

Josep Galvez

Year of Call: 2007

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Practice Summary

Josep is an English barrister and former Spanish Judge in civil & commercial matters currently admitted to practising in the Bars of England & Wales (Lincoln's Inn), Madrid and Barcelona (Spanish Abogado).

With extensive experience in litigation and arbitration matters in various industries, including shipping maritime law. Josep has international solid dispute resolution practice, with a significant component of that practice devoted to international commercial arbitration and treaty investor-state arbitration.

His procedural experience includes the major arbitral rules, particularly. He is particularly interested in expanding his Latin American arbitration work thanks to his fluency in Spanish and cultural knowledge of the region.

Most of Josep's work has a strong international element, often raising complex jurisdictional and conflict of laws issues, including the interplay between proceedings in court and arbitration, award and judgement enforcement, among other areas.

Josep is also registered as a Commercial Mediator in Spain under the Spanish Ministry of Justice.

Josep is also able to accept instructions on a Public Access basis.

Investment Arbitration

> Counsel to a member country of the European Union in a case at hand involving a dispute with former investors in renewable energy to opose the enforcement of a €120 million award issued by an ICSID arbitration tribunal. The dispute has escalated to the point where sovereign assets, such as real estate and bank accounts, are being seized by the claimants. The case is ongoing and being heard in the courts of England and Wales.

Counsel to a Spanish company in a still ongoing international arbitration in contractual dispute under English law before the International Court of Arbitration of the ICC rules in a claim for damages arising from a contractual investment breach by an African government of the agreements established around technical development in the country and its subsequent enforcement.

Counsel to a Canadian company on dispute against an African sovereign country before the International Court of Arbitration of the ICC regarding the infringement of investment for the discovery and exploitation of hydrocarbon deposits in specific regions in exchange for a share of the resulting revenue. The case is ongoing including the enforcement of $619m award in different jurisdictions including Belgium and France.

Counsel to an ultimate-owner Canadian company in a claim for compensation (judicial review) against the Kingdom of Spain under Spanish law for damages derived from the public administration's liability derived from the frustration of extraction projects located in Spain after abrupted regulatory changes banned its exploitation.

Commercial Arbitration and Litigation

Represented an international lender to recover a matured multimillion loan in arbitration dispute before London Arbitration tribunal against guarantees based in different countries including freezing order enforcement between the English jurisdiction and the Spanish courts.

Represented a Spanish group in dispute in Spain after purchasing a logistics company due to the existence of severe contingencies concealed by the sellers during the negotiation, due diligence and closing stages in M&A transaction, obtaining a decision awarding a millionaire compensation, interest and court costs.

Advised a group of Spanish companies in proceedings for the recognition and enforcement of a Spanish judgment in England and Wales granting multi-millionaire compensation for television rights agreements infringement, as well as for obtaining precautionary measures.

Counsel opinion on arbitration under Spanish law in defence of a group against a renowned Spanish construction group to obtain nullity of the arbitration award for claiming compensation for damages arising from the frustration of Spain's most significant storage plant.

Recent Publications

“Interim remedies in support of Arbitration in Spain" - Arbitration Module. LexisNexis, 2023.

"Challenging jurisdiction and anti-suit provisions in Spain" Arbitration Module. LexisNexis, 2023.

“The long and winding road—ICSID tribunal grants Infracapital €24.9m in the lengthiest and most tortuous investment dispute against Spain ever. But hell awaits now for award enforcement (Infracapital Solar BV; and Infracapital F1 S.à r.l. v Kingdom of Spain)”

LexisNexis, 2023.

“A boomerang blow to the enforcement of arbitral awards against Spain? The High Court of Australia upholds ‘recognition’ and ‘enforcement’ of a multimillion ICSID award in favour of renewable energy investor Infrastructure Services Luxembourg S.À.R.L. LexisNexis, 2023.

“State Immunity and Arbitration in Spain.” Arbitration Module. LexisNexis, 2023.

Other Publications

"Will the Spanish Armada sink before the English shores again? Advocate General advises against the enforcement of a Spanish Supreme Court ruling in the 'Prestige' case (The London Steam-Ship Owners' Mutual Insurance Association Ltd v the Kingdom of Spain; The 'Prestige')" Lexis Nexis (2022).

"UK's role in litigation will be hit by EU dispute, say lawyers." quoted by the Financial Times (2022).

"The Lugano Convention: a matter of genuine concern for the UK." Published in The Law Society Gazette (2022).

Last Conferences and Events

"Has Brexit released the jurisdictional Kraken? The Anti-Suit Injunction strikes back again” – Ciarb’s Iberian Chapter (2023).

“Renewable energies and the Kingdom of Spain” – Real Academia de Jurisprudencia y Legislación. (2023).

Delegate of the UK’s Ministry of Justice for the Great Legal Services at the IBA’s Annual Convention in Paris (2023).

Experience

- Arbitration Delegate – The Barcelona Arbitration Court - London, UK (Apr 2023 – Present)
- Barrister - Del Canto Chambers · Self-employed - London, UK (May 2019 – Present)
- Abogado - Litigo Partners· Self-employed - Barcelona, Spain (June 2017 – Present)
- Private International Law Lecturer – University of Barcelona - Barcelona, Spain (December 2015 – Present)
- Registered as a Commercial Mediator in Spain under the Spanish Ministry of Justice.

Previous Experience

- Abogado - Andersen Tax & Legal - Madrid, Spain (Sept 2014 – May 2016)
- Judge - Ministerio de Justicia - Spain - Mallorca, Balearic Islands (May 2009 - Apr 2014)
- Legal Counsel – Tui Travel PLC - Luton, UK and Mallorca, Spain (Feb 2007 - Apr 2009)

Languages

- English
- Spanish
- French
- Catalan

Areas of Expertise

- International Arbitration
- Commercial