SQUIRE PATTON BOGGS

José María Viñals

Partner

Madrid
T +34 91 426 4840
M +34 649 133 822

Brussels
T +32 2 627 1111

Geneva

josemaria.vinals@squirepb.com

Languages spoken
Spanish | English | French



About José María

José María Viñals heads the international trade and sanctions practice in the EU, and has over 20 years of experience, with a focus on trade, sanctions, export controls and trade compliance.

He is active in the fields of foreign direct investment (FDI), investment protection and, more recently, supply chain compliance. He has extensive experience in providing sanctions-related legal assistance to global companies in the energy, financial and transportation sectors, as well as to multilateral institutions.

José María is ranked by *Chambers and Partners* for his excellent work and for his experience in trade and sanctions-related work, and he is recognised among foreign-based corporate and commercial lawyers in both *Chambers Global* and *Chambers Latin America*. He is also ranked in other prestigious directories such as *Legal 500* and was recognised with *Iberian Lawyer*'s 40 Under 40 award in 2017, which is conferred on the 40 most prestigious lawyers under the age of 40 in Spain and Portugal.

He is a professor of international law and trade and a director of the international relations master's at the IEB Business School. Among other publications, José María has co-authored the *Handbook on International Sanctions*, which provides guidance to companies and in-house counsel on navigating the complex regulatory framework of international sanctions. He has also co-authored *Investments Abroad: Mechanisms of Protection*, published by Thomson Aranzadi in 2017. Likewise, he has co-written *Comments to the Arbitration Law of 2003* (Aranzadi, 2005), and authored *Code of Arbitration* (Aranzadi, 2005), a work of compilation and commentary on legal matters and rules of arbitration, as well as the Cuban chapter of *International Franchises 2016: Legal and Commercial Considerations*.

José María regularly writes articles for the Spanish business and legal press, such as *Expansión*, *Cinco Días* and *Latin Lawyer*, and is frequently consulted as an expert in the protection of foreign investments and international sanctions both in radio media and in televised discussions in Spain.

He is a regular guest speaker on matters such as international law, oratory and dialectics, investment protection and international sanctions at various universities in Spain and abroad, including ICADE, Instituto de Empresa, Menéndez Pelayo International University, Public University of Navarra,

Madrid's Universidad a Distancia, the University of Havana and the University of Alicante. Further, he has talked at events organised by the Cuban Organización Nacional de Bufetes Colectivos (ONBC), the Brookings Institution, *The Economist* and the Wharton Business School.

Experience

- Advised a Spanish-origin startup in legal structuring of the initial coin offering (ICO), including setting up corporate structure, undertaking smart contract legal auditing in collaboration with the technical team, preparation of terms and conditions and establishment of compliance strategy.
- Advised on setting up a company for cryptocurrency-related trading services and provided anti-money laundering (AML) advice for its activities.
- Legal support to major consumer goods multinational throughout the incorporation of a joint venture (JV) company in the Special Development Zone of Mariel (Cuba).
- Advising a major Chinese energy engineering company for the engineering, procurement and construction of a photovoltaic (PV) plant in Latin America.
- Extensive due diligence, contract revision and legal advice on the granting of two major loan agreements between a Chinese development bank and a central bank.
- Providing legal advice to a Spanish company in the financing by a Chinese entity for the construction of a vessel to be used in the construction of offshore oil and gas pipelines.
- Providing legal advice to a Spanish company in the tender for the construction and management of the bicentenary pipeline in Colombia.
- Advised a Spanish media conglomerate with global presence in more than 12 jurisdictions in the EU and Latin America on the design, drafting and implementation of compliance protocols, including AML, Combating the Financing of Terrorist Compliance (CFT), and know your customer (KYC), among others.
- Advised on the monitoring, updating, support and maintenance of sanctions, integrity and compliance onboarding processes for major EU companies operating on a global scale. This advice includes high-level contacts with competent authorities as well as tailor-made design, implementation of policies.
- Counselled on legal matters and regulatory changes, among others, in financial institutions, companies in the fertiliser and nutrients sector and green hydrogen energy production (HVR) industry on the construction and development of the HVR plant based in Madrid.
- Advised on regulatory and public policy matters for EU companies in Latin American jurisdictions such as Colombia, Ecuador, Perú, Cuba, Panamá or Honduras in different sectors and projects, including mining, banking, retail, agroindustry, oil and gas and renewable energy.
- Counsel for the Central American Bank for Economic Integration for the past four years.

EU Sanctions

- Advising an EU credit insurance company for payment defaults related to sanctions restrictions.
- Advising a Spanish bank for transactions related to sanctioned countries or natural/legal persons.
- Advising a syndicate of EU financing entities on compliance with the EU Blocking Regulation in a project finance.
- Advising an EU engineering company for undertaking oil and gas projects in Russia.
- Advising a Spanish oil company for maintenance and subsequent winding down of operations in a sanctioned country.
- Advising an EU construction company for development of projects in Venezuela.

- Advising an EU agrifood multinational on the extraterritorial effects of US Helms-Burton law and EU Blocking Regulation protection.
- Advising an EU pharmaceutical company for projects in a sanctioned country.
- Advising an EU coach manufacturer in the sale of train coaches to a sanctioned country.

Sanctions Litigation

- Representing a Russian bank before the European Court of Justice in an EU sanctions case.
- Representing a Ukrainian bank before the European Court of Justice in an EU sanctions case.
- Representing offshore oil engineering company before the European Court of Justice in an EU sanctions case.
- Representing a drilling company before the European Court of Justice in an EU sanctions case.
- Representing a TV broadcasting network before the European Court of Justice in an EU sanctions case.
- Representing a listed individual before the European Court of Justice in an EU sanctions case.

Foreign Investment and Project Finance

- Legal support to major consumer goods multinational throughout the incorporation of a Joint Venture Company in the Special Development Zone of Mariel (Cuba).
- Advising a major Chinese energy engineering company for the engineering, procurement and construction of a photovoltaic plant in Latin America.
- Providing legal advice to a Spanish company in connection with the international financing and corporate structure of a credit line for the construction of oil- and gas-related equipment including rigs and jack ups.
- Extensive due diligence, contract revision and legal advice on the granting of a two major loan agreements between a Chinese development bank and a central bank.
- Providing legal advice to a Spanish company in the financing by a Chinese entity for the construction of a vessel to be used in the construction of offshore oil and gas pipelines.
- Legal support to a major Chinese energy company for the development of a biomass.
- Providing legal advice to a Spanish company in the tender for the construction and management of the bicentenary pipeline in Colombia.

Credentials

Education

- Pontificial University of Comillas (ICADE), Business Administration, 2003
- Pontificial University of Comillas (ICADE), Law, 2002

Admissions

- Madrid, 2003

Expertise

Services

- International Trade & Foreign Investment
- Sovereign Advisory

Publications & Speaking Engagements

- Co-author, "Helms-Burton y la guerra de las sanciones", *Expansión*, 19 April 2019.
- Speaker, "Cómo afectan a los inversores los cambios en el Título III de la Helms Burton" ("How Title III of Helms-Burton will affect investors"), Spanish Association of Spanish Businesspersons in Cuba (Asociación de Empresarios Españoles en Cuba – AEEC), Havana, Cuba, 29 March 2019.
- Panellist, "Oportunidades de Inversión en Cuba" ("Investment opportunities in Cuba"), Barcelona Chamber of Commerce, Barcelona, Spain, 14 February 2019.
- Panellist, "Negocios españoles en Emiratos Árabes: una oportunidad para crecer" ("Spanish business in United Arab Emirates: an opportunity for growth"), organised by Lupicinio Abogados, BSA Ahmad Bin Hezeem & Associates and Club de Exportadores e Inversores at COFIDES (Spanish Development Finance Institution), Madrid, Spain, 24 January 2019.
- Co-author, "Y Sánchez se puso la guayabera", *Expansión*, 21 November 2018
- Speaker, "Cuba ante el fin de la era de los Castro y la reforma de la constitución" ("Cuba facing the end of the Castro era and the reform of its constitution"), University of Alicante, Alicante, Spain, 14 November 2018.
- Speaker, "Cuba ante el fin de la era de los Castro y la reforma de la constitución", Conference at University of de Alicante, November 2018.
- Co-author, "La promesa europea por las 'secondary sanctions"', *Expansión*, 3 November 2018.
- Speaker, "Inversión extranjera en Cuba" ("Foreign investment in Cuba"), annual conference of the Cuban National Association of Law Firms (Organización Nacional de Bufetes Colectivos – ONBC), Havana, Cuba, 19 October 2018.
- Co-author, "La UE bloquea las sanciones de Trump a Irán", *Expansión*, 11 August 2018.
- Co-author, "Cesa el arbitraje de inversiones Intra-UE", *Expansión*, 31 July 2018
- Co-author, "La Unión Europea ante el reto iraní de Trump", *Expansión*, 13 June 2018.
- Author, "Seis consecuencias del 'snap back' de Trump", *Expansión*, 5 October 2018.
- Moderator, "El dinero que viene: potencial de los avances tecnológicos en el mundo de las finanzas" ("The money that is coming: the potential of technological advances in the world of finance"), BEi Forum, Alicante, Spain, 17 May 2018.
- Co-author, "Los siete retos económicos de Díaz-Canel", *Expansión*, 20 April 2018.
- Moderator, "Seguridad jurídica de las inversiones españolas en Cuba. Responsabilidad del inversor extranjero" ("Legal certainty for Spanish investments in Cuba. Responsibilities of the foreign investor"), Lupicinio Abogados, 5 April 2017.
- Co-author, "El principio del fin en la UE del arbitraje de inversiones?" *Periódico Expansión,* 28 March 2018.

- Co-author, "Usos de 'blockchain' en 'fintech': ¿Y si la CNMV hiciera un 'sandbox'?", *Expansión*, 21 February 2018.
- Panellist, "Tecnología Blockchain, nuevos modelos de negocio más allá de Bitcoin" ("Blockchain technologies, new business models beyond Bitcoin"), organised by the Spanish-Swedish Chamber of Commerce at IE University, Madrid, Spain, 8 February 2018.
- Co-author, "Blockchain': ¿Encrucijada legal o paso al frente?" *Expansión*, 15 January 2018.
- Co-author, "Sanciones a Cuba, mucho Trump y pocas nueces" Expansión, 9 November 2017.
- Panellist, "Infraestructuras en Cuba, oportunidades para las Ingenierías españolas" ("Infrastructure in Cuba, opportunities for Spanish engineering companies"), organised by the Spanish Association of Engineering and Technological Services Companies (Asociación Española de Empresas de Ingeniería y Servicios Tencnológicos – Tecniberia), CEOE (Spanish Confederation of Employers' Organizations), COFIDES (Spanish Development Finance Institution) and ICEX (Institute of Foreign Trade), Madrid, Spain, June 2017.
- Co-author, "Cuba no está solo frente a Trump" Expansión, 19 June 2017.
- Author, "La compraventa de acciones de empresa mixta cubana por inversor extranjero", *Cuba Standard*, 27 July 2017.
- Co-author, "Cuba, una oportunidad para la abogacía", Abogacia, 20 April 2017.
- Co-author, "Aclarando la 'sentencia Rosneft" Expansión, 4 April 2017.
- Author, "La compraventa de acciones de empresa mixta cubana por inversor extranjero" *Cuba Standard*, April 2017.
- Speaker, "Doing business in Cuba", San Antonio Hispanic Chamber of Commerce, Texas, November 2016.
- Speaker, "Doing business in Cuba", Municipality of Kansas City, Missouri, November 2016.
- Author, "Trump y la sonrisa de Moscú" Periódico", *Expansión Opinión,* 21 November 2016.
- Speaker, "Nuevos escenarios sobre Cuba: Sociedad y derecho" Conference at University of Alicante, 16 November 2016.
- Author, "Obama: los diez guiños del 'pato cojo' a Cuba", *Cinco Días*, 21 October 2016.
- Speaker, "Perspectivas de cambio en Cuba: Los nuevos retos" Programa University of Alicante, 19 October 2016.
- Co-author, "La anulación del laudo Yukos: la sonrisa de Moscú" *Periódico Expansión*, 6 October 2016.
- Panellist, "Oportunidades de Exportación e Inversión Extranjera en Irán" ("Foreign Exports and Imports opportunities in Iran"), organised by Lupicinio Abogados and Club de Exportadores e Inversores, Madrid, Spain, 5 October 2016.
- Co-author, "La influencia de la rule of law en Irán". Sitio Web Abogacia, 30 August 2016.
- Co-author, "El establecimiento de sucursal extranjera en Cuba", *Sitio Web Legal Today*, 12 August 2016.
- Author, "Diez consejos para invertir en Irán", *Cinco Días*, 1 August 2016.
- Author, "Oportunidades en el sector cubano del gas y el petróleo" *OGLinks*, 28 June 2016.

- Author, "El ejercicio internacional de la abogacía", *Correo Jueves Jurídico*, 28 June 2016.
- Panellist, "Doing Business in Cuba", organised by Quaynote Communications, Washington DC, June 2016.
- Panellist, "Plan Nacional de Infraestructuras de la República Islámica de Irán. Perspectivas para las empresas españolas de ingeniería, consultoría y construcción" ("National infrastructure plan of the Islamic Republic of Iran. Perspective for Spanish engineering, consulting and construction companies"), organised by the Spanish Association of Engineering and Technological Services Companies (Asociación Española de Empresas de Ingeniería y Servicios Tencnológicos – Tecniberia), Madrid, Spain, 11 June 2016.
- Author, "Constituir una empresa mixta en Cuba en siete pasos", *Legal Today*, 18 May 2016.
- Panellist, "Cuba Corporate Council", Wharton Business School, New York, March 2016.
- Author, "Cinco preguntas para Cuba", *IFLR*, 29 March 2016.
- Author, "Viaje histórico de Obama a Cuba para impulsar las relaciones" *Expansión*, 20 March 2016.
- Co-author, "Obama, la guayabera y el salto adelante de Cuba" Cinco Días, 19 March 2016.
- Author, "Nuevas concesiones a Cuba avistan el fin de embargo", *Expansión Opinión*, 18 March 2016.
- Author, "El proceso de constitución de empresa mixta en Cuba", *Law and Trend*, 11 March 2016.
- Author, "Ejecución del laudo Yukos en España según la nueva Ley de Inmunidades", *Legal Today*, 18 February 2016.
- Panellist, "Diálogo jurídico y de los negocios en Cuba" ("Dialogue on law and business in Cuba"), Club de Exportadores e Inversores Españoles y la Cámara de Comercio de España, Madrid, Spain, 11 February 2016.
- Co-author, "El 'laudo Yukos' en España y la Ley de Inmunidades", *Cinco Días*, 1 February 2016.
- Author, "El levantamiento de sanciones a Irán: siete oportunidades", *Expansión*, 20 January 2016.
- Author, "Once claves para invertir en Argelia" *Moneda Única*, 4 January 2016.
- Author, "Un choque de potencias petroleras" *El Mundo*, 4 January 2016.
- Author, "Novedades reglamentarias en la adquisición de la nacionalidad española por residencia" *Legal Today*, 30 December 2015.
- Author, "¿Luz verde a Irán? ¿Es ya la nueva California del oro negro?" *Expansión*, 21 December 2015.
- Author, "Inversión en *timesharing* en Cuba: alternativas legales" *Cuba Económica*, 14 December 2015, and *Legal Today*, 29 December 2015.
- Author, "Oportunidades de inversión en Irán" *Expansión*, 26 November 2015.
- Author, "El estatus de residente inmobiliario en Cuba", *Cuba Económica*, 16 November 2015.
- Author, "Análisis y desarrollo del marco jurídico fiscal en Cuba" *Revista ICE of the Spanish Ministry of Industry*, Nov/Dec 2015.
- Author, "Arbitraje en Cuba", *Cuba Standard*, November 2015.

- Author, "El estatus de residente inmobiliario en Cuba" *Sitio Web Legal Today*, 29 November 2015.
- Author, "Los pequeños bufetes ponen rumbo a destinos exóticos" *Periódico Expansión*, 13 November 2015.
- Panellist, "Cuba Infrastructure and Finance Summit", Wharton Business School, New York, October 2015.
- Author, "Oportunidades en Angola: nueva Ley de Inversión Privada" *Legal Today,* 8 August 2015.
- Co-author, "Las seis claves del levantamiento de sanciones a Cuba", *Periódico Expansión*, 24 September 2015.
- Author, "¿Es ésta la Ucrania que la UE quiere de socia?", *Expansión*, 18 September 2015.
- "La reforma del procedimiento de exequátur civil y mercantil", *Legal Today*, 11 August 2015.
- Author, "20 preguntas y respuestas del acuerdo con Irán" *Expansión*, 18 June 2015.
- Author, "El gato persa y el 'Tratado de cristal'", *Expansión*, 18 July 2015.
- Author, "La nueva ley de hidrocarburos: modificaciones y novedades", *Legal Today*, 16 July 2015.
- Author, "Acuerdo entre el grupo EU 3+3 e Irán", *Correo*, 14 July 2015.
- Author, "Cuba: la fiscalidad de su inversión extranjera" *Revista El Economista*, July 2015.
- Author, "Novedades legislativas en el proceso inversionista en Cuba", *Revista Cuba Económica*, July 2015.
- Author, "Diez claves jurídicas sobre la inversión extranjera en Cuba", *Legal Today*, 11 June 2015.
- Panellist, "Rethinking Cuba", Brookings Institution, Washington DC, June 2015.
- Author, "Comercializar con Cuba", *Legal Today*, 4 June 2015.
- Author, "Créditos sin demanda en el sector no estatal cubano", *Cuba Económica*, May 2015.
- Author, "Comentarios a la segunda instancia en el procedimiento arbitral", *Legal Today*, 23 April 2015.
- Co-author, "La Habana, Obama y la 'lista negra' de Kerry Havana", *Expansión*, 11 April 2015.
- Author, "Irán, un mercado de expectativas e incógnitas", *Expansión Mención*, 11 April 2015.
- Author, "Wall Street mira con cautela la negociación de EEUU y Cuba", Expansión, 20 March 2015.
- Author, "La ilegitimidad de las sanciones unilaterales internacionales", *Legal Today*, 16 March 2015.
- Author, "Comercializar con Cuba", *Cuba Económica*, March 2015.
- Author, "Sobre el proceso de unificación monetaria en Cuba", *Cuba Económica*, January 2015.
- Co-author, "Nuestro enemigo es la crisis, no Rusia", *Expansión,* 17 December 2014, and *El Universal,* 20 December 2014.
- Co-author, "Y Obama se vestirá de guayabera" *Expansión*, 19 December 2014.

- Author, “Se restablecen las relaciones diplomáticas entre Cuba y Estados Unidos” *Cuba Económica*, December 2014.
- Author, “Cuba, más que un destino de sol y playa para el sector legal” *Diario Jurídico*, 24 October 2014.
- Author, “La UE amplía sanciones a Rusia por "desestabilizar" a Ucrania”, *Legal Today*, 10 October 2014, and *Diario Jurídico*, 30 September 2014.
- Author, “Cuba prepara la unificación de su moneda”, *El Universal*, 1 October 2014.
- Author, “La Zona Mariel revisa sus tarifas tras la entrada en vigor de la nueva Ley de Inversión Extranjera”, *Cuba Económica*, October 2014.
- Author, “Irán pleitea contra España por sus TV”, *El Mundo*, 22 September 2014.
- Author, “Sanciones de la UE a Rusia”, *El Universal,* 16 September 2014.
- Author, “Sanciones a Rusia: en juego la tercera recesión”, *Expansión*, 16 September 2014
- Author, “Analista: las sanciones contribuyen al acercamiento de la Federación de Rusia con China, India e Irán” *РИА Новости*, 12 December 2014.
- Author, “La posición de los inversores chinos” *Cuba Economica*, September 2014.
- Co-author, “El arbitraje como solución a la suspensión del South Stream”, *Legal Today*, 22 August 2014.
- Co-author, “Sobre la nula utilidad de las sanciones económicas a Rusia por la cuestión de Ucrania”, *Expansión*, 17 August 2014.
- Author, “Nula utilidad de las sanciones económicas a Rusia por Ucrania”, *El Universal*, 17 August 2014.
- Author, “Recurso al arbitraje ante suspensión del South Stream”, *El Universal*, 3 August 2014.
- Co-author, “Posible recurso al arbitraje de inversiones ante la suspensión del gasoducto South Stream”, *Diario Jurídico*, 24 July 2014.
- Co-author, “La Unión Europea modifica su política hacia Cuba”, *Expansión*, 24 February 2014.

About our firm

One of the world’s strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.