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Hernán

Pérez Loose

in 

Practice Areas

Administrative and Constitutional Law, Arbitration and Litigation, Civil Law, Concessions, Corporate Law, Energy and Mining, International Trade and Foreign Investment, Mergers and Acquisitions, Oil, Public-Private Associations and Infrastructure Projects

An undisputed authority in Ecuadorian law on a global level. He stands out for his broad perspective on comparative law, a result of his involvement in the field of international arbitration. His extensive litigation experience, which ranges from constitutional matters to international human rights, establishes him as a reference in the legal field both in Ecuador and Europe.

Co-founder of Coronel & Pérez. He has primarily advised on arbitration and investor litigation; contract law, especially public contracts; mergers and acquisitions; constitutional law and administrative law. He has litigated human rights cases and represented the Republic of Ecuador in diplomatic negotiations. He has been the legal advisor to the Attorney General and the Presidency of the Republic. He is Ecuador's delegate to the ICC Arbitration Commission in Paris and is licensed to practice as a Foreign Legal Consultant in the State of New York. Currently, he is on leave to serve as Ecuador's Ambassador to the United Nations and is a non-permanent member of its Security Council.



Experience

Arbitration and Litigation:

- Represented a US energy sector holding company in an ICSID arbitration, securing a favorable award of 6 million dollars.
- Acted as an Ecuadorian law expert in multiple matters related to contracts and oil for various oil companies in an ICSID arbitration, where the award was favorable for \$2.3 billion.
- In another ICSID arbitration, served as an expert in Ecuadorian law for an oil company, resulting in the tribunal declaring the Republic of Ecuador in breach of the bilateral treaty.
- Served as an expert for a hydrocarbon exploration company in an ICSID arbitration, obtaining a favorable award of 380 million dollars.
- Represented a global oil exploration and production company in a UNCITRAL arbitration, securing an award of 20 million dollars.
- Participated as an expert in Ecuadorian law in a UNCITRAL investment arbitration against the Republic of Ecuador representing two Spanish multinationals.
- In a case before the High Court of Justice of England and Wales, acted as an expert in civil liability matters for a maritime company.
- Defended the publishers of a major Ecuadorian newspaper in a human rights case against the Republic of Ecuador, obtaining a favorable ruling from the Inter-American Commission on Human Rights.
- Advised on the defense of an extradition request in the London Court.
- Defended a multinational software and services company for communication and media businesses in a litigation before the administrative tribunal of Quito.
- Participated as an expert in Ecuadorian law in a ICC arbitration in Panama, representing a leading port company.
- In a lawsuit in the United States, acted as an expert in Ecuadorian commercial law representing a winery and distributor.
- Represented an Israeli citizen in litigation against Delaware companies and Ecuadorian shareholders.
- Advised on Ecuadorian law matters in litigation where a group of

against a European company in the state of Florida; and more than 30 lawsuits in Ecuador. The Florida State District Court of Appeals, Fourth District, dismissed the claim.

- Defended an Ecuadorian subsidiary of a multinational cement company in litigation over the payment of profits.
- Represented a Brazilian brewery in intellectual property litigation.
- Acted on behalf of a well-known business family in a dispute with a local bank.

International Trade and Foreign Investment:

- Represented the global exporter conglomerate of fruits and vegetables in acquiring banana plantations.
- Advised the Ecuadorian subsidiary of a potable water services company.
- Served as a lawyer in Ecuador for one of the world's leading credit card issuers.
- Advised one of the world's largest airport operators on an airport project in Guayaquil.
- Represented and advised an Ecuadorian electricity company on electrical concession issues.

Corporate Law, Mergers and Acquisitions:

- Advised the Ecuadorian subsidiary of an international glass manufacturer.
- Advised one of the main local newspapers on corporate matters.
- Represented a major Ecuadorian corporation in commercial matters.



Credentials

Memberships

- Lawyer of the Courts and Tribunals of Ecuador.
- Foreign Legal Consultant. New York Supreme Court. Appellate Division. New York (2011)
- Arbitrator registered at the Arbitration Center, Guayaquil Chamber of Commerce.

Member of:

- American Society of Comparative Law
- International Bar Association
- American Bar Association
- New York City Bar Association
- Council for the Americas of Lawyers for Civil and Economic Rights
- Inter-American Public Contracting Network
- Ecuadorian Institute of Administrative Law
- Latin American Arbitration Association.

Academic Career

- Political Science Professor at Universidad de Especialidades Espíritu Santo, Guayaquil.
- Professor of International Contracting at Universidad Católica de Guayaquil.
- Constitutional Law Professor at Universidad Católica de Guayaquil.
- Professor of Private International Law at Universidad Católica de Guayaquil.
- Research Assistant UNITAR at New York University NYU.
- Research Assistant. Foreign Investments in the Third World at Harvard University.
- Teaching Assistant of Administrative Law at Universidad Católica de Guayaquil.

Education

- Harvard University; Doctor of Juridical Science (1989)
- Harvard University; Master of Law (1985)
- New York University; Master of Comparative Jurisprudence (1982)
- Universidad Católica de Guayaquil, Faculty of Jurisprudence, Political and Social Sciences; Lawyer (1979)

Languages

- Spanish
- English
- Italian

- Chapter on Ecuador, in "Encyclopaedia European Private International Law". Editors Jürgen Basedow, Gisella Rühl, Franco Ferrari, Pedro de Miguel Asensio. (Edward Elgar Publishing. Cheltenham, UK. Northampton, MA.) 2017 Vol 3 pp. 2043-2053.
- "International Law and Administrative Law: the meeting of an odd couple", in R. Dolzer, M. Waibel & P. Bekker (Eds.) Festschrift honouring Detlev Vagts (Cambridge University Press) 2010
- "Ecuador", in Adriana Zapata de Arbeláez, Silvia Barona Vilar, Carlos Esplugues Mota. (Eds.) "Arbitraje Interno e Internacional. España, Portugal y Latinoamérica", (Universidad Externado de Colombia. Bogotá) 2010
- "Ecuador: Metamorfosis Constituyente", in "Procesos Constituyentes Contemporáneos en América Latina. Tendencias y Perspectivas Constituyentes de América Latina" (UNAM: México D.F.) 2009
- "Tratados y Constitución", in "La Constitución ciudadana" (Edit. Taurus. Quito) 2009
- "Ecuador" (co-author) in Carlos Esplugues Mota, Dacierl Hargain, Guillermo Palao, "Derecho de los contratos Internacionales, en Latinoamérica, Portugal y España" (Edisofer: Madrid, 2008)
- "La contratación administrativa y el derecho internacional" in "Memorias del 1er Congreso Iberoamericano de Derecho Administrativo" (Editorial Jurídica Míguez & Mosquera, Quito) 2005
- "La organización territorial en la nueva Constitución" in Santiago Andrade, Julio César Trujillo and Roberto Viciano Pastor (editors) "La estructura constitucional del estado ecuatoriano" Centro de Estudios Políticos y Sociales, Spain. Universidad de Valencia, Spain, Universidad Andina Simón Bolívar, sede Ecuador. (Corporación Editora Nacional. Quito) 2004.
- "Internet: Un Desafío al Derecho Comercial Internacional" in "Jornadas de Derecho Internacional Secretaría General. Organización de Estados Americanos. Washington." (Instituto de Investigaciones Jurídica de la Universidad Autónoma de México. México D.F). 2002
- "La dignidad humana y derechos humanos" in "Jurisdicción Constitucional de Colombia. La Corte Constitucional 1992-2000." Bogotá 2001
- Assessing the Scale of Assessment of the United Nations. (Co-author) Policy and Efficacy Studies, (UNITAR. New York, N.Y.) 1983.