

Maria-Gabriela Sarmiento  
Born in 1971 in Caracas, Venezuela  
Married, one child  
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Policy issues, Compared Law, International Public and Private Law, International Trade Law, Legal Aspects of Electronic Transactions, International Commercial Arbitration, Anti-Money Laundering International financial regulations

## PROFILE

Mrs. Sarmiento holds an international Ph.D in Law of the Faculty of Law at the Zaragoza University in Spain, a master's degree in International Trade Law from the Université de Bourgogne in Dijon, France, and a Law Degree from the *Universidad Central de Venezuela* in Caracas, Venezuela. She completed a joint postgraduate course on International Trade Law of the International Labor Office's International Training Centre and the *Istituto di studi europei* in Turin, Italy. Since 2005, Mrs. Sarmiento is co-founding managing partner of a legal consulting firm in Caracas, Venezuela with a branch in Zurich, Switzerland, where she is based since 2010. In 2020, she co-founded with other colleagues Save My Identity, a non-for-profit association that lead her to deepen her knowledge on Humanitarian International Law, and international protection. Between 2005 and 2010, she lived and worked in Caracas, where, besides her duties at the Law firm, she was vice-president of the *Association franco-vénézuélienne de juristes* and teaching professor of Commercial Arbitration at the Faculty of Law at the Universidad José María Vargas. Before 2005, she worked as e-Commerce for Developing Countries Project Manager at the International Telecommunication Union in Geneva, Switzerland where she performed policy analysis and teaching field-missions to African, Asian and South American countries where she gained expertise in the legal aspects of secured e-transactions. She also worked as Junior Consultant on public and e-procurement at the International Trade Centre UNCTAD/WTO in Geneva. She served as well as volunteer at the United Nations Commission for International Trade Law in Vienna, Austria and as trainee at the office of the Relations with the EU Parliament of the European Commission in Brussels, Belgium. She lectured at national and international conferences and has published in English and Spanish in peer-reviewed legal journals. In 2022, she published her first four Law books on stolen asset recovery.

## ACADEMIC HISTORY AND ACHIEVEMENTS

- 2018 - 2022** International Ph.D in Law, Faculty of Law, University of Zaragoza, Spain. Completed a Research stay, as temporal guest-student of the Chair for Law & Finances, Faculty of Law, Zurich University, Switzerland. Title: "The Legal Process of the International Recovery of Assets derived from Transnational Corruption: A Legal Analysis of the Venezuelan Case and the Practice of the Swiss Offshore Financial Center" Note: Outstanding. Distinction: Cum Laude (highest distinction of this university).
- 2016** Distinction in a form of a pin and a diploma (*Botón de antigüedad y diploma por trayectoria jurídica*) granted by the Ilustre Colegio de Abogados de Caracas, Venezuela (Caracas Bar Association) as recognition for the 20 years of professional practice, impeccable conduct and efforts for the promotion of the advocacy.
- 2006** Certificate. Training Course on Teaching in Higher Education. *Universidad José María Vargas*. Caracas, Venezuela.
- 2006** Certificate of attendance. Online course on government best practices and electronic democracy. *Federación Colombiana de Municipios* and *Universidad Externado de Colombia*. Bogota.
- 2003** Certificate, Post-Graduate International Trade Law Course. Grade: A (Excellent). ILO/International Training Centre & *Istituto Universitario di Studi Europei*. Turin, Italy. Paper: "The settlement of Trade Disputes in WTO" (Co-author).
- 1997 - 1998** Master degree in Law, *droit des affaires internationales*. *Université de Bourgogne*. Dijon, France. *Mémoire*: "La force majeure dans les contrats internationaux".
- 1991 - 1996** Law degree. Grade: 17.06/20 (1%). Sixth position of 357 students (Top 10 Student).
- Distinctions: Nine Diplomes of Honour in these subject-matters with grades 19/20 or 20/20: Roman Law I, Criminology, Commercial Law I, Commercial Law II, Family and Successions Civil Law, Administrative Contentious Procedures Practice III (equivalent to *Verwaltungsstreitverfahren*), Criminal Procedure Law, Practice II, International Private Law (1996). Faculty of Law, *Universidad Central de Venezuela*. Caracas.
  - Certificate. The Law degree granted by the UCV in Venezuela, formally corresponds to a bachelor granted by a Swiss university. The *Rektorskonferenz der Schweizer Universitäten* (CRUS). Bern, Switzerland (2010).
- 1990** Bachelor's degree in Humanities. To obtain the equivalence of my two-year of secondary school studies in Genoa, Italy, I held nine exams organized by the Ministry of Education. Caracas, Venezuela.

## CHRONOLOGICAL WORK EXPERIENCE

### INDEPENDENT PRACTICE

- May 2020 - present** *Sarmiento Klumpner Consulting*. **Owner. Einzelfirma**. Zurich. Switzerland.
- Performing the same type of legal counsel as in the past fifteen years. The novelty is that Sarmiento works within the framework of a new entity incorporated in Zurich.
- May 2005 – May 2020** *Sarmiento Núñez Consulting*. **Founding & Managing Partner Lawyer**. **Caracas, Venezuela**. Branch office incorporated in Zurich in November 2013. **Zurich, Switzerland**.
- Working 50% of the time on:
- Providing legal advice, project management and compliance for a programme where I am the liaison between the project proposals of Venezuelan foundations attending children and a donor.
- Working the other 50% on:
- Investigating and drafting articles for international journals;

- Providing advisory services and assistance for local and foreign persons and companies in the following matters: Corporate Law (i.e. Memorandum of Understanding, contracts, By-Laws and shareholders assemblies drafting; conciliations & negotiations, honorariums and rent recovery, companies incorporation, and proceedings); Labour Law (i.e. contract drafting, negotiation, mode of payment in a country with a control on the exchange market); copyright law (i.e. license agreements, negotiations, copyright infringement, legal advice); family and successions law (i.e. Inheritance, divorce, marriage, children rights, parents alimentary obligation); International Private Law (i.e. Compared Law investigations, application of international and bilateral conventions); Legal aspects of electronic commerce (i.e. Legal auditing of portals and websites, Legal advice in Law-cases), on the preparation of bids on IT for governments, encryption technology, legal aspects;
- Co-representing claimants and defendants' cases in the Maritime Courts where action had been or needed to be instituted related to breach of contract, and negligence claims; Civil Courts, and in Labour Courts where action had been or needed to be instituted related to breach of contract/damage claims. Drafted summaries, appeals, statements of claim, affidavits, pleas, counterclaims;
- Co-representing claimants' cases in the Venezuelan Aircraft Accident Investigation Bureau, Prosecutors Bureau, Immigrations Bureau, Internal and Foreign Affairs Ministries, and other National Institutions.

**Aug.2004–Apr.2005**

Sarmiento Núñez & Asociados Law Firm. **Consultant. Caracas, Venezuela. Negotiation and restructuring process:**

- Started managing, leading, and administering the activities of the Law Firm after creation of its subsidiary Sarmiento Núñez Consulting.
- Sought for new development opportunities and new strategic alliances of the consulting firm in order to implement The NET of professionals.
- Collected local market, foreign market promotion and investment information from different countries and the import-export regulations in force between these countries and Venezuela to provide assistance to importers-exporters.
- Participated in restructuring the Law Firm towards its transformation into a multidisciplinary consulting firm. Creating the structure of the company. Drafting Manual, Report and Action Plan.
- Moved from Geneva, Switzerland to Caracas, Venezuela in April 2005.

#### EMPLOYER: INTERNATIONAL ORGANISATIONS

**July – Nov. 2003**

United Nations Commission for International Trade Law (UNCITRAL). **Volunteer. Vienna, Austria.**

- Undertook research, selected and summarized: World-Wide Cases-Law on e-Commerce; the doctrinal interpretation of provisions of the Convention on International Sales of Goods; and the liability of Internet Service Providers' EU rules.
- Undertook research on the EU implementation of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards and the Convention on Independent Guarantees.
- Worked on the research and compilation of legal texts related to e-commerce adopted (or drafted) the world-over. Reviewed which of these laws enacted the UNCITRAL Model Laws. Updated the Draft Convention on the use of data messages in [international contracts]. Attended the 42<sup>nd</sup> Session of the WG IV on e-Commerce held in Vienna (Nov. 2003).

**June 2000 – Jan. 2003**

International Telecommunication Union. **E-Commerce Project Administrator. Geneva, Switzerland.**

- Organized and chaired multiple international events (e.g. seminars, training workshop, and conferences). Conducted lectures on the legal and technical aspects of e-transactions or e-commerce in Asia, Africa, and The Americas, and prepared the paper presentations.
- Drafted projects of Law on e-commerce and on cyber-crime for developing countries. To do so, I undertook an extensive research on these topics worldwide. Analyzed reports and legal texts on e-commerce business processes, legal, policies and regulatory issues that included IP policies. Drafted and published presentations, articles, e-news and press releases.
- Drafted and negotiated agreements, memoranda of understanding, and other legal documents, including partners' agreements, letters of intent, non-disclosure agreements, and white papers.
- Administered a project on securing e-transactions aimed at transferring encryption technology to 100+ developing and least developed countries and dealt with encryption export restrictions and requirements. Liaised with high government officials and entities, private sector companies, NGOs, and international organizations from 100+ participant countries to the project.
- Performed feasibility studies to establish the business, legal requirements, and specifications for project activities. Monitored projects: analyzed progress reports and undertook missions.
- Coordinated the acquisition of equipment, training and support assistance: negotiated prices with suppliers and after-sale assistance, and identified the Unit's annual objectives, projects/activities and budget required for its implementation.

**March – June 2000**

SG, Relations with the Parliament. European Commission. **Trainee. Brussels, Belgium.**

- **European Policy Issues.** Attended Parliamentary Committee meetings on the areas of Culture, Agriculture, External Affairs, Education and drafted reports in French and English for the Commissioners.

- Aug. 98 – Aug. 1999** International Trade Centre. **Jr. Consultant. Geneva, Switzerland.**
- **Capacity building.** Developed a Training Module on “Preparing International Contracts”.
  - **Policy building.** Improved and completed a database of Public Procurement Systems. Compared national legal texts with UNCITRAL, WTO, World Bank and EU instruments.
  - **E-Commerce and trade related compared law analysis.** Summarized contents on e-commerce, international trade, e-contracts of sale, ... for a database (end user: traders in developing countries).

#### EMPLOYER: LAW FIRMS

- June – July 1998** *JC Goldsmith & Associés* International Law Firm. **Trainee. Paris, France.**
- Worked on timesharing; contracts (assignment of shares); international finance operation (turnkey project); and international arbitration (Limitation of liability, civil & common law).
- May 1995 – Sept. 1996** *Escritorio Jurídico Sarmiento Núñez & Asociados* (Law Firm). **Legal Assistant. As from July 1996: Attorney-at-Law. Caracas, Venezuela.**
- Worked as attorney in civil and criminal trials; completed legal research and drafted consultations on Criminal, Succession, Civil, and Commercial Law cases; attended daily different courts and completed project reports.
- Feb. 1994 – May 1995** Baker & McKenzie International Law firm. Legal Assistant. **Caracas, Venezuela.**
- Completed research on the local/international doctrine and precedents in different areas of Law; undertook legal research and analyzed case-law on maritime Law and international arbitration; drafted consultations on Administrative, Criminal, Labour, and Succession case-law; and reported daily on cases pending in different courts. Worked in the following units: Administrative Law, Labour Law, International Law and Criminal Law, for periods of four to six months.

#### INTERESTS AND SKILLS

- Languages** **Spanish:** Mother tongue. **French:** C2. **English:** C1. **Italian:** C1. **German:** B2.
- 2017** German C1 Level Course. Deutsch Plus. Zurich, Switzerland.
- 2014** Certificate. *Schreibwerkstatt Deutsch als Zweitsprache Intensiv* B2-C1 Course. EB Zurich, Switzerland.
- 2011** *Goethe-Zertifikat B2 Zeugnis.* (German B2 Certificate) Goethe Institut. Zurich, Switzerland.
- 2001** Certificate. French Language Proficiency Examination (Equivalent to C2 Level). United Nations Educational, Scientific and Cultural Organization (UNESCO). Geneva, Switzerland.
- 1997** Advanced English Diploma. Wall Street Institute School of English. Caracas, Venezuela
- 1996 - 1997** Certificate. *Langue, littérature et civilisation française.* Université Stendhal Grenoble III. Grenoble, France.
- 1988 - 1989** Italian Diploma. Wall Street Institute. Genoa, Italy.
- Computer** Mac; Office, Canvas, Visual Investigative Scenarios, Legal databases.
- Membership** Founding member, NGO Save My Identity; member at the Caracas Bar Association; UNCAC’s Coalition Stoles Asset Recovery Working Group; IOM’s Global Compact on Migration Network Working Group 2; Coalición por Venezuela’s Swiss Coordinator and Working Group 4; *Instituto de Previsión Social del Abogado; Konsumentenschutz;* and *Kunsthau Zürich.* Former member of *Association d’anciens stagiaires de la Commission européenne,* Venezuelan American Chamber of Commerce and Industry, Venezuelan Canadian Chamber of Commerce,...
- Hobbies** Historic novels, opera, to travel (before 2020), photography, food festivals, foreign languages, and skiing.

#### PUBLICATIONS

- “EL PROCESO LEGAL DE RECUPERACIÓN DE ACTIVOS DERIVADOS DE LA CORRUPCIÓN TRANSNACIONAL: Análisis jurídico de la práctica del centro financiero offshore suizo”, Atelier Libros jurídicos, Colección: Atelier Internacional, Barcelona, ISBN 978-84-18780-59-2, Spain, October 2022. (COMING THIS MONTH)
- “EL RECONOCIMIENTO DEL GOBIERNO VENEZOLANO EN LA RECIENTE JURISPRUDENCIA INTERNACIONAL (2019 - 2022) y sus consecuencias para la restitución de activos derivados de la corrupción transnacional”, Academia de Ciencias Políticas y Sociales, Serie Estudios n°. 140, ISBN 9 789804 160462, Venezuela, Agosto 2022.
- “LA RECUPERACIÓN DE ACTIVOS DERIVADOS DE LA CORRUPCIÓN TRANSNACIONAL. Estudios sobre su viabilidad según los ordenamientos jurídicos venezolano y suizo”, ISBN 9 798886 802566, Editorial Jurídica Venezolana (EDJ) & Fundación Estudios de Derecho Administrativo (FUNEDA), USA September 2022.
- “LA CORRUPCIÓN TRANSNACIONAL Y EL BLANQUEO DEL PATRIMONIO PÚBLICO VENEZOLANO. CASOS DE ESTUDIO. Aspectos jurídicos fundamentales”, EJV & FUNEDA, ISBN 9 798886 802528, USA, Oct. 2022. (THIS MONTH)
- ‘*Derecho internacional, libre circulación e identidad venezolana*’, p. 495 – 517, *Derecho y Sociedad*, Rev. Fac. Ccias. Jur. Pol., UMA, No. 17 - 2021
- ‘*The Outsider as Insider: Profiling WTO Panelists for their impact on world trade decisions*’ in the Transnational Dispute Management Journal.
- ‘*The UNASUR Center for the Settlement of Investment Disputes and Venezuela. Will Both Ever See the Light at the End of the Tunnel?*’ in Journal of World Investment & Trade 17 658–680, BRILL (2016).