

# NordicLight

A JOINT SWEDCHAM / NBCC PUBLICATION



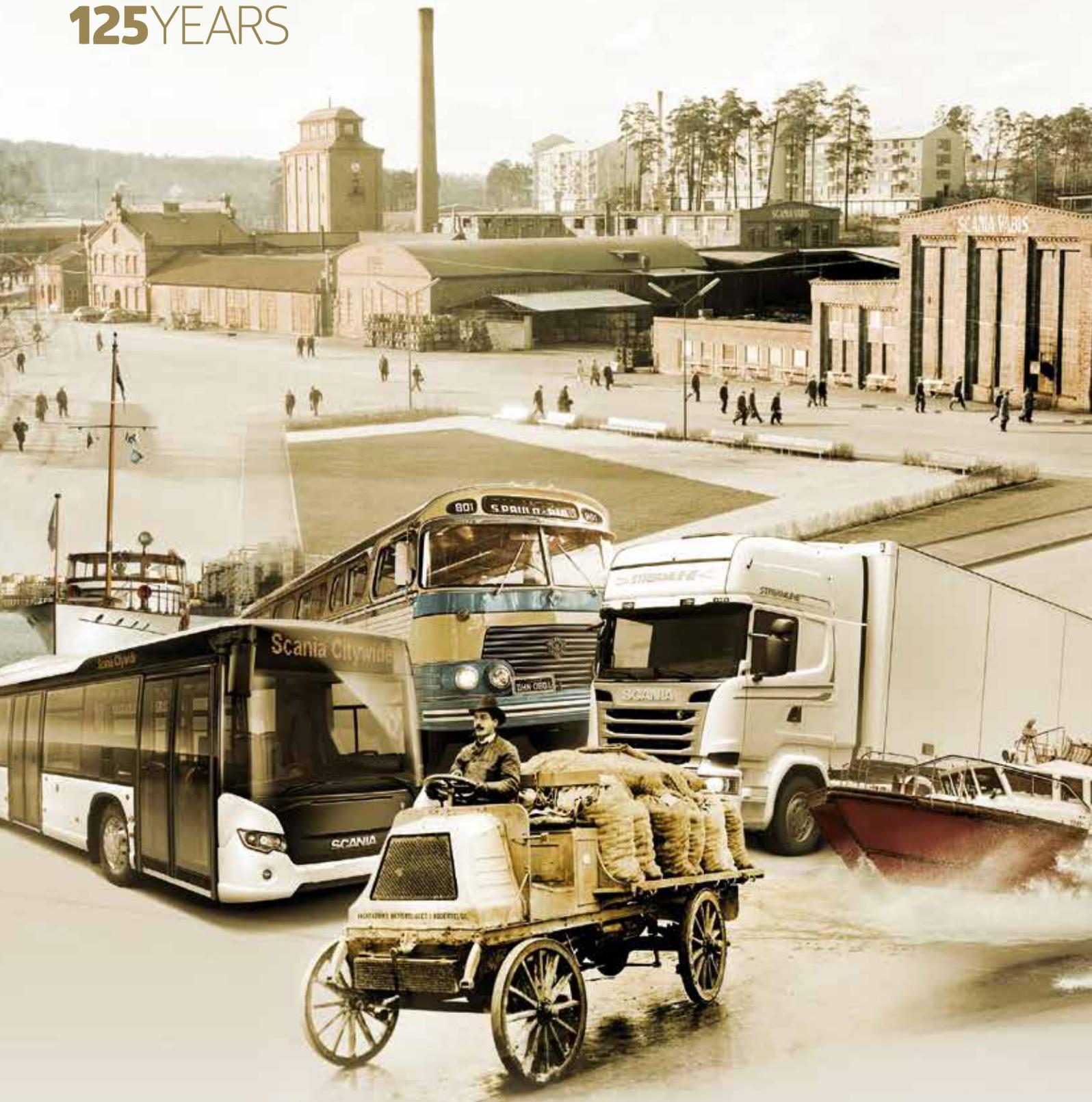
## Swedish Royal Couple visits Rio for Olympics



**Norway's Crown Prince supports Rio 2016 athletes**



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# NordicLight

is the quarterly publication of Swedcham and NBCC



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6. NordicLight interviews Per Palmström, vice president of the Swedish Olympic Committee (SOC).



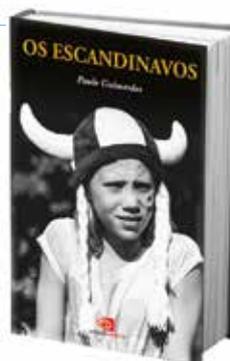
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# King Carl XVI Gustaf and Queen Silvia visit Brazil for Rio 2016 Olympic Games

By Pernilla Josefsson Lazo\*

Photos by Vera Donato



The King and Queen with Alice Ferraz (CEO Fhits) and Fernando Levy (CFO Fhits).

Their Majesties King Carl XVI Gustaf and Queen Silvia visited Brazil during the second half of the Rio 2016 Olympic Games. The primary purpose of the visit was to attend the games, including the closing ceremony, and support the Swedish athletes. The Ambassador of Sweden to Brazil, Mr. Per-Arne Hjelmborn, hosted two events at the Rio de Janeiro Yacht Club with the presence of Their Majesties. The events were organized in cooperation with Swedcham and the Swedish Olympic Committee (SOC).

The lunch took place on August 16. It became at the last minute a rather late lunch due to the fortunate qualification of the Swedish women's soccer team to the semi-finals. Around 100 guests had the opportunity to enjoy the event which mixed Brazilian and Swedish influences in colors, flavors and music. Apart from Their Majesties, other guests of honors included the Secretary General of Sweden's SOC and IOC Member, Ms. Gunilla

Their Majesties with Claudia Wallin, author of the book "Um país sem excelências e mordomias."



Peter Reinebo, operations manager for the Swedish Olympic Committee (SOC), and some of the Swedish athletes and coaches present at the lunch.





Photo by Jack Mikrut - SOC



Swedish financial executive Olof Stenhammar and Hans Vestberg, chairman of SOC.

The King and Queen with the Ambassador and his wife Anette, Cecilia Lif (left) and Pernilla Josefsson Lazo (right), respectively counselor and deputy head of mission at the Embassy of Sweden in Brasília.

Lindberg; the new chair of SOC, Mr. Hans Vestberg; SOC Operations Manager, Mr. Peter Reinebo and Olympic athletes and coaches.

The dinner was held two days later on August 18 and was a festive royal happening that promoted Swedish design. Prior to the Olympics, the Embassy established a partnership with the design company "Svenskt Tenn" whose pieces, not least those designed by Josef Frank, can be found in Swedish ambassadorial residences all over the world. The decoration for the evening was done in the spirit of "Svenskt Tenn" by combining Josef Frank's candleholder "The Friendship Knot" from 1938, symbolizing peace and friendship, and his textile "Brazil" with other colorful textile patterns and tropical flowers.

The toastmaster at the dinner was Swedcham Managing Director Jonas Lindström, who introduced the three speakers: Ambassador Per-Arne Hjelm-born, Swedish Olympic Committee (SOC) Chairman Hans Vestberg and Saab President Hakan Buskhe.

This Swedish-Brazilian extravaganza provided a royal yet sportive meeting place for Olympic guests and athletes with members of the Brazilian and Swedish business communities. The prominent guests included IOC and SOC representatives, active Olympic athletes, the Head of the Brazilian Air Force and Navy, the presidents of EMBRAER and INFRAERO, the CEO of Saab and many high level representatives from Swedcham's members. ■



Queen Silvia, Daniela Falcão (Editor in Chief of Vogue Magazine in Brazil), and Jonas Lindström.

Saab CEO Hakan Buskhe with the autographed Brazilian football T-shirt he donated for a raffle for the World Childhood Foundation.



\*Pernilla Josefsson Lazo is Deputy Head of Mission at the Embassy of Sweden in Brasília.

Canoeing athletes Karin Johansson and Sofia Paldanius.

# Interview with Swedish Olympic Committee's VP Per Palmström

*NordicLight recently interviewed Per Palmström, vice president of the Swedish Olympic Committee (SOC), who was in Brazil for the Rio 2016 Olympic Games. He talked about the visit of King Carl XVI Gustaf and Queen Silvia, who were in Rio from August 15 to August 22 during the Games.*

Palmström said that the visit was a success, with the Royal Couple being able to see all the Swedish medals that were won during their stay—the events they attended included equestrian, taekwondo, wrestling, handball, football, canoeing, track & field and mountain biking. In all, Sweden won 11 medals.

Highlights included seeing 22-year-old Jenny Rissveds take home the gold medal in women's mountain biking, beating out a field that included seven world champions. Rissveds was the youngest rider on a course with competitors aged from 22-44. "It was really special seeing this young woman on the podium

and hearing the Swedish National Anthem," he said. Another high point was the Brazil vs. Sweden women's soccer semi-final at the awesome Maracanã stadium, when the Swedish team won 4-3 on penalties.

During their visit, Their Majesties had the opportunity to meet with Thomas Bach, president of the International Olympic Committee (IOC), Gunilla Lindberg, one of the four vice-presidents of IOC and secretary-general of the Association of National Olympic Committees, and Hans Vestberg, president of SOC, among others.

The King and Queen also had time to visit the Olympic Park, where they wandered around enjoying being treated just like a normal couple without any pomp and circumstance, and the King made a point of going to the Olympic Village to visit the Swedish athletes' quarters. Palmström said he was impressed by Brazil's olympic security apparatus, which he called very professional, and he noted that everyone was very nice and friendly.

One sign that the Royal Couple really enjoyed their Olympic experience in Rio was that during the closing ceremony all heads of state were offered a ride back to their hotels before the end but the King and Queen insisted on staying.

The Olympics are no novelty for King Carl XVI and Queen Silvia, who met and fell in love during the Munich Games in 1972, when he was Crown Prince and she was working as a hostess. Prince Bertil of Sweden (the King's paternal uncle) was president of SOC at the time so that the King was always present at Olympic Games. In fact, Palmström said that it has become a tradition for SOC to invite the Royal Family to all Olympic Games—a tradition that is much appreciated by all the athletes. ■



Per Palmström with (from left) Caroline Waldheim (political advisor at Sweden's Socialdepartementet), Swedish dressage athlete Therese Nilshagen, and Agneta Karlsson, State Secretary to the Minister for Health Care, Public Health and Sport Gabriel Wikström.

# Queen Silvia participates in Childhood Brasil events in Rio

During her stay in Rio de Janeiro for the 2016 Olympic Games, Her Majesty Queen Silvia of Sweden participated in two Childhood Brasil events—one of which was a visit to the Service Center for Adolescents and Children (CAAC), located at the Souza Aguiar Hospital.

The visit reinforced the importance of all the advocacy work carried out by Childhood Brasil to expand its services to protect children and adolescents. The CAAC fits well within the integrated service model for the protection of children and adolescents victims of sexual violence that Childhood Brasil is seeking to implement in Brazil so that revictimization is avoided.

Accompanied by Swedish Ambassador Per-Arne Hjelmhorn and the president of Childhood Brasil's Deliberative Council, Rosana Camargo, HM Queen Silvia took advantage of the opportunity to once again stress the importance of the approval of the Draft Bill (PL 3792/2015) currently being processed in Congress to establish a system that guarantees the rights of children and adolescents who are victims and witnesses of physical, psychological and sexual violence.

Among the draft bill's innovative items is a proposal for integrated service,



Queen Silvia with Ambassador Per-Arne Hjelmhorn and Rosana Camargo.

with the aim of avoiding that children and adolescents who are victims of violence suffer from excessive exposure to the violent situation that victimized them, with unnecessary repetitions and detailing of the qualified hearing procedure and special testimony, with the objective of guaranteeing the victim's safety and protection. This is similar to what occurs at the CAAC, which combines in one single place services of health, police investigation and forensics. ■



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Since the last edition of **NordicLight**, Brazil organized and hosted the world's biggest event by far, and the overall result was very positive and much better than most people had expected. Brazil surprises us again: in the middle of a deep political and economic crisis, Rio delivered a beautiful party to over a million visitors and billions of spectators around the globe – and those of us who were here truly experienced two inspiring weeks of national pride.

This unique ability of seeing opportunities and having the flexibility to overcome challenges on short notice will help take the country out of the current crisis, and it is only a question of when, not if.

We are now working with this year's *Business Climate Survey* and I am sure that the report that will soon be released will be very interesting reading. I can already guess that again we will see that the Swedish companies are struggling with many barriers when doing business with and in Brazil. A recent study by the World Bank showed that Brazil is still one of the most closed countries, but now we all hope that the current government will take action to make this country a more competitive and active player on the international market. In order to open up for more trade, Brazil needs to invest in research, development and innovation. Gone are the days when the country could grow mainly by exporting commodities, and with this in mind the Swedish Embassy will again organize the "Innovation Weeks" in October. Swedcham as a partner in the program is organizing an innovation seminar at Volvo in Curitiba and the annual Career Fair in São Paulo, with the presence of Swedish universities and companies. One indication that Sweden still considers Brazil as a key partner is the fact that two State Secretaries (International Trade and EU, and Defense) are about to visit Brasilia and São Paulo where they will be welcomed by the united Team Sweden in Brazil. Enjoy your reading!

**Jonas Lindström**  
Managing Director,  
Swedish-Brazilian  
Chamber of Commerce



Despite some tension before the opening, Brazil and Rio de Janeiro proved that the Olympics and Paralympics were in good hands. The games were a huge success, both in terms of organization and legacy, and the feedback from the Norwegian athletes was very positive.

Almost simultaneously, the impeachment process was concluded and Michel Temer confirmed as the new President of Brazil. We hope this is the start of a period with a more stable business environment, putting Brazil back on the map for international investors.

Talking about investments, the biggest news from a Norwegian business perspective in a long time was released in the end of July. Statoil announced its purchase of a majority share and operatorship of the Carcará Field in the Santos Basin, formerly controlled by Petrobras, investing USD 2,5 billion. This was not only a huge transaction in itself, it was also an important signal to the market.

The side effects of this investment should not be underestimated, and we already see a positive dialogue both in the political arena and with Petrobras. We at the NBCC are pleased to be an active contributor to enhance the good relations between Norway and Brazil, and have actively contributed in a dialogue with the Ministry of Mines and Energy towards the needed changes in framework conditions, to make Brazil more attractive for our core industry.

As a part of Team Norway, we are glad to welcome the new Director for Innovation Norway, Stein-Gunnar Bondevik, here to Rio de Janeiro! We are also glad to welcome several new members to the NBCC, and hope to see you at our events in Rio and São Paulo.

**Erik Hannisdal**  
Chairman, Norwegian-Brazilian  
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# >> *Our Gold, Silver and Bronze Members*

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(From left) Anette Norberg (Olympic women's curling champion), Gunilla Lindberg (IOC), Minister Gabriel Wikström, and Ambassador Per-Arne Hjelmborn and his wife Anette at the August 6 reception in Copacabana. (Photo by Jack Mikrut - SOC)



Jörgen Persson (who represented Sweden in all Olympic Games from when table tennis was introduced into the Olympic program in 1988 until 2012), international swimmer Johanna Sjöberg (who won her first medal in 1997), Minister Gabriel Wikström and Swedcham Managing Director Jonas Lindström. (Photo by Jack Mikrut - SOC)

## Swedish Health Minister visits Brazil

By Cecilia Lif\*

The Swedish Minister for Health Care, Public Health and Sport Gabriel Wikström came to Brazil on August 2 for a week-long visit. The main purpose of his visit was to attend the Olympic Games and support the Swedish athletes but he arrived a few days early to be able to visit São Paulo and Brasília as well.

During the Minister's visit to São Paulo, the

Swedish Embassy and Business Sweden together with Swedcham arranged a seminar about efficiency in the health care sector, in which around 60 representatives from Swedish companies in the sector as well as Brazilian decision makers participated.

The Minister gave a speech about the Swedish health care sector but also shared his experiences from visiting other countries and learning more about their health care systems. Dr. Barbro Fridén, President of Sahlgrenska University Hospital, also delivered a speech about her experiences in making a large public hospital more effective and delivering more value to its patients.

Minister Wikström also made a study visit to "Hospital das Clínicas" as well as visited the non-profit organization "Associação Saúde da Família" which provides health care to a large part of São Paulo.

In Brasília, Minister Wikström had a bilateral meeting with Health Ministry Executive Secretary Antônio Nardi. The architecturally interested minister also got a chance to see some of Oscar Niemeyer's classic buildings in Brasília before visiting the Embassy and having a "fika" with the Embassy staff.

The Embassy and Business Sweden also arranged

The round table seminar at the residence in Brasília. (Photo by Cecilia Lif)



a round table seminar in the ambassador's residence with the Ministry of Health and ANVISA on effectiveness in the health care sector and regulatory issues followed by a networking lunch. Topics such as "Farmácia Popular", authorization of new products and regulation were discussed.

After his visit to Brasília, the Minister headed towards Rio de Janeiro to participate in the spectacular inauguration of the Olympic Games on August 5. He also attended a cocktail reception held in his honor in Copacabana on August 6. During his visit to Rio, he met with many Swedish athletes, watched a number of sports events and saw Sarah Sjöström take the first gold medal for Sweden swimming in 100 meters butterfly!

It was a successful visit where many contacts were established and that strengthened the relationship between Sweden and Brazil, especially in the health care sector. The visit and activities will hopefully prove important for the Swedish companies in establishing and expanding on the Brazilian market in the health care sector. ■

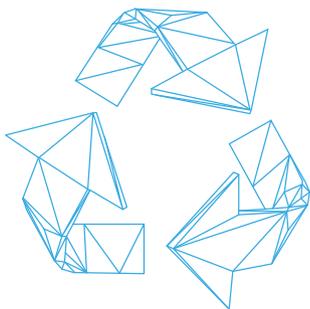


The Minister with the Embassy staff. (Photo by Niclas Jacobson)

\*Cecilia Lif is Counselor at the Embassy of Sweden in Brasília.



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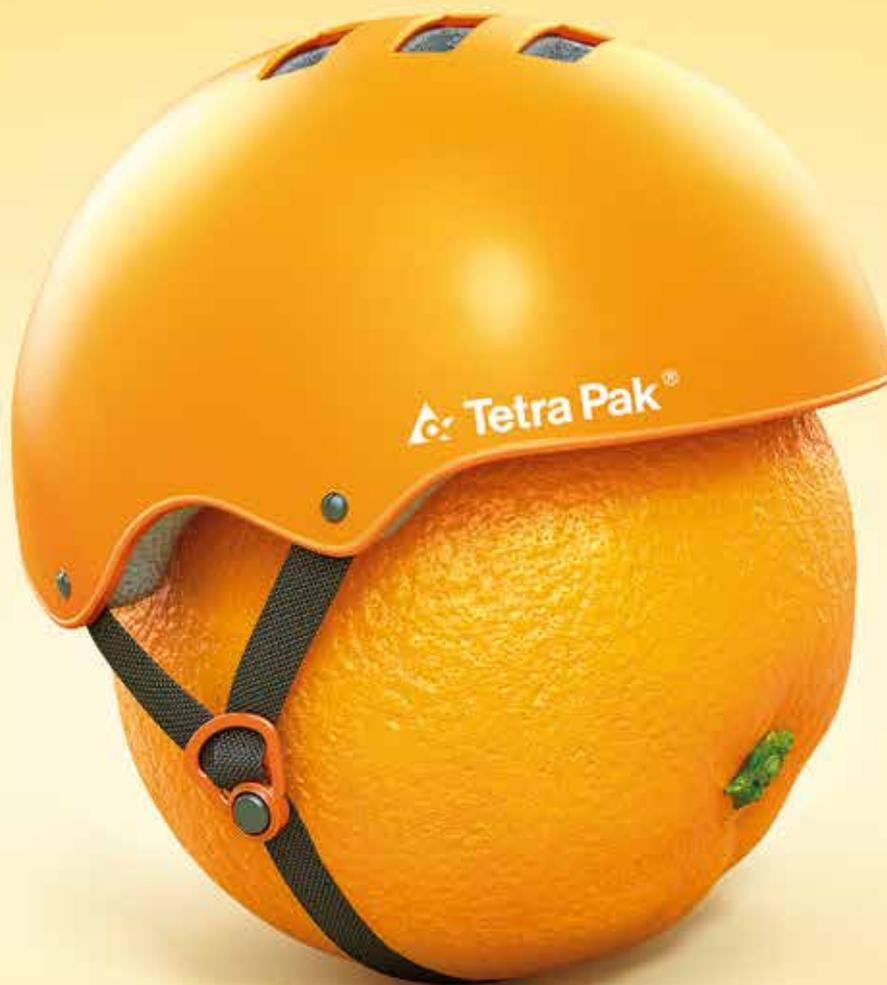
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## Olympic & Paralympic Games

The games have come to an end, and we must congratulate Brazil and Rio for this magnificent and historic event. From the opening ceremony to the city's hospitality and beauty - visitors, athletes and the local population were enthralled. The games have been hailed a success by local and international authorities, and for those of us who were lucky enough to experience it, we know it was well deserved.

Sweden hosted several events and important visitors, most notably King Carl XVI Gustaf and Queen Silvia. Avid supporters of Swedish sport, Their Majesties' presence gives athletes additional motivation. The Swedish Embassy, with support from Swedcham, hosted a luncheon and dinner for HRH at the Yacht Club of Rio de Janeiro. Attended by athletes, Swedish business representatives, and Brazilian society, the events were a huge success. We were also honored by a visit from Sweden's Minister for Health Care, Public Health and Sport Gabriel Wikström. The Minister had an extended visit in Brazil, which ended with a reception in Copacabana hosted by the Embassy.

A special thanks to Pernilla Josefsson-Lazo and Anette Hjelmborn for organizing all these receptions, with that Swedish touch! ■

## The Olympic City Transport Challenge

Viktoria Swedish ICT, sponsored by the Swedish Innovation Agency Vinnova, joined forces with the city of Rio de Janeiro for the Olympic City Transport Challenge. Participants were called to enter smart solutions for information services regarding public transport, and the winners were announced in April of this year. With a population of approximately 12 million people in the greater metropolitan area, Rio is working towards its goal to develop an efficient transport system linked to modern high technology.

The winners developed apps that could assist users in better navigating the city's transport, including one specifically designed for the physically challenged. ■



Hans Säfström, Sports Director for the Swedish Paralympic Committee, and Rafael Maioral, NPC Relations Coordinator at Rio 2016.



A delicious feijoada buffet was served during an event welcoming the Swedish Paralympic athletes to Rio on September 5.



Pastor Lasse Svedberg with musicians Paula Burenstrand and Roberto Noel, who wrote the song "Willpower - Road to Rio," during the September 5 event.

## The Swedish Church and the Games

The Swedish Church Abroad (SKUT) partnered with the Norwegian Sjomannskirken at a bar in Copacabana, where fans could watch games, socialize and even attend services.

It was very popular, and became a kind of meeting point for Nordics. Sweden had four pastors present, including previously São Paulo-based Olof Olsson, Lena Brolin and Ann-Katrin Bosbach. During the Paralympics, we had a different team from SKUT, headed by Pastor Lasse Svedberg. Together with Swedcham, they organized a welcome dinner for the entire team of Swedish Paralympic athletes on September 5, with a typical Brazilian feijoada and live music.

A special thanks goes to Jonas Lindström at Swedcham for all his help, and to our sponsors Swedish Match and Scania. ■

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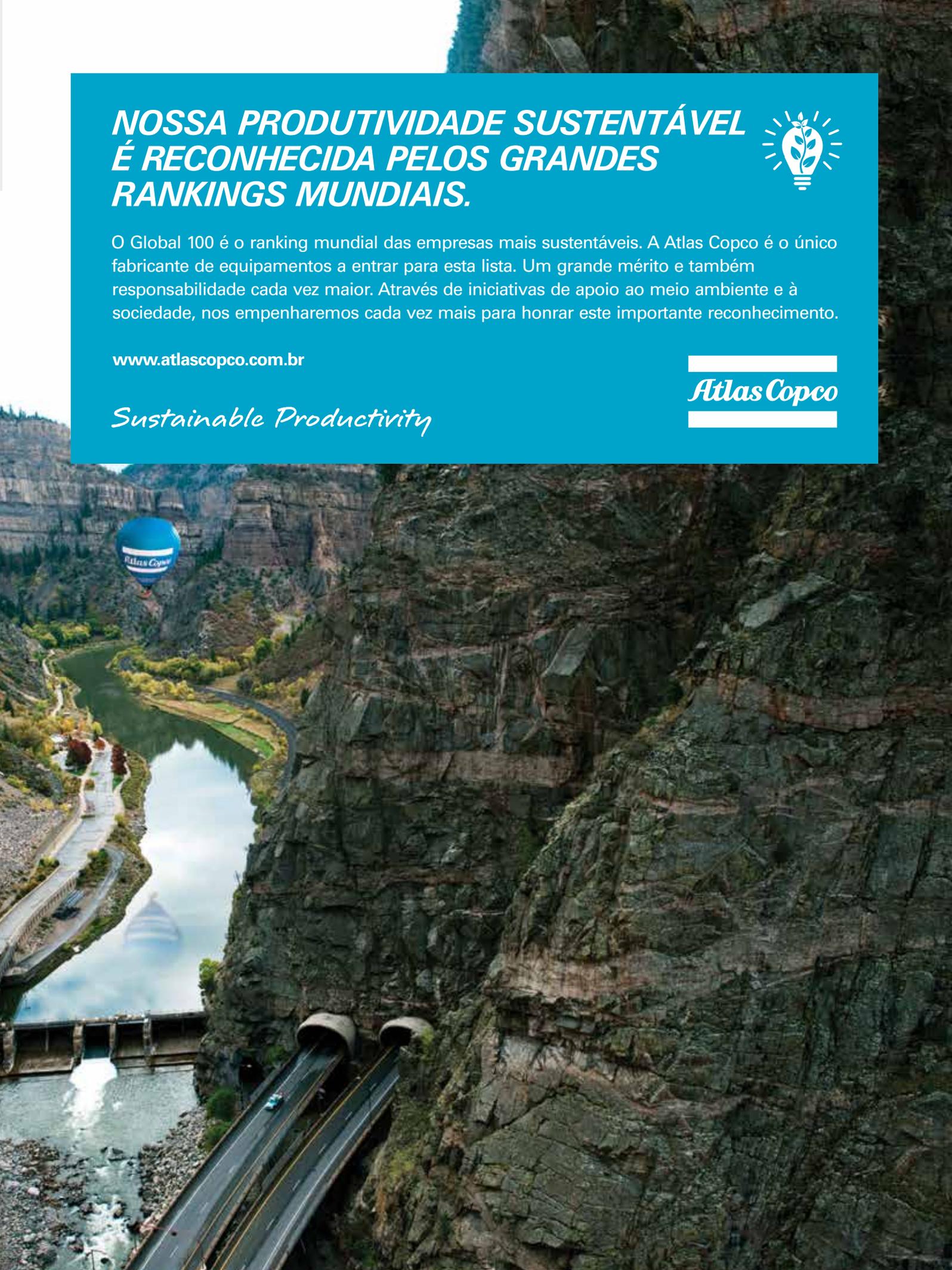


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# Sweden *in* São Paulo

By the Consulate General  
of Sweden in São Paulo

*In this second half of 2016, we now have the Olympics behind us, although there were few events affecting the São Paulo region. This does however not mean that it was a calm period in our consular region. We have had the pleasure of receiving a visit from the Swedish Health Care, Public Health and Sport Minister, Gabriel Wikström, who participated in a seminar at the Swedish Chamber of Commerce and visited Latin America's largest hospital "Hospital das Clínicas".*

## **Nordic film festival**

Sweden and the other Nordic countries have also been highly visible during a new film festival called "Ponte Nórdica". The festival took place from August 25 to September 7, exhibiting 20 new movies made during the last two years in one of the most renowned cinemas in the city of São Paulo, Belas Artes, right on the corner of the Paulista Avenue. All of the films had never been shown in Brazil before, so no wonder the premiere session attracted a full house. The overall focus of the festival was the situation of women and the cultural and social bridge between the Nordic countries, topics which were also treated during debates held in conjunction with the film sessions. ■

## **Lina Nyberg concert**

Continuing on the cultural track, the acclaimed Swedish jazz singer Lina Nyberg, elected Swedish Jazz Musician of the Year in 2011, performed a show at the fantastic stage of SESC Pompeia in São Paulo on August 26. The Lina Nyberg Band, consisting of an all-Swedish quartet, brought its

experimental jazz to Brazil and got the full attention of the audience using her voice as a dynamic instrument covering themes from her latest release including birds, pilots, winds and astronauts. Rumors have it that we may have the chance of seeing Lina and her band in Brazil again sometime in November and then during a longer tour covering various cities. We cross our fingers and look forward to welcoming them again! ■

## **Homage to Harald Edelstam**

Emotions were also the focus of another event that took place in Porto Alegre on August 25 – the sanctioning of a law creating a square in the honor of the late Swedish ambassador and diplomat Harald Edelstam.

Edelstam earned his nickname "the Black Pimpernel", which is a reference to the novel "the Scarlet Pimpernel" by Emma Orzcy about an Englishman saving aristocrats from the revolutionary France, during World War II. Edelstam was first stationed in what must have been one of the most complicated places of them all, Berlin, in 1942, but was thereafter sent as Second Vice Consul to Norway. It was there that he helped save hundreds of Jews and freedom fighters from the Nazis, by helping them to be smuggled to Sweden. After the war ended, Edelstam was stationed in a number of different countries, but it was when he arrived in Santiago de Chile in 1972 that his civil bravery was really put to the test and became evident.



Lina Nyberg and her Band.



(From left) Jesus Antunes, member of the board of the Brazilian Press Association (ABI), Peter Johansson (Consular Officer), José Fortunati (Mayor of Porto Alegre) and Jaír Krischke (President of the Movimento de Justiça e Direitos Humanos). (Photo by Ivo Gonçalves)

In 1973, General Pinochet came to power in Chile through a military coup and the Cuban Embassy was also under fire, when Edelstam walked past the attacking tanks carrying a Swedish flag and accompanied the Cubans to the Swedish Embassy, effectively saving their lives and subsequently getting them out of the country. The Cuban Embassy remained under Swedish protective power for 18 years after this incident.

But Edelstam's courage didn't end there. Soon the embassy was filled by Chilean, Uruguayan, Argentinian and Brazilian refugees, who were also saved by Edelstam. Due to these extraordinary courageous acts, Edelstam is to this day considered a hero among large groups of people in Latin America and in Uruguay a stamp was decorated in his honor. Even in today's Chile he is considered a hero and in 2009 a special and unique ceremony was held in his honor in the parliament—unique because all political parties, independently of their political side, supported the celebration. All gathered around the recollection of one very special man.

It is true that there are sources quoting that Edelstam was not particularly popular among his colleagues at the Swedish Foreign Ministry at the time of the occurrences in Chile. This is supposed to have been caused by his controversial methods, going outside the traditional diplomacy. On the other hand, the Swedish Prime Minister Olof Palme, head of the government when the coup took place, has also become famous for his opposition to Pinochet's regime. Fact is that today Edelstam's legacy is something that most Swedes are very proud of and it was therefore never a doubt that Sweden wished to participate and be officially represented at the ceremony in Porto Alegre upon the invitation from the city. Consular officer Peter Johansson had the pleasure to be representing Sweden at the ceremony.

The initiative to create a city square with Edelstam's name comes from an association called the Movement for Justice and Human Rights and its president Jaír Krischke, who started presenting the idea to the city authorities already three years ago. The plan is that the square in the future will have a sign explaining for bypassing people who Edelstam was and thus spreading the word to future generations.

A documentary in Portuguese about Edelstam, which was made by journalism students at the PUC-RS university, was also shown to the participants. Besides Porto Alegre's Mayor José Fortunati and Sweden's representative, Uruguay's Consul General Karla Beszidnyak and the city secretaries for the environment, Leo Bulling, and human rights, Wilson Pastorini, were also present at the event. ■

## *Seminar about TPP at FGV*

On August 25, Consul General Renato Pachoco Neto took part in a seminar organized by the Latin American and Caribbean Economic System (SELA) and the Centre for Studies on International Trade and Investment of the university Fundação Getúlio Vargas about the Trans-Pacific Economic Partnership (TPP) free trade agreement. ■

## *Consulate receives students*

Also in August, the Consulate was visited by university students from Centro Universitário Santo André studying international relations. A presentation was held by the Consul General and Consular Officer followed by a session of Q&As. The Consulate encourages interested schools or universities to get in contact, should there be an interest in organizing a seminar or presentation as a part of promoting the image of Sweden and inspire students to study or work in Sweden. ■



Consul General Renato Pachoco Neto at the TPP seminar held at FGV.

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# Minister Åsa Regnér represents Sweden during Paralympic Games



Minister Åsa Regnér listens to Secretary Roseane Estrela's speech at the September 8 seminar. (Photo by Paulo Rodrigues)

The Swedish Minister for Children, the Elderly and Gender Equality, Mrs. Åsa Regnér, came to Brazil to represent the Swedish Government during the Paralympic Games held in September.

On Thursday the 8th, the Swedish Embassy and Business Sweden arranged a seminar at the Biblioteca Parque in Rio de Janeiro entitled "The Power of Integration via Accessibility and Sports" that was part of the Library's International Week of Accessibility and Culture.

The seminar reflected Sweden's commitment to assist and integrate persons living with a disability, granting access and dignity and allowing these persons to live as autonomously as possible. This experience was shared and discussed with Brazilian stakeholders. Important authorities from the Ministry of Education and the Ministry of Finance included Mrs. Roseane Cavalcanti de Freitas Estrela, special secretary for the rights of persons living with disabilities from the Brazilian Ministry of Justice and Citizenship.

After the seminar, two exhibitions were inaugurated by Minister Regnér: first, a photo exhibition portraying people living with disabilities that overcome barriers and live an

integrated life; and second, a design exhibition which showcased technological and design innovations that help people to have a more dignified life.

As the interesting discussions continued in a more informal way during the inauguration cocktail, the photographs and artefacts on display received much attention. Among the highlights of the design exhibition was the award-winning Permobil F5 Corpus VS, a durable, powerful and stable power wheelchair with the latest version of the Vertical Stander that offers the user an innovative new way of actually standing up.

Another highlight was the Index-Braille electronic printer/embosser V5 that easily can be connected to computers, tablets or mobile phones and allows the blind or deaf-blind user to print any text document or message in Braille.

It can be added that even the special secretary herself was so curious about the exhibition that she came to test one of the super-lightweight wheelchairs made from carbon fibre that is especially designed for swift maneuvers. Secretary Roseane Estrela was later seen on the dance floor with her husband, still testing and apparently enjoying the lightweight innovation from Sweden. ■



Minister Åsa Regnér with Guilherme Lira, distributor of Index-Braille.

# Minister Wikström's busy agenda includes high-level seminar

The Olympic Games in Rio de Janeiro in August had the whole world tuned in and cheering for the athletes representing their respective countries. Among the many dignitaries attending the Opening Ceremony, Minister for Health Care, Public Health and Sport Gabriel Wikström was the official representative of the Swedish government.

Taking advantage of such a rare opportunity, the Business Sweden São Paulo Office worked along with the Swedish Embassy to organize a series of events and official visits with the Minister during the week prior to the beginning of the Games. Despite the current economic downturn in Brazil, the health care sector still offers attractive opportunities due to its sheer size and also due to recent reforms which now allow foreign investors to own and operate hospitals in the country. The objective of the program was to promote Swedish companies and to grant them a unique opportunity to have contact with key players of the sector.

On August 3, Business Sweden organized a high-level seminar entitled "Efficiency and Value-based Health Care," the objective being to share Sweden's experience in handling shrinking health care budgets and increasing demand.

Minister Gabriel Wikström attends the seminar at Swedcham.



Dr. Barbro Fridén during the panel discussion.

The seminar took place at Swedcham in São Paulo and consisted of key-note speakers followed by a discussion panel. After the opening remarks from Minister Wikström and Ambassador Per-Arne Hjelmborn, the speakers outlined the Brazilian health care system, focusing on the private sector.

Dr. José Carlos de Souza Abrahão, president of ANS, the national regulatory agency for health plans, described the successful expansion of the sector in recent years but also the current challenges that private insurance companies face in 2016. He was followed by Dr. Francisco Balestrin, president of the National Association of Private Hospitals (ANAHP) and Pedro Ramos, director of the Brazilian Association of Health Plans (ABRAMGE).

After the coffee break, there were additional presentations and a panel discussion which included Dr. Barbro Fridén, CEO of Sahlgrenska University Hospital, Dr. Ary Ribeiro, Superintendent of H-Cor Group, Dr. Paulo de Souza, Health Management Director at Amil; and Ms. Cecilia Edstrom, Vice-president of Bactiguard. ■



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# Willpower: Swedish Paralympics road to Rio 2016

On August 8, the Swedish Paralympic Committee arranged a last gathering before sending away its troupe to Rio de Janeiro. Among others, the occasion was attended by HRH Princess Victoria, sponsors, representatives of the Swedish Church, and Brazilcham's Executive Director. This marked the start of a trip that would take the Swedish athletes to this Paralympics' final destination: Rio.

The Swedish Church, with the financial help of some Swedish companies in Brazil and with the support of Sweden's Honorary Consul General in Rio, Louise Anderson, organized on September 5 a ceremony to welcome the competitors to the "Marvelous City".

"Ever since the Paralympics in Athens, the Swedish Church has cooperated with the Swedish Paralympic Committee. In the past, people with disabilities were a hidden and invisible segment of the Swedish society but, thankfully, this situation has been gradually changed. The Swedish Church develops many projects and works to support people with functional disabilities and other challenges and our presence in Rio for this occasion feels natural," said Lasse Svedberg, director of the Swedish Church's representation at the Paralympic Games in Rio.

"The Paralympic Games are not only an occasion for sporting conquests. I truly believe that the Paralympics can help to change the perception of people with special needs. It presents the world with an opportunity to highlight young and older Paralympians as role models for individuals who are differently affected by accidents or diseases, and to show that they are as capable as anyone else to reach great achievements. The event is also a chance to stress the necessities of people with special needs in countries where they still are unseen," he stressed. ■



On August 8, the Swedish Paralympic troupe was waved off by the Swedish Church, Brazilcham Sweden, sponsors and no one less than HRH Princess Victoria. (Photo by Henrik Hjelmsberg)



Lasse Svedberg, director of the Swedish Church's representation at the Paralympic Games in Rio, and Louise Anderson, Honorary Consul General in Rio, welcome the Swedish Paralympic athletes to Rio. (Photo by Elisa Sohlman)



Hans Safström, Sport Director at the Swedish Paralympic Committee and Sweden's Rio 2016 Team Leader, talks about the expectations in Rio. (Photo by Elisa Sohlman)



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Wilson Lirmann

Born in Telêmarco Borba in Paraná State, Lirmann takes on the leadership of Volvo Group Latin America during one of the most difficult periods for the commercial transport sector, with a large drop in sales over the last two years. "This is a tremendous challenge. But I am confident that the economic scenario in Brazil, the largest market in Latin America, will gradually improve," he said.

For Lirmann, the current Brazilian scenario is of austerity for the entire transport chain. "It is essential to maintain a lean thinking mentality, focusing our resources on the right priorities, and to work with the maximum efficiency to serve transporters with agility, quality and transparency. We have a strong brand and the best line of products and solutions in the market. This more acute moment will pass," he concluded.

## *Lirmann is the new head of Volvo Group Latin America*

**W**ilson Lirmann is the new president of Volvo Group Latin America since July 1. He replaces Carlos Morassutti, the first Brazilian to hold this position, who took over after Claes Nilson, the former Swedish president. The executive, who has been with the company for 21 years, formerly directed the Lapônia Group, a network of eight Volvo truck and bus dealerships located in São Paulo.

Lirmann, 46, is the youngest executive to lead Volvo's Latin American operations, having worked in various of the group's areas. A graduate in Mechanical Engineering from the Federal University of Paraná (UFPR), with an MBA in Strategic Administration from Universidade Positivo, he began his career at the Volvo factory in Curitiba as a trainee in 1990, remaining there for two years.

After a brief period at a forestry industry company, Lirmann went back to the Volvo Group in 1995 to work as a product quality engineer. His career grew from there as he occupied leadership positions in different areas, from services and other transport solutions to technical support and guarantee, as well as product planning and post-sale. He also operated at an international level, when on two occasions he assumed leadership positions in Sweden, Volvo Group's world headquarters, where he spent five years and was responsible for projects in various European markets.

"It is a great responsibility to lead a company of Volvo's size in Latin America. But I have been preparing during my entire professional life to perfect myself and take on new positions. I also have the good fortune of having a quality and high-level staff that will help me in this task," the new president said.

### **Volvo Bus**

Fabiano Todeschini took over on July 1 as the new president of Volvo Bus Latin America, replacing Luis Carlos Pimenta, who worked for the company for more than 35 years. Before taking over the helm of Volvo Bus, he headed the company's truck and bus operations in Argentina.

Todeschini, 42, was born in Curitiba, capital of Paraná State. He joined the Volvo Group in 1996 as a trainee. He has worked as director of post-sale logistics and strategy, as well as in the commercial area. The knowledge acquired over his 20 years with the company has given him a complete business insight as well as made him totally aware of clients' needs.

A mechanics technician from CEFET-PR and an administration graduate from FAE Business School, Todeschini also has two MBAs, one in Logistics and Post Sales and another in Leadership. He also participated in an advanced leadership management program.

"The bus market is very dynamic and to continue on the path of profitable growth we cannot stop innovating and moving forward, regardless of the market scenario. We will keep focused on the success of our clients in order to maintain and build long-term partnerships," he said. ■



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# AAK opens new factory in Jundiaí



AAK CEO Arne Frank and members of AAK's Executive Committee during the inauguration.

**A**AK, a leading manufacturer of high value-adding specialty vegetable oils and fats, inaugurated a new specialty and semi-specialty edible oils factory in Jundiaí, São Paulo State, on June 15. The factory required an investment of around SEK 400 million (USD 62 million).

Present for the inauguration were AAK Group President and CEO Arne Frank and other top company executives, Jundiaí Mayor Pedro Bigardi, and representatives from the Swedish Consulate General and Swedcham.

"There is a large potential for AAK in the Brazilian market. It is the world's seventh largest economy and a number of our global customers already have significant presence. Currently, AAK has a well established chocolate & confectionery business supplying out of our factory in Montevideo, Uruguay. However, pursuing our global growth strategy, AAK needs to be present with production capability also in Brazil. This new factory is an integral part of AAKtion, and adds presence in a growth market which is identified as strategically important," said Arne Frank.

"AAK's objective is to grow 70% in markets with medium and quick growth, and South America is

crucial for this target," said Gerardo Garza, President of AAK for South America. "Brazil in particular has an enormous potential for AAK, being the fourth largest chocolate producer in the world and the third largest market for cosmetics and personal hygiene products. Although our objective with this new factory is to meet domestic market demand, the country could serve as an export base in the future."

AAK's oils and fats solutions feature a high level of technological content and innovation, and are used as substitutes for butter-fat and cocoa butter, trans-free and low saturated solutions, but also addressing other customer needs.

The new factory will also include an Innovation Center that allows AAK customers to work closely with the Group's Customer Innovation team when developing new products and solutions. "We will consolidate our position as the first choice in the supply of innovations and solutions in vegetable oils that add value to our clients and act prominently as a Co-Development Company," Garza concluded.

Based in Malmö, Sweden, AAK has more than 140 years of experience in oils and fats, more than 2,700 employees in 19 production units and customization installations, and commercial offices in more than 25 countries. The Group is present in over 100 countries around the world. ■

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## *Scania celebrates past looking to the future*

The first Scania truck with engine below the driver in 1902.

Scania is celebrating 125 years of innovation in 2016. From its founding as a privately owned wagon-building company back in 1891 to today's connected vehicles, Scania has managed to be in the forefront of developments. Today, the company has a new generation of trucks, offering sustainable transport solutions and being connected to the present and committed to the future.

A brief rundown of Scania's history leads to milestones like the establishing of Vabis in Södertälje in 1891, which started with the production of open goods wagons and transport wagons. Some 20 years later, Scania Vabis was created through the amalgamation of Vabis with the Malmö-based, privately-owned machine manufacturing company Scania. In 1961 Scania Vabis started the production of truck and bus chassis in Brazil, opening its first ever production facility outside Sweden in São Bernardo do Campo, near São Paulo.

Since its early days, the company has followed the world's transformations, working to place the brand globally and be recognized as a symbol of quality, strength and innovation. "We

have remained loyal to our values and focused on meeting the needs of our clients, who are the real players in this trajectory. This explains in part Scania's success, which combined with dedicated collaborators, the tireless quest for improvements and obstinacy for innovation, guaranteed that we have made it here," says Per Olov Svedlund, president of Scania Latin America.

Scania has been celebrating its anniversary in grand style. In August, it introduced on the European market the first long-distance vehicles that are part of its new truck generation. "With this launch, we have challenged the quality standard we had defined with the pillars of customized solutions, lower operating cost and availability of vehicles. We went further in all these areas, with a great participation from connected services and maintaining the strategic course of sustainability. This is without doubt a movement that redefines the premium

concept in industry," Svedlund comments.

In order to celebrate the 125-year journey, 2016 was an emblematic year. In addition to introducing a new generation of trucks, Scania also took initiatives in the area of urbanization, digitalization and sustainability. Proof of this includes the 200,000 connected vehicles in Europe, the G360 4x2 electrically-powered truck on Swedish roads, and the demonstration in Sweden in May of its autonomous driving system, a technology that will be used initially for mining and ports. "We are writing yet another chapter in the history of Scania and the transport industry," says Svedlund.

## Global launch

Scania's new truck generation is the result of 10 years of development and the largest investment in the company's history. "Our goal is that Scania's customers will always be able to carry out their work in the most sustainable and profitable way, regardless of industry and area of application," says Scania's President and CEO Henrik Henriksson.

The launch took place on August 23 at the



Grand Palais in Paris, in the presence of around 1,500 guests from all over the world and seen on the Internet by millions of people.

With the new range, Scania is extending its offering and can now, thanks to its unique modular system, supply more performance stages, connectivity and a comprehensive palette of productivity-enhancing services as well as sustainable transportation solutions that are precisely customized for each type of customer in the highly competitive transportation industry. ■



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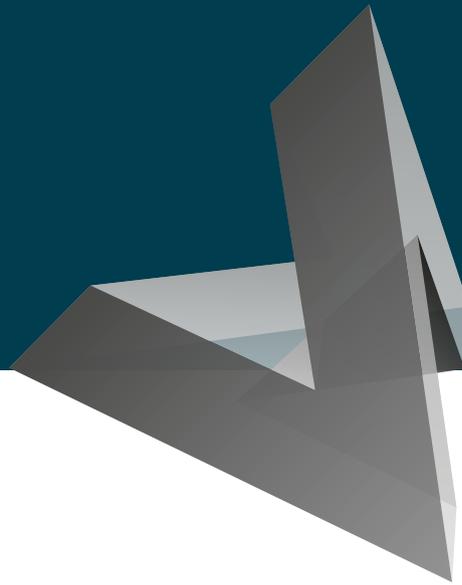
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## The unknown sides of Scandinavia



Brazilian diplomat Paulo Guimarães hopes to inspire with his new book about Scandinavia.

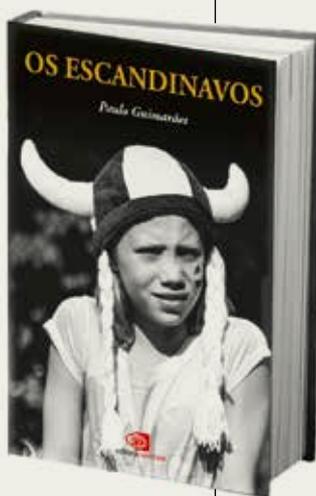
His wife is Swedish, he is currently living in Denmark, and keeps a "hytte", a wooden cottage in Asker, Norway, which he calls home. Currently, Guimarães is posted as minister counselor (deputy head of mission) at the Brazilian Embassy in Copenhagen. He served at the Brazilian Embassy in Norway for several years, and wrote his diplomatic thesis on the Brazilian-Norwegian partnership in 2011. Now he is launching his second book in Brazil, called "Os Escandinavos" (The Scandinavians, Editora Contexto).

### **NL: Why have you written this book?**

**PG:** When I first wrote my diplomatic thesis in 2011, I realized there were very few sources available in Portuguese about Scandinavia and the Nordic countries. I wanted to write an introduction to the region and its peoples that would be relatively comprehensive in scope and of special interest to a Brazilian reader, some 10,000 km away. The book presents relevant aspects of the political, economic, social and cultural history and day-to-day life in the Nordic countries of Denmark, Finland, Iceland, Norway and Sweden.

### **NL: What is the main message?**

**PG:** Although in a remote and harsh place, Scandinavians played an important role in history and have been making significant contributions to our world view. Also, to the outside world, the Nordics are perceived as a very homogeneous group of countries, but this general characteristic does not sum up the region. Not all Latin Americans are the same, and neither are the Scandinavians.



### **NL: What experience among Scandinavians marked you the most?**

**PG:** I spent the formative years of my youth in Stockholm, in the late 70s and early 80s, at an advanced stage of social democracy and the welfare state. Sweden looked very different from Brazil, in almost all aspects. I believe the egalitarian structure of the Swedish society marked me most. A person's social standing needed not be based on the subservient attitude of another.

### **NL: What are the main differences between Scandinavians and Brazilians that you point out in the book?**

**PG:** Our distinct approaches to authority, which translates, in Brazil, into an excess of rules, regulations and official procedures that in effect creates an enormous distance between governors and the governed. Another clear difference lies in the way Scandinavians approach public transportation as a means of transit for everyone, irrespective of wealth. Similar to the bike, which is used on a daily basis by ministers, directors, managers and students alike. Naturally, one can also spot the differences in some peculiar sets of customs: Scandinavians will always be found in the sunniest places in restaurants or cafés everywhere while Brazilians run for the shade.

### **NL: What do you hope the readers get out of reading your book?**

**PG:** I hope the reader will be not only better informed, beyond the postcard pictures and the myths, but also captivated by the true nature of the countries and the peoples of Scandinavia. There is much to learn from the perspective of a Brazilian on how the Nordics reflect on issues which concern all of us, all over the world, and on how they organize their society. No doubt, there is room for inspiration; though not for simply imitating. ■

# Norway's Crown Prince visits Rio to support athletes

By Runa Hestmann

Several high-level visitors graced Rio de Janeiro with their presence during the Rio 2016 Olympic Games.

Norway's Minister of Culture Linda Hofstad Helleland represented the Norwegian Government during the Opening Ceremony on August 5, 2016. His Royal Highness Crown Prince Haakon greeted Norwegian athletes and was present for several competitions during his stay in Rio de Janeiro from August 17 to 20.

The Crown Prince also met with representatives from the Norwegian-Brazilian business community during a cocktail reception on August 17. This is the second time in less than a year that HRH Crown Prince Haakon visits Brazil, something that clearly demonstrates the great importance of the bilateral ties between Norway and Brazil.

The reception served as an important follow-up of the royal visit last year, and Brazilian authorities, like ANP director Magda Chambriard, were among the many high-level guests.

The event took place in the residence of the Norwegian Consul General in Rio de Janeiro, Sissel Hodne Steen, and athletes from the Olympic sailing team were among the many guests.

"It's a great pleasure to host this reception where our Crown Prince and the athletes have the opportunity to meet. We are very proud of the way you represent Norway," said Consul General Sissel Hodne Steen in an address to the party. She also talked about Brazilian hospitality and the legacy of the Olympic Games. "I must say that Rio has pulled it off and is leaving a lasting impression on visitors from all over the world."

HRH Crown Prince Haakon also had the chance to dine with the Norwegian Olympic Team in the Olympic Village, and demonstrated great enthusiasm when cheering for Norway during the handball semifinal against Russia.

HRH Crown Prince Haakon (left) with the Olympic Sailing Team.



"It is very nice to get the opportunity to meet the athletes. I am very excited about the medals we have won," the Crown Prince commented.

## Girls on the agenda

Norway's Minister of Culture Linda Hofstad Helleland visited the Cinderella project, part of the activities at the Norwegian NGO Karanba in São Gonçalo, Rio de Janeiro. The Karanba project was founded in 2006 by former football player Tommy Nilsen.

"It was an inspiring experience to see how happy these girls are and to see that Karanba is contributing to changing the lives of children who have had a difficult start," Mrs. Helleland said.

The Cinderella project was created to include more girls in the activities. Offering the same activities to both boys and girls is a priority to the NGO. This is also a priority to the minister.

On August 6, she hosted a meeting with other Ministers of Sports, from Iceland, Sweden, Denmark, Ireland and Great Britain, as part of a challenge made to her by the president of the International Olympic Committee, Thomas Bach.

"Mr. Bach has given me the task to map how we can increase the participation of girls in sports and of women in leading positions in sports. Karanba is a fantastic example, and I have asked my colleagues for more good examples," she said. ■

From the left: Ragnhild Lorentzen Long, HRH Crown Prince Haakon, Chaplain Anders Rosland and Norway's Consul General Sissel Hodne Steen. In the back, Johanne Rosland.



# *New Innovation Norway director assumes Rio office*

*By Runa Hestmann*

“

want both Norwegian and Brazilian stakeholders to see Innovation Norway in Brazil as a relevant partner, a partner that adds value,” says Stein-Gunnar Bondevik.

This July, he assumed the position as head of Innovation Norway in Brazil. Over the last four years, Bondevik was the director for the IN office in Troms and Svalbard in Northern Norway, and the in house experience is something he intends to put to good use in Brazil.

“I am looking forward to seeing how I can use my extensive network and knowledge about the IN system at home to recruit businesses and convince the right companies to invest in Brazil. My ambition is to create tighter relations between the Innovation Norway offices at home and the Brazil office.”

The new IN executive has a Master’s Degree in English from the University of Tromsø and the University of Minnesota, and executive leadership programs from Harvard Business School, The Norwegian Defense College and the Norwegian Business School BI. He has also worked as director of communications at the University of Tromsø, for The Norwegian Institute of Food and Fisheries Research and for the Norwegian army.

Bondevik lists tourism, defense/military, research and seafood as his areas of expertise, but guarantees that he is also familiar with the oil and gas industry.

“The North of Norway is a new oil province, and the industry is still in an early phase of development. Learning even more about the oil, gas and maritime industries is also something I will give priority during my first months in Rio. The oil and gas industry will remain a key sector despite the current down cycle. But I also intend to work closely with the Norwegian Seafood Council in Brazil, and renewable energy, ICT and tourism are other focus sectors for us,” he says.

Bondevik believes there is a potential for increasing Norwegian activities and participants in the Brazilian aquacultural sector and supply industry, and increasing competence and mapping the opportunities, not only in Brazil but in other South American countries like Chile and Peru.

Compliance is also something the new director finds fundamental.

“We need to make sure that all the business activities that we get involved in respect local laws and the country we are operating in. The Lava Jato investigation has made headlines around the world, the economy is suffering and investor confidence falling, but we see that those involved are getting caught and this is great news for the future of the country. Norwegian authorities still believe in Brazil and believe that the market will stabilize and get back on track with new grown and increased investments.”

Getting the priorities right and making sure that the Brazil office focuses on the right projects is something he sees as a challenge.

“We need to find the balance between motivating and warning. But my job is primarily to point out the opportunities that exist in Brazil. In order to give the right kind of advice, it is fundamental to understand Brazilian business culture. We are here to serve Norwegian stakeholders in the country in the best possible way, and in order to do that, I also need to build a solid network of Brazilian stakeholders.” ■



# Leniency agreements under the Brazilian Anti-Corruption Law

By *Camila Borba Lefèvre and Priscila Akemi Beltrame\**

*Leniency agreements, under which companies agree to cooperate with authorities in exchange for a lighter punishment, are under intense debate in Brazil.*

Such agreements are contemplated under the Brazilian Anti-Corruption Law (Law No. 12,846/2016) and have recently been considered by many companies under corruption investigations in Brazil. They are a measure of judiciary policy traditionally used in associative infractions (such as cartels). Their objective is to identify the wrongdoings and the participants in a certain scheme by collaborating with the investigations and entering into a commitment to cease the violations.

The implementation of leniency agreements, inspired upon the practice of the plea bargain of the American system, requires the flexibility of a pervasive punitive legal practice to put in place a strategy that contemplates negotiation, cooperation and prevention through integrity mechanisms.

Currently, the task force of the Car Wash Operation, together with Petrobras and members of the Transparency, Auditing and Control Ministry of the Federal Government, are negotiating a number of leniency agreements under the Anti-Corruption Law. Many other leniency agreements are also under negotiation following bribery accusations in investigations throughout the country, including at state level.

However, the law is not completely clear in a number of aspects and, in all cases, the parties that are negotiating such agreements still face a great deal of legal uncertainty regarding the enforceability and the implementation

of the leniency agreements. For example, in a recent case, the leniency agreement entered into between the Dutch company SBM Offshore and Brazilian authorities regarding corruption allegations involving Petrobras came under scrutiny as auditors of the Federal Accounts Court (TCU) questioned its validity and asked that it be suspended.

There are a number of projects with the objective of amending the Anti-Corruption Law. One of them is Bill of Law No. 5,208/2016, authored by Senator Raul Jungmann and others. It provides for important advances to the increase of legal certainty of the parties involved, such as the possibility of participation by the prosecutor's office in the negotiation of agreements.

The bill also aims to establish a connection between the benefits given to companies and the order in which they communicate a certain conduct, which is a mechanism already used in several countries. Under this model, the first company to report an infraction may receive a great reduction of the respective penalties. Companies that report a conduct later only receive benefits to the extent that they present new and relevant facts to the investigation.

In essence, it is crucial that companies that have been involved in illegal practices overcome this dark period in their history and start looking ahead and contributing to an environment of sustainable integrity. The leniency agreements can be a useful tool to achieve this objective, provided that they are used by companies not only as a manner to escape larger penalties, but also to improve their own internal integrity practices and to serve as an example to be followed by other companies that deal with the public sector.

*\*Camila Borba Lefèvre is a graduate in Dutch Law from the University of Leiden, the Netherlands, and in Brazilian Law from the University of São Paulo. Priscila Akemi Beltrame is a graduate in Law from the University of São Paulo, with a post-graduate degree in International Relations from the London School of Economics. Both work at Vieira Rezende Advogados.*



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# New standards for breach of banking privacy

By Pedro Fontoura, Bastos-Tigre Coelho da Rocha Lopes e Freitas  
Advogados



Pedro Burdman da Fontoura

In a recent decision the Federal Supreme Court (STF) ruled that Federal, State and Municipal Tax authorities may secure information on taxpayers' banking transactions directly from financial institutions.

That possibility has been included in law since 2001 (article 6, Lei Complementar 105/2001), but for over 15 years there has been doubt as to the constitutional grounds of such provision. STF found it constitutional under the argument that it would not amount to "breach" of banking privacy – which is prevented by the Constitution – but rather "delegation of privacy" from banks to tax authorities.

The decision is rather frightening as it overlooks fundamental rights to privacy and to secrecy of data and communications, assured by the Constitution. Nevertheless, some requirements were established to prevent individual liberties being overridden by justification of security requirements.

The Union passed Decree 3.724/2001 to establish the following standards:

- a)** pertinence between the need of securing banking information and tax collection under the relevant administrative procedure;
- b)** previous notice to the taxpayer on commencement of procedure and all other steps, to ensure the taxpayer's full access to records and access to copies not only of documents but also of decisions;

**c)** prior to submitting request for access to financial data, apply for permission to the chain of command within the government body;

**d)** certified electronic security systems with access recording;

**e)** effective mechanisms in place for determination and correction of errors.

Lei Complementar 105 of 2001 regulates practices that are common in several developed countries and, in the STF's view, a decision stating its unconstitutional grounds would hinder international commitments assumed by Brazil to fight felonies such as money laundering and tax evasion, and to prevent criminal transactions.

This decision indicates the increasing relevance and need of setting in place corporate governance and compliance mechanisms. Moreover, it demands huge responsibility and self-control on the part of tax authorities, along with an attentive and keen eye of private parties to prevent any kind of abuse.

## Summary chart of agencies that have jurisdiction to require banking information directly from financial institutions without having to secure a court order:

### POLICE

NO. Court order is required.

### ATTORNEYS' OFFICE

NO. Court order is required.

Exception: Attorneys' Office may require banking information on accounts held by public entities and agencies, intended to oversee and protect public assets. No unlawful breach of banking privacy would apply here.

### GOVERNMENT AUDIT COURTS (TCU)

NO. Court order is required.

Exception: information submitted to TCU on credit transactions involving public funds are not covered by banking privacy provisions.

### FEDERAL REVENUE DEPARTMENT

YES, based on article 6 of LC 105/2001. Submission of banking information to Tax authorities cannot be viewed as "breach of banking privacy".

### STATE AND MUNICIPAL REVENUE DEPARTMENTS

YES, as long as they regulated, within their respective levels of jurisdiction, the provisions of article 6 of LC 105/2001, in an analogous manner to Federal Decree 3.724/2001.

### PARLAMENTARY INQUIRY COMMITTEE (CPI)

YES (be it on a federal or state level - art. 4, § 1 of Lei Complementar 105/2001).

# Gold Members

The Norwegian Brazilian Chamber of Commerce would like to extend a warm thank you to its Gold Members.

If you have any doubts about membership in the NBCC, please contact Glorissabel Garrido Thompson-Flôres [garridoglory@nbcc.com.br](mailto:garridoglory@nbcc.com.br)



# Judicial reorganization of economic groups: current issues

By Fabio Rosas, Rafael Baleroni and Guilherme França\*

*The consequences of judicial reorganization filings by economic groups are still unclear. Creditors should pay attention not only to their debtor's financial health but also to its group's solvency.*

**D**ue to the economic crisis, many large Brazilian companies have filed for judicial reorganization. Filings include multiple companies as a result of the segregation of economic activities in various legal entities. Allegedly, the reorganization of companies from the same economic group must be made in conjunction to be successful.

The Brazilian bankruptcy law, though, does not have clear rules for these situations. Case law is still evolving to address insolvency proceedings involving economic groups. We comment on two specific points: joint filing and substantive consolidation.

Joint filing is frequently accepted by Brazilian courts. It occurs whenever two or more entities request their judicial reorganization together in one single filing, so that the reorganization is processed in the same case files. In principle, it should be only a matter of procedural convenience and efficiency, to avoid that each entity starts its own process.

By itself, it does not mean substantive consolidation or any other disregarding of capital structures. A frequent problem in joint filings is territorial jurisdiction, as entities and creditors may be located in different jurisdictions. Although the law is unclear, one can perceive a silent application of the principle of the group's center of main interests

(COMI) to establish the jurisdiction.

Substantive consolidation is currently one of the most sensitive bankruptcy law issues in Brazil. It results from presenting a single reorganization plan to be voted by all creditors of all debtor entities. Each legal entity in the debtor group continues to exist separately from the other; however, with respect to capital structures, this treats the economic group as a single enterprise and disregards structural subordinations that existed. The joint plan often dilutes creditors' voting relevance or changes the classification of credits against different companies.

A recent decision on the Abengoa case, in Rio de Janeiro, may become an important precedent on the topic. The court ruled that if a creditor objects to the presentation of a single plan consolidating the entities, the plan shall be voted separately by each of the debtor entities' respective creditors. In other words, there will be a different list of creditors for each debtor entity, and each group of creditors for each respective entity will vote to approve or reject the substantive consolidation. Hence, although the Court recognized a right to consolidate, it decided that creditors from each of the debtor entities have to consent separately, by approving or rejecting the plan.

This may help preventing that viable entities be amalgamated with irrecoverable ones, jeopardizing creditors and other stakeholders, sometimes under a mindset of preserving the company at all costs.

The Brazilian insolvency law is still developing and a degree of uncertainty will continue to exist for a certain time. Meanwhile, creditors should continuously accompany not only their debtor but also the whole economic group to which it belongs.

Fabio Rosas, Rafael Baleroni and Guilherme França.



\* Fabio Rosas, Rafael Baleroni and Guilherme França are, respectively, partners and associate at Souza, Cescon, Barriau & Flesch Advogados

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# *Statoil and Petrobras strengthen cooperation* by signing Memorandum of Understanding (MoU)

The intention of the MoU is to evaluate joint participation in future tenders for exploration areas and to increase upstream collaboration in producing fields in the Santos and Campos offshore basins.

The MoU follows the agreement in July 2016 whereby Statoil acquired Petrobras' 66% operating interest of the BM-S-8 offshore license in the Santos Basin, subject to government approval.

The agreement was signed by Petrobras President and CEO Pedro Parente and Statoil CEO Eldar Sætre during the ONS 2016 conference in Stavanger.

"This MoU reflects our long-term commitment to Brazil and is a result of our strong and long-standing relationship with Petrobras. We hope that this will result in significant value creation potential for both parties," says Statoil's CEO.

On September 8, 2016, Sætre met with Brazilian President Michel Temer in Brasilia, and Statoil and Petrobras will likely strengthen and expand their cooperation further in future bidding rounds.



The MOU was signed by Statoil CEO Eldar Sætre (left) and Petrobras CEO Pedro Parente. (Photo courtesy of Ole Jørgen Bratland/Statoil)

"Statoil would like to invest even more in Brazil and we had a fruitful conversation about the future of our industry," Sætre said in an interview with Portal Planalto. ■

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**Brasil Projects** is an independent Project Freight Forwarder founded in 2007. The company provides services within project cargo, storage, ocean and air freight, customs clearance and port handling, among others. The head office is located in São Paulo.



**Bastos-Tigre, Coelho da Rocha, Lopes e Freitas Advogados** is led by a select group of attorneys with vast experience in Business Law and expertise in diverse areas of practice. The firm also maintains correspondents in all Latin American countries, the United States, in Europe and Asia.



**V. Ships** was founded in 1984 to offer independent ship management to third party ship owners, and has since grown to become the world's largest outsourced ship manager. V. Ships Brazil is based in Rio de Janeiro, and is currently providing services to main Brazilian ship owners, including Transpetro and Vale.



## INDIVIDUAL

**Vasco Tørrissen Duarte** (28) is a Marketing Advisor for the Norwegian Seafood Council in Brazil. NSC works to increase the value of Norwegian seafood resources around the world. The NSC head office is located in Tromsø, Norway.

*NBCC also welcomes the following São Paulo companies and individuals as members:*

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- Odfjell
- Borregard
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**INDIVIDUAL**

- Albert Munck
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- Richard Berge

# *Legalization of foreign documents: the facilities that should come with the Hague Apostille Convention*



Juliana Meyer



Julia Krautter Romeiro

**B**razilians demanding national documents to be valid abroad know the bureaucratic ordeal that they must face. The perspectives are however encouraging as the Hague Convention abolishing the requirement of legalization for foreign public documents will come into force in Brazil.

The Convention, known as the Hague Apostille Convention, is a treaty which abolishes the legalization of certain documents between its 111 member countries. The list includes Germany, Denmark, United States, Finland, France, Norway, Sweden and Switzerland.

Currently, to have a public Brazilian document legalized abroad, it is necessary to recognize the signature at a Notary Public, then authenticate it at the Ministry of Foreign Affairs (MRE) and afterwards recognize the authentication of the Ministry of Foreign Affairs (MRE) at an embassy or consulate of the foreign country of destination of the document.

Regarding the reverse situation, to have a valid foreign document in Brazil, one must have the document certified by a Notary Office and then legalize the notary's signature at a Brazilian embassy abroad, before having the document sworn translated in Brazil and registered in a local registry of deeds and documents.

In either case, the whole procedure may take weeks.

As of August 14, 2016, it is possible to turn a national public document internationally valid by simply submitting it to an extrajudicial notary of any Brazilian capital and request the "Apostille" of the document. Court documents may receive this apostille from judges.

An Apostille is a certificate as a form of authentication issued by a designated authority in a country where the Hague Apostille Convention is in force.

Apostilles authenticate the seals and signatures of officials on any public document, so that they can be recognized in foreign countries that are parties to the Convention.

The Apostille (in practice a sticker) will be printed on paper produced by the Brazilian Mint, will receive a QR Code and will be attached to the document. The document containing the Apostille will be scanned in the proper registry office and recorded along with the digital version of the issued booklet which allows to certify both the veracity of the handout as well as its link to the document with the Apostille.

The Apostilles are not exactly alike in all signatory countries, but follow the model given by the Convention. The forecast of the National Council of Justice is that all extrajudicial registry offices in the country will be able to grant Apostilles until the end of 2016. The time and the average cost to have a document with an Apostille is projected to be 10 minutes and BRL 97.

When a document involves a non-signatory country of the Hague Apostille Convention—as is the case of China, Canada and others—the legalization requirement and its current procedure will remain unchanged. Fortunately, the Hague Apostille Convention is broadly accepted and in most frequent cases the legalization will no longer be required.

\* **Juliana Meyer** is a partner at Pacheco Neto Sanden Teisseire Lawyers and **Julia Krautter Romeiro** (PhD., LL.M.) is a German consultant at the same law firm.



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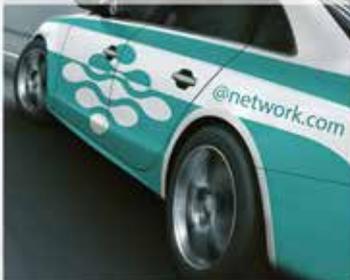
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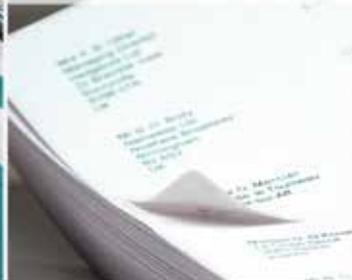
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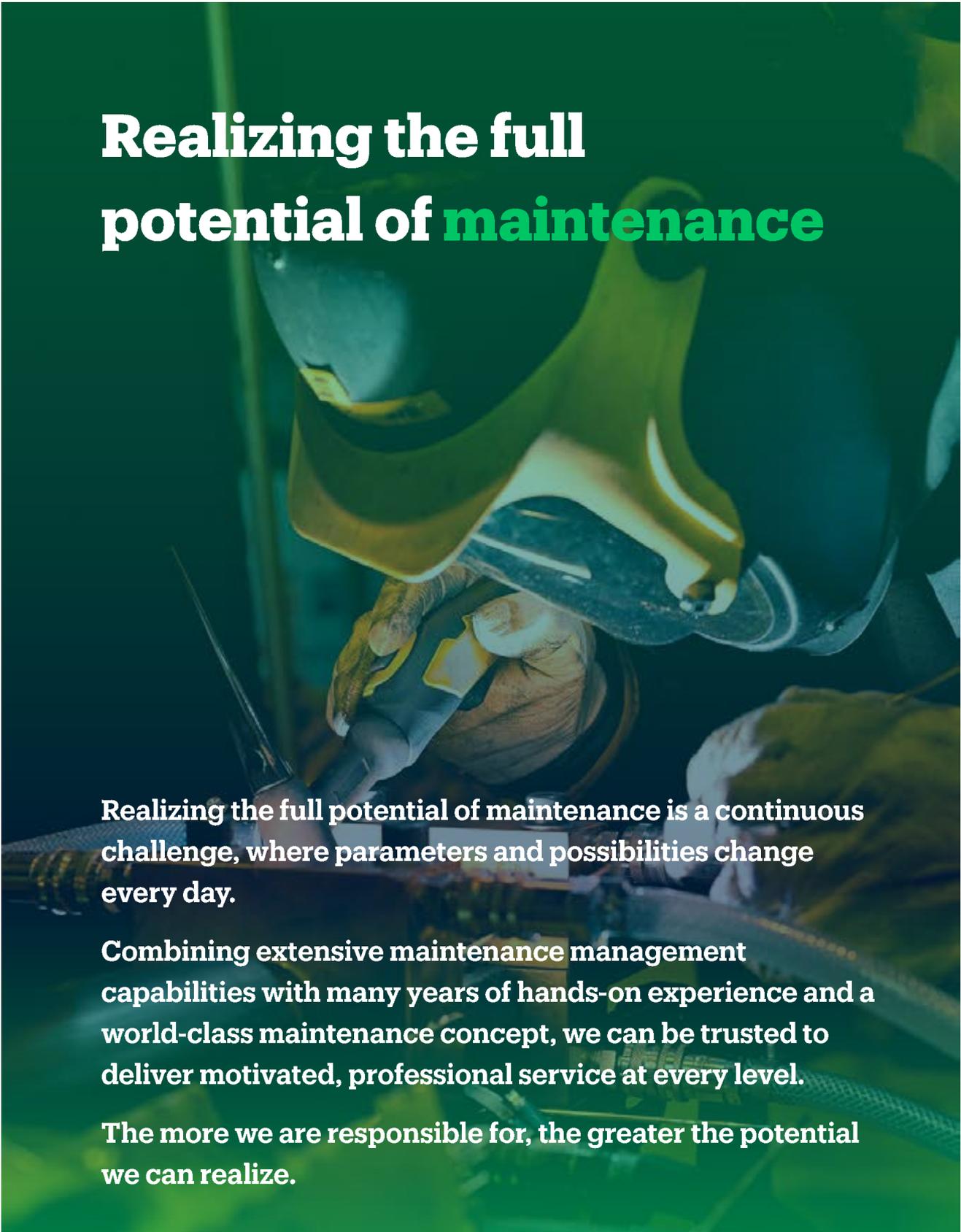
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## Eurocâmaras Chairmanship for Swedcham

*By Renato Pacheco Neto\**



(From left) Renato Pacheco Neto, EU Trade Commissioner Cecilia Malmström and EEAS Foreign Affairs Deputy Secretary Christian Leffler.

The Eurocâmaras Chairmanship was taken over by Swedcham last June following a rotation system where every European bilateral Chamber has a year's mandate. Nils Grafström as Swedcham's Chairman is now the Eurocâmaras Chairman, Jonas Lindström as Managing Director has become the Secretary General, and Renato Pacheco Neto as Legal Director was confirmed as Eurocâmaras-CAE President. The Vice Chairs are Miguel Setas, President of the Portuguese Chamber of Commerce and former Eurocâmaras Chairman for 2015-2016, and Dr. Wolfram Anders, President of the German Chamber of Commerce (IHK), who is also the upcoming Chairman of Eurocâmaras for 2017-2018.

Besides Eurocâmaras, its Mediation and Arbitration Chamber, CAE (*Camara de Arbitragem das Eurocâmaras*) has been operating since 2001 and is also active with its Board Members Dra. Claudia Bärmann Bernard, the German Chamber's Legal Director, Jean-François Teisseire from the French Chamber of Commerce, and also Swedcham, represented by Renato Pacheco, who since 2010 is also a Board Member at Eurocâmaras Internacional - EBO, European Business Organizations Worldwide Network ASBL, an Association of 33 European Chambers Overseas in five Continents, promoting EU industry, trade, business and investment.

In his capacity as EBO Worldwide re-elected Chairman, Renato Pacheco recently joined the EU Ambassador's Meeting in Brussels as a Keynote Speaker for Economic Diplomacy, at the invitation of the High Representative and EU Commission Vice President Federica Mogherini. Former Finnish Prime Minister and current EU Commission Vice President Jyrki Katainen also joined the panel discussion organized by EEAS – European External Action Service. In the last week of September, both Eurocâmaras Chairman Nils Grafström and Eurocâmaras-CAE President Renato Pacheco also joined the Eurochambres/EBO international meeting in Lima, Peru. It was organized by ELAN – European & Latin America Project which is co-funded by the European Union and counts on eight leading Latin American organizations running EU projects, including Brazil's Eurocâmaras.

The latter was founded in 1999 and has been organizing important events with high authorities every year. Speakers like Ministers and EU Commissioners are often welcomed by Eurocâmaras, which is funded by its Mediation and Arbitration Chamber - CAE. Swedcham's Chairmanship will enable the further growth of the network of 10,000 EU-based companies investing in Brazil and promoting a free multilateral trade. In light of economic diplomacy and its importance for the growth of the EU private sector, Eurocâmaras counts on the support of both EBO Worldwide and Eurochambre networks, which met on September 19 at Swedcham to discuss common synergies and projects. Paolo Baldan came a long way from Europe and was representing Eurochambre Brussels projects and also joined the ELAN Peru event. Last but not least, the Swedish EU Trade Commissioner Cecilia Malmström and EEAS Foreign Affairs Deputy Secretary General for Economic and Global Issues Christian Leffler, who came to São Paulo on September 14 to meet with the EU Ambassador João Cravinho, EU Consular Corps and Eurocâmaras Board, are counting on a fruitful Swedcham Chairmanship as the EU-Mercosur Free Trade Agreement is finally moving ahead after years of negotiations between the two blocs.

**\* LL.M, Eurocâmaras-CAE President SP, EBO Worldwide Chairman Brussels, and Honorary Consul General of Sweden/EU.**



Maria Rankka, CEO of the Stockholm Chamber of Commerce.



Trade Minister Ann Linde presents the Export Hermes award to Thule CEO Magnus Welander.

## World Trade Day and SCI meetings in Stockholm

Photos by Magnus Glans

On August 30, Swedcham’s Managing Director Jonas Lindström attended the World Trade Day at Konserthuset in Stockholm which was a fully booked seminar with many distinguished speakers, such as the new Trade Minister, Ann Linde, and the CEO of Business Sweden, Ylva Berg. Mrs. Berg expressed the importance of the strategy plan elaborated by the Stockholm Chamber of Commerce “in that it provides a fresh perspective on trade and trade promotion.” Lena Johansson, CEO of the International Chamber of Commerce in Sweden, was another speaker at the event which was moderated by Maria Rankka, CEO of the Stockholm Chamber of Commerce, Three Swedish companies were awarded with the honorable prizes Export Hermes and Export Pioneer. Export Hermes was awarded to Thule Group AB and TePe, two Swedish companies that have reached success on the international

market with their own products and a clear export strategy. Export Pioneer was awarded to Mando Group AB for their bright future, innovative techniques for treating eating disorders and for breaking ground in a market that usually does not export.

On August 31, the Annual General Meeting of Swedish Chambers International (SCI) was held at the Stockholm Chamber. The Board was elected and consists of:

- Maria Rankka** – Chairman – The Stockholm Chamber of Commerce
- Karin Roos** – China
- Kerstin Gerlagh** – Netherlands
- Sara Larsson** – India
- Anders Fogelström** – France
- Jonas Lindström** – Brazil
- Renee Lundholm** – New York
- Thomas Ryberg** – Germany
- Ulla Nilsson** – United Kingdom

During the lunch, invited guests representing the official “Team Sweden” were invited: among others, executives from Business Sweden, ALMI, The Swedish Institute, SEK, EKN and high level representatives from the Foreign Ministry. They all gave short presentations on how they work together to promote Sweden and Swedish trade, and Jonas Lindström was asked to share his positive experience from how Team Sweden abroad can work. The Swedish Chambers in Argentina and Bosnia Herzegovina were welcomed as new members of Swedish Chambers International.

“As always, it was very inspiring to meet and benchmark with other Swedish Chambers around our globe,” Lindström says, “and one very interesting international project is the standardization of the *Business Climate Survey* where the pioneering countries are Brazil, India and China.”



The World Trade Day venue in Stockholm.



## Why are we still in a prehistoric era in terms of management?

The Chamber's Human Capital Committee together with Swedcham Young Professionals organized a presentation on September 13 entitled "Management without evolution – Why are we still in a prehistoric era in terms of management?" The presentation, given by Maximiliano Tozzini Bavaresco, general director of SONNE, broached issues such as: the impacts of a deep understanding about what management is and how to manage people and culture in organizations; why do we still hire in such an antiquated and inefficient way?; the concepts and tools that should be known and combined in favor of organizational ecosystems, capable of making people more and more productive and accomplished, in addition to generating more wealth for society as a whole. How to make all this accessible?

The guest speaker has 23 years of professional experience, having operated in areas such as planning, management, marketing, sales and franchising, among others.



Guest speaker Maximiliano Tozzini Bavaresco with Giselle Welter, coordinator of Swedcham's Human Capital Committee.

## Sweden-Brazil Career Fair

If your dream is to study in Sweden or get to know more about Swedish companies in Brazil, the Sweden-Brazil Career Fair 2016 is the ideal opportunity to meet and chat with people who understand the need of investing in a career.

The fourth edition of the Career Fair, organized by Swedcham with the collaboration of the Swedish Embassy, will take place on October 27 from 4 to 9 p.m. at the WZ Hotel Jardins on Avenida Rebouças 955 in São Paulo.

Do not miss out on this event, which will count on the participation of seven of the most respected Swedish universities (KTH, Chalmers, Lund, Halmstad, Linköping, Umea and Malmö) and major Swedish companies in Brazil. Up to the time this magazine was going to press, 10 had confirmed their presence: ABB, AkzoNobel, Atlas Copco, Ericsson, FinanZero, iZettle, Semcon, SKF, Stora Enso and Volvo Cars.

The Career Fair is an excellent opportunity to clarify any doubts regarding the universities and the courses offered, attend presentations by specialists, talk with other young people who have already studied in Sweden and get to know important Swedish companies operating in Brazil.

## After Work with Pea Soup and Punch

Swedcham held its traditional After Work with Pea Soup and Punch at the Scandinavian Church on September 22. As usual, many people participated in this most popular event, including Pastor Asa Ström Broman.

Based on a tradition dating back to the era of Vikings, pea soup is a much appreciated recipe in Sweden, where restaurants serve this typical dish at lunchtime on Thursdays. Chamber members and friends were able to mingle and relax over a delicious soup and welcome punch after a hard day's work.

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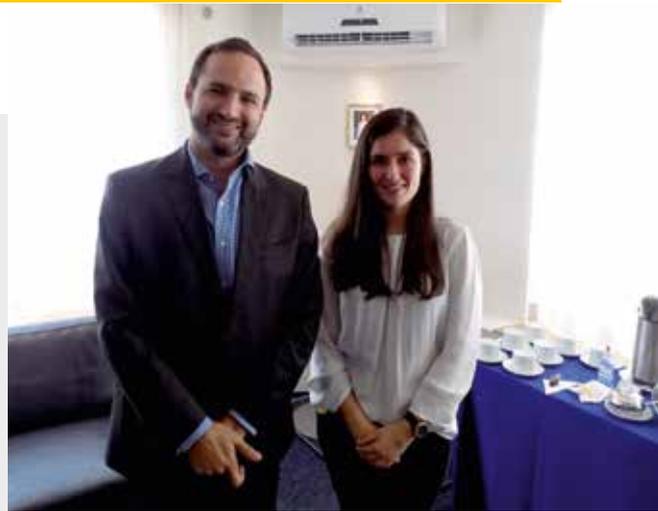
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### Presentation on LEED Certification in Brazil

On September 23, Swedcham's Innovation & Sustainability committee organized a presentation called "Leed in Brazil – the future of sustainable constructions in the industrial sector".

The idea was to present the concept of LEED Certification, which deals with the model of sustainable constructions, today the most used throughout the world—being present in 150 countries and territories. There was also a discussion about its applicability in industry, technical difficulties, benefits and new trends.

The guest speaker was Luiza Junqueira, Founding Partner at the Straub Junqueira sustainability consulting firm. An architect and urban planner, she was the first university student in Brazil to become a LEED Accredited Professional (2008). She also works with Procel Edifica, GBC Brasil Casa and WELL Certifications (she was responsible for the first Brazilian project).



Felipe Christiansen, coordinator of Swedcham's Innovation & Sustainability Committee, and Luiza Junqueira.

### IT & Telecom Network discusses tech trends

Swedcham's IT & Telecom Network held its second event on August 9, on the Chamber's premises. The guest speaker was Andre Gildin, who talked about "The main tech trends shaping the market and business environment."

The presentation dealt with how we live in a transition world where everyone is talking about the digital and connected environment. What is really driving these changes? Gildin explored the main technology trends that are shaping the market and their impact on the way companies do business. Gildin is the managing director at RKKG Consulting, a firm focused on startups and small and medium-sized companies. He is also a marketing and strategy professor at the Getúlio Vargas Foundation (FGV). Previously, he was the Strategy and Market Intelligence Director at Ericsson in Latin America.

Andre Gildin during his presentation.



### Business Climate Survey

The fifth edition of the Business Climate Survey—developed by Swedcham in cooperation with the Swedish Embassy, Business Sweden and the S/A Llorente & Cuenca communications agency—was to be launched after this magazine went to press.

The survey was scheduled to be launched at an event at the Chamber on October 17, in the presence of Swedish Vice Minister for EU Affairs and Trade Oscar Stenström.

More than 70 Swedish corporate members of Swedcham participated in this edition of the survey, whose objective is to find out how these companies see Brazil, analyzing particularly these four areas: business opportunities, investments, market barriers and corporate social responsibility. The principal executives of Swedcham's corporate members filled in an online form with a total of 40 questions. Preliminary results showed that 60% are generally satisfied with the development of their business in Brazil, although most respondents (65%) indicated that the country is certainly not in its best moment to do business, due mostly to the political scenario. With regard to economic forecasts, the companies estimated an average increase in investments of around 10% to 15% next year and that the main areas will be Marketing, Sales, R&D and the development of new products. The results of the survey were to be available on Swedcham's website in October.

# New Members

*Swedcham would like to welcome the following new members up to September 23, 2016:*

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# Per Karl Dusén – the Swedish discoverer of (the South of) Brazil

By *Otávio Lucchese*  
*Swedcham representative in Curitiba*

Swedish companies have been in Brazil for a long time. That is not news to anyone. What seems to be a novelty, at least to me, is that Swedes have also helped to discover Brazil! I'm not referring to the territorial discovery of the era of the great navigators, but to scientific discovery in a much more recent past. The pioneer in question is Swedish botanist Dr. Per Karl Dusén.

I became acquainted with Dusén's story in a book from 1930, which was republished in 2014 with the sponsorship of Atlas Copco and the support of "Hospital Pequeno Príncipe" (the Children's Hospital of Curitiba) and "Museu Paranaense". The work is called "Araucarilândia", and was written by the Brazilian botanist Frederico Carlos Hoehne. The new edition includes a prologue by the respected environmentalist from Paraná, José Álvaro da Silva Carneiro.

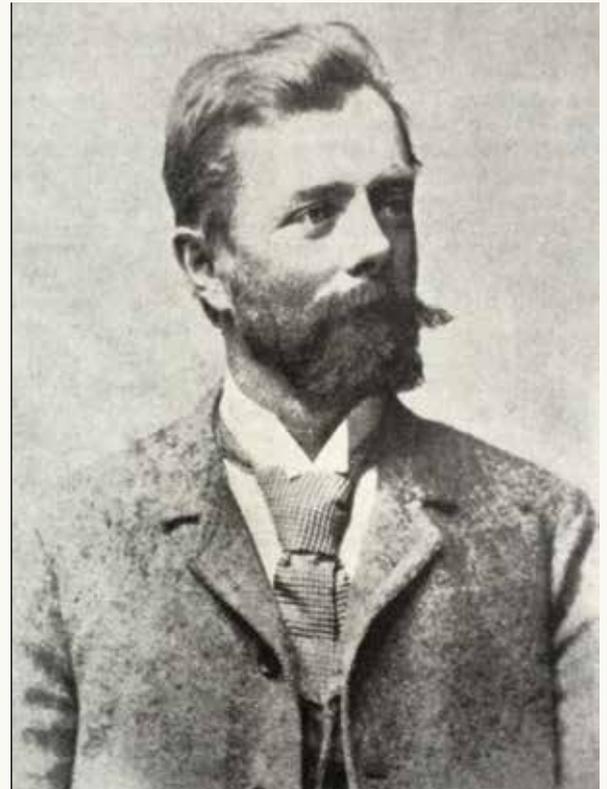
According to F.C. Hoehne, Dusén left Brazil and headed for Sweden in 1916, having gathered the largest botanical collection from Paraná and the South of Brazil that anyone has ever heard of. The title "Araucarilândia" comes from the popular name of the "Paraná Pine", the *Araucária*, a tree that covered much of the South of Brazil and which was cut down without any control for decades. Nowadays, it is a legally protected species and the symbol of the State of Paraná.

"Pedro Dusén", a Brazilian adaptation of Per Karl Dusén's name, deserves the eternal gratitude of Brazilians, according to Hoehne. During his stay in Brazil, this "botanical discoverer" apparently gathered over 5,000 species of plants and 1,000 samples of moss in Paraná. A large portion of this collection was sent to Sweden and would be sufficient to draw up a complete and extensive inventory of the flora of Paraná.

Dusén is described as a scientist who was entirely devoted to his work and that, while shy, managed to achieve renown in the scientific world.

Born in 1855, in Vimmerby, in the province of Smaland, he was the son of a primary school principal. As per Hoehne's book, Dusén got a degree in mechanical engineering in Stockholm (likely from the Royal Institute of Technology). He abandoned the engineering profession to become a teacher at a Natural Science and Mathematics School. When Sweden became too small for his studies, Per Karl went abroad, having travelled not only in Brazil, but also in some African countries and other countries in South America.

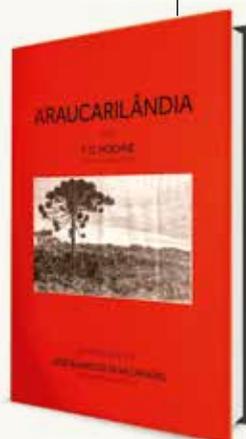
In 1917, in acknowledgement of the achievements of a life dedicated to science, he was awarded the "Wallenberg"



gold medal by the Swedish Society of Anthropology and Geography. The presentation given by the environmentalist José Álvaro da Silva Carneiro, in which he discusses the predatory exploitation of the vegetation of Paraná and its effects, is also worthy of note. He emphasizes that such destruction was foreseen by F. C. Hoehne decades before.

José Álvaro reproduces an excerpt from the book in which Hoehne stated, in 1928, that, unless strict measures were adopted by Brazilian authorities, the Brazilian walnut (Imbuia) and Paraná pine trees would disappear within 50 years. It was a true preservationist manifest which, regrettably, was prophetic.

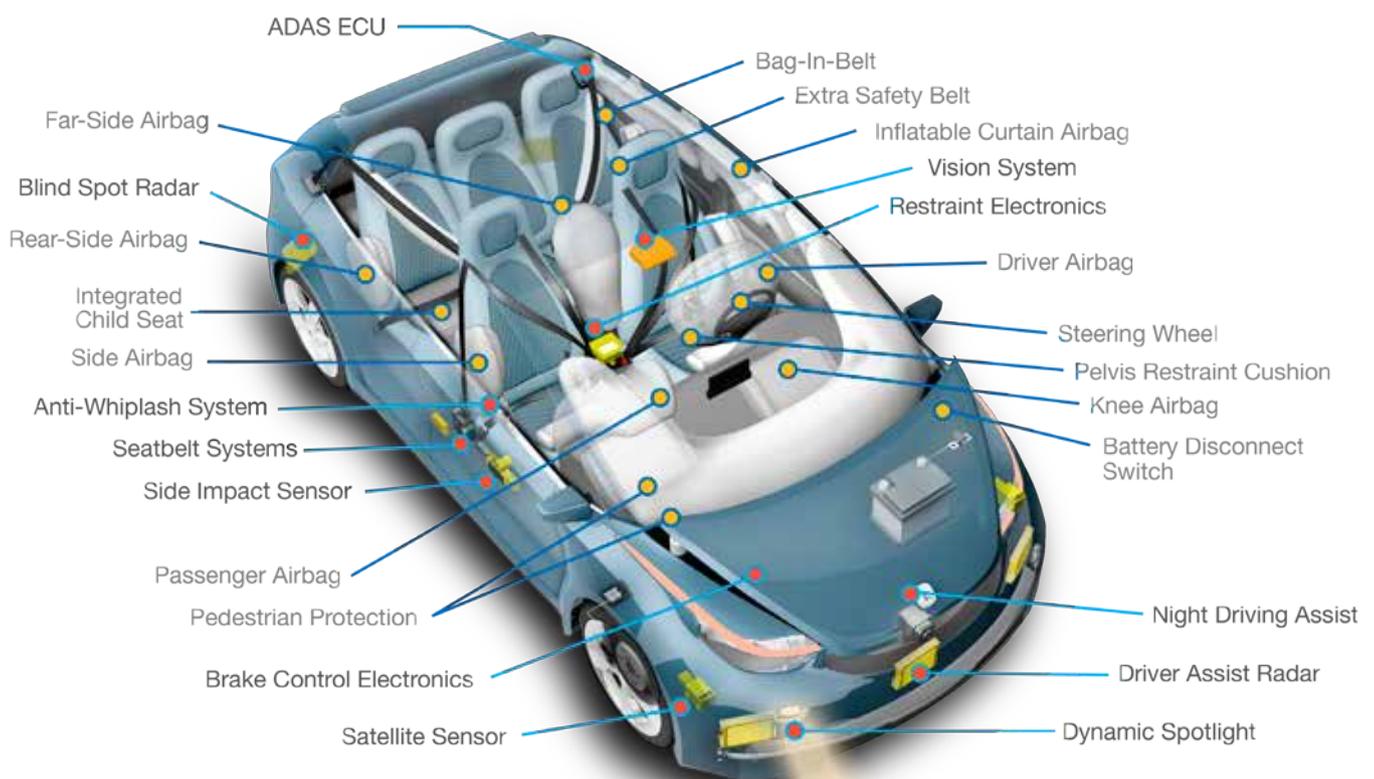
Fortunately for us, however, a Swede was responsible for the study and preservation of the memory of the flora of the South of Brazil. I echo the words of F. C. Hoehne and hereby register the gratitude of one more Brazilian to Dr. Per Karl Dúsen, who left Brazil 100 years ago. ■



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# My experience as a volunteer in the Rio 2016 Olympic Games

By *Giselle Welter\**

I am writing this article after working for three weeks as a volunteer in the Rio 2016 Olympic Games—whose success depended primarily on the dedicated work of thousands of volunteers. During this experience, I remembered an old but always current parable:

**"This is a story of four people named *Everybody*, *Somebody*, *Anybody* and *Nobody*.**

**There was an important job to be done and *Everybody* was sure that *Somebody* would do it.**

***Anybody* could have done it but *Nobody* did it. *Somebody* got angry about that because it was *Everybody's* job.**

***Everybody* thought *Anybody* could do it, but *Nobody* realized that *Everybody* wouldn't do it.**

**It ended that *Everybody* blamed *Somebody* when *Nobody* did what *Anybody* could have done."**

When Rio de Janeiro was chosen to host the Olympic Games, *Everybody* was happy and proud, but at the same time concerned and fearful, know-

ing that it would be very difficult to deal with all sorts of obstacles and problems. There was the expectation that *Somebody* would take charge of this herculean task: the Federal Government? Or the State Government? Or the Rio de Janeiro City Hall? Would that *Somebody* be the International Olympic Committee (IOC) or the Brazilian Olympic Committee (COB)? After all, *Anybody* could do this.

The years went by, and *Everybody* had the feeling that the event would be a fiasco. The delays, re-primations, the collective shame... But, if the task was proudly accepted by Brazil, *Somebody* from the Government had to be made responsible for this. *Somebody* should have done something... Why didn't things turn out as expected? Or did they turn out exactly as *Everybody* expected? Little by little, the initial joy and pride gave way to denial. All of a sudden, *Nobody* was in favor of having the Olympic Games take place in Brazil. *Everybody* pointed out flaws and problems.

A study conducted by IBOPE on Brazilians' perception of the Rio 2016 Olympic Games a few days before the event (\*\*) showed that *Everybody* believed that the Olympics would bring more losses than benefits for Brazil. In spite of this, *Everybody* rooted more for the event's success than the winning of medals by Brazilian athletes.

During the first days of Rio 2016, many foretold problems did in fact occur, mainly those associated with management and organization. And *Everybody* looked for *Somebody* to blame.

But in the end, the Rio 2016 Games were a success. On whom did the event's success depend on in the end? On 50,000 people willing to give their best, to make lemonade out of lemons, to receive with open arms athletes and visitors from all over the world, to make up for flaws in the organization with initiative and creativity.

A multicultural and multiracial legion of volunteers,

Olympic Gold Medalists Lars Björkström (left) and Alex Welter with their wives Helena Backlund and Giselle Welter. All four were volunteers during the Rio 2016 Olympic Games.



from Brazil and all over the globe, had one thing in common: the wish to contribute in a positive and significant manner so that the Rio 2016 Games be memorable, showing that optimism, good will and hospitality can be greater than problems, fear and pessimism. After all, *Somebody* had to do something!

The Rio 2016 Olympics were a surprising and memorable success, thanks to the discreet and committed workforce of *Somebody*, represented by thousands of volunteers. It was amazing to see how people who had never seen each other before, or even had know-how or experience in the task they had to perform during the Games, pulled up their sleeves and got along with each other in such a harmonious manner.

Each one fulfilled his/her role, and was prepared to fill in gaps in the agenda, whenever these appeared. The work that *Anybody* could do started to be seen as *Everybody's*. *Nobody* crossed arms, waiting for *Somebody* to do the work that needed to be done.

This is what I learned as a volunteer in the Rio 2016 Olympics. I am proud to have been a part of this anonymous, but highly efficient team!



\* **Giselle Welter** is coordinator of Swedcham's Human Capital Committee.

\*\* <http://esportes.estadao.com.br/noticias/jogos-olimpicos,brasileiro-ve-mais-prejuizo-que-beneficio-mas-torce-por-rio-2016,10000065178>



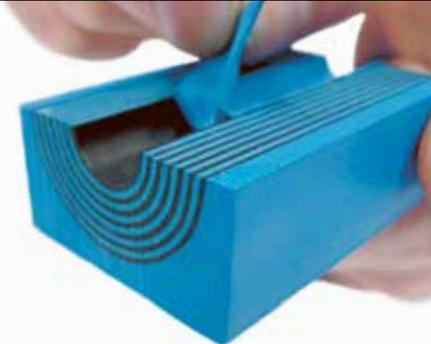
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# “Cloud computing” and potential issues under the Brazilian tax system

By *Raphael de Campos Martins\**

**C**urrent Brazilian tax legislation regarding technology transfer and general cross-border service import is a shoddy composition of recent badly drafted statutes (filled with vague and undefined terms) and almost antediluvian statutes made for a different time. A time during which most of the means of delivery and services currently rendered were not even dreamed of.

Such legal framework, in league with a local tax authority whose ethos is seeing the taxpayer as an opponent, was pivotal in order to create the current tax environment which, because of a serious case of overlapping taxes (of which Brazilian Income tax merely plays a part), allow for a tax burden of over 40% of the price of the service.

In this sense, the case of cross-border technical services is an interesting one. Because of issues related to qualification under the Double Taxation Agreements Brazil has ratified during the years, it is important for Brazilian tax authorities to define all kinds of service as technical.

This motivation, accompanied by a lack of any legal framing by Congress, has prompted tax authorities to push forward their expansive “interpretation” of what should be considered technical services.

Under such interpretation, it is very complex to locate any service that would not be considered a technical one. Even on those services that were accepted (e.g. agency services) by the tax authorities to be general services, the rendered decisions usually fail to provide relevant markers that would allow

taxpayers to extract legal reasoning behind the ruling and “test” their services against it. Hence, it is not uncommon to see rulings that determine that a given activity which very likely would not be considered technical services in any other circumstance to be so.

The analysis which the taxpayer must conduct in order to determine the correct taxation only increases if a software is somehow involved in the transaction. Was the software tailor-made to the Brazilian client? Was the software merely installed? Has the software undergone any customization whatsoever? How was the software delivered? Is the source-code available to the Brazilian client? These are just some of the questions (which sometimes may not have simple answers) that the Brazilian taxpayers must answer in

order to determine the correct tax burden.

Suppose the taxpayer never “had” the software in the first place. Suppose the Brazilian taxpayer uses the software in a virtual environment of which access is granted through payment of a recurrent fee. This somewhat new business model known as cloud computing, as was to be expected, still eludes a clear treatment by the Brazilian tax legislation.

Moreover, Brazilian Courts have not given the matter enough attention and the few rulings rendered until now tend to be against the taxpayer and to overlook important aspects of cloud computing.

Cloud computing tends to be segregated in three more or less static groups: Infrastructure as a Service (IaaS); Platform as a Service (PaaS) and Software as a Service (SaaS). Each with its own particularities and built to address very different needs. It must be mentioned that, in this case, the term “service” tends to be misleading as these activities tend to refer to the “rent” of software that otherwise would have to be acquired.

Although the debate about the taxation of cloud computing in Brazil is still in its early stages, it should be stressed that the mere access to a virtual environment housed in a server in a different jurisdiction by itself should not be considered a service and by extension also not a technical service.

Determination of any transaction involving cloud computing should by default be considered a (technical) service simply because of a lacking legal environment and a fastidious tax authority. Attention must always be given to the actual aspects and particularities involving each transaction (be it IaaS, PaaS or SaaS) in order to correctly determine if a service was actually rendered to the Brazilian taxpayer or if it simply used available tools without intervention.

\* **Raphael de Campos Martins** is an associate and partner at Pacheco Neto, Sanden, Teisseire Law Firm.



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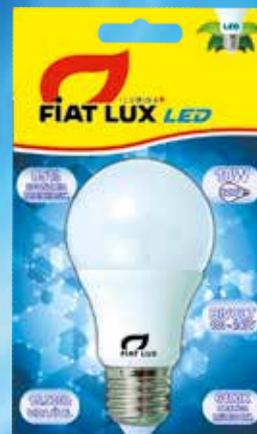
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# The “tug of war” of fiscal adjustment

By Marcelo Pires\*

**B**razil is going through a crisis, whose greatest expression is the very short “blanket” of the federal budget and the “tug of war” between different groups of interest to define who will pay the larger part of the bill of the extremely harsh fiscal adjustment that is underway.

There are businessmen who are complaining about the reduction in subsidized BNDES lines and are constantly pressuring the federal government, in search of tax benefits and exemptions that specifically meet their needs, to the detriment of the other industrial sectors or the loss of competitiveness of the domestic industry.

On the other hand, there are workers who insist upon maintaining their privileges, such as early retirement, which is known to make public welfare unfeasible.

There are also civil servants, from all branches of government, who take advantage of the frailty of the current government’s support base to put the pressure on for wage increases incompatible with the fiscal penury, unemployment rate and recession Brazil is currently facing.

Finally Congress and the Senate are seeking to meet the needs of this diverse range of interests, losing the greater picture, which is the fiscal adjustment, so that the country may grow again.

Regrettably, if we continue with the current lack of budgetary control, the country will really go down the drain and there will not even be resources for essential areas such as education and health. Or,

worse yet, there will be an increase in taxes so that the government may close the budget account.

Maybe this is the time for Brazilian leaderships to redefine the economic model that we wish to have, in the quest for a more sustainable model that allows for growth in domestic market consumption, competitive industries, and a State with adjusted accounts.

According to a conscientious business leader, businessmen need “to fight more for stable conditions, which favor more efficient competitors, instead of clinging on to government stimuli and acting as an arm of the State.”

Furthermore, it is about time that the unions of workers and civil servants understand that it is no use granting wage increases that make companies and the country less competitive and, therefore, run the risk of “killing the goose that lays the golden eggs”—i.e., companies will shut down and there will be no jobs. Neither is it any use seeking the approval of laws that compromise the State with social benefits, which may not be paid due to budget restrictions and will soon be funded with the creation of new taxes, that will be paid by society as a whole.

Finally, I would like to recall that the economic boom Brazil went through, before the current crisis, showed the importance of a working class capable of consuming and saving. We witnessed an unprecedented growth in various sectors of the economy. Consequently, it is essential to prevent the fiscal adjustment from being an excessive burden on the working class. Because, without a solid domestic market, the country simply will not grow, becoming excessively dependent on exports and thereby more vulnerable to external shocks.

Therefore, in order to achieve a sustainable economic model, the budgetary adjustment “account” should be distributed throughout society, in the fairest way possible. In this manner, actually, this painful adjustment will gain greater political legitimacy.

\* Marcelo Pires is head of Corporate Coverage – Brazil at SEB and coordinator of Swedcham’s Finance Committee.

*Author’s note: The opinions expressed in this article (written on August 24, 2016) are the author’s and do not necessarily reflect SEB’s opinions.*



# The accelerated growth of E-commerce in Brazil

By Felipe Christiansen\*

According to the Brazilian Association of Electronic Commerce, ABComm, the national E-commerce is expected to grow by 18% in Brazil compared to 2015. This year should register a volume of orders exceeding 190 million, with a revenue of more than BRL 40 billion.

The volume of orders, for example of handsets, could represent a 30% increase compared to 2015 and small companies and new start-ups are only making this market increase, due to the new products they are launching.

Brazilian consumers are increasingly wanting more agility and convenience to make acquisitions. They wish to avoid having to go to a physical store, which also restricts the stock of products compared to internet retail stores, which count on enormous stocks available from their suppliers, practically in real time.

This change in behavior reflects how Brazilians are increasingly more connected to the Internet and trust this instrument not only to relate via social networks but to purchase all kinds of products, not only for entertainment but also day-to-day items such as food, clothing and cosmetics. The average annual purchasing value per person reaches BRL 416 according to E-bit.

The fact that a person does not have to “try” a product before buying is no longer an obstacle to selling via the Internet. Today, systems are much safer than a few years ago and goods are returned to suppliers with agility and the possibility of making an exchange. This has contributed to increasing the NPS (Net Promoter Score), which measures the satisfaction and loyalty of clients in electronic commerce. During the second semester, the index presented its best result since 2013, with a 65% satisfaction rate.

With the temporary suspension of the origin/destiny collection division of the so-called ICMS tax by the Supreme Court (STF), large and medium-sized retailers have gained more time to adapt their systems, which will not impair the sector's growth in 2016.



Sales through mobile devices is the fastest growing type of sale via the Internet. According to E-bit, this type of sale now accounts for 12% of total revenue in the 2015 annual average and should top 15% in 2016.

In 2015, the number of consumers who made at least one purchase via the Internet also increased, reaching 39.1 million, up 3% if compared to 2014, in spite of the country's economic crisis.

And consumers are increasingly seeking products with greater innovation and high *added value*.

E-bit conducted a survey with new e-consumers in 2105 to understand their buying habits on cross-border sites. An in spite of the uncertain economic scenario in Brazil and the devaluation of the *real*, one can see an expressive growth in purchases by Brazilians on foreign sites. In 2014, the number of buyers on these sites reached 38% and in 2015 soared to 54%, for example on sites such as Aliexpress, Amazon and eBay, with purchases totaling USD 2.02 billion, 18% more than in 2014.

Furthermore, the growing increase in online retail sales in Brazil, potentialized by the popularization of E-commerce marketplaces and platforms, allowed for the appearance of hundreds of new companies in the sector—which however has generated even greater competition between stores.

It remains to be seen whether other online sales markets—not only retail but also direct, wholesale and auctions (which provide greater transparency even in sales that involve public companies)—will follow this same trend. It seems that this is a market that just keeps on growing in Brazil.

\*Felipe Christiansen is coordinator of Swedcham's Innovation & Sustainability Committee.



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- *Direito Comercial, Contratos, Mercado de Capitais e Fusões e Aquisições*
- *Direito Tributário*
- *Contencioso Cível*
- *Direito Ambiental*
- *Direito de Trabalho*
- *Direito Administrativo (licitações, agências reguladoras, projetos de infra-estrutura, privatizações, mineração...)*
- *Direito Antitruste e do Comércio Internacional*
- *Direito da Propriedade Intelectual*
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*Integramos a ALLIURIS International associação de escritórios  
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*Na Suécia, trabalhamos com o escritório Svalner Skatt och  
Transaktion ([www.sva|ner.se](http://www.sva|ner.se)).*



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