



1. GENERAL INFORMATION

Name José Angelo ESTRELLA FARIA
Date of birth 28 December 1963
Place of birth: Porto Alegre, Brazil
Nationality Brazilian

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2. CURRENT WORK

Principal Legal Officer and Head, Legislative Branch
International Trade Law Division
Office of Legal Affairs
United Nations

3. PREVIOUS POSITIONS

2008-2017 Secretary-General, International Institute for the Unification of Private Law (UNIDROIT), Rome.

2005-2008 Senior Legal Officer, International Trade Law Division, United Nations Office of Legal Affairs (Vienna)

Supervisor of UNCITRAL Working Group III (Transport Law) and, as such, responsible for: overseeing the Secretariat support for the preparation of a new international instrument dealing with door-to-door carriage of goods.

Responsible for the work of UNCITRAL on electronic commerce.

1996-2005 Legal Officer, International Trade Law Division, United Nations Office of Legal Affairs (Vienna)

Secretary of UNCITRAL Working Group IV (Electronic Commerce); Temporarily also Secretary of UNCITRAL Working Group I (Procurement).

Secretary of UNCITRAL Working Group I (Privately Financed Infrastructure Projects)

1992-1996 Legal Officer, General Legal Division, United Nations Office of Legal Affairs (New York)

1989-1992 Attorney-at-law, Law Firm *Faria, Corrêa, Carvalho & Cirne Lima*, Porto Alegre, Brazil

Participation in diplomatic conferences

2012 Secretary-General to the Diplomatic Conference to adopt a Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Space Assets, Berlin, 27 February - 9 March 2012

2009 Secretary-General to the Diplomatic Conference to adopt a Convention on Substantive Rules regarding Intermediated Securities, Final session (Geneva, 5-9 October 2009)

Selected recent academic activities

Since 2015 External Lecturer (Transnational Commercial Law), University of Vienna Law School

4. EDUCATION AND HONOURS

1986-1989 Master of European Law (*Mag. Iur. Eur., Magister des Europarechts*) at the *Europa Institut der Universität des Saarlandes* (grade: “excellent”)

1981-1985 B.A. (*Bacharel em Ciências Jurídicas e Sociais*), *Universidade Federal do Rio Grande do Sul*, Porto Alegre, Brazil, with honours (“*lauréa acadêmica*”)

1970-1980 *Colégio Anchieta*, maintained by the Society of Jesus.

Member, American Law Institute (ALI)

Member, European Law Institute (ELI)

Associate member, International Academy of Comparative Law (IACL)

Honorary member, American Association of Private International Law (ASADIP)

Member, *Deutsch-lusitanische Juristenvereinigung e. V.*

Member of the Board, *Forschungsgesellschaft Kunst und Recht e. V.*

Admitted to the Brazilian Bar (*Ordem dos Advogados do Brasil*) in 1982

Publications

- 1) ESTRELLA FARIA, José Angelo. *Selbstbeschränkungsabkommen im GATT und im EWG Wettbewerbsrecht*, Universität des Saarlandes, Saarbrücken, 1988 (206 pages);
- 2) ESTRELLA FARIA, José Angelo. “Integração econômica na América Latina: sairemos do discurso?”, *Revista de Direito Mercantil*, ano XXIX (1990), No. 79 (July/September) pp. 64-83;
- 3) ESTRELLA FARIA, José Angelo. “Aplicação extraterritorial do direito da concorrência,” *Revista de Informação Legislativa*, Vol. 27, No. 105 (January/March 1990), pp. 19-46;
- 4) ESTRELLA FARIA, José Angelo. *Princípios, Finalidade e Alcance do Tratado de Assunção*, Ministério das Relações Exteriores, Brasília, 1993 (193 pages);
- 5) ESTRELLA FARIA, José Angelo. “The work of the United Nations Commission on International Trade Law in 1996”, *Uniform Law Review*, vol. 1 (New Series), 1996-3, pp. 476-493;
- 6) ESTRELLA FARIA, José Angelo. “UNCITRAL Legislative Guide on Privately Financed Infrastructure Projects”, EBRD, *Law in Transition*, Spring 2001, pp. 29-31;
- 7) ESTRELLA FARIA, José Angelo. “Establishing a Legal Framework for Electronic Commerce: The work of the United Nations Commission on International Trade Law (UNCITRAL)” (jointly with Renaud Sorieul and Jennifer R. Clift), *The International Lawyer*, Vol. 35, No. 1 (Spring 2001), pp. 107-122;
- 8) ESTRELLA FARIA, José Angelo. “The UNCITRAL Legislative Guide on Privately Financed Infrastructure Projects”, *The Journal of World Investment*, Vol. 3 No. 2 (April 2002), pp. 212-229;
- 9) ESTRELLA FARIA, José Angelo. “International Harmonization of e-Commerce Law: The Way Ahead”, *Treasury Management International*, October 2002, p. 1;
- 10) ESTRELLA FARIA, José Angelo. “Perspectivas da Arbitragem Comercial no Mundo Contemporâneo”, *I Seminário Internacional sobre Direito Arbitral, 2002* [proceedings], Belo Horizonte, Câmara de Arbitragem de Minas Gerais, 2003, pp. 180-199;
- 11) ESTRELLA FARIA, José Angelo. “La CNUDCI et les autres organisations internationales”, *Petites affiches- Le quotidien juridique*, No. 252, 18 December 2003, pp. 21-27;
- 12) ESTRELLA FARIA, José Angelo. “Electronic Commerce and International Legal Harmonization: Time to Go beyond Functional Equivalence?”, *South African Mercantile Law Journal*, v. 16(4), 2004, pp. 529-555;
- 13) ESTRELLA FARIA, José Angelo. “O Controle de concentrações de empresas estrangeiras e a Lei nº 8.884: a extraterritorialidade revisitada”, *Revista de Direito da Concorrência*, Brasília, 2004 No. 2, pp. 11-65;
- 14) ESTRELLA FARIA, José Angelo. “Legal Certainty for Electronic Transactions: The Role of the Uncitral Model Law on Electronic Commerce (1996),” in Andrea Schulz (ed.), *Legal Aspects of an E-Commerce Transaction. International Conference in The Hague, 26 and 27 October 2004*, Sellier European Law Publishers GmbH, 2006, pp. 159-169;
- 15) ESTRELLA FARIA, José Angelo. “Harmonizing the Law of International Electronic Contracting: Adjust the Rules but Don’t Rewrite Them” Andrea Schulz (ed.), *Legal Aspects of an E-Commerce Transaction. International Conference in The Hague, 26 and 27 October 2004*, Sellier European Law Publishers GmbH, 2006, pp. 74-98;
- 16) ESTRELLA FARIA, José Angelo. “Relationship between Formulating Agencies in International Legal Harmonization: Competition, Cooperation or Peaceful Coexistence? A Few Remarks on the Experience of UNCITRAL”, *Loyola Law Review*, vol. 51 (Summer 2005), pp. 253-285;
- 17) ESTRELLA FARIA, José Angelo. “The United Nations Convention on the Use of Electronic Communications in International Contracts. An Introductory Note”, *International and Comparative Law Quarterly*, vol. 55 (July 2006), Part 3, p. 689-694;

- 18) ESTRELLA FARIA, José Angelo. “Convention des Nations Unies sur l'utilisation de communications électroniques dans les contrats internationaux,” *Journal du Droit International*, vol 133, issue 1 (2006), pp. 393 -403;
- 19) ESTRELLA FARIA, José Angelo. “Posibilidades y límites de la armonización del derecho en materia de contratación electrónica”, *DeCITA; Derecho del comercio internacional, temas y actualidades* (Buenos Aires) 5-6 (2006), pp. 225-260;
- 20) ESTRELLA FARIA, José Angelo. “Online Contracting: Legal Certainty for Global Business - The New U.N. Convention on the Use of Electronic Communications in International Contracts”, *Uniform Commercial Code Law Journal*, vol. 39 (2006), No. 1 pp. 25-73;
- 21) ESTRELLA FARIA, José Angelo. “Problemas Jurídicos dos Métodos Eletrônicos de Criação e Transferência de Direitos sobre Bens Corpóreos e Imateriais”, in Ricardo A. L. Camargo (ed.) *Títulos de Crédito Concorrência e Mercosul Estudos em Memória do Professor Werter R. Faria*, Porto Alegre, Sérgio Antônio Fabris, 2008, pp. 23-48;
- 22) ESTRELLA FARIA, José Angelo. “O Contrato de Compra e Venda Internacional no Mercosul: Da Disparidade de Leis a um Regime Uniforme?” in Elisabeth Accioly (coord.), *Direito no Século XXI: Estudos em Homenagem ao Professor Werter R. Faria*. Curitiba, Juruá, 2008, pp. 299-348;
- 23) ESTRELLA FARIA, José Angelo. “Drafting and Negotiating History of the Electronic Communications,” in Amelia Boss and Wolfgang Kilian (eds.), *The United Nations Convention on the Use of Electronic Communications in International Contracts: An In-Depth Guide and Sourcebook*, Austin Boston Chicago New York The Netherlands, Wolters Kluwer: 2008, pp. 17-42.
- 24) ESTRELLA FARIA, José Angelo. “La responsabilidad del porteador en el proyecto de convenio de la CNUDMI sobre el transporte de mercancías: breve comparación con el Convenio de Bruselas y las Reglas de Hamburgo”, paper presented at 12th Congress and XXth Anniversary of the Iberoamerican Maritime Law Institute, Seville (Spain), 14 November 2007 (available as of 29 January 2008 at <<http://www.institutoiberoamericanodederechomaritimo.com/Conferencias/02.%20JOSE%20ANGELO%20ESTRELLA%20FARIA.pdf>>);
- 25) ESTRELLA FARIA, José Angelo. “Uniform Law for International Transport at UNCITRAL: New Times, New Players, and New Rules”, paper presented at the symposium “Transport Law for The 21st Century: The New UNCITRAL Convention” (Austin, 28 mars 2008), *Texas Journal of International Law*; vol. 44 (Spring 2009), No. 3, pp. 277-319;
- 26) ESTRELLA FARIA, José Angelo. “Legal Aspects of Electronic Commerce”, *Collected Courses of The Xiamen Academy of International Law*, Martinus Nijhoff Publishers, Leiden/Boston, vol. 2 (2009), pp. 129-339;
- 27) ESTRELLA FARIA, José Angelo. “Future Directions of Legal Harmonisation and Law Reform: Stormy Seas or Prosperous Voyage”, *Uniform Law Review*, 2009-1/2, pp. 5-34;
- 28) ESTRELLA FARIA, José Angelo. “The UNIDROIT Convention on Substantive Rules for Intermediated Securities: An Introduction”, *Uniform Law Review*, 2010-1, pp. 197- 216;
- 29) ESTRELLA FARIA, José Angelo. “Sphere of Application of the UNIDROIT Convention on Substantive Rules for Intermediated Securities and Future Work by UNIDROIT on a Legislative Guide for Emerging Financial Markets”, *Uniform Law Review*, NS, vol. 15 (2010), No. -2, pp. 357- 366;
- 30) ESTRELLA FARIA, José Angelo. Chapter 3 “Electronic Transport Records”, in Alexander von Ziegler, Stefano Zunarelli, J Schelin (Eds.) *The Rotterdam Rules 2008: Commentary to the UN Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea*, Kluwer Law International, 2010
- 31) ESTRELLA FARIA, José Angelo. “Uniform Law and Functional Equivalence: Diverting Paths or Stops along the Same Road? Thoughts on a New International regime for Transport Documents”, *Elon Law Review*, 2010, vol. 2, Issue 1, pp. 1-37
- 32) ESTRELLA FARIA, José Angelo. “Electronic Transport Records”, in Alexander von Ziegler, Stefano Zunarelli, Johan Schelin (Eds.) *The Rotterdam Rules 2008: Commentary to the UN Convention on Contracts*

for the International Carriage of Goods Wholly or Partly by Sea, Austin Boston Chicago New York, Wolters Kluwer, 2010, pp. 51-69

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34) ESTRELLA FARIA, José Angelo. “From Scholar's Dream to Lawyer's Tool? Uniform Commercial Law and International Legal Practice - Brief Remarks on the Work of UNIDROIT”, Georgetown University 1, 9-10 (Oct. 28, 2011), <http://www.law.georgetown.edu/cle/materials/UNIDROIT/2011.pdf>.

35) ESTRELLA FARIA, José Angelo. “Documentos de transporte en la era de la información: embarque en tierra, transporte por mar y venta en el ciberespacio”, Rafael Illescas Ortiz & Manuel Alba Fernández, *Las reglas de Rotterdam: Una nueva era en el derecho uniforme del transporte*. Actas del congreso internacional celebrado en la Universidad Carlos III de Madrid, durante el 17 y 18 de septiembre de 2009. Madrid, 2010 (Editorial Dykinson), pp. 101-116

36) ESTRELLA FARIA, José Angelo. “O trabalho atual dos organismos internacionais de codificação do direito privado e a participação dos países americanos”, in Diego P. Fernández Arroyo and Juan José Obando Peralta (Eds.), *El derecho internacional privado en los procesos de integración regional (Jornadas de la ASADIP 2011, San José, 24-26 de noviembre)*, San José, C.R.: Editorial Jurídica Comercial, 2011, pp. 517-540

37) ESTRELLA FARIA, José Angelo. “Os Princípios do UNIDROIT sobre os Contratos Comerciais Internacionais e a solução de controvérsias em contratos de investimento”, in Anibal Sierralta Ríos, Claudia Lima Marques and José A. Moreno Rodríguez (Eds.), *Derecho internacional, mundialización y gobernanza (Jornadas de la ASADIP 2012, Lima noviembre de 2012)*, Lima: CEDEP/ASADIP, 2012, pp. 99-118

38) ESTRELLA FARIA, José Angelo. “UNESCO, UNIDROIT y la restitución de bienes culturales”, in JORGE A. SÁNCHEZ CORDERO (Ed.), *La convención de la UNESCO de 1970. Sus nuevos desafíos*, México, Universidad Nacional Autónoma de México, 2013, pp. 19-33

39) ESTRELLA FARIA, José Angelo. “Globalisation, legal identity and regional integration: complementarity or conflict?”, *Uniform Law Review*, vol. 18 (2013), Nos. 3-4, pp. 435- 466.

40) ESTRELLA FARIA, José Angelo. “Die Bedeutung der UNIDROIT Grundregeln über internationale Handelsverträge für die internationale Vertragspraxis: Bemerkungen aus lateinamerikanischer Sicht”, in Grundmann/Baldus et alii (eds.), *Internationaler Rechtsverkehr und Rechtsvereinheitlichung aus deutsch-lusitanischer Perspektive*, 22. und 23. Jahrestagung der Deutsch-Lusitanischen Juristenvereinigung. Schriften zum Portugiesischen und Lusophonen Recht, Band 7, Baden-Baden: Nomos, 2014, pp. 227-254.

41) ESTRELLA FARIA, José Angelo. „UNESCO, UNIDROIT und Kulturgüterschutz“, Forschungsgesellschaft Kunst&Recht, *Bulletin Kunst&Recht*, 2014, vol. 2, pp. 5- 18.

42) ESTRELLA FARIA, José Angelo. „Der Wettbewerb zwischen den Rechtsordnungen“, *Anwaltsblatt*, 2015, vol. 2, pp. 435- 466.

43) ESTRELLA FARIA, José Angelo. “Another BRIC in the wall: Brazil joins the CISG”, *Uniform Law Review*, vol. 18 (2015), Nos. 2-3, pp. 211-242.

44) ESTRELLA FARIA, José Angelo. “The international protection of religious cultural property”, *Uniform Law Review*, vol. 20 (2015), No. 4, pp. 594-609

45) ESTRELLA FARIA, José Angelo. „Paternalismus und Autonomie: widersprüchliche Tendenzen im brasilianischen Vertragsrecht“, in Grundmann/Baldus/Marques/Monteiro/Pinto/Dias/Richter (eds.), *Autonomie im Recht*. Schriften zum Portugiesischen und Lusophonen Recht, Band 8, Baden-Baden: Nomos, 2014, pp. 61-94.

46) ESTRELLA FARIA, José Angelo. “The Future of Contract Law Harmonisation: A View From UNIDROIT”, in I. Schwenzer (ed.), *35 Years CISG and Beyond*, The Hague Haag: Eleven International Publishing, 2016, pp. 351-367

47) ESTRELLA FARIA, José Angelo. “Another BRIC in the wall: Brazil joins the CISG”, in I. Schwenzer, C. Pereira and L. Tripodi (coord.), *Application of the CISG in Latin America: A Regional and Global Perspective*, The Hague: Eleven International Publishing, 2016., pp. 3-32

48) ESTRELLA FARIA, José Angelo. “The influence of the UNIDROIT Principles of International Commercial Contracts on national laws”, *Uniform Law Review*, vol. 21 (2016), Nos. 2-3, pp. 238- 270