

By Durán y Cia Abogados

The agricultural industry is one of the most specialized sectors that demands working knowledge of issues and a rapid response rate.

Because of this, it is essential for fruit and vegetable as well as agricultural companies to have specialists who understand their needs.

Durán y Cia Abogados is a Chilean law firm that specializes in the agricultural sector and offers preventative advisory services relating to international trade, contracts, insurance, environmental and water issues, etc. that offers complete legal representation for each client.

The founding partner, Rafael Durán Sanhueza has a master's degree from the University of Heidelberg, Germany.

He is a visiting professor at universities in Mexico and Sweden, an advisor to the World Bank and a specialist in international trade with extensive experience of over 15 years in advising companies in the agro-industrial area.

He is also the vice president and representative of Chile for the Ibero-American Institute of Maritime Law, a network of specialized lawyers working together for over 32 years and with a presence in 26 countries including the U.S., England, France, Italy, Canada, all of Latin America. The network also has ties to other relevant countries for the agribusiness sector such as China and South Korea.

Rafael Durán worked for six years in a renowned law firm in the shipping and international trade sector and another eight years in a law firm that advises the agro-export sector, where he was appointed partner in 2015, after which he founded Durán y Cia Abogados in January 2016. The firm is just a few months away from celebrating its fifth anniversary.

"These five years have been full of hard work, various legal successes and sustained growth," Durán said.

"The team today is made up of a group of nine professionals and our specialty is to bring an in-depth look at the entirety of each business and to involve them from the beginning to the end."

One of the main services of Durán y Cia Abogados is preventative advice. Rafael Durán said: "We work with an all-inclusive plan for a fixed rate per hour. Depending on what area a client needs representation, we prepare a tailored plan of action with a very competitive value. Then, in the judiciary process, one usually works with a fixed fee and a set amount concerning the success of the firm."



Rafael Durán Sanhueza - founding partner of Durán y Cia Abogados

Main contribution to the fruit and vegetable industry

The firm is the best in what they do and their focus is to work with the top companies.

Understanding that there are some specialties that are outside of the legal sector, Durán y Cia Abogados works with expert advisors in water issues, claims, customs issues, certifications, financial and accounting issues as well as environmental-based issues among other areas to provide the most comprehensive services to its clients.

"This has led us to be advisors to the World Bank in the agricultural sector; to participate in bill processing that impacts agriculture, meaning everything from issues relating to port laws and better shipping transportation services," Rafael Durán said.

"In many cases that we have handled, we have brought clients together to improve their negotiating position and share management costs."

"This has happened with regard to fertilizer contamination, negotiations with shipping companies after the diversion of ships arriving at different destination ports than previously agreed upon, negotiations with insurance companies and lawsuits against shipping companies among others," he said.

Rafael Durán stated that "among our successes are advising and accompanying various clients in their internationalization processes and the arrival of foreign capital and chartering of ships to get products to the markets that are on a timeframe".

Challenges

Among the main challenges of the firm are to continue growing organically, to add more specialties and legal experience as well as to be able to continue assisting in the agricultural sector.

Along these lines, Rafael Durán said: "I think that the outlook of the sector changed a long time ago and they are aware that although trust is the key to business, this must go hand in hand with preventive legal work that allows them to consolidate long-term relationships with their clients and if that trust is lacking, have the relevant tools to legally recompose any adverse situation".



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