



Our Cuba Taskforce

Hogan
Lovells



A legal practice
for a changing world

Hogan Lovells overview

Change is happening faster than ever, and to stay ahead, you need to anticipate what's next. Legal challenges come from all directions.

We understand and work together with you to solve the toughest legal issues in major industries and commercial centers around the world. Whether you're expanding into new markets, considering capital from new sources, or dealing with increasingly complex regulation or disputes, we can help.

Whether change brings opportunity, risk, or disruption, be ready by working with Hogan Lovells.

Straight talking. Understanding and solving the problem before it becomes one. Delivering clear and practical advice that gets your job done. Hogan Lovells offers extensive experience and insights gained from working in some of the world's most complex legal environments and markets for corporations, financial institutions, and governments. We help you identify and mitigate risk and make the most of opportunities. Our 2,500 lawyers on six continents provide practical legal solutions wherever your work takes you.

A fast-changing and inter-connected world requires fresh thinking combined with proven experience. That's what we provide. Progress starts with ideas. And while imagination helps at every level, our legal solutions are aligned with your business strategy. Our experience in cross-border and emerging economies gives us the market perspective to be your global partner. We believe that when knowledge travels, opportunities arise.

Our team has a wide range of backgrounds. Diversity of backgrounds and experience delivers a broader perspective. Perspectives which ultimately make for more rounded thinking and better answers for you.

Giving back to communities and society is fundamental to good business. And, it's part of our core. We are advocates of justice, equality, and opportunity. Everyone at Hogan Lovells is asked to volunteer at least 25 hours a year as part of their normal work duties. Around the world, our people are making a difference through pro bono activities, community investment, and social justice.



2,500 lawyers
45+ offices
26 countries



Who we are

Our Cuba Task force has been advising clients on complex Cuba matters for more than 30 years. With lawyers based in Washington, D.C., Miami, Houston, Caracas, Mexico City, and Madrid, we are part of the Hogan Lovells Latin American practice group, a global network of legal professionals who serve clients throughout Latin America.

What we do

Our global, multidisciplinary team works across multiple industries — telecommunications, media and technology, banking and insurance, medical products, life sciences, travel services, education, construction and professional services.

We counsel clients on sanctions, export controls, trade policy, immigration, foreign investment, and project finance. As key players in Latin America, we offer a range of legal services, including litigation, arbitration and corporate advice.

What we know

Our Latin American practice group has extensive knowledge of Cuba, and is keenly attuned to its civil law system, legal framework and business practices. Since the 1980s, our work on Cuba-related transactions and regulatory matters involved counseling clients on claims related to Cuba, and litigation exposure having a nexus to Cuba.

We are active thought leaders on issues related to the Cuba embargo. In 2011, we published a ground-

breaking legal analysis about the President's legal authority to modify Cuba sanctions without congressional authorization.

The paper, recognized by The Brookings Institution, provides the legal basis supporting President Barack Obama's historic changes to the U.S. embargo against the island in 2014. Partner Stephen Propst, who authored the paper and its 2015 sequel *What's a President to Do?*, provided in-person briefings to senior Obama administration officials at the National Security Council and the Departments of State, Treasury and Commerce.

Who we know

We have close relationships with senior officials at the relevant U.S. regulatory agencies, including the White House, Treasury Department's Office of Foreign Assets Control (OFAC), the Commerce Department's Bureau of Industry and Security (BIS), the Department of State, and the Department of Homeland Security.

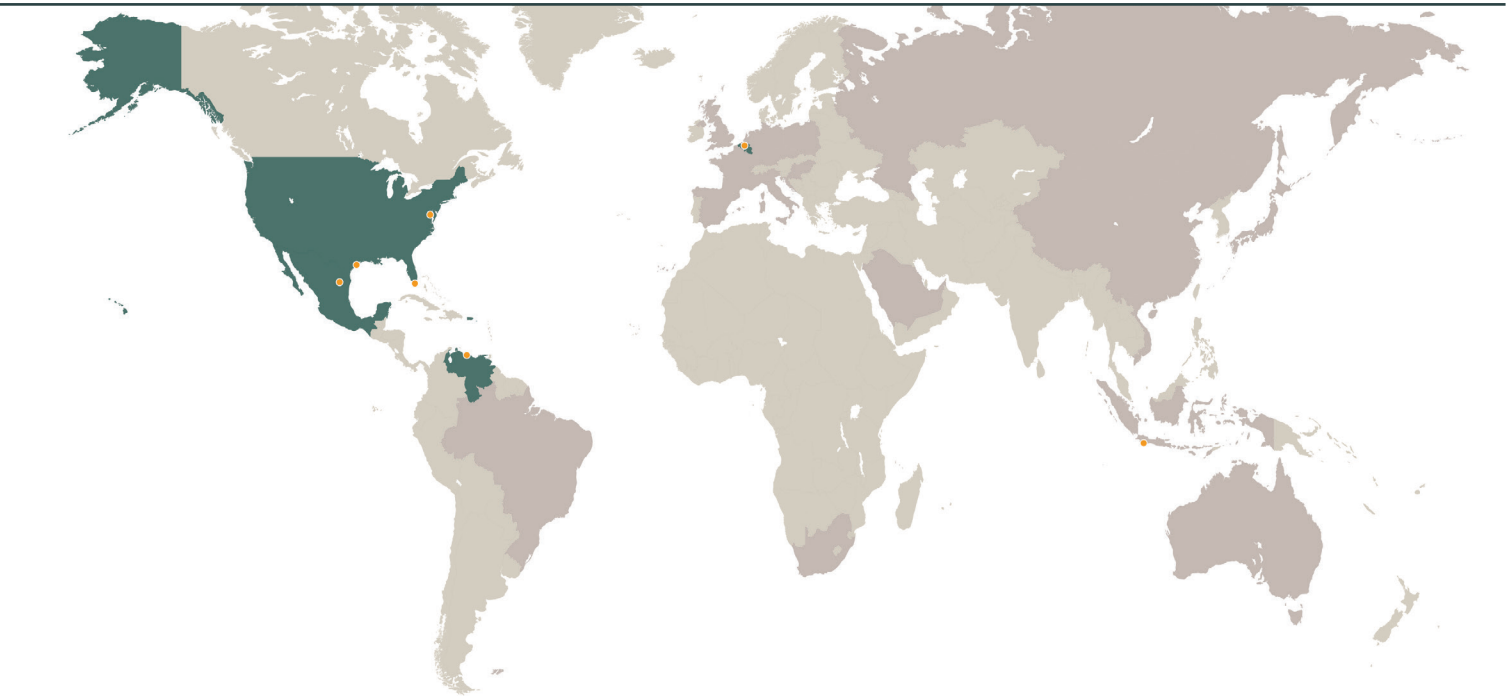
We work closely with the Albright Stonebridge Group chaired by former Secretary of State Madeleine Albright, and former U.S. Commerce Secretary Carlos Gutierrez, to provide clients with strategic and government relations advice. And we have also contacts and relationships with qualified advisors in Cuba who are able to assist clients with the legal and regulatory process for entering the Cuban market.

Representative Experience

- Assisting Carnival Cruise Line in obtaining among the first specific licenses from OFAC and BIS to operate passenger vessels between the United States and Cuba for authorized travelers.
- Obtained OFAC licenses for nonprofit environmental and energy companies for travel and other activities with respect to Cuba.
- Representing a large European manufacturer of telecommunications equipment at interagency meetings at the U.S. Department of State on communications exports to Cuba and assisting in obtaining a license from the U.S. Department of Commerce for exports of network infrastructure equipment to Cuba.
- Advising a large Latin American manufacturer of construction materials on the provisions of LIBERTAD/Helms-Burton in connection with a possible investment in a Cuban manufacturing facility.
- Counseling clients on claimes related to expropriated property in Cuba.
- Advising a global insurance provider regarding compliance with U.S. sanctions in connection with Cuba, including obtaining a BIS license for corporate aircraft travel for professional research and market research.
- Provide advice to a travel service provider on establishing a representative office in Cuba.
- Advising a leading social media company regarding the scope of general licenses available for the provision to Cuba of Internet-based services and related software applications to Cuba.
- Advising messaging software companies on the provision of software and related services to Cuba.
- Advising a leading auto manufacturer regarding exports of automobiles to Cuba and establishing operations on the island.
- Representing a number of leading U.S. manufacturers and suppliers in obtaining authorization to export medical equipment, medical products and pharmaceuticals to Cuba.
- Advising a leading global satellite operator regarding the sanctions provisions and general licenses related to the provision of communications services to Cuba.
- Monitoring and advising clients regarding legislative, regulatory and administrative developments under key provisions of the Cuba embargo, including those under the Cuban Assets Control Regulations, the Export Administration Regulations, the Cuban Liberty and Democratic Solidarity Act of 1996 and the Cuban Democracy Act of 1992.
- Representing U.S. companies in enforcement actions, voluntary disclosures and other administrative proceedings regarding U.S. sanctions against Cuba.
- Counseling banks regarding funds transfers to and from Cuba in light of changing US regulations.
- Work with universities to set up programs and travel to Cuba on general and specific licenses, including education activities and those related to informational materials.
- In the 1990s successfully obtained OFAC and BIS licenses for US telecommunications to provide service to Cuba and engage in related activities.

Areas of focus

- Sanctions and export control law compliance, enforcement and licensing
- Market and professional research in Cuba
- Coordination of legal advice in Cuba for authorized activities
- Rights of U.S. claimants with respect to Cuba
- Analysis of property issues in Cuba
- Trade policy
- Multilateral and bilateral trade issues
- Corporate, litigation and other regulatory advice in Cuba and elsewhere in Latin America



Cuba Taskforce



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