



The World Bank
Legal Vice Presidency

Law, Justice and Development Week 2010

International Financial Institutions in a Post-Crisis World

Legal Challenges and Opportunities

Description of Events

World Bank-----
Legal Vice Presidency**Law, Justice and Development Week 2010**
International Financial Institutions in a Post-Crisis World
Legal Challenges and Opportunities**Objectives**

This year's Law, Justice and Development Week focuses on the future of international financial institutions through the lens of law. It will take stock of the role and record of these institutions and analyze their future, as the present global financial crisis recedes, focusing on their legal mandates, competencies, and operations. In particular, events during the week will discuss and analyze, primarily the manner in which these institutions have adopted the rule of law internally – in the context of their institutional governance structures, operational policies and procedures, and lending instruments – as well as externally focusing on their advocacy of the rule of law through their operational, advisory, and analytical work. In each of its six thematic modules, participants will be encouraged to examine the continuing relevance and impact of existing institutional structures and governance frameworks as well as their underlying analytical assumptions and knowledge bases.

The week, which will be held between November 8 and 12, 2010 in Washington, DC, will bring together senior officials from various international financial institutions, global finance and development practitioners, government officials, lawyers and judges, scholars and academics, and representatives of civil society.

In addition to the **Headline Event** to be held at the **International Monetary Fund** on November 8 and 9, several **Knowledge and Learning Events** will be held at the **World Bank** Main Complex on November 10-12 with the participation of other parts of the Bank Group including the International Finance Corporation's Legal Department.

Partnerships

The World Bank's Legal Vice Presidency (LEG) has partnered with leading law schools and policy institutes. Our partners include:

- American Society of International Law, Educational Organization
- Centre for Policy Research, New Delhi, India
- George Washington University Law School
- New York University School of Law
- Tsinghua University School of Law, Beijing, China
- University of Geneva Faculty of Law, Switzerland
- University of Pretoria Faculty of Law, South Africa
- University of São Paulo Faculty of Law, Brazil

Headline Event
November 8 – 9, 2010
Venue: International Monetary Fund Headquarters
700 19th Street, NW, Washington, DC 20433

Opening Session

Monday, November 8, 2010 - Room: Meeting Hall A/B, 10:00 am - 11:30 am

Welcome Remarks

- Anne-Marie Leroy, Senior Vice President and Group General Counsel, World Bank

Opening Remarks

- Robert B. Zoellick, World Bank Group President (Video recorded)

Managing Director Remarks

- Ngozi N. Okonjo-Iweala, Managing Director, World Bank

Keynote Speaker

- Kristalina Georgieva, European Commissioner for International Cooperation, Humanitarian Aid and Crisis Response, and former Vice President and Corporate Secretary of the World Bank Group, will speak on the following topic: **“A post-Crisis world: What role for the International Financial Institutions?”**

Thematic Panels

Governance and Reform at International Financial Institutions

Monday, November 8, 2010 - Room: Meeting Hall A, 11:45 am - 1:15 pm

The organizations that form the World Bank Group, like other international organizations, have committed to significant improvements in their governance, accountability and operational effectiveness to confront development challenges of the 21st century. An ambitious agenda of operational and institutional reforms is in various stages of implementation. Other international organizations have also embarked on governance reforms. In this context, lawyers at international organizations must ask whether the legal frameworks of the institutions support the goals of the governance reforms sufficiently, and whether they promote accountability and transparency effectively. As international administrative bodies, international organizations also issue policies and rules, make decisions, and deal with disputes. The administrative law standards and procedures applicable to these actions are well-established in the area of employment and international civil service, but are less defined or non-existent in other areas where international organizations take administrative action. The manner in which international organizations develop and issue policies, engage in decision-making, and address concerns of relevant stakeholders has been criticized by some as opaque and non-participatory, and has raised questions of legitimacy and accountability deficits in international organizations' governance.

The panel will debate the following questions:

- Is the current administrative legal framework of the World Bank Group and other international organizations sufficiently developed and robust to meet the governance challenges facing the institutions?

- How could the current administrative legal framework be improved to further the goals of increased transparency, accountability and legitimacy of international organizations' policy-making, decision-making and claims resolution functions?
- Would a more comprehensive administrative law system aid operational effectiveness? If so, how?
- How could a more comprehensive administrative legal framework contribute to the running of a decentralized institution with most staff working in country offices?
- What are the drawbacks of implementing a more comprehensive administrative law framework at the World Bank Group and other international organizations?

Panelists

- Anne-Marie Leroy, Senior Vice President and Group General Counsel, World Bank
- David Hunter, Associate Professor of Law, Washington College of Law, American University
- Edward Kwakwa, Legal Counsel, World Intellectual Property Organization
- Jeremy Hovland, General Counsel, Asian Development Bank
- Kristalina Georgieva, European Commissioner for International Cooperation, Humanitarian Aid and Crisis Response, and former Vice President and Corporate Secretary of the World Bank Group
- Ross Leckow, Deputy General Counsel, International Monetary Fund

Co-Moderators

- Benedict Kingsbury, Professor of Law, New York University School of Law
- José Alvarez, Professor of Law, New York University School of Law

Law and Justice in Fragile and Conflict-Affected Areas

Monday, November 8, 2010 - Room: Meeting Hall B, 11:45 am - 1:15 pm

Legal institutions, actors and processes provide non-violent means of dealing with conflict by regulating social, economic and political action, by providing mechanisms for enforcing rights and obligations and by creating spaces for resolving disputes. Conflict that is not addressed by prevailing legal and justice systems can readily undermine them, as more and more people or groups resort to violent means of dispute resolution.

Law and justice reforms in fragile and conflict-affected countries have a chequered history. In instances where issues of security are most pressing, questions of rights and justice are often compromised or postponed in the pursuance of a primary goal of state-building in a manner that can aggravate the conflicts of already fractured societies. The norms and standards that are expected of law and justice institutions in any country define whether or not a particular reform or intervention is considered just and thus appropriate to that country. Yet when focusing on rights and justice, reform efforts in fragile and conflict-affected states have often been reliant upon the transplantation of institutional frameworks and methods used in other countries, with sometimes limited regard for the context in which they are introduced. When, on the other hand, reform frameworks and methods are introduced in a fashion that is sensitive to the new context, they may fall short of international standards of what is 'just'. International financial institutions may thereby become vulnerable to the criticism that their activities legitimize lower standards that produce only 'poor justice for the poor'.

In the light of their personal experiences of justice sector development in fragile and conflict affected areas, and in the context of what the World Development Report has to say about justice development, each panelist will offer a perspective on these questions:

Defining expectations:

- What were the expectations of justice systems in fragile and conflict-affected contexts on the part of: (i) citizens; (ii) local communities; (iii) governments; and (iv) donors?
- How did those expectations interact? In what ways and along which dimensions might they have conflicted with or reinforced each other?

Determining policies:

- How were the expectations of the stakeholders interpreted and translated into policy and action?
 - Who was given a seat at the table when formulating policy for justice reform?
 - How were the dynamics between governments and client countries shaped by a lack of a capacity on either or both parts to envision the intended outcomes?
 - Did the stakeholders adopt differing preferences about the instrumental frameworks to be used to achieve justice sector reforms? How might those have conflicted and how was consensus on a common course reached? Did the consensus reflect the justice expectations of ordinary citizens?

Clarifying donor roles:

- Can donors help generate policy and carry out programs in fragile and conflict-affected contexts? How do donors manage the tension between the broad scope of needs and the limited ability to execute effectively in fragile and conflict-affected contexts? Should donors attempt to meet or modify expectations?
- What kinds of foreseeable obstacles do donors face in fragile and conflict-affected contexts when attempting justice reform? What is the Bank's comparative advantage in light of this discussion?

Panelists

- Abdul Salam Azimi, Chief Justice of Afghanistan
- Christiana Tah, Minister of Justice and Attorney General of Liberia
- Michael Woolcock, Senior Social Scientist, Poverty and Inequality, World Bank
- Pablo de Greiff, Director, Research Unit, International Centre for Transitional Justice

Moderator

- Sarah Cliffe, Director, 2011 World Development Report, World Bank

Discussant

- Bernard Harborne, Lead Specialist, Africa Region, World Bank

Luncheon

Monday, November 8, 2010 - Room: IMF Gallery, 1:30 pm - 2:45pm

Luncheon Speaker: Dr. Otto Scharmer, Senior Lecturer, Massachusetts Institute of Technology Sloan School of Management, founding chair of the Presencing Institute and a founding member of the MIT Green Hub. Dr. Scharmer who has undertaken pioneering work on systems analysis and change processes, will discuss the future role of international financial institutions and how such institutions could approach change to adapt to the twenty-first century realities and needs.

Introduction by Hassane Cisse, Deputy General Counsel, Knowledge and Research, World Bank

Immunities of International Financial Institutions: Necessity or Anachronism? [CLE Accreditation Pending]

Monday, November 8, 2010 - Room: Meeting Hall A, 3:00 pm - 4:30 pm

International financial institutions, like other international organizations, are created by the constituent member States to discharge vital functions and responsibilities on their behalf, sometimes to the benefit also of the common interests of the international community as a whole. They are established to offer cooperative and concerted approaches to common challenges and myriad problems that have the best chance of being solved through multilateral actions. To achieve their charter objectives, these institutions are invested with certain privileges and immunities, in particular jurisdictional immunity which protects them from *legal* process. The rationale or justification for the immunities of international organizations is primarily functional necessity. Immunity implicates the interrelationship between the international organizations themselves, the parties with whom they interact, and the countries in whose territories they operate.

The issue of the immunities of international financial institutions is as confusing as it is controversial. A clear understanding of the issue is bedeviled by the nebulous drafting of the charter provisions of some of these institutions, as well as an inconsistent and (sometimes unsound) judicial interpretation of these provisions. For example, some courts have construed the charters of some of these institutions as containing an “implied waiver” of immunity in certain circumstances, while others have gone beyond the charter provision to hold that a denial of justice would occur where an international organization asserts its jurisdictional immunity, but fails to provide an alternate mode of dispute resolution. The issue is also confounded by the analogy that is often drawn between the immunity of States and that of international organizations. A school of thought argues that the restrictive theory of State immunity which has been gaining currency over the years should also be applicable to the immunities of international organizations, while the other is of the view that the dissimilarities between the conceptual bases of both types of immunities militate against such an application. In the end, considering the principle of functional necessity, is immunity a necessary evil for the good that comes from the independent and effective fulfillment of the functions of international organizations, or is it an antiquated vestige of a bygone era with dubious usefulness today?

Introductory Presentation

- David Rivero, Chief Counsel, Institutional Administration, World Bank

Panelists

- Anne-Marie Leroy, Senior Vice President and Group General Counsel, World Bank

- Daniel Bradlow, Professor of Law, Washington College of Law, American University, and University of Pretoria, South Africa
- Nicola Bonucci, Director, Legal Affairs, Organization for Economic Co-operation and Development (OECD), and American University
- Rutsel S. Martha, General Counsel, International Fund for Agricultural Development, (IFAD) William Berenson, Principal Attorney, Department of Legal Services, Organization of American States

Moderator

- Susan Karamanian, Associate Dean for International and Comparative Legal Studies, George Washington University Law School

Mainstreaming Climate Finance [CLE Accreditation Pending]

Monday, November 8, 2010 - Room: Meeting Hall B, 3:00 pm - 4:30 pm

This panel will explore what international financial institutions can do to mainstream climate finance and facilitate resource commitments for effective climate change mitigation and adaptation measures given the prevailing uncertain regulatory environment. In this context, the panel will discuss, among other things, the available public and private funding mechanisms for climate change mitigation and adaptation activities and related potential governance structures, assess existing and potential future financial mechanisms (including Kyoto mechanisms, such as the Clean Development Mechanism and Joint Implementation and Nationally Appropriate Mitigation Actions (NAMA) – based mechanisms, etc.). It will also debate the current regulatory impasse over climate change and its impact on climate finance and examine possible future regulatory efforts to promote climate finance at the international, regional, and domestic level.

Keynote Speaker

- Andrew Steer, Special Envoy for Climate Change, World Bank

Panelists

- Charlotte Streck, Director, Climate Focus, Washington, DC
- Jean Philippe Brisson, Counsel, Head of U.S. Climate Change and Environmental Law Practice, Linklaters, New York
- Richard B. Stewart, Professor, New York University School of Law
- Xinjun Zhang, Professor, Tsinghua University School of Law, Beijing, China

Moderator

- Charles Di Leva, Chief Counsel, Environmentally and Socially Sustainable Development and International Law, Legal Vice Presidency, World Bank

Reception

Monday, November 8, 2010, 5:15 pm - 7:00 pm

Hosted by George Washington University Law School (GWU)

Venue: Faculty Conference Center

2000 H Street, N.W. Washington DC, 20052 (alternative entrance Burns Library on #716 20th St. NW)

The Faculty Conference Center is on the 5th Floor

Guest Speaker: Ian H. Solomon, United States Executive Director, World Bank Group

Remarks by Gregory Maggs, Interim Dean, GWU Law School, Susan Karamanian, Associate Dean for International and Comparative Legal Studies, GWU, and Anne-Marie Leroy, Senior Vice President and Group General Counsel, World Bank

Tuesday, November 9, 2010

Venue: International Monetary Fund Headquarters

700 19th Street, N.W. Washington, DC 20433

Navigating the Muddy Waters of Politics in International Development Finance: Should the Political Prohibition in Charters of International Financial Institutions be Revisited?

Room: Meeting Hall A, 9:30 am - 11:00 am

This panel will discuss various issues relating to the relationship between development and politics in the context of the prohibition of political interference, which is found in the constituent instruments of the Bretton Woods institutions and most regional development banks. This panel will discuss, among other things, the response of international financial institutions to issues such as the emergence of extra-constitutional regimes (through coups or other changes); security sector and criminal justice reform, governance, elections, and stolen asset-recovery. Hassane Cisse will make a presentation followed by comments by other panel members and a general discussion, moderated by Professor Daniel Bradlow.

Panelists

- James Spinner, General Counsel, Inter-American Development Bank
- Joachim von Amsberg, Vice President, Operations Policy and Country Services, World Bank
- Michel Mordasini, Executive Director, World Bank Group
- W. Paatii Ofosu-Amaah, Special Adviser to the President of the African Development Bank, and former Vice President and Corporate Secretary of the World Bank Group

Introductory Presentation

- Hassane Cisse, Deputy General Counsel, Knowledge and Research, World Bank

Moderator

- Daniel Bradlow, Professor of Law, Washington College of Law, American University, and University of Pretoria, South Africa

Mitigating the Impact of Financial Crises on Emerging Markets and Transition Economies [CLE Accreditation Pending]

Tuesday, November 9, 2010 - Room: Meeting Hall B, 9:30 am - 11:00 am

This panel will analyze the financial crisis' impact on emerging market and transition economies. Issues here include an analysis of how systemic crises may be controlled and managed in transition economies, reform strategies for strengthening the regulatory framework for banking and finance, and the applicability of international standards, such as those promulgated by the Basel Committee for Banking Supervision, in developing economies. The panel will discuss techniques successfully used by governments in developing countries to avoid contagion from developed economies spreading through their own banking and financial domestic networks, and the Bank Group's work in facilitating a reform agenda for financial regulatory reform in transition economies.

Panelists

- Alexandre Pinheiro dos Santos, General Counsel, Brazilian. Securities and Exchange Commission
- Consolata K. Rusagara, Director, Financial Systems, Finance and Private Sector Development, World Bank
- Tang Xin, Professor, School of Law, Tsinghua University
- Zhu Min, Special Advisor to the Managing Director, International Monetary Fund

Moderator

- Rachel Robbins, Vice President and General Counsel, International Finance Corporation

Justice Reform in a Changing Environment

Tuesday, November 9, 2010 - Room: Meeting Hall A, 11:15 am - 12:45 pm

The World Bank and other development agencies promote and support rule of law programs aimed at a range of development goals, including economic growth, improved investment climates, poverty eradication, improved governance and reduced corruption. Survey data shows that while citizens put a priority on justice services, they often rate their justice institutions poorly. Thus the demand and need for justice reform within Bank client countries seems to remain high. Demand is also evolving in the light of the impact of the global financial crisis, greater prominence of development work in post-conflict settings and pressing conflicts over land and other natural resources. In addition to seeking assistance in making courts just and efficient, client countries request assistance for dealing with crime and violence, crafting legal aid policies, providing for environmental enforcement, administrative justice, border security and prison reform. Data on donor expenditures in justice reform programming in the years up to the global financial crisis indicate sustained interest among donors in the importance of supporting rule of law programming in developing countries. Recently, however, the number and money value of World Bank projects dedicated to justice sector reform has, in all regions except Eastern Europe and Central Asia, been declining in comparison with earlier years. Is this an indication that the Bank's response is not keeping up with the evolving demand for justice reform?

A distinct trend in recent years is that the Bank, along with other donors, has introduced innovations to improve or change its work in the justice sector. This has produced a greater emphasis on supporting service delivery and accountability systems by formal justice institutions, mainstreaming justice as a component of development projects in other sectors, bringing a justice perspective to security and state-building efforts, and engaging with legal pluralism and informal justice institutions. On the other hand,

there are disincentives for the Bank to engage in justice reform. Justice projects are risky. The effects of rule of law improvement programs have been notoriously difficult to quantify and their successes are often overlooked or disputed for lack of demonstrated improvements. Gains may not be made in the short term, and once made, can be dissipated by unrelated events such as state budget cutbacks or political appointments that weaken judicial independence. Formal evaluations of completed justice development projects commonly indicate uncertain benefits and mixed outcomes. Also, even if they are considered essential to a country's progress, justice projects are often relatively small in terms of monetary value. Bank decision-makers query whether the Bank has the tools to work effectively in this sector.

The panel will consider:

How the environment has changed:

- What *needs* should justice sector reform programs be aimed at realistically fulfilling? What ought to be the indicia of success in meeting those needs?
- How has the *demand* for justice reform assistance evolved in recent years? Has this demand as articulated by governments and donor agencies been consistent with social, political, technical *needs* of the legal systems in question?

How the Bank might best respond:

- Should the Bank seek to get better at what it is doing, or do different things? Can particular types of justice sector reform interventions or techniques be considered proven as smart investments in justice sector development?
- What are the advantages of the World Bank being active in this field as distinct from other donor agencies? Should someone else be left to it? What imperatives related to global development should motivate World Bank and other international financial institutions to sustain their interest in justice sector reform projects?

Panelists

- Andrew Natsios, Distinguished Professor, School of Foreign Services, Georgetown University
- Abdul Salam Azimi, Chief Justice of Afghanistan
- Michael Trebilcock, Chair in Law and Economics, Faculty of Law, University of Toronto
- Omniah Ebeid, Director, International Cooperation, Abu Dhabi Judicial Department
- Wang Zhenmin, Dean, Tsinghua University

Moderator

- Christina Biebesheimer, Chief Counsel, Justice Reform, World Bank

The International Regulatory Framework and the Crisis [CLE Accreditation Pending]

Tuesday, November 9, 2010 - Room: Meeting Hall B, 11:15 am - 12:45 pm

This roundtable of experts and regulators will consider the crisis' impact on the emerging design for the international regulatory framework for banking and financial services. Participants will debate the challenges that have arisen as a result of different domestic responses to the crisis with a view to analyzing how these affect international co-ordination tools and strategies, the differing emphases of national responses, and the impact on the creation of a viable regulatory framework for international financial regulation and supervision. A lively debate is expected among participants from a variety of country perspectives on issues such as the management of systemic risks, banking regulation (e.g., in

relation to liquidity and capital cushions), risk management, reduction of moral hazard, and consumer protection.

Panelists

- Christopher Brummer, Professor of Law, Georgetown University Law School
- Hal Scott, Professor, Harvard Law School, and Director, Committee on Capital Markets Regulation
- Hui Huang, Professor, Faculty of Law, Chinese University of Hong Kong
- Peter Kerstens, First Counselor, Economics and Finance, Delegation of the European Union

Moderator

- Vijay Tata, Chief Counsel, Private Sector Development, Finance, Private Sector Development and Infrastructure, World Bank

Buffet Luncheon

Tuesday, November 9, 2010 - Venue: IMF Gallery, 12:45 pm - 2:00 pm

During the luncheon there will be an announcement of some recent publications by World Bank legal staff and/or partner institutions on issues related to the theme of the conference, with a brief introduction by the authors.

Governance of Forests [CLE Accreditation Pending]

Tuesday, November 9, 2010 - Room: Meeting Hall A, 2:00 pm - 3:30 pm

Forests provide an arena to examine how critical global public goods dimensions co-exist and contend with multiple national and local interests. This is evident in their role as carbon sinks, biodiversity habitats, home to indigenous peoples and other communities and economic assets. This Panel will explore the governance of forests from the perspective of the various global public goods they provide, the challenges this poses for regulatory initiatives at all levels, and the evolving role of international financial institutions, particularly in the context of the evolving international debate over REDD (Reducing Emissions from Deforestation and Degradation).

Panelists

- Annie Petsonk, International Counsel, Climate and Air, Environmental Defense Fund, Washington, DC
- Arvind Khare, Director, Rights and Resources Initiative, Washington, DC
- Benoit Bosquet, Lead Carbon Finance Specialist, World Bank
- Rubén Kraiem, Partner, Covington & Burling, New York

Moderator

- Charles Di Leva, Chief Counsel, Environmentally and Socially Sustainable Development and International Law, Legal Vice Presidency, World Bank

Norms and Standards in International Development: Avoiding the Trap of One-Size-Fits-All

Tuesday, November 9, 2010 - Room: Meeting Hall A, 3:45pm - 5:15 pm

Multilateral and bilateral aid agencies often urge the “client” to adopt international best practices, “model laws” and foreign legal, administrative, or regulatory templates when providing technical assistance or through analytical and advisory activities. This insistence on using international standards can be observed in as diverse areas as drafting and framing constitutions, holding elections, establishing or reforming legal, judicial, and administrative arrangements (courts, central banks, financial regulators, civil services, etc.), drafting and revising investment, business, banking, commercial, and tax laws, and creating procurement, financial management, and environmental safeguard systems, and security sector reform.

The use of international norms and standards have substantially affected the evolution of legal and administrative institutions in fragile and conflict-affected situations and, in turn, greatly influenced development outcomes in those areas. In some notable instances, these standards have helped fragile and conflict-affected states develop transparent, accountable, and effective governance and service-delivery arrangements. However, in other areas, irrational international bench-marking has resulted in “isomorphism” and impeded, rather than contributed to, better development objectives. Drawing upon the WDR's discussions on this topic, this panel will analyze, catalogue, and examine the diverse ways in which international norms and standards influence reconstruction and development efforts in fragile and conflict-affected situations.

Panelists

- Bruce Jones, Senior External Advisor for the 2011 World Development Report and Director, New York University Center on International Cooperation
- Kevin Davis, Professor, New York University School of Law
- Peri Lynne Johnson, Director, Legal Support, United Nations Development Program
- Faris Hadad-Zervos, Acting Director, Fragile/Conflict Affected Countries (OPCFC), World Bank

Paper Presenter

- Benedict Kingsbury, Professor of Law, New York University School of Law

Moderator

- Elizabeth Andersen, Executive Director, American Society of International Law

Coordinating the Fight Against Fraud and Corruption: Cross-Debarment at Multilateral Development Banks [CLE Accreditation Pending]

Tuesday, November 9, 2010 - Room: Meeting Hall B, 3:45pm - 5:15 pm

The fight against fraud and corruption took a major step forward in April 2010 when the heads of five leading multilateral development banks signed an agreement to enforce each others' debarment decisions.

This Panel will discuss the process that led to the agreement and its implementation, including the major issues that needed to be overcome. Panelists will consider the impact that the agreement is likely to have on their operations and how it may alter the incentive structure for corrupt actors—and honest ones. The

Panel will also consider the likely next steps for multilateral development bank collaboration, including the development of common sanctioning guidelines, as well as the challenges posed by the potential expansion of cross-debarment to other international and national agencies.

Panelists

- Emmanuel Maurice, General Counsel, European Bank for Reconstruction and Development
- Kalidou Gadio, General Counsel, African Development Bank
- Leonard McCarthy, Vice President, Institutional Integrity, World Bank
- Timothy L. Dickinson, Partner, Paul Hastings, Janofsky & Walker LLP

Moderator

- Hans Jurgen Gruss, Deputy General Counsel, Operations, World Bank

Roundtable of General Counsel and Legal Advisors

Tuesday, November 9, 2010 - Room: Meeting Hall A/B, 5:15 pm - 6:15pm

The Week will conclude with a roundtable of General Counsel and Legal Advisors from international organizations and government agencies. This roundtable will debate and discuss the role of the in-house lawyer in institutional, corporate, and operational matters. The discussion will be led by panel participants, but is open to all attending General Counsel and Legal Advisors who are all invited to contribute.

Panelists

- Anne-Marie Leroy, Senior Vice President and Group General Counsel, World Bank
- Emmanuel Maurice, General Counsel, European Bank for Reconstruction and Development
- James Spinner, General Counsel, Inter-American Development Bank
- Jeremy Hovland, General Counsel, Asian Development Bank
- Kalidou Gadio, General Counsel, African Development Bank
- Sean Hagan, General Counsel, International Monetary Fund

Moderator

- David Caron, Professor of Law, Berkeley Boalt Hall School of Law, University of California, and President, American Society of International Law

Reception for Partner Institutions (By invitation only)

Tuesday, November 9, 2010 - Venue: World Bank Main Complex Room 6-317, 6:30 pm – 8:00 pm

Knowledge and Learning Events

November 10 – 12, 2010

Venue: World Bank Main Complex
for World Bank Group Staff only¹

Enhancing Legal Support in Bank Operations

Wednesday, November 10, 2010 - Room: MC C1-200, 9:45 am – 4:45 pm

Enhancing Legal Support in Bank Operations (LEG 101) is a full-day workshop focusing on providing an overview of legal operational work, and aimed at: (i) deepening the knowledge of Task Team Leaders, who are, or will be, undertaking task management responsibility, on the key legal issues and determinants of a quality product, with emphasis on legal quality at entry and implementation; (ii) sensitizing the Task Team Leaders to those legal aspects that affect the quality of their work and likely impact their performance; and (iii) helping the Task Team Leaders identify legal and institutional gaps early in project preparation, making it possible to fill in such gaps before implementation, and/or adjust them during implementation. Some case studies from active best practices will also be shared, as relevant, to highlight the topic.

The presentation, by a number of seasoned lawyers with wide ranging experience, will take the form of methodical and structured presentation as well as interactive sessions, during which participants will be encouraged to share their experience and make suggestions to enhance the Legal Vice Presidency's ability to deliver its mandated services in a collegial and constructive fashion.

Each of the sessions will be completed within the time allotted. All sessions, except for the "Lunch Discussion" and the session on "Enhancing Collaboration", will begin with a presentation based on a previously prepared (and distributed) handouts, if relevant, and followed by open discussion by participants.

The workshop will cover the critical phases of Legal's involvement -preparatory, design, implementation, and closing- with content channeled through presentations by experts. The understanding of the legal aspects involved in the different phases will primarily help:

- Increase the ability of Task Team Leaders to diagnose legal issues in their operations by understanding the characteristics that define them and the reasons lawyers require a typical response.
- Increase the operational range and focus of the strategic choices Task Team Leaders make by equipping them with legal tools to determine the most appropriate response to countries in various situations and types of operations.
- Strengthen the legal operational competence of Task Team Leaders to draw on the most appropriate policies, procedures, and legal instruments.
- Improve the capacity of Task Team Leaders and Lawyers to partner with each other as members of the same team, and working for the same cause.

¹ Except for Public Private Partnerships Thematic Session, November 10, 2010 from 11:15 am – 12:45 pm

Welcoming Remarks

- Hans Jurgen Gruss, Deputy General Counsel, Operations

Panelists/Speakers

- Ferenc Molnar, Chief Counsel, Africa Regional Practice Group (LEGAF)
- Charles Di Leva, Chief Counsel, Environmentally and Socially Sustainable Development and International Law (LEGEN)
- Mohammed Bekhechi, Lead Counsel, Environmentally and Socially Sustainable Development and International Law (LEGEN)
- Nicolette Dewitt, Lead Counsel, Africa Regional Practice Group (LEGAF)
- Raj Soopramanien, Lead Counsel, Africa Regional Practice Group (LEGAF)
- Teresa Genta-Fons, Lead Counsel, Latin America & Caribbean (LEGLA)
- Zoe Kolovou, Lead Counsel, Operations Policy (LEGOP)

Moderators

- Anthony Toft, Chief Counsel, Operations Policy (LEGOP)
- Hadi Abushakra, Chief Counsel, East Asia & South Asia (LEGES)
- Hans Jurgen Gruss, Deputy General Counsel, Operations
- Irina Kichigina, Chief Counsel, Europe, Middle East & North Africa (LEGEM)
- Mark Walker, Chief Counsel, East Asia and South Asia (LEGES)
- Reynaldo Pastor, Chief Counsel, Latin America & Caribbean (LEGLA)

Luncheon Guest Speakers

(Chaired by Hans Jurgen Gruss, Deputy General Counsel, Operations, World Bank)

- Gerard A. Byam, Director, Operational Services and Quality, ECA
- Laura Frigenti, Director, Strategy and Operations Latin American and Caribbean
- Theodore O. Ahlers, Director, Strategy and Operations, Europe and Central Asia Vice Presidency (ECAVP)

Special Guests for Session on “Regional Legal Collaboration”

(Moderated by Anthony Toft, Chief Counsel, LEGOP)

- Bhuvan Bhatnagar, Lead Social Development Specialist, South Asia Social Development (SASDS)
- Denis Robitaille, Manager, Latin America & Caribbean Regional Development Effectiveness (LCSDE)
- Elizabeth Adu, Director, Latin America & Caribbean, LCS Operational Services

Closing Remarks

- Anne-Marie Leroy, Senior Vice President and Group General Counsel

Brazil Judicial Reform: Challenges and Opportunities for South-South Cooperation

Wednesday, November 10, 2010 - Room: MC C2-123 (GDLN studio 2), 9:30 am – 12:00 pm

Brazil has undertaken an aggressive and successful judicial reform since 2005 that has contributed substantially to the improvement of citizenship, investment climate and poverty alleviation. These reforms cover an extremely wide range of measures, from the creation of a new National Council of

Justice, to the administrative management of courts and digitalization of court files. Brazil has also initiated and carried out many successful south-south cooperation initiatives in the area of judicial reforms, in particular with countries in Latin America and Africa, and is willing to expand on this experience.

In addition, in 2003, the Brazilian State of Minas Gerais undertook a series of deep reforms called the Management Shock (*Choque de Gestão*). The reforms entailed a series of legal, administrative, and structural changes to transform the state public administration, including its environmental management system.

This session will discuss:

- The modernization of the Brazilian Judicial System.
- The contribution of the Superior Tribunal of Justice to the modernization of the Brazilian Judicial System.
- The reforms carried out at state level within the judiciary and the office of the state attorney general, with a special focus on the State of Minas Gerais.
- South-South cooperation initiatives led by Brazil in the area of judicial reform.
- Global perspective on the Brazilian experience and other similar experiences and how this could be possibly translated into operational work for the Bank.
- The challenges for providing quality, specialized justice services under budget pressures.

Welcoming Remarks

- Anne-Marie Leroy, Senior Vice President and Group General Counsel, World Bank
- Makhtar Diop, Country Director, Latin America and Caribbean, World Bank
- Randi Ryterman, Director, Governance, Innovation and Fragile States, World Bank Institute

Presenters

- Justice Ari Pargendler, President of the Superior Tribunal of Justice of Brazil
- Justice Cezar Peluso, President of the Supreme Court of Brazil
- Dr. Evandro Manoel Senra Delgado, Deputy Attorney General for the State of Minas Gerais, Brazil

Discussants

- Christina Biebesheimer, Chief Counsel, Justice Reform, World Bank
- Luciano Badini, Coordinator for the Director of the Environmental Operations Support Division of the Public Ministry and Representative, State Attorney General's Office for the State of Minas Gerais, Brazil

Moderator

- Hassane Cisse, Deputy General Counsel, Knowledge and Research, World Bank

Public Private Partnerships [CLE Accreditation Pending]

Wednesday, November 10, 2010 - Room: MC2-800, 11:15 am - 12:45 pm

Open to registered external participants

In the last decade, the number of developed and developing countries that use the public private partnerships (PPPs) as the preferred financing scheme for infrastructure projects has been increased significantly. There is a wide spectrum of reason as to why governments are seeking to such partnerships. However, the main goal is to achieve value for money and to deliver better quality of services for the same amount spent by the public sector. A second, but not less important, set of reasons is the desire to provide increased infrastructure provision and services within imposed budgetary constraints by utilizing private sources of finance via off balance sheet structures, and to accelerate delivery of projects which might otherwise have to be delayed. Experience with private sector involvement in infrastructure projects underlines the need not only for innovative regulatory and financial structures to deal with a multitude of contractual, political, market, and credit risks, but also for building credible structures to ensure that projects are environmentally responsive, socially sensitive, economically viable, and politically feasible.

This session will discuss the public sector and the private sector dimensions of PPPs. It will also examine the public-private interface in terms of regulatory frameworks and examine successful PPP approaches in different countries. Finally, the panel will analyze examples of World Bank engagement in PPPs: IFC investments, IBRD co-financing, technical assistance, development policy lending prior actions, and environmental and social safeguards issues.

Main Presenters

- Anne-Marie Leroy, Senior Vice President and Group General Counsel
- Sena Agbayissah, Managing Partner, Denton Wilde Sapte LLP, Paris

Discussants

- Mark Moseley, Lead Counsel, Private Sector Development, Finance, Private Sector Development and Infrastructure (LEGPS), World Bank
- Patricia Sulser, Principal Counsel, International Financial Corporation (IFC)

Internal Governance Reform and Capital Increase

Wednesday, November 10, 2010 - Room: MC C1-110, 2:30 pm - 4:00 pm

The Bank is embarked on a major transformation. During the Spring Meetings, the Development Committee endorsed the first capital increases in over 20 years, including a Selective Capital Increase (SCI) that will increase the voting power of Developing and Transition Countries (DTCs) and a General Capital Increase that will allow IBRD to increase its support for borrowing countries in the face of continuing financial stress. In addition to the SCI, the Bank is undertaking other steps to increase the "voice" of DTCs. Member countries have also asked the Bank to undertake a number of internal reforms in connection with this increased support, including initiatives such as the Access to Information Policy.

This presentation will provide an overview of the internal governance changes proposed and underway within the institution. It will then focus on the dual capital increases, and their impact of future governance and operational capacity of the Bank. The presentation will also review a legal opinion issued by the Group General Counsel that facilitated the most novel feature of both capital increases (a requirement that all capital be made freely and immediately usable by the Bank). Other financial policy issues that are related to the capital increase – including annual loan pricing reviews and the use of the

Bank's annual net income – will also be reviewed. Finally, the presentation will provide a discussion of how all of these initiatives may (or may not) change the Bank's governance and operations.

Presenters

- Anna Chytla, Senior Counsel, Institutional Administration (LEGIA)
- Alex Iorio, Lead Counsel, Corporate Finance (LEGFI)
- Cliff Frazier, Chief Counsel, Institutional Administration (LEGFI)
- Patrick Dougherty, Counsel, Corporate Finance (LEGFI)

Developments in Trust Funds

Wednesday, November 10, 2010 - Room: MC8-100, 2:30 pm - 4:00 pm

Trust funds have become an increasingly important part of the World Bank's development agenda. The World Bank leverages funds from donors to support development programs, in particular post-disaster and post-conflict situations, build capacity to work in innovative and unproven areas such as gender and governance, and to coordinate action globally and at the country level. At the end of FY10, the World Bank Group managed more than \$25.8 billion with 1,075 active trust funds. Some of the most challenging programs are undertaken using trust funds. Trust funds face all of the challenges of investment lending, plus unique issues arising from donor relations.

This session will discuss experience with:

- The application of the Trust Fund Management Framework, including processing of trust funds in line with investment lending requirements.
- Developments with the United Nations Fiduciary Principles Accord.
- Issues specific to frequent donors and suggestions for negotiations with donors in the field.
- New model forms of Administration Agreements.

Panelists

- Christian Rey, Manager, Global Partnership & TF Policy (CFPTP)
- Esther Rojas-Garcia, Operations Analyst, Fragile Conflict Affected Countries (OPCFC)
- Paul Cadario, Senior Manager, Trust Fund Quality Assurance Compliance (TQC)
- Maria Dakolias, Lead Counsel, Co-Financing and Project Finance (LEGCF)
- Roisin de Burca, Senior Operations Officer, Fragile Conflict Affected Countries (OPCFC)
- Sajjad Shah, Lead Operations Officer, Central Operational Services Unit (EAPCO)
- Valery Ciancio, Operations Analyst, Global Partnership & TF Policy (CFPTP)

Moderator

- Melinda Good, Senior Counsel, Legal East Asia and South Asia (LEGES)

Opportunities and Challenges of Decentralized Lawyers

Wednesday, November 10, 2010 - Room MC8-100, 4:15 pm - 5:45 pm

The World Bank is decentralizing a ‘critical mass’ of its staff to the regions to enhance its country offices’ ability to respond to its clients. The World Bank’s Board of Executive Directors (Board) on February 24, 2010 discussed a paper entitled “*Towards a Global Bank: The Second Update*” in which it noted the institutional-wide implications of decentralization. While noting the benefits of decentralization, the Board pointed out that it was critical to understand the operational effectiveness of decentralization, the cost implications and impact on corporate governance and oversight. The Board explained that the World Bank had made progress in decentralizing its staff into the field offices and steady progress was also occurring in the Regions (East Asia and Pacific Region, South Asia, North Africa and Middle East, Latin America, Europe and Central Asia and the Africa Region). Each Region has developed and implemented its own decentralization strategy based on its own business model. For example the Africa Region is proposing to establish regional offices/hubs in order to maximize on the economies of scale.

The Legal Vice Presidency has decentralized a number of lawyers to the various Regions. According to the Legal Vice Presidency’s Decentralization Strategy, March 2004, lawyers were initially to be decentralized on the basis of the volume of project lending and be gradually decentralized on the basis of legal and judicial reforms. However, in practice the Legal Vice Presidency has largely decentralized its lawyers based on the Country Directors’ request for legal services in the field. In its recent overall strategy “*Strengthening the Rule of Law to Respond to the Needs and Challenges of the Bank in a Changing World: The Road Ahead for the Legal Vice Presidency*”2009, the Legal Vice Presidency indicated that as the World Bank moves towards greater decentralization of its operations in client countries, it will respond to the needs expressed by clients in respect of lawyer decentralization taking into account the budget implications. It is evident that in countries where lawyers have been decentralized, the Country Directors appreciate the close in-house legal services and the decentralized lawyers have acquired a better understanding and appreciation of the needs, priorities and constraints of the countries in which they work, however their experiences vary. In addition, some Regions have also hired local counsel to assist the decentralized lawyers. This session will:

- Discuss the Legal Vice Presidency’s strategy on decentralization vis-à-vis the World Bank.
- Share experiences (benefits including interesting work and challenges) on decentralization.
- Make recommendations for improving the Legal Vice Presidency’s decentralization strategy.

Panelists

- All current and former decentralized lawyers

Moderator

- Hans Jurgen Gruss, Deputy General Counsel, Operations

Thursday, November 11, 2010

Venue: World Bank Main Complex

Justice Sector Reform Course 101 – First of two sessions

Thursday, November 11, 2010 - Room: MC10-100, 8:30 am - 5:30 pm (Second session on Friday, November 12, 9:30 am - 5:30 pm)

Justice Sector Reform 101 has been developed as a training program specifically for the benefit of World Bank Group staff. Its objective is to provide up-to-date information and practical tools that are useful for those who may be working on justice sector development projects or projects that have significant justice sector elements. Over this two-day course, leading justice sector experts and practitioners from inside and outside the Bank will guide trainees through a program of interactive and practical assignments, following the steps that are typically necessary in preparing and implementing a justice reform project. The practical assignment for trainees will be to produce a Project Concept Note for a justice reform project.

Special Session on Responsibility of International Organizations

Thursday, November 11, 2010 - Room: MC6-317, 9:00 am - 1:00 pm
(Registration starts at 8:30 am)

In 2001, the International Law Commission, a subsidiary body of the United Nations General Assembly, adopted draft articles on state responsibility. It then started work on the preparation of draft articles on the responsibility of international organizations. Last year, the Commission completed its first reading of the new draft articles, and solicited states' and international organizations' comments on them by January 1, 2011, in view of its second reading of the draft articles next year. The Legal Vice Presidency has followed closely the Commission's work on this project over the years, and has already submitted partial comments on them. This half-day session will discuss the draft articles with the Commission's Special Rapporteur on the topic, Giorgio Gaja of Florence University and with other participants.

Panelists

- Anne-Marie Leroy, Senior Vice President and Group General Counsel
- Eduardo Valencia Ospina, Member, International Law Commission
- Giorgio Gaja, Special Rapporteur (Resp. Int. Org.), International Law Commission
- Mahmoud Hmoud, Member, International Law Commission
- Mahnoush Arsanjani, International Law Associate and former Director, Codification Division, United Nations Legal Office.
- Maurizio Ragazzi, Senior Counsel, International Law, World Bank
- Ross Leckow, Deputy General Counsel, International Monetary Fund (IMF)

Moderator

- Michael J. Matheson, Visiting Research Professor of Law, George Washington University, and former member, International Law Commission
- Sean D. Murphy, Patricia Roberts Harris Research Professor of Law, George Washington University

In Defense of Derivatives

Thursday, November 11, 2010 - Room: MC C1-110, 9:30 am - 11:00am

From reading press accounts of the financial crisis and subsequent legislative debates, one might form the impression that derivatives are inherently risky, speculative financial instruments. Given the current conventional wisdom, it might be surprising to learn that the World Bank was a major player in the creation of the derivatives market in the 1980s, and is one of the largest users of derivatives (relative to its balance sheet) today. In fact, the World Bank's ability to borrow in capital markets around the world at the lowest possible costs and lend to borrowers in currencies of their choice would not be possible without the use of derivatives.

This presentation will provide a very brief history of the derivatives market and the World Bank's role in its creation (included the fabled first cross-currency swap in international capital markets). It will explain how the Bank uses derivatives to manage risk, rather than create risk - indeed, how it would be virtually impossible to manage risk in a multi-currency global environment without a robust, liquid, derivatives market and the Bank's ability to use it (in both asset-liability management and management of liquid assets portfolios). It will then turn to a discussion of the different types and markets for derivatives, with particular reference to the differences between over-the-counter and exchange-traded derivatives. The basic legal tools to manage risk - including collateralization, close-out, and netting provisions and legal aspects of central clearing - will also be explored. Finally, the presentation will explore how derivatives can be used to mitigate risks for developing country clients, including catastrophe and weather-related derivatives products. Overall, the presentation is intended to provide a broad, basic overview of financial risk management techniques and the legal mechanisms used to mitigate risk, and to relate all of these matters to the Bank's financial and development operations.

Presenters

- Bart Andre Servaes, Senior Counsel, Corporate Finance (LEGFI)
- Cliff Frazier, Chief Counsel, Corporate Finance (LEGFI)
- Duncan Kiara, Senior Counsel, Corporate Finance (LEGFI)
- Tamara Greemanova, Lead Counsel, Corporate Finance (LEGFI)

Gender Issues in Development

Thursday, November 11, 2010 - Room: MC C1-200, 9:30 am - 11:00 am

Every day in the world, thousands of women die victims of violence and many more are injured for life. Violence against women takes many forms and is indeed a very serious issue that affects all continents, all countries, and all social classes and ignores the boundaries of culture and time. Beyond the human rights aspects related to this issue, there are extremely worrying data that show that violence against women imposes a very heavy toll on social and economic development while compromising the nutrition, health and education of the generations to come.

In this panel, we will review some of the legal international initiatives related to the issue of violence against women and will present some national programs, with a special focus on Brazil.

This session will discuss:

- Important social and economic data related to the issue of violence against women in the world, including countries facing conflict or post-conflict situations.
- International initiatives to end violence against women (Convention on the Elimination of All Forms of Discrimination Against Women, Declaration on the Elimination of Violence Against Women, UN Security Council Resolution 1325 on Women, Peace and Security and the work developed by UNFPA and UNIFEM).
- Bank's Projects related to the issue of violence against women.
- National Responses with a special focus on Brazil: "Brazil's Response to Violence Against Women: Before and After the Law "Maria da Penha of 2006". The situation of Brazil is very interesting since this law was adopted as a consequence of a judicial case in which a victim of domestic violence (Ms. Maria da Penha) went up to the Human Right Inter-American system to get legal redress. The Law "Maria da Penha" was adopted as a consequence of this and many initiatives across the country were put in place to prevent violence and protect victims.

Panelists

- Jimmie Briggs, Goodwill Ambassador and Special Envoy for Children and Armed Conflict by WAFUNIF at the United Nations
- Maitreyi Das, Senior Social Protection Specialist, World Bank
- Rea Abada Chiongson, Consultant, Justice Reform (LEGJR) World Bank
- Sonia Amaral, Brazilian Judge, State of Maranhão, Brazil
- Teresa Genta-Fons, Lead Counsel, Latin America and Caribbean (LEGLA), World Bank

Moderator

Daniela Kraiem, Associate Director, Women and the Law Program, American University, Washington College of Law

Developments in Safeguards: Strategies to Address Grievances and Lessons Learned from the World Bank Inspection Panel and IFC Compliance Advisor/Ombudsman (CAO)

Thursday, November 11, 2010 - Room: MC C1-200, 11:15 am - 12:45 pm

World Bank Group projects often play a critical role in helping our clients identify and mitigate environmental and social safeguards issues in their development projects. Projects with environmental and social impacts, range from the obvious (large scale infrastructure) to the more subtle (community-driven development projects and technical assistance projects). In all cases, the World Bank Group is responsible for working with our clients to ensure that projects follow the World Bank and/or IFC environmental and social safeguards policies. Since 1993, the World Bank has had an Inspection Panel that is independent from the Bank Management, and provides a formal channel through which local groups in borrowing countries may raise concerns on whether the Bank is in compliance with its own policies and procedures. The IFC Compliance Advisor/Ombudsman has an informal advisory function as well as that of reviewing complaints that IFC or MIGA have violated their environmental, social and/or disclosure policies and procedures.

This session will discuss key developments in safeguard policies in four areas:

- Lessons learned in safeguards implementation.
- Identification and pre-emption of problems from the project and regional perspectives.
- Development of grievance mechanisms and the role of the lawyer.
- Future directions in safeguards policies.

Panelists

- Charles Di Leva, Chief Counsel, Environmentally and Socially Sustainable Development and International Law (LEGEN)
- Motoko Aizawa, Sustainability Advisor, IFC
- Dilek Barlas, Deputy Executive Secretary of the Inspection Panel
- Lakshminarayanan Panneer Selvam, Regional Safeguards Advisor, Central Operations Services Unit, East Asia and Pacific (EAP)
- Melinda Good, Senior Counsel, East Asia & South Asia (LEGES) World Bank
- Mohammed Bekhechi, Lead Counsel, Environmentally and Socially Sustainable Development and International Law (LEGEN)

Moderator

- Alberto Ninio, Lead Counsel, ESSD and International Law (LEGEN) World Bank

Developments in Insolvency Law and Practice

Thursday, November 11, 2010 - Room: MC C1-110, 2:30 pm - 4:00 pm

A well-balanced, developed framework for insolvency is an important component of a sound financial regulatory system – and recognizing this, insolvency and creditor rights are designated by the G-20 and the Financial Stability Board as one of the 12 pillars of a safe and effective financial market. A sound insolvency framework provides a key safety-valve for a country's financial and private sector. It sets the legal backdrop for the extension of credit by giving the creditor the means to protect its economic interest, for example, by taking security and having the regulatory means to exit the relationship if needed (e.g. via bankruptcy proceedings), and gives the borrower protections to prevent opportunistic behavior by creditors, and to help it to survive if it remains economically viable but temporarily distressed. This combination of legal certainty with room for regulatory maneuver builds an important foundation for credit to flow in the economy, giving businesses opportunity to get the capital they need to get started and succeed, helping to build both economic and social wealth.

However, as the financial crisis has shown, legal systems have come under considerable strain as financial distress has spread domestically and internationally, transmitted by the collapses of players such as Lehman Brothers and companies such as General Motors and Chrysler. The result has been a sharp reduction in credit flows, higher costs of capital, and an economic decline that remains difficult to shake. With its epicenter in the most advanced jurisdictions, the crisis has had an acute impact on the developed and developing world, increasing poverty and hardship across many countries. This session will provide an introduction to the key components of a sound insolvency framework, the work of the World Bank and its partner organizations in this area, as well as a detailed discussion on the legal and operational issues involved in cross-border insolvency. It should be of considerable benefit to operational and advisory lawyers alike.

Round Table Participants

- Ignacio Tirado, Counsel, Finance, Private Sector Development and Infrastructure (LEGPS)
- Karim Suratgar, Principal Counsel, CLEAD, IFC
- Mahesh Uttamchandani, Global Product Leader, CICRA, World Bank Group
- Yan Liu, Senior Counsel, IMF

Moderator

- Riz Mokal, Senior Counsel and Co-Head of World Bank's Insolvency and Debtor/Creditor Rights Regimes Initiative, Finance, Private Sector Development and Infrastructure (LEGPS)

Lunch Discussion with LEG Alumni

Thursday, November 11, 2010 - Room: MC East Room Dining Room, 1:00 pm - 2:30 pm

Welcoming Remarks

- Anne-Marie Leroy, Senior Vice President and Group General Counsel

Discussion moderated by Hassane Cisse, Deputy General Counsel, Knowledge and Research

The purpose of this event is to honor the services of LEG Alumni and seek their views on the following questions:

- (i) To LEG Alumni serving elsewhere in the Bank: From where you sit in the Bank now, how do you see the role of LEG, the challenges it faces, opportunities it can seize to better contribute to the work of the Bank and to law and development in general? What suggestions do you have for us?
- (ii) To LEG Alumni who have left the Bank: What words of wisdom do you have for your colleagues in Legal, taking into account on the one hand, the opportunity you have had to reflect on your time in LEG, and on the other, the trends, issues, challenges and opportunities that you see emerging in other institutions, in the law, the development business and the world at large?

Sanctions Reform

Thursday, November 11, 2010 - Room: MC C1-200, 2:30 pm– 4:00 pm

Since 2006, the Bank has been engaged in a series of reforms resulting in guidelines for borrowers on preventing and combating corruption in Bank financed projects to ensure that loan proceeds are used for the intended purpose of promoting development and reducing poverty and to address cases of fraud and corruption if they occur. The reforms included:

- The expansion of the sanctions regime beyond procurement to cover more generally fraud and corruption that may occur in connection with the use of Bank loan proceeds in the preparation and/or implementation of Bank-financed investment projects.
- Adoption of “obstructive practices” as a separate sanctionable offense.
- A multi-lateral agreement to cross-debar firms and individuals found to have engaged in wrong-doing in multi-lateral development bank-financed projects.
- This session will discuss developments in Sanctions Reform to provide practical, hands-on knowledge for World Bank staff, including:

- Overview of the sanctions process with an emphasis on developments that affect work of most Bank staff and taking note of new features of the process.
- Sanctions reform 2009 - 2010 including cross debarment, settlements and adoption of debarment with conditional release as the baseline sanction.
- Operational perspective and challenges.

Panelists

- Alison Micheli, Lead Counsel, Operations Policy (LEGOP)
- Bernard Becq, Chief Procurement Policy Officer, Procurement Policy & Service Group (OPCPR)
- Lisa Miller, Senior Counsel, Operations Policy (LEGOP)
- Mamta Kaushal, Senior Litigation Specialist, Operations (INTOP)
- Maria Vannari, Senior Procurement Specialist, Procurement Policy & Service Group (OPCPR)
- Paul Ezzeddin, Senior Policy Officer, Evaluation and Suspension Office (OES)
- Steve Burgess, Senior Operations Officer, Central Operation Services Unit (EAPCO)

Moderator

- Frank Fariello, Lead Counsel, Operations Policy (LEGOP)

Friday, November 12, 2010

Venue: World Bank Main Complex

Justice Sector Reform -- Second Session

Friday, November 12, 2010 - Room: MC10-100, 9:30 am - 5:30 pm

Updated 11/6/2010 12:51 AM