

# Roberto Baumgarten Kuster

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## Education & Qualifications

### **DIPLOMATIC STUDIES GRADUATE COURSE | INSTITUTE OF HIGHER STUDIES OF LAW | 2017-2018**

- Focus on diplomatic studies, international relations, international conflict resolution, and mediation. Article published in Volume 26 of the Willamette Journal of International Law and Dispute Resolution.

### **LLM IN LITIGATION AND DISPUTE RESOLUTION | UNIVERSITY COLLEGE LONDON (UCL) | 2014-2015**

- Focus on dispute resolution lectures, such as negotiation, international arbitration, and legal services.
- Achieved merit on exams and coursework; Distinction on the dissertation about mediation. Dissertation published in Volume XVII, issue 2, at Pepperdine Dispute Resolution Law Journal from Pepperdine Law School.
- Participation and grade of 88% at the programme for law teachers. Volunteering at the Grassroots Human Rights Project.

### **TAX LAW GRADUATE COURSE | BRAZILIAN INSTITUTE FOR TAXATION STUDIES (IBET) | 2011-2013**

- Focus on principles of taxation, social equality by enforcement of taxes, and constitutional control.
- Attained 86,3% in exams and 15,000-word dissertation – 2-year graduate degree. Dissertation published at Revista Digital de Direito Administrativo (RDDA) from Universidade São Paulo (USP), Faculdade de Direito de Ribeirão Preto (FDRP).

### **LLB LAW | FEDERAL UNIVERSITY OF ESPIRITO SANTO (UFES) | 2006-2011**

- 5 (five) years, top 5% of the class. 84,9% in exams and 25,000-word dissertation.
- General and advanced concepts of the law, within sociology, philosophy, human rights, family law, civil law, constitutional law, criminal law, tax law, administrative law, and international law lectures. Volunteering at the Core of Legal Practice project.

## Legal Experience

### **SENIOR ASSOCIATE | FALECK & ASSOCIADOS | 2019-PRESENT**

- Coordinating a team of 50+ mediators at Brumadinho, with the objective to indemnify the impacted population of the dam leakage in Brumadinho, Minas Gerais, Brazil, in 2019, and a team of 40+ mediators in Maceió.
- Responsible for the operations at Faleck's designed systems of dispute resolution. Mediating commercial disputes.

### **BUSINESS DEVELOPMENT MANAGER | CENTER FOR ARBITRATION AND MEDIATION OF THE CHAMBER OF COMMERCE BRAZIL CANADA (CAM-CCBC) | 2018-2019**

- Head of the CAM-CCBC Business Development Team. Supervisor of the commercial, scientific, and academic publications. Responsible for incoming and outgoing communication. Focus on the strategic advancement and promotion of the institution. Projects: CAM-CCBC Arbitration Congress and São Paulo Arbitration Week.

### **SENIOR MEDIATOR | MEDIATED INDEMNITY PROGRAM | 2016-2018**

- One of the most extensive mediation programs in size in the world, with the objective to indemnify the impacted population of the dam leakage in Mariana, Minas Gerais, Brazil, in 2015. Obligations such as the supervision of 4400+ cases, assistance, and mediation of more complex cases of the unit under my responsibility. Monitoring processes, detecting, and correcting inefficiencies.

### **PARTNER | KUSTER & PANDOLFI ADVOGADOS | 2013-2018**

- Coordinating Tax and Conflict Resolution areas of my law firm. Prospecting new clients and offering judicial solutions.

### **ASSOCIATE LAWYER | BRUM & ADVOGADOS ASSOCIADOS | 2010-2013**

- Conducting Tax Law cases. Provide legal advice and counseling. Advice regarding calculating taxes and appropriate deductions. Working with Tax Compliance.

## Academic Experience

### LECTURER | VARIOUS VENUES | 2016-PRESENT

- Training undergraduate and graduate students and lawyers in mediation and legal negotiation at venues such as IBMEC.
- Focus on the short course "Mediation and Legal Negotiation – Theory and Practice".

### RESEARCHER | NÚCLEO DE ESTUDOS EM ARBITRAGEM, PROCESSO INTERNACIONAL E TEMAS AFINS DA UNIVERSIDADE FEDERAL DO ESPIRITO SANTO (UFES) | 2016-2020

- Research group with UFES master and undergraduate students about Mediation and Legal Negotiation.

### COACH | UNIVERSIDADE FEDERAL DO ESPIRITO SANTO (UFES) | 2016-2019

- Co-mentoring, coaching and teaching about Dispute Resolution, with focus on National and International Mediation Competitions.
- 1st Place - Mediation Team at the "II Competição Nacional de Mediação Empresarial da CAMARB", largest mediation competition of Latin America.
- Top 8 on our first participation at the ICC International Mediation Competition.

### RESEARCHER | NÚCLEO DE PROCESSO CIVIL DA UNIVERSIDADE FEDERAL DO ESPIRITO SANTO (UFES) | 2009-2010

- Research group with UFES master and undergraduate students.
- Analyzing civil procedure problems in Brazil and create possible solutions for the future Civil Procedure Code.

## Legal Internship

### INTERN | FEDERAL JUSTICE OF ESPIRITO SANTO | 2009-2010

- Approved in a public exam. Working at the Offices of Federal Judge Francisco de Assis Basilio de Moraes at the 2nd Federal Tax Foreclosure Court.
- Writing decisions in cases for Judge approval. Assuring the due process of the law by increasing the effectiveness of the decisions and lowering the time for the claims to be resolved.

### INTERN | FEDERAL UNIVERSITY OF ESPIRITO SANTO | 2008-2009

- Scholarship awarded. 2nd Small Civil Claims Court of the Federal University of Espírito Santo (UFES).
- Giving legal consulting and litigation advice, moving the case forward with actions such as Subpoena. Organizing process until its final decision. Receiving complaints and speaking with the parties of the cases.

## Language Skills

### ENGLISH | NUMBER ONE | 1996-2003

- Fluent conversational English. Attended academically from 1996 to 2003, with a diploma issued by Number One School.
- IELTS certified with a grade of 7,5. 3 (three) abroad living experiences.

### SPANISH | NUMBER ONE | 2001-2003

- Fluent conversational Spanish. Attended academically from 2001 to 2003, with a diploma issued by Number One School.
- DELE certified at C1 level (Certificación de Calificación DELE Nivel C1)

### GERMAN AND ITALIAN | LANGUAGE CENTRE OF FEDERAL UNIVERSITY OF ESPIRITO SANTO (UFES) | 2006-2007

- Basic knowledge with potential to improve. Attended academically from 2006 to 2007 in the Language Centre of the Federal University of Espírito Santo (UFES).

### PORTUGUESE

- Native speaker.

## Volunteering

### **ALUMNI REPRESENTATIVE IN BRAZIL | UNIVERSITY COLLEGE LONDON (UCL) | 2015-PRESENT**

- UCL representative in Brazil, with roles such as increasing the university image quality in the country. Advising prospective students and going to student fairs.

### **PERMANENT MEMBER OF THE MEDIATION AND ARBITRATION GROUP OF THE BRAZILIAN BAR ASSOCIATION IN ESPÍRITO SANTO | OAB | 2015-2018**

- Working to increase publications, debate and helping to increase the use of these alternative dispute resolution mechanisms in Brazilian territory.

### **VOLUNTEER TEACHER | GRASSROOTS HUMAN RIGHTS PROJECT FROM UCL | 2014-2015**

- Giving lectures to low-income children at Langdon Close School about human rights. Developing interest for the subject for the children, using teaching techniques acquired on the Programme for Law Teachers of UCL.

### **MEDIATOR AND LEGAL AID VOLUNTEER | CORE OF LEGAL PRACTICE | 2009**

- Two-stage volunteering, (1) as a mediator within judicial proceedings to end the litigation through mediation, and (2) being a legal aid volunteer advising parties in pre-litigation. Getting in touch with access of justice and the importance of the law system in one jurisdiction for the low-income citizens.

## Main Publications

BARBOSA, LUIZA. KUSTER, ROBERTO. 'THE COORDINATION BETWEEN INTERNATIONAL AND REGIONAL ORGANIZATIONS (THIRD PARTY ACTORS) AS AN EFFECTIVE RECOURSE FOR THE INTERNATIONAL CONFLICT RESOLUTION THROUGH MEDIATION: THE AFRICAN UNION EXAMPLE'. WILLAMETTE JOURNAL OF INTERNATIONAL LAW AND DISPUTE RESOLUTION (WILLAMETTE UNIVERSITY), VOLUME 26 (2019)

KUSTER, ROBERTO. 'INTERNATIONAL PEACE MEDIATION AS A RECOURSE FOR INTERNATIONAL CONFLICT RESOLUTION: COOPERATION BETWEEN THE UNITED NATIONS AND REGIONAL ORGANISATIONS UNDER CHAPTER VIII OF THE UN CHARTER AND THE EXAMPLE OF AFRICAN UNION', CONTEMPORARY ISSUES IN MEDIATION (SINGAPORE INTERNATIONAL MEDIATION INSTITUTE), VOLUME 3 (2018)

KUSTER, ROBERTO. 'UTILITY FUNCTION AND RATIONAL CHOICE AS SUPPORT MECHANISMS TO MAXIMIZE MEDIATION AND LEGAL NEGOTIATION SETTLEMENT OUTPUT', PEPPERDINE DISPUTE RESOLUTION LAW JOURNAL (PEPPERDINE LAW SCHOOL, CALIFORNIA, USA, ISSN: 1536-3090), VOLUME XVII, 2<sup>ND</sup> ISSUE (2017)

KUSTER, ROBERTO. 'CONSTITUTIONAL REVIEW IMPLEMENTED BY PUBLIC ADMINISTRATION WITHIN THE FISCAL ADMINISTRATIVE PROCEDURE: (IM)POSSIBILITY OF USE', REVISTA DIGITAL DE DIREITO ADMINISTRATIVO (UNIVERSIDADE SAO PAULO, USP, SAO PAULO, ISSN: 2319-0558), V.3, N. 1 (2016)

## Further Information

**LISTED MEDIATOR AT CAM-CCBC**

**CERTIFIED ICFML/IMI LEVEL 2 MEDIATOR ON MARCH 2020**

**GREAT EXTENT OF LECTURES, NATIONAL AND INTERNATIONAL SYMPOSIUMS ATTENDED**

**COMPLETED COURSE OF THE UCL'S PROGRAMME FOR LAW TEACHERS, 88% IN EXAMS (1 SEMESTER)**

**EXTENSION COURSE ON JUSTICE, HARVARD UNIVERSITY, 84% IN EXAMS AND MORAL REASONING (1 SEMESTER)**

**EXTENSION COURSE ON INTERNATIONAL LAW, UNIVERSITÉ CATHOLIQUE DE LOUVAIN, 72% IN EXAMS (1 SEMESTER)**

**EXTENSION COURSE ON NEGOTIATION, ESSEC BUSINESS SCHOOL, 91% IN EXAMS (1 SEMESTER)**