

# Jorge Paz Durini

## Managing Partner



Managing Partner

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## Overview

Co-founder of Paz Horowitz with more than 30 years of experience in the areas: corporate, tax, arbitration, M&A, public procurement, among others. He is a specialist and widely recognized for his work in mining, energy, hydrocarbon and aeronautical law. He currently leads the Energy, Mining and Natural Resources area as well as the Tax practice area.

At the Corporate - Commercial level, Jorge Paz has advised investors in the planning and structuring of investments and acquisitions of new projects or existing businesses, promoting the process of acquisition and negotiation of contracts.

Jorge was President and Vice President of the Ecuadorian Mining chamber and participated in the drafting of the mining law of Ecuador at that time; and given his expertise, he also acted as a consultant for the World Bank in the review and amendments to the mining law in Argentina and in Panama; and, represented Ecuador in the mining sector for the Asian Pacific Economic Cooperation (APEC).

His involvement in the mining sector led him to participate in the drafting of the first exploitation mining contract with the government of Ecuador.

In the oil sector, he has led the acquisition and development of several projects for the exploration and production of oil, which included succeeding in the VAT claims of the oil sector against IRS.

He has acted as expert witness in several international investment claims as well as acted as co-counsel in private arbitration processes involving mining contracts related to concessions in Ecuador.

He has been acting arbitrator of the Ecuadorian Chamber of Commerce of Quito for over 18 years and has resolved iconic litigation cases.

## Experience

- Advising a mining Australian company on a restructuring process of the companies that held mining concessions and operations in Ecuador, acquired through an auction process in Canada. He has been advising the client in every aspect of the business including: labor liability assessment; tax assessment and

restructuring the business through vehicles incorporated in different jurisdictions; negotiation with creditors and mitigation of liabilities; transfer of concessions and mining operational permits; claims; transfer of real estate; illegal mining issues, amongst others. While completing these processes, Jorge is advising the client in the negotiation of the sale of certain assets and in attracting new investors for the development of the project.

- Triple M&A transaction for a client in the security industry, supporting the client in the negotiation of the different agreements, the valuation of each business sector, obtaining the governmental permits required for the different transactions, and alternative vehicles or restructuring required for the closing of the transactions.
- Advising the one of the biggest clients in the beverage industry in Ecuador on the sale of its business to a group based in Central America. This was two stage process, initiated in 2014 and completed in 2020. The tax planning and negotiation of both phases of the sale were key matters lead by Jorge in the transaction to protect the sellers' economic interest.
- Advising a major infrastructure company in the structuring of the construction joint venture and closure of the successful project to build the Quito new airport. Throughout this process, Jorge also advised the client on contractual matters with suppliers and in tax matters. Today, he is assisting the client on an international investment ad-hoc arbitration proceeding where the client is seeking full reparation for multiple breaches of the bilateral investment treaty between Ecuador and Canada, that were crucial for the construction of the airport.
- Setting up a corporate structure in Ecuador for two major distributors of leading brand vehicles.

## Recognition

- Ranked in Corporate Commercial by Chambers & Partners Global Guide, 2020, 2019, 2018
- Ranked in Corporate Commercial by Chambers & Partners Latin America Guide, 2019
- Ranked in Energy & Natural resources by Chambers & Partners Latin America Guide, 2020, 2019
- Ranked in Real Estate by Chambers & Partners Latin America Guide, 2020, 2019
- Recommended Lawyer in Corporate and M&A by Legal 500 Latin America, 2019, 2018
- Recommended Lawyer in Energy and Natural Resources by Legal 500 Latin America, 2019, 2018
- Recommended Lawyer in Dispute Resolutions by Legal 500 Latin America, 2019, 2018
- Recommended Lawyer in Real Estate by Legal 500 Latin America, 2019, 2018
- Recommended in Corporate Commercial by LACCA, 2020, 2019, 2018
- Best Arbitrators - Leaders league 2021, 2020

## Insights

- Coauthor, "The Energy Regulation and Market Review: Ecuador Chapter 2014," Editor David L. Schwartz, London, United Kingdom, 2014. Law Business Research Ltd.
- Author, "Social License in the Mining Activities", Australia, 2009, presented in the APEC forum at Brisbane.
- Comparación de la Normativa Ambiental en América Latina (A Comparative Study of Environmental Law in Latin America - Presented at a Mining Conference in Miami, USA), 1998.
- Ecuadorian Mining Chamber Newsletter, Comments Mining Law Proposals in Ecuador, 1998.

# Activities and Affiliations

- Mining Chamber of Ecuador.
- American-Ecuadorian Chamber of Commerce.
- Ecuadorian-Canadian Chamber of Commerce

## Prior and Present Employment

- Managing and Founding Partner, Paz Horowitz Abogados (now Dentons Paz Horowitz), 1991 - present.
- Ongoing advisor in the creation and operation of two international airlines in Ecuador, 1991- present.
- Professor of Mining Law and International Contracts, Universidad San Francisco de Quito, 2012 - 2017.
- Led the negotiation of one of the first three mining exploitation contracts in Ecuador, 2015.
- Ecuador Chapter President, Asian Pacific Economic Cooperation (APEC), 2008-2010.
- Consultant, World Bank, 1994 - 1997.
- Advisor, Inter-American Development Bank (IDB), 1993 -1995.
- Director, Ecuadorian Forestry, Natural Areas, and Wildlife Institute (INEFAN), 1992.
- Vice Minister of Mining, Ministry of Energy and Mines, 1991.

# Areas of focus

## Practices

- Corporate
- Litigation and Dispute Resolution
- Real Estate
- Tax

## Industry sectors

- Automotive
- Construction
- Energy
- Family Office and High Net Worth
- Forest Products and Agribusiness
- Infrastructure and PPP
- Mining
- Transportation

# Education

- Temple University School of Law, 1991, Master of Laws
- Pontificia Universidad Catolica del Ecuador, 1986, Juris Doctor

# Admissions and qualifications

- Ecuador, 1986

# Languages

- English
- Italian
- Spanish