GARRIGUES



Alejandro Ayala González

Senior associate

Madrid

alejandro.ayala@garrigues.com

Abogado colegiado nº 127.003

I. Colegio de la Abogacía de Madrid

Plaza de Colón, 2

28046 Madrid (Spain)

Tel: +34 91 514 52 00

Fax: +34 91 399 24 08

Dispute Resolution: Litigation and Arbitration
Criminal Law and Internal Investigations

Alejandro Ayala is a senior associate in the Criminal Law area of Garrigues. He advices on offences mainly related to white-collar crime in all types of proceedings, and instances, and before any body. He acts as prosecutor and defense. His expertise covers the field of transnational criminal law, including extradition proceedings, letters rogatory and International or European Arrest Warrant (EAW). He also advises during parliamentary investigations.

As a lawyer specializing in corporate criminal liability, he belongs to the Garrgiues' Internal Investigations Unit and collaborates in the design, preparation and implementation of crime prevention plans and corporate compliance systems (criminal compliance).

Along with his work at the firm, he is an academic researcher. He has been Visiting Scholar at the New York University (NYU) School of Law and he is currently a PhD student. He is also a member of both the research team of the project "Transversal Strategies for the Prevention of Economic Crime and Corruption" of the Ministry of Science and Innovation (Government of Spain) and the "Research Group on white collar crime and corruption" of the Complutense University.

Experience

Alejandro Ayala is a senior associate in the Criminal Law area of Garrigues' Litigation and Arbitration Department and provides advice in the following areas:

- **Criminal Litigation and Enforcement**

  His advice covers offences mainly related to white-collar crime, corporate crime, and business crime in all types of proceedings, and instances (including cassation appeals), and before any body (including the European Public Prosecutor's Office -EPPO), both as prosecutor and defense. He is an attorney specializing in criminal liability of legal entities, crimes of discovery and revelation of secrets, crimes against property, criminal offences related to intellectual and industrial property, crimes related to the market and consumers (as corruption in business), corporate crimes, crimes against the Public Treasury, crimes of

corruption in the public sector (bribery, influence peddling, embezzlement of public funds), and crimes against the rights of workers (occupational safety and health, industrial or accidents at work).

He also advises in the field of transnational criminal law, including extradition proceedings, letters rogatory, International Arrest Warrants and European Arrest Warrants (EWA), as well as during parliamentary investigations linked to criminal cases.

- **Internal investigations**

  He belongs to the Garrigues' Internal Investigations Unit and has participated in investigations within multinational companies of multiple sectors of activity oriented to the clarification of criminal acts, including those of a transnational nature and involving long-range forensic analysis.

- **Corporate and Criminal Compliance**

  He collaborates with the firm's group of lawyers specializing in corporate compliance with the design, preparation and implementation of both crime prevention plans and corporate compliance models (criminal risk maps and assessments, criminal risk-management systems, organizational models, codes of professional conduct and ethics, internal policies, anti-kickback and anti-corruption handbooks and policies, whistleblowing systems, internal investigations, and disciplinary proceedings) and internal information systems, internal information channels and information management procedure in accordance with the Spanish whistleblower protection regulation.

Academic background

- PhD Student in the Criminal Law and Criminology research line at the Complutense University of Madrid.
- Research stay at the New York University (NYU) School of Law as Visiting Scholar.
- Master's in legal Practice (LLM) from the University Autónoma of Madrid.
- Double Degree Law & Business Administration Degree (LLB) from the University Carlos III of Madrid (Erasmus Program at Kingston University of London).

Teaching activity

Alejandro Ayala is a member of the Research Team of the project "Transversal Strategies for the Prevention of Economic Crime and Corruption" of the Ministry of Science and Innovation (MCIN, Government of Spain). He also belongs to the "Research Group on White Collar Crime and Corruption" of the Complutense University of Madrid.is a member of the Research Team of the project "Transversal Strategies for the Prevention of Economic Crime and Corruption" of the Ministry of Science and Innovation (MCIN, Government of Spain). He also belongs to the "Research Group on White Collar Crime and Corruption" of the Complutense University of Madrid.

He has been and is currently collaborating with different academic forums and institutions, such as the School of Legal Practice of the Complutense University of Madrid or the General Council of Secretaries, Comptrollers and Treasurers of Local Administration (COSITAL).

He has been Visiting Scholar at the New York University (NYU) School of Law, and a speaker at the International Congress on Criminal Liability of Multinational Companies for Human Rights Violations

(REPMULT).

Publications

Alejandro Ayala is the author of numerous publications of both doctrinal and informative nature in both national and foreign publications:

- “Spain”, en Leoxology - Getting the Deal Through - Risk & Compliance Management, Law Business Research Ltd. (co-authorship). Eds.: 2018, 2019, 2020, 2021, 2022.
- “There's a New Sheriff in Town: Some Notes on the EPPO regarding the Question Jurisdition n. 20424/2022, of 9 June”, Diario La Ley nº 10147, (S.V.) 2022.
- “Principle of Legality and Corporate Criminal Liability: Some Considerations on the Spanish System”, UNA Revista de Derecho, 6, (S.V.) 2021.
- “EU Whistleblowing Directive: The Countdown to Solving the Problem of How to Protect Whistleblowers Has Started”, Risk & Management Review, 2021.
- “A Guide to Conducting Cross-Border Internal Investigations in Spain: The Investigation”, Anti-Corrupt Report, 12/2020 (co-authorship), 2020.
- “Cross-Border Internal Investigations in Spain: The Legal and Practical Landscape", Anti-Corrupt Report, 12/2020 (co-authorship), 2020.
- “Internal Investigations: Regulatory Carrots and Jurisprudential Sticks?”, InDret (S.V.) 2/2020.
- “Rebel Without a Cause? Indictment, Representation, Recalcitrance and Contempt of Legal Persons within Criminal Proceedings”, Diario La Ley nº 9609, (S.V.) 2020.
- “Houston, We Have a Problem! The Hesitation of the Supreme Court regarding Corporate Criminal Liability”, Diario La Ley nº 9417, (S.V.) 2019.
- “Corporate Criminal Liability: Cross Interpretations at the Highest Levels”, InDret, (S.V.) 1/2019.
- “The Principle of Legality from the Perspective of Inter-American Court of Human Rights”, Revista Internacional de Derechos Humanos, (S.V.) 2018.
- “Classics Sometimes Die: Corporate Criminal Liability, Corporate Investigations Dual Procedural Status", Diario La Ley nº 9262, (S.V.) 2018.
- “Corporate Participation in International Crimes: A Proposal to Extend the Scope of the Rome Statute to Corporations", Revista Jurídica de la Universidad Autónoma de Madrid, (S.V.) 2018.
- “Criminal liability of Legal Persons in Comparative Law. Special Reference to Compliance Programs”, en Ángel Juanes Peces (dir.) Compliance Penal, Memento Experto Francis Lefebvre (co-authorship and S.V.), 2017.
- “The Principle of Legality and its Conformation as a Right within the European Regional Human Rights System", Revista UCM Foro Nueva época, (S.V.) 2017.