

Estudio Ehecopar.

Member Firm of Baker & McKenzie International



Jorge Danos

Partner

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Local practice

Regulatory

Related legal services

Public Law & Regulatory Disputes

Environmental Advisory

Infrastructure

Languages

Spanish

English

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Av. La Floresta 497

Piso 5 San Borja

Lima 41

Peru

Biography

Jorge has more than 30 years of experience continuously developing advisory services and sponsorship of private companies in their relations or controversies with public administration entities, as well as the advice to many state entities regarding the compliance with the legal framework that regulates their competencies and activities, including preparation of projects of legal devices, absolution of consultations on the most diverse administrative subjects, among others. He was president of several commissions in charge of the preparation of the Draft for the General Administrative Procedure and the Draft for the Litigious – Administrative Procedure.

Practice focus

Jorge practices administrative law, law on regulated markets, concessions of infrastructure and public services, and constitutional law with a focus on constitutional processes, economic and tax constitutional law. He has represented economic agents and private companies, both in administrative and judicial processes. He has also participated in the preparation of several current norms as well as in the legal design of several processes of promotion of private investment in public services and infrastructure.

Professional Honors

- He is ranked Band 1 lawyer in Public Law – Peru, Chambers Latin America for 6 consecutive years since 2013, where he is noted for his wealth of administrative law experience and public sector knowledge.

Education

- Universidad Complutense de Madrid, Doctoral Studies in Constitutional Law, Madrid, 1991 – 1993.
- Institute for Human Rights, Universidad Complutense de Madrid, Diploma in Human Rights, Madrid, 1991 – 1992.
- Center for Constitutional and Political Studies in Madrid, Diploma in Constitutional Law, Madrid, 1991 – 1993.
- The Human Rights Institute of the Complutense University of Madrid, Diploma in Human Rights.

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- Pontificia Universidad Catolica del Peru, Master studies in Constitutional Law, Lima, 1990 – 1991.
- Pontificia Universidad Catolica del Peru, Law Degree, Lima, 1985.

Memberships

- Chairman of the Peruvian Association for Administrative Law.
- Vice chairman of the Iber-American Forum on Administrative Law, which gathers professors in the specialty from Spain, Portugal and Latin America.
- Former president of ASIER – Asociacion Iberoamericana de Estudios de Regulacion (Ibero-American Association for Regulatory Studies).
- President of the Peruvian Association of Administrative Law.
- Member of IPDT – Peruvian Institute for Tax Law.
- Member of Public Goods Network composed of Administrative Law professors.

Admission

- Lima Bar Association, 1986.

Experience

- Partner at Estudio Echecopar since 2006.
- Partner lawyer in Estudio Benites, De las Casas, Forno & Ugaz, 1994 – 2005.
- Chief of the Cabinet of Advisors to the Presidency of the Council of Ministers, December 2003 – August 2005.
- Advised the Peruvian Congress for 11 years.
- Member of the Commission for Technical and Commercial Rules and Regulations at the Institute for the Defense of Competition and Intellectual Property of INDECOPI, since August 1996.
- Member of the litigious, sanctioning and arbitration Courts in the Lima Stock Exchange.
- He has been President of the Commissions in charge of the preparation of the Draft for the General Administrative Procedure and the Draft for the Litigious – Administrative Procedure.
- Member of the Commission in the Ministry of Justice for the preparation of the draft on the Regime of Incompatibilities of Public Officers.
- Former member of the Directive Council of the National Superintendency of Water Supply and Sanitation – SUNASS, 2001.

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- Member of the Commission for the Constitutional Reform appointed during the Transition Government in June 2001.
- Member of the Committee of Advisors to the Constitution Commission in Congress for the preparation of a project for constitutional reform.
- Advised the Commission appointed by the Executive Branch for the Study of the Reform of the Constitution of 1993.
- Former Advisor of the General Tax Direction, 1985 – 1987.
- Member of the team that as Consultant of the World Bank has provided advisory to the Republic of Guatemala on the creation of an agency that would centralize the Tax Administration functions, 1996.
- During the time Jorge was Chief of the Cabinet of Advisors in the Presidency of the Council of Ministers, he was in charge of matters regarding legal advise in general from the Government, especially those related to the reform of the State, modernization of public administration, administrative simplification, and he also coordinated with the team of jurists that prepared the bills for reforming public office.
- Jorge has more than 20 years of experience continuously advising several state companies and public entities, including his constant participation in the different commissions in Congress created for the preparation of norms on administrative law.

Representative legal matters

- Represented Ferrovias Central Andina S.A. on an arbitration process initiated by Peru's Infrastructure and Communications Ministry to claim breaches of the Concession Agreement granted by said government agency to operate, design and improve the "Railway of the Centre". The complaint was intended to obtain the reimbursement of the municipal taxes paid by such agency for the railway stations that are part of the Concession Agreement.
- Advised Petroleos del Peru, a state's company dedicated to the transporting, refining, distributing and commercializing oil and other petroleum products, on the creation of innovative mechanism to develop complementary infrastructure in the Talara refinery (the second biggest refinery of the country with a capacity of production of 65,000 barrels a day).
- Advised Superintendencia Nacional de Bienes Estatales, Peru's National State Property Agency, on the implementation of Law 30230 which grants this agency with the capacity to sanction (on the framework of a sanctioning proceeding) those who invade the state property in order to guarantee the safeguarding of the these lands. This mandate included helping the client draft a regulation to apply and implement the aforementioned law, define the limits of its

sanctioning power and the elaboration of a legal report supporting the proposed regulation.

- By Resolution N° 0293-2016-JUS, Jorge Danos was designated by the Ministry of Justice and Human Rights as member of the Commission responsible for drafting a bill to modify the General Administrative Procedure Law, the main regulatory body of administrative law in the country, with the purpose of optimizing this legal framework and guarantying the efficiency of government agencies as well as the defense of human rights of citizens in their interaction with public entities.
- Assisted Empresa Peruana de Servicios Editoriales S.A., a public company in charge of the publication of the “Diario Oficial El Peruano”, the official newspaper where the laws and regulations of the Peruvian legal system must be published in order to become enforceable laws, on the elaboration of a Bill which aims to improve the legal system for the publication of laws and regulations.
- Advised State, government organizations, and private companies, as frequently required, to lead as legal advisor on implementation of regulatory administrative procedures and internal organization of administrative institutions.
- Advised several concessions and infrastructure projects such as the Lima – Huacho – Pativilca (Red 5) highway; and the transport, loading/unloading of minerals in El Callao port, among others.
- Advised TELEFONICA DEL PERU in its relation with several state entities, and KALLPA in the controversies with administrative entities on issues related to administrative proceedings, licenses, administrative sanctions, among several other private sector companies.
- Advised the Regional Government of Arequipa and private sector entities which has led to the financing and execution of Chillina Bridge, through the legal structure of taxes per work input, which has been the most important project of its kind in the country so far.
- Advised a diverse group of government institutions such as Superintendencia de Banca y Seguros (Banking and Insurance Superintendence), the Judiciary, FONAFE – Fondo Nacional de Financiamiento de la Actividad Empresarial del Estado (National State Fund for Financing of State Business Activities), among others.
- Advised a diverse group of private sector companies in relation to their administrative processes to obtain licenses, permits, authorizations with the state or government entities; as well as in the defense of their interests in case of controversies with the administrative entities.

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Publications

- Author of several articles on Administrative, Constitutional and Tax Law.
- Speaker at several academic and professional events on the specialties of Administrative, Constitutional and Tax Law.

Teaching experience

- Professor in the main category at the Faculty of Law at Facultad de Derecho de la Pontificia Universidad Católica del Perú. Professor of Administrative Law Course.
- Professor of Constitutional Jurisdiction course and Economic Constitutional Law in the Master of Laws in Constitutional Law at the Pontificia Universidad Católica del Perú.
- Professor of Economic Constitutional Law course in the Master of Taxation The Graduate School at Universidad de Lima.
- Professor of the Diploma Course in regulation of public services and concessions in the Master of Business Law at Pontificia Universidad Católica del Perú.
- Professor of Constitutional Economic Law course in the Master of Tax Law at the Pontificia Universidad Católica del Perú.
- Professor of Administrative Law Course at the Faculty of Law, Universidad del Pacífico.