July 2015)

*In Commercial Arbitration, Should Arbitrators Be Exclusively at the Service of the Parties?*, KLUWER ARBITRATION BLOG (6 May 2015)

*Brussels' Sanctions Against Russia and Moscow's Retaliatory Measures Through the Eyes of the Arbitrator*, KLUWER ARBITRATION BLOG (26 September 2014)

*Les sanctions économiques prises contre Moscou réduites à leur fonction dénonciatrice* (co-authored with Professor Régis Bismuth), LE MONDE (9 September 2014)