

Rodolfo Dávalos Fernández
Honorary Partner

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A prominent figure in Cuban law and the Cuban intelligentsia, he is a consultant lawyer at Dávalos Abogados. He is also an associate of the Civil and Commercial Court of Arbitration (CIMA), president of the Cuban Court of International Commercial Arbitration, and member of the National Council of the National Union of Jurists of Cuba (UNJC).

He is a Senior Statespeople in the prestigious legal directory Chambers & Partners Latin America.

Studies

- 1965 - Doctor of Law, University of La Habana, 1965.
- Postgraduate studies:
 - Teoría del Estado y el Derecho (University of La Habana , 1975),
 - Philosophy (University of La Habana / MINJUS, 1975/76)

- Economía Política (University of La Habana / MINJUS, 1975/1976);
- Minimo-Doctor in Social Problems from la Ciencia and la Técnica

Professional Experience

- Legal Adviser to the Ministry of la Construcción , Matanzas (1965-67)
- Public Prosecutor, Matanzas Court (1965-1973).
- Lawyer and director of the Bufete Colectivo de Matanzas, (1967-1975).
- Provincial Delegate of the Ministry of Justice in Matanzas (1970-1975).
- Adviser to the Office of the Minister of Justice (1975-1976)
- Lawyer (Adviser), Instituto de Habitacao, People's Republic of Angola (1977-1998)
- Legal Director of Construction Abroad (1977-1981)
- Head of the Legal Department of la Unión de Empresas de Viviendas (1981-83)
- Head of Legal Department Ministry of Construction (1983-84)
- Legal Director of the National Institute at la Vivienda (1984-1993)
- Chief Legal Officer, CUBANACAN Group and CUBANACAN Joint Venture (1994-95)
- Lawyer and director of the law firm "Bufete Internacional", Havana (1995-2000) and its president from 1995 to 2004.
- General Manager Empresa Mixta CUBACAN, S.A. (1997 / until 2012)
- Advisor to la Presidencia of the joint ventures CUBACAN, S.A. and MIRAMAR, S.A., from 2012 to the present.

Experience in Arbitration and Dispute Resolution:

Since 1992, he has served as arbitrator of the Foreign Trade Arbitration Court attached to the Chamber of Commerce of the Republic of Cuba, and since 2007, he has presided over the Cuban Court of International Commercial Arbitration. His vast experience includes presiding over arbitral tribunals and acting as a collegiate arbitrator in approximately 130 international commercial arbitration proceedings under the auspices of the Cuban Court. In addition, he was alternate arbitrator (2011-2014) and arbitrator (2015-2021) of the ICC International Court of Arbitration, participating in multiple arbitration proceedings both in this court and in other international forums, including ad hoc arbitrations under the UNCITRAL rules. He has acted as counsel or litigation counsel in several international arbitrations and has mediated and conciliated in numerous ICC arbitration proceedings.

International commercial experience and participation in legal proceedings abroad:

He has advised on joint venture negotiations, international contracting, arbitration, and litigation in 30 countries, including Brazil, Canada, France, Germany, Italy, Mexico, Spain, the People's Republic of China, the United Kingdom and the United States. His notable experience includes participation in the legal team of the "Gonzalez v. Reno" case in Miami Dade Federal Court in 2000, related to the kidnapping of the Cuban rafter child Elian Gonzalez. In addition, he has been a member of teams of lawyers or advised in legal proceedings in courts in Spain, the United States, Italy, Mexico, and the United Kingdom.

Teaching and academic experience

- Professor of Law of Obligations and Contracts, University of La Habana , 1976.
- Professor of Economic Law at la Facultad de Economía de la Universidad de La Habana, 1983-1984.
- Senior Lecturer (Catedrático) in Private International Law at la Facultad de Derecho de la Universidad de La Habana , uninterruptedly, since 1984.
- Senior Lecturer in Property Law, Faculty of Law, University of Havana, 1988-1989.
- Main Professor of Commercial Law at la Facultad de Derecho de la Universidad de La Habana, 1999 and 2000.
- la Escuela Professor and General Coordinator of La Habana , Summer Courses on Private International Law, 17 courses in 11 editions between 1998 and 2011.
- Tutor of Diploma papers and Degree Theses at la Facultad of Law at la Universidad of La Habana , on several occasions. President or member of the academic tribunal on dozens of occasions.
- Lecturer for five postgraduate courses on private international law, commercial law and civil law, at la Facultad de Derecho de la Universidad de La Habana.

- Coordinator and Postgraduate Lecturer in 8 courses on International Business Law, taught at La Habana, 1994, in coordination with the Universidad Autónoma de Madrid and the Facultad de Derecho de la Universidad of La Habana.
- Coordinator and Postgraduate Lecturer in 8 courses of Real Estate Law, given by the National Institute of the Vivienda in coordination with the Facultad of Law of the Universidad of La Habana.
- Professor and Director of the Diploma in International Business Law, Faculty of Law, University of La Habana, 2013.
- Coordinator and Professor of International Business Law, Chamber of Commerce of the Republic of Cuba and University of Havana, 2022 and 2023.

Teaching abroad

- Visiting professor at 27 foreign universities, in 12 countries in America, Europe and Asia: Germany, Belgium, Spain, France, Portugal, United States, Argentina, Mexico, Nicaragua, Panama, Dominican Republic and People's Republic of China.
- Visiting Professor Masters Courses in Spain at Universidad Complutense, Madrid, 1999, 2002, 2003, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2012, 2013, 2014, 2015, 2016, 2017, 2018 and 2022.
- Visiting Professor Master's Courses at the Universidad in Granada Spain, 1999 and 2002.

- Visiting Professor atla Universidad Rey Juan Carlos, in Madrid, Spain, regular courses, masters and doctorates: 2007, 2008, 2009, 2010, 2011, 2012, 2012, 2013, 2013, 2014, 2015, 2016, 2017 and 2018.
- Guest Professor, Summer Course ofla Universidad of the Basque Country, "Las Empresas Mixtas en un Mundo Globalizado" as part of the Summer School "Fronteras, Soberanía, Globalización y Derecho Internacional", Vitoria, July 2003.
- Visiting Professor Postgraduate Course on "International Contracts", at the University Paris X, Nanterre, Paris, France, April 2005.
- Visiting Professor atla Facultad de Derecho dela Universidad Complutense de Madrid, in the Master of International Business Law in Madrid, Panama and Dominican Republic, 2009, 20010, 2011, 2012 and 2013.
- Guest lecturer on the Master's Degree in International Relations, Universidad Rey Juan Carlos, 2015, 2016 and 2017.
- Guest lecturer on the Master's Course in International Business Law, University of Barcelona, 2016.

Publications

Author of 15 law books:

- *El contrato internacional de construcción*, Ed. MICONS, Cuba (1983).
- *La Ley General de la Vivienda*, Ed. Ciencias Sociales, Cuba (1990).
- *Derecho Internacional Privado*, 1ª. Félix Varela, Cuba, (1990).
- *Las Empresas Mixtas: Regulación Jurídica*, Editorial Ciencias Sociales, Cuba (1993).
- *Las Empresas Mixtas: Regulación Jurídica, 2nd and 3rd editions, updated and expanded*, IVERCAN CARIBE, Spain, 1994.
- *"United States vs. Five Heroes*, Ed. Capitán San Luis, La Habana, Cuba, 2005.
- *"Frontiers and Contracts, Law Applicable to International Contract"*, Ed. Ciencias Sociales, La Habana, Cuba, 2006.
- *Derecho Internacional Privado, Parte General, 2nd Ed.* (updated and expanded), Félix Varela, La Habana, Cuba, 2006.
- *Derecho Internacional Privado, Parte Especial*, Ed. Félix Varela, La Habana, Cuba, 2007.
- *Estados Unidos vs Cinco Héroes* (expanded and updated edition), Ed. Capitán San Luis, La Habana, 2010.
- *International arbitration: challenges and realities*, Book of the Asociación of French-Latin American jurists "Andrés Bello", Buenos Aires, Argentina, January 2010.
- *Embargo o Bloqueo*. Ed. Capitán San Luis, La Habana, 2012.
- *El Arbitraje Comercial en Iberoamérica*, Second updated edition, Ed. La Ley, Madrid, 2012.
- *Estudios Sobre Arbitraje En Cuba*, Ed. ONBC, La Habana. 2017.
- *Las sociedades mercantiles en el Caribe*, Ed. ONBC, Havana, 2021.

Other publications abroad

- *La Regulación Jurídica del Contrato Internacional*, Anuario del IHLADI, No. 16, Madrid, Spain, 2003, pp. 11-64.
- *"Las Empresas Mixtas en un Mundo Globalizado"* Editorial Universitaria, Basque Country, Spain, pp. 143-184.
- *"El Arbitraje Comercial internacional en Cuba"*, Revista de la Corte Española de Arbitraje, Madrid, Spain, 2005.
- *"Lo verdadero y lo falso en la Lex Mercatoria "*, Anuario de Derecho internacional privado de España, 2006, pp1290 et seq.
- *International Commercial Arbitration: an Ibero-American perspective*. Revista española de Arbitraje, Madrid, Spain, 2008.
- Review of the book *"El Arbitraje Comercial en América Latina"* by Professor José Carlos Fernández Rozas, Revista Española de Derecho Internacional (REDI), Madrid, Spain, 2009.
- *"El Arbitraje Comercial internacional en Cuba"*, Revista de la Universidad Nacional Autónoma de México (UNAM), Mexico, 2010.
- *"La proyectada Corte de Arbitraje de la OHADAC"*, Revista de Arbitraje Comercial e Inversiones, IPROLEX, Madrid, Spain, January 2011.
- *El Arbitraje Comercial en Iberoamérica*, Publication of the Law Firm CUATRECASAS, Ed.La Ley , Madrid, Spain, 2009.
- *"A place for arbitration in Latin America"*, Publication of the OHADAC (Organisation for the Armonización of Business Law in the Caribbean), 2011.
- *El sistema cubano de Derecho internacional privado*, Chapter on Cuba, part of the book *Derecho internacional privado en América*, collaboration with Prof. José Carlos Fernández Rozas, from Spain, published by the Max Planck Institut in Hamburg, Germany, 2014.

- *Las relaciones de cooperación entre las Cortes de Arbitraje*, in "Veinticinco Años de Arbitraje en España", Libro conmemorativo de la Corte Civil y Mercantil de Arbitraje (CIMA), Madrid, 2015, Spain, pp. 141-145.

Other publications

Author of 32 monographs and dozens of articles on civil law, public international law, private international law and commercial law, among which the following stand out:

- *"El contrato de Plantas Completas"*, Revista Jurídica MINJUS, 1985; *"La Aplicación del Derecho Extranjero"*, Revista Jurídica MINJUS, 1986; *"Las Normas complementarias de la Ley General de la Vivienda"*, Revista Cubana de Derecho, 1987; *"Régimen Jurídico de la Propiedad La Vivienda como bien de propiedad personal"*, Revista Jurídica MINJUS, 1988; *"Régimen jurídico de la vivienda"*, Revista Cubana de Derecho, 1988; *"La nueva Ley General de la Vivienda"*, Revista Cubana de Derecho, 1989; *"Los Sistemas de Derecho Internacional Privado"*, Revista Jurídica MINJUS, 1989; *"Los derechos Humanos en la Legislación cubana"*, edición of la UNJC, 1989; *"La usucapión en la vivienda"*, Revista Cubana de Derecho, 1992; *"La Instrumentación Jurídica en la Empresa Mixta"*, Revista Cubana de Derecho, 1994; *"La Inversión Extranjera en Cuba"*, MINTUR, Cuba, 1996; *"La actuación notarial en la inversión extranjera"*, MINJUS-UNJC, 1996; *"Comercio exterior y Derecho imperativo extranjero"*, Revista Cubana de Derecho, 1997; *La extranjería en Cuba: especial aplicación a los españoles*, La Coruña, Spain, 1999; *"La inversión extranjera en Cuba"*, Revista Habana Bussines, 1999/2000; *"La ejecución de sentencia cubana en el extranjero"*, Revista Cubana de Derecho., 2000; *"Sobre el Derecho del Turismo"*. Revista

Cubana de Derecho, 2001; *"El llamado Juicio de los Espías"*, Revista Cubana de Derecho, 2002; *"La Regulación Jurídica del Contrato Internacional"*, Revista Cubana de Derecho, 2003. *El Conflicto de Jurisdicciones o de Competencia Judicial Internacional*, Revista Cubana de Derecho, No. 30, 2007. Prologue of the book "Arbitraje comercial internacional en Cuba", by Prof. Juan Mendoza Díaz, Ed. ONBC, Havana, Cuba, 2020.

- He has published some 200 journalistic articles of legal content.

Affiliation with organisations or institutions

- Arbitrator of the Corte Civil and Mercantil de Arbitraje de Madrid, Spain, since March 2011 (on the list of foreign arbitrators).
- Arbitrator of the Shanghai International Arbitration Center since 2018.
- CIETAC Arbitrator of Number, Beijing, R.P.C. since 1 September 2022.
- President of the Sociedad Cubana de Derecho Mercantil.
- Member of the Sociedad Cubana of International Law.
- Member of the Editorial Board of the Revista Cubana de Derecho of the Unión Nacional de Juristas de Cuba.
- Full Member of the Instituto Hispano Luso Americano de Derecho Internacional (IHLADI) based in Spain.
- Honorary Member of the Asociación Americana de Profesores de Derecho Internacional Privado (ASADIP), based in Buenos Aires, Argentina.
- Member of the Expert Committee of the Ibero-American Institute of Law and Finance, Spain.
- Full Member of the National Union of Writers and Artists of Cuba (UNEAC).
- Instituto Hispano Luso Americano de Derecho Internacional.
- Associate Member, at the XIX Congress, Lisbon, Portugal, September 1996.
- Speaker at the XXII Congress, San Salvador, El Salvador, 2002.

- Full Member, at the XXII Congress, San Salvador, El Salvador, 2002.
- Director, Member of the Board of Directors, at the XXIII Congress, Quito, Ecuador, 2004.
- Speaker (Communication) at the XXIX Congress, Lima, Peru, December 2016.

Distinctions

- He has obtained numerous awards and mentions in scientific-legal events sponsored by Cuban organisations and bodies, such as the Ministry of Construction, the Ministry of Justice, the National Union of Jurists of Cuba and the University of Havana. In addition, he has received nearly fifty distinctions, diplomas and decorations from foreign universities and institutions, as well as seven Cuban decorations.
- Scientific Work Award, University of Havana 2005 and 2014.
- Prize of the Commercial Law Scientific Society of the National Union of Jurists of Cuba, December 2006.
- National Law Prize in 2012.
- He holds the Mallete Martiano distinction, the highest distinction of the National Union of Jurists of Cuba, 2016.

Languages

- Spanish, English and Portuguese.