

Santo Domingo, D.N
08 de febrero 2022
VCI-DCC-UTG-0049-22

Señora:
Alexandria Valerio
Country Manager, Dominican Republic, Latin America
and Caribbean Grupo Banco Mundial.

Distinguida Señora Valerio,

Muy cortésmente nos dirigimos a usted, a los fines de remitirle la validación legal de los esquemas de acuerdos y cesión que formalizarán la **Transferencia de la Titularidad de las Reducciones de Emisiones en el marco del Programa de Reducción de Emisiones por Deforestación y Degradación de los Bosques de la República Dominicana (Programa REDD+)**, realizada por la firma de abogados **Pellerano Nadal Law & Consulting**.

Esta validación constituye un requisito para dar cumplimiento con la condición de efectividad establecida en el Acuerdo de Pago por Reducción de Emisiones (ERPA), suscrito por el Gobierno de la República Dominicana y el Banco Mundial, como ente fiduciario del Fondo Cooperativo del Carbono de los Bosques (FCPF).

Con sentimientos de alta consideración y estima, le saluda,

Atentamente,


Milagros De Camps

Viceministra de Cooperación Internacional


MDC/NFG/MSP/jgq



ANEXOS:

-Acuerdo Interinstitucional para la Participación de Entidad Ejecutora en el marco del Programa REDD+ de la República Dominicana.

-Acuerdo de transparencia de Titularidad de Reducciones de Emisiones, entre Entidad Ejecutora del Programa REDD+ de la República Dominicana y el Ministerio de Medio Ambiente y Recursos Naturales; y

-Cesión de Transferencia de Titularidad de Reducciones de Emisiones, para participar como Beneficiario del Programa REDD+ de la República Dominicana.

Santo Domingo, D.N
03 de febrero del 2022

Señora
Alexandria Valerio
Country Manager, Dominican Republic, Latin America and Caribbean
Grupo Banco Mundial.

Distinguida Señora Valerio,

Luego de enviarle un cordial saludo, muy cortésmente nos dirigimos a usted para remitirle los siguientes documentos con relación a la validación de los esquemas de acuerdos y cesión que formalizarán la **Transferencia de la Titularidad de las Reducciones de Emisiones en el marco del Programa de Reducción de Emisiones por Deforestación y Degradación de los Bosques de la República Dominicana (Programa REDD+)**, a saber:

- i. Carta de Validación de Esquemas de Contratos REDD+, elaborada en fecha de 03 de febrero de 2022 por el Lic. Gustavo J. Mena García.
- ii. Soporte de Credenciales de la oficina Pellerano Nadal Law & Consulting, elaborado en fecha de 03 de febrero de 2022 por el Lic. Gustavo J. Mena García.
- iii. Biografía de la oficina Pellerano Nadal Law & Consulting, en idioma Inglés.
- iv. Biografía del Lic. Gustavo J. Mena García, socio de la oficina Pellerano Nadal Law & Consulting, en idioma Inglés.
- v. Biografía del Lic. Gustavo J. Mena García, socio de la oficina Pellerano Nadal Law & Consulting, en idioma español.

Sin otro particular por el momento, se despide,

Atentamente,

Gustavo J. Mena García
Socio – Pellerano Nadal Law & Consulting



Santo Domingo, D.N
03 de febrero del 2022

Señora

Alexandria Valerio

Country Manager, Dominican Republic, Latin America and Caribbean
Grupo Banco Mundial.

Distinguida Señora Valerio,

Muy cortésmente nos dirigimos a usted, en el ámbito de nuestras facultades y credenciales, en representación de la firma de abogados Pellerano Nadal Law & Consulting, para validar los esquemas de acuerdos y cesión que formalizarán la **Transferencia de la Titularidad de las Reducciones de Emisiones en el marco del Programa de Reducción de Emisiones por Deforestación y Degradación de los Bosques de la República Dominicana (Programa REDD+)**, a saber:

- *Acuerdo Interinstitucional para la Participación de Entidad Ejecutora en el marco del Programa REDD+ de la República Dominicana;*
- *Acuerdo de Transferencia de Titularidad de Reducciones de Emisiones, entre Entidad Ejecutora del Programa REDD+ de la República Dominicana y el Ministerio de Medio Ambiente y Recursos Naturales; y*
- *Cesión y Transferencia de Titularidad de Reducciones de Emisiones, para Participar como Beneficiario del Programa del Programa REDD+ de la República Dominicana.*

En este sentido, y luego de revisar y analizar el contenido y alcance de los acuerdos y cesión citados anteriormente, procedemos a declarar como válidos y conforme al ordenamiento jurídico dominicano los esquemas sometidos a nuestra evaluación, por lo que confirmamos que sus disposiciones permiten respaldar la legalidad de la Transferencia de las Reducciones de Emisiones que realizarán las Entidades Ejecutoras, beneficiarios y grupos de beneficiarios que participan en el Programa REDD+ de la República Dominicana, de conformidad con los términos y condiciones del Acuerdo de Pago por Reducción de Emisiones (ERPA), suscrito por el Gobierno de la República Dominicana y el Banco Mundial, como ente fiduciario del Fondo Cooperativo del Carbono de los Bosques (FCPF).

Asimismo, indicamos que estos acuerdos deberán, en cada caso particular, formalizarse con la inclusión de las referencias específicas relativas a las competencias y atribuciones institucionales de cada Entidad Ejecutora, así como aquellas relativas a la actividad tipo REDD+ que ejecutará dicha entidad.

Con sentimientos de alta consideración y estima, le saluda,

Atentamente,

Gustavo J. Mena García
Socio - Pellerano Nadal Law & Consulting

Cc: -Simon J. Whitehouse, Fund Manager, Forest Carbon Partnership Facility (FCPF), Climate Change Group,
Markus Pohlmann, Senior Counsel, Grupo Banco Mundial,
Philippe Dardot, Senior Natural Resource Management Specialist, Grupo Banco Mundial.



Santo Domingo, D.N.
03 de febrero del 2022

Ms.

Alexandria Valerio

Country Manager, Dominican Republic, Latin America and Caribbean
Grupo Banco Mundial

Dear Ms. Valerio,

We very courteously address you, within the scope of our powers and credentials on behalf of the law firm Pellerano Nadal Law & Consulting, to validate the document **"Joint Declaration to Reaffirm Institutional Competencies, for the Purposes of Entering into Transactions and Transferring Emission Reduction Securities and Entering into an Emission Reduction Payment Agreement (ERPA)"**.

Please find below the support of our credentials detailed below:

- Chambers and Partners

Gustavo Mena

Environment - Dominican Republic
Band 1

"Gustavo Mena continues to boast a stellar reputation in the environmental arena, with one interviewee praising *"his vast experience,"* while also adding that *"he is widely recommended in the area."* Another market observer goes on to highlight *"his longstanding career and reputation in this area."* Gustavo Mena regularly advises clients from a wide range of industries on environmental consultancy, strategy and compliance matters, as well as assisting with permitting mandates."

Enlace: <https://chambers.com/lawyer/gustavo-mena-latin-america-9:902437>

Pellerano Nadal Law & Consulting:

"Pellerano Nadal is a full-service law and consulting firm founded by a talented team with more than 40 years of experience providing first-rate legal, regulatory and consulting services. At Pellerano Nadal, we are guided by our clients' needs and strive to provide trustworthy and dedicated legal and advisory services in a wide array of practice areas.

Our experienced team has also represented multinational and local clients in complex cross-border and domestic transactions, which uniquely positions us to provide the best value-added legal advice and representation available in the Dominican Republic.

We strive to provide our clients with solutions in all aspects and life cycles of their business ventures. We counsel them when investing in the Dominican Republic, whether investing in existing businesses, setting up their local operations or launching their own startups.

We also help clients identify, evaluate, and minimize risks when making important strategic decisions relating to corporate organization and governance, mergers and acquisitions,

Enlace: <https://www.legal500.com/firms/231943-pellerano-nadal/231816-santo-domingo-dominican-republic/>

- [World Law Group](#)

Enlace: <https://www.theworldlawgroup.com/member-firms/pellerano-nadal>

- [IFLR 1000](#)

Enlace: <https://www.iflr1000.com/Firm/Pellerano-Nadal-Law-Consulting-Dominican-Republic/Profile/34064#undefined>

Best regards,

Gustavo J. Mena García

Partner - Pellerano Nadal Law & Consulting





PELLERANO NADAL is a professional services firm founded by a talented team with more than 40 years of experience providing first-rate legal, tax and business consulting services. Our team has represented multinational and local clients in complex cross-border and domestic transactions, as well as counselling clients looking to do business in the Dominican Republic in a broad range of industries including energy, technology, tourism, aviation, retail, consumer goods, free zones, apparel, mining, telecommunications, pharmaceuticals and financial services, amongst others. The team also assists clients when challenges and disputes arise during the course of their business activities. Our extensive litigation, mediation, and arbitration experience, combined with a strong business acumen and pragmatic approach, enable us to tackle the most complex matters and offer clients efficient and effective solutions to their commercial and dispute-related challenges.

Both the Firm and its lawyers have consistently been ranked amongst the most prominent lawyers in the Dominican Republic by industry publications such as Chambers and Partners, International Financial Law Review, Legal 500 and Who's Who Legal. Particularly, the Legal 500 recognizes the Firm as Tier 1, the highest ranking, in its Energy and Natural Resources law firm ranking.

CLIENT BASE

Most of our clients are international or multinational businesses and investors. Recently published key clients include: JetBlue Airways Corporation, American Airlines, J.P. Morgan, Bank of America, Citigroup, Ferrari North America, Procter & Gamble, Mitsubishi Electric US, Shell, Barrick Gold Corporation, British American Tobacco, Amazon, Adobe, Inter-American Bank, Banco Santander, Invenergy, New Fortress Energy and Apache Corporation.

EXPERIENCE

At Pellerano Nadal we have a team that has served as counsel on a series of landmark transactions in the Dominican Republic, including: the largest acquisition of a Dominican company at the time, valued at over US\$2.5 billion; the largest foreign investment in the country, for over US\$6 billion; the only international IPO and listing of a Dominican company on the New York Stock Exchange; and, the first ever issuance of debt in the international and local capital markets by the Dominican government, on which the team has continued to advise on for subsequent issuances.

ÁREAS DE PRÁCTICA

- Banking and Finance
- Dispute Resolution
- Energy: Power, Infrastructure, Renewables, Oil & Gas
- Environment
- Financial Services
- Foreign Investment
- General Corporate Advisory
- Government Relations
- Intellectual Property
- Labor and Employment
- Media and Entertainment
- Mergers & Acquisitions
- Mining
- New Business Ventures and Project Development
- Private Clients
- Real Estate and Construction
- Sports
- Taxation
- Technology
- Telecommunications
- Tourism and Hospitality
- Transportation

TEAM FEATURED IN

- Chambers and Partners
- Legal 500
- IFLR 1000
- Latin Lawyer
- Who's Who Legal
- Latin American Corporate Counsel Association
- Hieros Gamos
- Top Ranked
- Latin Counsel

150 Pedro Henríquez Ureña.
Torre Diandy XIX, 2nd Floor.
La Esperilla.
Santo Domingo, D.N.
Dominican Republic.

RELEVANT PROJECTS EXPERIENCE

- Counsel to Colombian coal producer in the US\$30 million emergency tender to supply coal to a State-owned power plant.
 - Assisted multiple construction companies in tender processes before the Dominican government.
 - Assist an engineering company in a tender process held before the National Institute of Land Transit for the concession for the inspection, implementation, operation, management and equipment of a vehicle park of the Dominican Republic, which amounts to 4 million vehicles.
 - Assistance to US company in different bids related to the US\$300 million construction of a port and shipyard in the northern region of the country.
 - Assistance to Barrick Gold Corporation, the world's largest gold mining company, with its complete installation and startup of the Pueblo Viejo gold mine project; this is the largest foreign investment project in the history of the Dominican Republic, initially valued in US\$6 billion. We have continued assisting Barrick Gold with the expansion of the Pueblo Viejo Mine, with an additional investment of US\$3 billion.
 - Counsel to an independent investment management firm in its development and financing of two calcium carbonate mines in the southern region of the Dominican Republic valued at US\$800 million.
 - Assistance to concessionaries in relation to the drafting and structuring of the financing for the construction, operation, and maintenance of a touristic highway for US\$400 million.
 - Assistance to a Spanish bank in the financing granted to the Dominican State for the construction of Line 2 of the Santo Domingo Metro.
 - Assistance to Netherlands Development Finance Company (FMO), in its financing of US\$780 million to a local company for a solar energy project of 60MW in Monte Plata, Dominican Republic.
 - Assistance in the financing of International Finance Corporation (IFC) and IDB Invest for US\$79.5 million and US\$40 million respectively for the development of a sustainable touristic project for Cisneros Real Estate located in Miches, Dominican Republic.
 - Representation of several multinational and local energy companies in the international public tender for the development of a 400MW power plant, natural gas terminal and storage facility in the northern region of the country.
-

OTHER RELEVANT EXPERIENCE

- Assistance to technology and transportation company Uber for the coordination of their establishment in the country. Assistance in lobbying and in the regulatory field, as well as the expansion and creation of various products offered by Uber in the Dominican Republic.
- Assistance to Parkland Fuel Corporation in the acquisition and financing of 526 fuel pumping station from SOL Group in the Dominican Republic. The acquisition ascended to the sum of US\$1.2 billion.
- Assistance to the Bank de Nova Scotia in a loan of US\$56 million to SOL Group, the largest petroleum company in the Caribbean, for the acquisition of 340 fuel stations from Shell in the Dominican Republic.
- Legal assistance to Goldman Sachs, Citibank, BNP Paribas, Credit Suisse AG, Deutsche Bank AG (London Branch), J.P. Morgan Limited and other European banks in the refinancing and credit facilities granted to Altice Group for the acquisition of Tricom, S.A. and Orange Dominicana, S.A. for US\$1.8 billion.
- Assistance to Companhia de Bebidas das Americas (AmBev) in the acquisition of a majority participation in Cervecería Nacional Dominicana, the largest acquisition in the history of the Dominican Republic, for a sum superior to USD\$ 2 billion.
- Assistance to Smurfit Kappa República Dominicana in the acquisition of all productive assets of one of the major manufacturers of corrugated carton in the country up to this moment, Cartonera Rierba, S.A.
- In April 2020, British tobacco company Imperial Brands agreed to sell its global premium cigar business to a group of purchasers for a total value of €1.23 billion. The business has operations in 150 countries and includes the brands Cohiba, Montecristo and Romeo y Julieta.

REPUTATION

Our lawyers have consistently been ranked amongst the most prominent lawyers in the region, including, Dominican Republic by industry publications such as Chambers and Partners, International Financial Law Review, Legal 500 and Who's Who Legal.

- **Chambers and Partners:** *Pellerano Nadal* is recognized in the prestigious Chambers and Partners legal directory, in the "Corporate/Commercial Department" practice area. According to Chambers, clients praise the firm for being "extremely trusted advisers that in times of crisis are always responsive and are able to help us navigate tough waters", adding: "Pellerano Nadal understands our business well and their team has good contact with the regulators".

Founding and managing partner, *Luis Rafael Pellerano*, is recognized as Band 1 in Corporate/Commercial and Band 2 in Real Estate and Tourism. Clients add that he "is a great lawyer who understands the big picture issues", adding: "his important trajectory in the market".

Partner, *Gustavo J. Mena*, continues to boast a stellar reputation in the environment law arena, recognized as Band 1 in Environment. Chambers notes that Mena "is widely recommended in the area". Clients also highlighted "his longstanding career and reputation in this area".

Partner, *Caroline Bonó*, is recognized as Band 2 in Tax and singled out by clients for offering "an avant-garde and pragmatic service, with high ethical standards". She boasts experience handling tax disputes of an administrative nature, as well as assisting with the tax implications of corporate restructuring.

Senior Counsel, *Urania Paulino*, is also recognized as Band 4 in Corporate/Commercial and is described by clients as "a very efficient and knowledgeable professional", highlighting "her prominent role in the team".

• **The LEGAL 500:** *Pellerano Nadal* is recognized by The LEGAL 500 in 7 practice areas. The Firm is ranked in the areas of Energy and Natural Resource, Banking and Finance, Corporate and M&A, Environment, Tax, Dispute Resolution and Real Estate and Tourism.

Managing partner, *Luis Rafael Pellerano*, is also regarded as a Leading Individual in the areas of Corporate and M&A and Real Estate and Tourism. The LEGAL 500 notes that "Luis Rafael Pellerano is well known in the market for his established strength in financing, M&A and capital markets deals" and that he "advises on a broad spectrum of real estate developments, with a noted track record in high-profile infrastructure projects".

Urania Paulino is recognized as a Next Generation Partner in Banking and Finance and is noted for having "over two decades of experience across a broad range of corporate matters, with particular strength in regulatory law". Other members of the team, such as Gustavo Mena, B. Génesis Rodríguez, Daniella Pellerano and Caroline Bonó are also noted by The Legal 500.

• **IFLR1000:** *Pellerano Nadal* is ranked by the International Financial Law Review 1000 in the Financial and Corporate area, as well as in Project Development. *Luis Rafael Pellerano* is rated as Highly Regarded in Banking, Project Finance and Debt Capital Markets.

• **Who's Who Legal:** The prestigious international legal directory Who's Who Legal positions *Luis Rafael Pellerano* and *Urania Paulino*, on the list of the most respected and influential lawyers in Central America, as well as in the Dominican Republic.

Luis is recognized amongst the best lawyers in Central America in the areas of Corporate Law, Banking, Finance and Projects, and Environment, Energy and Natural Resources. He is also recognized on the list of recommended lawyers in the Dominican Republic for the areas of Banking and Finance, Capital Markets and Structured Financing, Corporate Governance, Mergers and Acquisitions, Mining, and Project Finance. *Urania Paulino* is also recognized amongst the best lawyers in Central America in Aviation Law.

RECONOCIMIENTO

Chambers Global and Latin America

Ranked in 2019 - 2022
Top Ranked Lawyer 2000 - 2022

THE LEGAL 500

Top Tier Firm | 2019-2022
Leading Individuals | 2010-2022
Next Generation Partner | 2022

Latin Lawyer National

Recommended Firm 2020

IFLR 1000

Leading Lawyers 2010-2021
Ranked in 2021
Shortlisted National Firm of the year 2021

Who's Who Legal

National Leader | 2010 - 2021
Global Leader | 2010 - 2021
Most Influential Lawyers in Central America | 2018 - 2021

Latin American Corporate Counsel Association

LACCA Approved Lawyer 2010-2020

ITR World Tax

Recommended Firm 2022

PROUD MEMBER OF

 **World Law Group**

Gustavo J. Mena

PARTNER

Gustavo J. Mena is one of the most complete lawyers in the Dominican Republic; having extensive knowledge of various branches of law. His practice focuses on the areas of environmental law, conflict resolution and corporate affairs. The extensive legal notion of it includes the branches of securities, banking, business law, alternative dispute resolution and litigation of all kinds, mining and energy law, administrative law and government relations.

He is one of the leading lawyers in environmental practice in the Dominican Republic, being the pioneer in the dissemination, practice and development of the area. At the international level, he has participated as an environmental expert in arbitration cases under the arbitration rules of the International Center for Settlement of Investment Disputes of the World Bank (ICSID).

Gustavo J. Mena belongs to the highest category in environmental law classified by international associations such as Chambers and Partners of England, the most renowned legal directory in the world. He has also been recognized as a leading lawyer in the market by international legal publications such as International Financial Law Review (IFLR) and Legal 500. Throughout his career he has published various articles, both in newspapers and in legal court magazines, disseminated throughout the Dominican Republic, of which we can highlight:

"El Derecho a un Ambiente Sano como un Derecho Humano".
Accuracies. Judicial Gazette No. 60, 1st. July 15, 1999, pp. 28-30.

"La Protección Ambiental en la Constitución Dominicana", Santo Domingo. Dom. Rep., Nueva Época Legal Studies, Vol. IX, No. 1, January-May 2000, Pages. 156-162.

"¿Qué nos trae la Ley General sobre Medio Ambiente y Recursos Naturales?" Judicial Gazette No. 96, from November 30 to December 14, 2000, pp. 12-17.

"A Propósito de la Reforma Constitucional: ¿Y del Ambiente qué? Otros Temas", Judicial Gazette. Year 10, No. 242, January 2007, pp. 64-74.

He served as the first Legal Consultant and Legal Director of the Ministry of Environment and Natural Resources from 2000 to 2005, where he had the opportunity to lead the function, creation and structuring of the operation of the Ministry from the legal point of view.



809 473 4545



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www.pellerano.com

RECONOCIMIENTOS



EDUCATION

GACETA JUDICIAL
POSTGRADUATE IN ADMINISTRATIVE
PROCEDURAL LAW.

PONTIFICIA UNIVERSIDAD
CATÓLICA MADRE Y MAESTRA
• POSTGRADUATE IN UNIVERSITY
PEDAGOGY.

• POSTGRADUATE IN CRIMINAL
PROCEDURE LAW.

• MASTER IN BUSINESS LAW AND
ECONOMIC LEGISLATION.

INSTITUTE OF ENVIRONMENTAL
LAW OF THE DOMINICAN REPUBLIC
AND APEC UNIVERSITY

POSTGRADUATE IN LAW AND
ENVIRONMENTAL MANAGEMENT.

ENVIRONMENT INTERNATIONA
LTD-USAID

INSTITUTIONAL STRENGTHENING
SEMINAR FOR THE PREPARATION OF
ENVIRONMENTAL CASES.

DISTANCE EDUCATION CENTER FOR
ECONOMIC AND TECHNOLOGICAL
DEVELOPMENT (CEDDET) - GD-LN-B. M.
IN SPAIN

ONLINE ENVIRONMENTAL IMPACT
ASSESSMENT COURSE.

PEDRO HENRÍQUEZ UREÑA
NATIONAL UNIVERSITY AND THE
FUNDACIÓN INSTITUCIONALIDAD
Y JUSTICIA

POSTGRADUATE IN ENVIRONMENTAL
POLICY AND LEGISLATION.

PEDRO HENRÍQUEZ UREÑA
NATIONAL UNIVERSITY
LAW DEGREE.

LANGUAGES

SPANISH AND ENGLISH



Pedro H. Ureña 150. Torre Diandy XIX,
2do Piso La Esperilla. Santo Domingo,
Dominican Republic.

EXPERIENCE

- Advice on the due diligence of verification of compliance and environmental risks of the installation of five airports under the concession of Airports Dominicanos Siglo XXI (AERODOM).
- Advice on the restructuring between V Energy and The Bank of Nova Scotia for the verification of compliance and the environmental risk of forty service stations to be granted as collateral.
- Advice to Hanes Brands and Dos Ríos Textiles on the strategy of compliance with the Environmental Standard for the Quality of Surface and Coastal Waters and the Environmental Standard on Control of Discharges to Surface Waters, Sanitary Sewerage and Coastal Waters.
- Participation as an expert in Environmental Law in the arbitration Corona Materials, LLC v The Dominican Government, on behalf of Corona Materials, held at the International Center for Settlement of Investment Disputes of the World Bank (ICSID).
- Advice to the Banco Centroamericano de Integración Económica (BCIE) in the drafting of the "Comparative study of environmental and social standards for the renewable energy sector in Central America, Panama and the Dominican Republic with international standards and the evaluation of their proper application by CABELI".
- Drafting of legal recommendations to the Mining and Petroleum Chamber of the Dominican Republic as a contribution to the Draft Law of Legal Order of the Dominican Republic.
- Advice Freshfields Bruckhaus Deringer LLP with a compliance strategy with the Environmental Standards of Air Quality and Emissions Control, Weighting of the Draft Air Quality and Emission Control Standards, Atmospheric Pollutants from Vehicles.
- Advice to the company Gas Natural Aprovechamientos SDG, S.A. in the development and implementation of their natural gas project.
- Assistance in the financing to International Finance Corporation (IFC) and IDB Invest of USD \$ 79.5 million and USD \$ 40 million, respectively, and environmental due diligence for the development of a sustainable tourism project by Cisneros Real Estate located in Miches, Dominican Republic.
- Advised Netherlands Development Finance Company (FMO) in environmental due diligence for the financing of USD \$ 780 million to a local company for a 60MW solar energy project in Monte Plata, Dominican Republic.
- Development of a compliance and environmental risk strategy within the framework of due diligence for the acquisition of Ocean Hotels in the provinces of Bávaro and Higüey, Dominican Republic.

EXPERIENCE

- Advice to the company Abengoa in the environmental due diligence for a renewable energy investment amounting to USD \$ 120 million in the province of Barahona, Dominican Republic.
- Advised the Bank of Nova Scotia in financing Gerdau Metaldom amounting to USD \$ 150 million and participation in due diligence related to environmental obligations and risks.
- Negotiation with the Ministry of Environment and Natural Resources in favor of Carnival Corporation for the lifting of an environmental fine.
- Advice to CHT Energy GmbH in La Victoria Photovoltaic Project to ensure compliance with environmental regulations.
- Assistance to a US company in the investment of the establishment of Liquid Compressed Gas Receiving Terminals (LNG) in the Dominican Republic, Panama and Puerto Rico, with a general regional development value of USD \$ 3 billion.
- Advice to Smurfit Kappa Dominican Republic to obtain the first merger of environmental authorizations between companies in the Dominican Republic.
- Assistance to Carnival Corporation in the legal structure, development, construction, and operation of the Amber Cove cruise ship port valued at USD \$ 85 million, located in the Province of Puerto Plata.

TEACHING, MEMBERSHIPS AND ASSOCIATIONS

Pontificia Universidad Católica Madre y Maestra,
the most prestigious university in the Dominican Republic.
PROFESSOR OF ENVIRONMENTAL LAW

Facilitation of the Environmental Law Course at the National School of the Judiciary,
a course aimed at career judges and magistrates.
FACILITATION OF A COURSE

**Seminar on Environmental Risks, Impacts and Consequences and
Environmental Risks of Financial Intermediation Entities (EIF)**
in the Dominican Republic.
FACILITATION OF A SEMINAR

**Bar Association of the Dominican Republic, Dominican Association
of Lawyers (ADOMA)**

**Latin American Council of Students of International and Comparative Law,
Dominican Republic Chapter (COLADIC)**

**Provider of Environmental Services certified by the Ministry of Environment
and Natural Resources of the Dominican Republic**

**Founding Member and of the Board of Directors of the Dominican Association of
Environmental Services Providers of the Dominican Republic**

Founding Member of the Dominican Network of Environmental Forestry Law

Founding Member of the Institute of Environmental Law (IDARD)

Gustavo J. Mena

SOCIO



809 473 4545



gmena@pellerano.com



www.pellerano.com

Gustavo J. Mena es uno de los abogados más completos de la República Dominicana; teniendo un amplio conocimiento de diversas ramas del derecho. Su práctica se concentra en las áreas de derecho ambiental, resolución de conflictos y asuntos corporativos. Su extensa noción legal incluye las ramas de derecho bursátil, bancario, empresarial, resolución alternativa de conflictos y procesos litigiosos de toda índole, derecho minero y energético, derecho administrativo y relaciones gubernamentales.

Es uno de los abogados líderes en la práctica ambiental en la República Dominicana, siendo el pionero en la difusión, ejercicio y desarrollo del área. A nivel internacional, ha participado fungiendo como perito medio ambiental en casos arbitrales bajo las reglas de arbitraje de la Centro Internacional de Arreglo de Diferencias relativas a Inversiones del Banco Mundial (ICSID).

Gustavo J. Mena pertenece a la categoría más alta en derecho ambiental clasificado por asociaciones internacionales como Chambers and Partners de Inglaterra, el directorio legal con mayor renombre a nivel mundial. También ha sido reconocido como abogado líder en el mercado por publicaciones legales internacionales como International Financial Law Review (IFLR) y Legal 500.

A lo largo de su trayectoria ha publicado diversos artículos, tanto en periódicos como en revista de corte legal, difundidos en toda la República Dominicana, de los cuales podemos destacar:

"El Derecho a un Ambiente Sano como un Derecho Humano".
Precisiones. Gaceta Judicial No. 60, 1ero. a 15 de julio del 1999,
Pág. 28 al 30.

"La Protección Ambiental en la Constitución Dominicana", Santo Domingo. Rep. Dom., Estudios Jurídicos Nueva Época, Vol. IX, No. 1, enero-mayo 2000, Págs. 156-162.

"¿Qué nos trae la Ley General sobre Medio Ambiente y Recursos Naturales? Gaceta Judicial No. 96, del 30 de noviembre al 14 de diciembre del 2000, Págs. 12-17.

"A Propósito de la Reforma Constitucional: ¿Y del Ambiente qué? Otros Temas, Gaceta Judicial. Año 10, No. 242, enero 2007, Págs. 64-74.

Fungió como el primer Consultor Jurídico y Director Legal del Ministerio de Medio Ambiente y Recursos Naturales desde el año 2000 hasta el 2005, donde tuvo la oportunidad de liderar la función, creación y estructuración del funcionamiento del Ministerio desde la óptica legal.

RECONOCIMIENTOS



EDUCACIÓN

PONTIFICIA UNIVERSIDAD CATÓLICA MADRE Y MAESTRA
• DIPLOMADO EN PEDAGOGÍA UNIVERSITARIA.

• DIPLOMADO EN DERECHO PROCESAL PENAL.

• MAESTRÍA EN DERECHO EMPRESARIAL Y LEGISLACIÓN ECONÓMICA.

INSTITUTO DE DERECHO AMBIENTAL DE LA REPÚBLICA DOMINICANA Y UNIVERSIDAD APEC
DIPLOMADO LEY Y GESTIÓN AMBIENTAL.

UNIVERSIDAD NACIONAL PEDRO HENRÍQUEZ UREÑA Y LA FUNDACIÓN INSTITUCIONALIDAD Y JUSTICIA
DIPLOMADO EN POLÍTICA Y LEGISLACIÓN AMBIENTAL.

UNIVERSIDAD NACIONAL PEDRO HENRÍQUEZ UREÑA
LICENCIATURA EN DERECHO.

IDIOMAS

ESPAÑOL E INGLÉS



Pedro H. Ureña 150. Torre Diandy XIX,
2do Piso La Esperilla. Santo Domingo,
Dominican Republic.

EXPERIENCIA

AEROPUERTOS DOMINICANOS SIGLO XXI (AERODOM)

Asesoramiento en la debida diligencia de verificación de cumplimiento y riesgos ambientales de la instalación de cinco aeropuertos bajo la concesión de Aeropuertos Dominicanos Siglo XXI (AERODOM).

V ENERGY Y THE BANK OF NOVA SCOTIA

Asesoramiento en la reestructuración entre V Energy y The Bank of Nova Scotia para la verificación de cumplimiento y riesgo ambiental de cuarenta estaciones de servicio a ser otorgadas en garantía.

HANES BRANDS Y DOS RÍOS TEXTILES

Asesoramiento a ambas empresas en la estrategia de cumplimiento con la Norma Ambiental de Calidad de Aguas Superficiales y Costeras y Norma Ambiental sobre Control de Descargas a Aguas Superficiales, Alcantarillado Sanitario y Aguas Costeras.

CORONA MATERIALS

Participación como experto en Derecho Ambiental en el arbitraje Corona Materials, LLC v El Estado Dominicano, en representación de Corona Materials, celebrado en el Centro Internacional de Arreglo de Diferencias relativas a Inversiones del Banco Mundial (ICSID).

BANCO CENTROAMERICANO DE INTEGRACIÓN ECONÓMICA (BCIE)

Asesoramiento en la redacción del "Estudio comparativo de estándares ambientales y sociales para el sector de la energía renovable en América Central, Panamá y la República Dominicana con estándares internacionales y la evaluación de su debida aplicación por el BCIE".

CÁMARA MINERA Y PETROLERA DE LA REPÚBLICA DOMINICANA

Redacción de recomendaciones jurídicas a la Cámara Minera y Petrolera de la República Dominicana como aporte para el Anteproyecto de Ley de Ordenamiento Jurídico de la República Dominicana.

FRESHFIELDS BRUCKHAUS DERINGER LLP

Asesoramiento con una estrategia de cumplimiento con las Normas Ambientales de Calidad del Aire y Control de Emisiones y Ponderación de los Proyectos de Normas de Calidad de Aire y Control de Emisiones, Contaminantes Atmosféricos provenientes de Vehículos.

GAS NATURAL APROVISIONAMIENTOS SDG, S.A.

Asesoramiento en el desarrollo e implementación de su proyecto de gas natural.

INTERNATIONAL FINANCE CORPORATION (IFC) E IDB INVEST

Asistencia en el financiamiento a ambas empresas de USD \$79.5 millones y USD \$40 millones, respectivamente, y debida diligencia ambiental para el desarrollo de un proyecto turístico sostenible por Cisneros Real Estate ubicado en Miches, República Dominicana.

EXPERIENCIA

AEROPUERTOS DOMINICANOS SIGLO XXI (AERODOM)

Asesoramiento en la debida diligencia de verificación de cumplimiento y riesgos ambientales de la instalación de cinco aeropuertos bajo la concesión de Aeropuertos Dominicanos Siglo XXI (AERODOM).

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EXPERIENCIA

NETHERLANDS DEVELOPMENT FINANCE COMPANY (FMO)

Asesoramiento en la debida diligencia ambiental para el financiamiento de USD \$780 millones a una empresa local para un proyecto de energía solar de 60MW en Monte Plata, República Dominicana.

OCEAN HOTELS / BÁVARO E HIGÜEY, REPÚBLICA DOMINICANA

Elaboración de estrategia de cumplimiento y riesgo ambiental en el marco de la debida diligencia para la adquisición de Ocean Hotels en las provincias de Bávaro e Higüey, República Dominicana.

EMPRESA ABENGOA

Asesoramiento en la debida diligencia ambiental para una inversión de energía renovable ascendiente a USD \$120 millones en la provincia de Barahona, República Dominicana.

BANK OF NOVA SCOTIA

Asesoramiento al Bank of Nova Scotia en el financiamiento a Gerdau Metaldom ascendiente a USD \$150 millones y participación en la debida diligencia relativa a las obligaciones y riesgos ambientales.

CARNIVAL CORPORATION

Negociación con el Ministerio de Medio Ambiente y Recursos Naturales a favor de Carnival Corporation para el levantamiento de una multa ambiental.

Asistencia en la estructura legal, desarrollo, construcción y operación del puerto turístico de cruceros Amber Cove valorado en USD \$85 millones, ubicado en la Provincia de Puerto Plata.

CHT ENERGY GMBH

Asesoramiento en el Proyecto Fotovoltaico La Victoria para el aseguramiento del cumplimiento de regulaciones ambientales.

COMPAÑÍA ESTADOUNIDENSE

Asistencia en la inversión de una compañía estadounidense para el establecimiento de Terminales Receptoras de Gas Comprimido Líquido (GCL) en la República Dominicana, Panamá y Puerto Rico, con un valor de desarrollo regional general de USD \$3,000 millones.

SMURFIT KAPPA REPÚBLICA DOMINICANA

Asesoramiento para la obtención de la primera fusión de autorizaciones ambientales entre empresas en la República Dominicana.

DOCENCIAS, MEMBRESIAS Y ASOCIACIONES

Pontificia Universidad Católica Madre y Maestra,
la universidad más prestigiosa de la República Dominicana.
DOCENTE DE LA MATERIA DE DERECHO AMBIENTAL

2015 - PRESENTE

**Seminario sobre Riesgos, Impactos y Consecuencias Ambientales y
Riesgos Ambientales de las Entidades de Intermediación Financieras (EIF)**
en República Dominicana.

FACILITACIÓN DE SEMINARIO

2015 - PRESENTE

Curso Derecho Ambiental en la Escuela Nacional de la Judicatura,
curso dirigido a jueces de carrera y magistrados.

FACILITACIÓN DE CURSO

2015 - PRESENTE

**Colegio de Abogados de la República Dominicana y
Asociación Dominicana de Abogados (ADOMA)**

**Consejo Latinoamericano de Estudiosos de Derecho Internacional y
Comparado, Capítulo República Dominicana (COLADIC)**

**Prestador de Servicios Ambientales certificado ante el Ministerio de
Medio Ambiente y Recursos Naturales de la República Dominicana**

**Miembro Fundador y de la Junta Directiva de la Asociación Dominicana
de Prestadores de Servicios Ambientales de la República Dominicana**

Miembro Fundador de la Red Dominicana de Derecho Forestal Ambiental

Miembro Fundador del Instituto de Derecho Ambiental (IDARD)