

Erick Machado Cerver
Associate admitted in Cuba

CONTACT

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Erick joined Dávalos Abogados in February 2024. Previously, since 2017, he had been working as a lawyer at the Bufete de Servicios Especializados (BES) in Havana, a leading law firm for supporting and representing foreign commercial companies involved in trade and investment in Cuba (Band 1 Chambers and Partners. Corporate/Commercial in Cuba Legal Rankings).

Education

- 2021 - M.A., Economic Law, University of Havana.
- 2019 - IBA Diploma in International Commercial Transactions. Sponsored by the Organización Nacional de Bufetes Colectivos de Cuba (ONBC) and the International Bar Association (IBA). Location: Havana.

- 2017 - Postgraduate course on foreign investment in Cuba, Center for the Improvement of Foreign Trade and Foreign Investment of the Cuban Ministry of Foreign Trade and Foreign Investment.
- 2016 - B.A., Law, University of Havana, with honors.

Continuig Education

- 2023 - International Business Law course, Chamber of Commerce of the Republic of Cuba (CCC).
- 2023 - Uría-PPU School, Cartagena de Indias, Colombia. Sponsored by the law firms Uría Menéndez and Philippi Prietocarrizosa Ferrero DU & Uría.
- 2022, 2023 - Training seminars in Clinical Legal Education. Organized by the Raoul Wallenberg Institute (RWI) in cooperation with the Red Latinoamericana de Clínicas Jurídicas, the University of Valencia, the University of Havana, and the ONBC.
- 2019 - Visiting researcher as a recipient of the Young Researchers Scholarship from the University of Valencia.
- 2016, 2019, 2021 - Seminars on International Business Law. Sponsored by the law firms Uría Menéndez and Philippi Prietocarrizosa Ferrero DU & Uría, in collaboration with the CCC and the Cuban Court of International Commercial Arbitration (CCACI).
- 2019 - UNITAR Course on arbitration law and negotiation. Sponsored by the United Nations Institute for Training and Research, the CCACI, the Unión Nacional de Juristas de Cuba (UNJC), and the University of Havana (UH).

Experience

Erick has extensive experience advising and representing foreign companies with business in Cuba, joint ventures and wholly foreign-owned companies, including those based in the Mariel Special Development Zone, as well as Cuban private micro, small, and medium-sized enterprises (MSMEs). His services have included consulting and representation in negotiations, as well as in claims and proceedings before arbitration and ordinary courts; the processing of applications to register branches in the National Registry of Foreign Commercial Representations under the Chamber of Commerce of the Republic of Cuba; advice on the drafting and performance of international contracts, as well as the processing and formalization of the documents needed to conduct business in Cuba.

Academic Work

Scholar and professor at the University of Havana School of Law, in the following roles:

- Assistant professor of Private International Law at the Faculty of Law of the University of Havana School of Law since April 2022.
- Tutor for the International Moot Court Competition in International Arbitration in Cuba since the 2017 edition, presented as a capstone exercise for graduating law students. This comprehensive exercise has been sponsored by the University of Havana School of Law, the BES, Transnational Business Consulting, and the Association Andrés Bello des Juristes Franco-Latin-Américains.
- Coordinator of the Legal Clinic for Legal Advice and Literacy for new economic stakeholders, sponsored by the Organización Nacional de Bufetes Colectivos and the University of Havana School of Law, between 2022 and 2024.

Publications

- Arbitraje y tutela efectiva de la justicia. Especial atención al contexto cubano [Arbitration and effective judicial protection. Special attention to the Cuban context] in *Anuario Venezolano de Arbitraje Nacional e Internacional*, No. 1, 2020, pp. 299-321. (<https://avarbitraje.com/anuario-nro1-2020/>)
- *Efectos de la simulación y el fraude de ley en los contratos traslativos de dominio en la sociedad cubana actual y Apuntes para el perfeccionamiento de los procesos de ejecución en la ley procesal civil cubana* [Effects of simulation and legal fraud in contracts transferring ownership in today's Cuban society and Notes for the execution of performance processes in Cuban civil procedural law] (co-authored), at the 5th Encuentro Preparatorio del Congreso Internacional Abogacía 2017, held on July 1, 2017, at the Hotel Comodoro, Havana.
- *Un acercamiento al delito de malversación en la ley y la práctica penal cubanas* [An approach to the crime of misappropriation in Cuban law and criminal practice] (co-authored), for the 14th Encuentro Internacional de Ciencias Penales y II Evento Legalidad, Derecho y Sociedad, held from March 14 to March 16, 2018, at the Palacio de las Convenciones in Havana.
- *Los concordatos preventivos como medios alternativos de cumplimiento de las obligaciones de los trabajadores por cuenta propia en situaciones de iliquidez* [Preventive agreements as alternative means of fulfilling the obligations of self-employed workers who lack liquidity] (co-authored) for the Congreso Internacional Abogacía 2018, held from October 17 to 19, 2018, at the Havana Convention Center. Received the Award of the Committee for Economic, Trade, and Financial Conflicts.

- *Arbitraje y tutela efectiva de la justicia: una simbiosis oportuna a propósito de un nuevo contexto constitucional y económico* [Arbitration and effective judicial protection: a timely symbiosis in view of a new constitutional and economic context], at the Unión Nacional de Juristas de Cuba's Evento Científico Provincial de La Habana in June 2022. Received an honorable mention from the Procedural Law Committee.
- *Arbitraje y tutela efectiva de la justicia: su necesidad y actualidad para las formas de gestión no estatal* [Arbitration and effective judicial protection: its necessity and relevance for non-state forms of management] at the 3rd Simposio Nacional de Asesoramiento Jurídico y Derecho Empresarial. Havana Convention Center, October 2023 and at the 12th Conferencia Internacional de Arbitraje y Mediación, University of Havana, November 2023.

Affiliations

- Member of the Unión Nacional de Juristas de Cuba and the Organización Nacional de Bufetes Colectivos de Cuba
- Member of the Legal Clinic for Legal Advice and Literacy for new economic stakeholders, sponsored by the Organización Nacional de Bufetes Colectivos and the UH School of Law.
- Member of the Foro de Jóvenes Árbitros (YAF-Cuba), which promotes alternative dispute resolution.

Languages: Spanish and English.