

Lourdes Catrain

Partner

Brussels

Madrid

Biography

Lourdes Catrain's practice focuses on international trade law and policy, including market access and regulatory matters involving economic sanctions, export control, customs, and environmental and competition law issues relating to trade. She has been consistently recognized as a leading practitioner in the international trade arena by Chambers Europe/Global, Legal 500 EMEA, Who's Who Legal, and Law360.

Lourdes has helped governments and industry secure EU market access by navigating free trade and investment negotiations, sanctions and export control, investment control, tariff and non-tariff barriers, and related advocacy before the EU institutions. Moreover, she has successfully represented clients in trade remedies cases and in litigation before the European Court of Justice. She also advises on WTO-compatibility of EU and third-country trade and other regulatory measures which impact trade (e.g., technical trade barriers). Lourdes has experience advising clients in a broad range of industries and services, including: life sciences, agricultural, chemicals, electronics, steel, financial services, textiles and general consumer goods sectors.

Lourdes is part of Hogan Lovells' Brexit Strategy Group; she's regularly called to help navigate UK-based as well as EU-27 and non-EU corporates on the trade implications of the UK departure from the EU.



Phone

+32 2 505 0933 (Brussels)

+ 34 91 3498200 (Madrid)

Fax

+32 2 505 0996 (Brussels)

Email

lourdes.catraïn@hoganlovells.com

Languages

English

Italian

French

Spanish

Practices

International Trade and Investment

Areas of focus

Export Controls

Education and admissions

Education

She has achieved milestone successes for clients on all areas of international trade law and economic sanctions. These include: the completion on behalf of a sovereign government of FTA negotiations with the EU; judicial delisting of an entity from the EU Iran Sanctions; the termination of an anti-subsidy investigation on behalf of the Government of Indonesia; a series of voluntary disclosures in various EU jurisdictions on breaches of economic sanctions and export control laws; advice on a customs valuation which resulted in the continued reliance on the favourable first sale rule for a large life sciences global company. In the EU's largest trade dispute with China, solar panels, she represents the interests of a key EU upstream supplier which forcefully opposes the continuation of measures against imports from China. Lourdes also led the foreign investment filings related to EUR 12.3bn acquisition by GE of Alstom's energy activities.

Representative experience

Acting for a leading polysilicon manufacturer in the EU anti-dumping and anti-subsidy investigations against solar panels originating from China.

Assisting a sovereign government in Latin America in its successful free trade agreement negotiations with the EU.

Assisting a global industrial group in connection with Iran and Russian sanctions.

Assisting a major U.S. conglomerate on a voluntary self disclosure in connection with a breach of export control laws in several EU jurisdictions.

Assisting a major U.S. services provider on addressing export control issues in its acquisition of assets in the EU.

Assisting a major U.S. conglomerate on a voluntary disclosure in connection with breach of export control.

J.D. Facultad de Derecho,
Universidad Complutense de
Madrid

LL.M., University of Michigan Law
School

Bar admissions and qualifications

Brussels (E-List)

Madrid

Assisting an EU subsidiary of a U.S. aerospace manufacturer on exports of civilian-certified aircraft parts that are listed as defence items.

Representing DelSolar Ltd. in the EU anti-dumping and anti-subsidy investigations against solar panels originating from China.

Successful representation of the Government of Indonesia in the EU's first anti-subsidy investigation concerning imports of biodiesel.

Obtaining annulment before the General Court of the European Union of the acts that included Qualitest FZE within the list in the EU Iran Sanctions Regulation which resulted in the freezing of the company's assets (T-421/11).

Advising Alcatel-Lucent regarding U.S. and EU export control and sanctions issues in connection to the sale of Alcatel-Lucent to Nokia. In particular, we handled the due diligence and regulatory filings.

Providing one of the world's leading diversified mining and smelting groups an on-going operational legal advice on economic sanctions including sensitive questions relating to operational and financial questions.

Advising an American multinational technology and social media company on the export control and import aspects respectively of their products into the EU from the US and China.

Assisting a leading Chinese telecommunication company with the implementation of its global economic sanctions/export controls compliance program.

Secured a significant customs victory for global biopharmaceutical group Pfizer in a case before the Court of Justice of the European Union (CJEU), case C-182/19, in relation to the customs classification of Pfizer's Thermacare range of products used to treat joint and muscle pain. As a result of our legal advice, these products can now be classified as a medical

product under customs classification CN 3005, subject to a zero duty.

Advising an oil and gas company on the customs classification of certain of their products in the EU and Saudi Arabia and the potential risks involved with misclassification of the products under EU and Belgian customs laws.

Advising various EU and non-EU based clients on the consequences of Brexit on EU export controls legislation.

Advising various clients on EU customs requirements, including customs classification, customs valuation and rules of origin, and on the optimal design of their internal procedures to ensure the highest level of compliance with applicable rules, including in light of Brexit.

Advising a global pharmaceutical corporate with respect to the review of its customs valuation practices following the ruling of the Court of Justice of the EU in Hamamatsu (C-529/16). This ruling prohibited the use of the transaction value method, which is the standard means of determining the customs value, in cases where a company conducts retrospective adjustments of its intra-group transfer prices.

Assisted the customs authorities of a Middle East country on a customs valuation matter concerning whether fees paid under an exclusive distribution agreement should be added to the customs value of imported goods. The value of the claim of unpaid duties was in excess of €40 million.

Provided a NYSE-listed diversified global manufacturer with legal advice tailored to the specific situations of its EU subsidiaries concerning all EU customs rules

applicable to the importation and exportation of goods.

Awards and rankings

- Customs, Trade, WTO and Anti-Dumping, Belgium, Leading Individuals, *Legal 500 EMEA*, 2020
- Customs, Trade, WTO and Anti-Dumping, Belgium, Recommended, *Legal 500 EMEA*, 2019-2020
- Leading Individual, Customs, Trade, WTO, and anti-dumping, *Legal 500 EMEA*, 2020
- Global Leader, Foreign Investment Review, *Who's Who Legal*, 2019
- Recommended, Trade & Customs – International Sanctions, *Who's Who Legal*, 2019
- International Trade/WTO, *Chambers Europe*, 2014-2020
- International Trade/WTO, *Chambers Global*, 2013-2020
- Trade & Customs, *Who's Who Legal*, 2007-2020
- Best in International Trade for Women in Business Law, *Euromoney Europe Award*, 2014-2016
- MVP, International Trade, *Law360*, 2013
- Most highly regarded individuals, Trade and Customs, *Who's Who Legal*, 2011

Latest thinking and events

- Published Works
 - Export Control Law and Regulations Handbook A Practical Guide to Military and Dual-Use Goods Trade Restrictions and Compliance, Third Edition *Kluwer Publications*
- News
 - New Dutch export controls on advanced semiconductor manufacturing equipment
- News
 - MOVE Sectors: Hot Topic One-Pagers
- News
 - Intelligence sharing alliance to formalize export

controls enforcement cooperation efforts

- News
 - Belgian FDI regime enters into force on 1 July 2023
- Webinar
 - Everything you need to know about the evolving sanctions landscape in the US EU UK and beyond