INTERNATIONAL LAW INSTITUTE
Fostering Prosperity Through the Rule of Law

Celebrating 60 Years of Excellence
1955 - 2015

LAW, GOVERNANCE, FINANCE, MANAGEMENT, INFRASTRUCTURE
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2015 INTERNATIONAL LAW INSTITUTE SCHEDULE

International Public Procurement
March 2-20
Drafting of International Arbitration Clauses
March 16-20
Leadership and Management in International Development
March 23-27
Negotiations in International Development
March 30-April 3
Combined: Leadership, Management, and Negotiations in International Development
March 23-April 3
Project Preparation, Analysis and Financing
March 30-April 10
Procurement of Consulting and Technical Services
April 13-24
International Borrowing and Debt Management
April 13-24
International Borrowing and Debt Management – Applications and Recent Developments
April 20-24
State and Municipal Management
April 27-May 8
Sustainable Energy Fundamentals: Legal, Policy, and Commercial Aspects
April 27-May 8
Fundamentals of Investor-State Arbitration
May 11-15
Project Management
May 11-22
Arbitration and Mediation
May 25-June 5
Effective Prosecution of Financial Crimes; Human Trafficking; and Cybercrime
June 8-12
Contract Administration
June 8-19
Workshop on Legislative Drafting
June 22-July 3
Employment Conflict - and Dispute Resolution in Development
July 6-17
Achieving Food Security
July 20-31
Legal English and Legal Writing
July 20-31
Orientation in the US Legal System and Business Law
August 3-14
Project Finance Techniques: Applications and Recent Developments
August 3-14
Private Participation in Infrastructure Development
August 3-14
Judicial, Court and Case Management for Judges
August 3-14
Court and Case Administration for Court Administrators
August 3-14
Combined: Leadership, Management, and Negotiations in International Development
August 31-September 11
Leadership and Management in International Development
September 7-11
Combined: Leadership, Management, and Negotiations in International Development
August 31-September 11
Country Procurement Systems
September 7-18
International Public Procurement
September 7-25
Legislative Strategic Management
September 28-October 9
Project Monitoring and Evaluation
September 28-October 9
Capital Markets: Foundations of Development and Regulation
October 12-16
Capital Markets: Development and Regulation
October 12-23
Contract Drafting in English
October 26-30
International Trade and Regional Trade Agreements: Opportunities and Challenges
November 2-6
Foundations of Advanced Arbitration and Mediation
November 9-15
Advanced Arbitration and Mediation
November 9-20
Governance and Anti-Corruption Methods
November 9-20
Financial and Risk Analysis
November 30-December 4
International Investment Ties and Investor-State Arbitration
November 30-December 11
The International Law Institute is celebrating our 60th anniversary. After serving as Executive Director for the last decade, I wanted to reflect on ILI’s purpose, values, achievements, and what our enduring legacy will be.

I have had so many meaningful moments at ILI, met many inspirational future leaders and have gained great appreciation for what ILI has accomplished. ILI’s purpose is to help the leaders from developing countries understand good governance and to equip them with the tools to effectively participate in a rule-based global economy and bettering the lives of their citizens.

ILI’s greatest asset is people; from our dedicated faculty sharing their decades of experience to empower the next generation of leaders, to the ILI Program Administrators who make every moment of a participant’s experience count. Our participants and alumni are our most important asset. We count more than 29,000 participants from over 185 countries; many rising to become leaders of international organizations, Judges, Senators, Ministers, Prime Ministers and even Presidents. The participants we value the most is the one with a sincere desire to improve their country.

We hope to welcome you to ILI during our 60th year anniversary and see you become a part of our enduring legacy.

Kim Phan
Executive Director

THE MISSION
Fostering prosperity through the Rule of Law
Economic growth is achieved through a sound legal infrastructure. ILI’s mission is to raise the level of professional competence and capacity in all nations so that professionals may achieve practical solutions to present and future problems in ways that suit their nations’ own needs.

THE NEED
Nations must build capacity at home for the sake of their own development
Economic growth is achieved through the right combination of enlightened policies, capable administration, and an active private sector. The process includes developing a transparent, efficient, and stable-legal system, sound financial institutions, and a core of trained, able individuals in various professions – involving changes often collectively referred to as “the rule of law” and “capacity building”.

THE SOLUTION
A nation’s most valuable asset is its people
The institutions that matter – good government, stable legal and judicial systems, transparent procurement policies and functioning capital markets – are fundamental, but ultimately they are only as effective as the people who create and manage them. ILI has trained exceptional individuals from both the public and private sectors of developing countries and we are proud that a number of ILI’s participants have become prime ministers, supreme court justices, lawmakers, heads of various ministries, and leaders of international organizations.

THE EXECUTIVE DIRECTOR’S WELCOME

FOSTERING PROSPERITY THROUGH THE RULE OF LAW
Established in 1955 under Georgetown University, originally known as the Institute for Foreign and International Trade Law, the ILI developed the first post-war program for exchanging scholars between Germany and the United States, and played an important role in the general effort to re-establish friendly relations between the United States and the Federal Republic of Germany after World War II.

In 1983, the International Law Institute became an independent, not-for-profit organization. The ILI and its global affiliates have trained more than 29,000 participants from over 185 countries.

The ILI in Washington, DC and its global affiliates have trained more than 29,000 participants from more than 185 countries. ILI has offered training to assist government officials, lawyers, and representatives of the private sector in finding solutions to the legal and economic challenges faced by developing nations and emerging economies.

1955
International Law Institute was founded under Georgetown University.

1983
In 1983, the International Law Institute became an independent, not-for-profit organization.

1999
The African Centre for Legal Excellence (ILI Uganda) is established in 1999.

1999
The ILI has offered training to assist government officials, lawyers, and representatives of the private sector in finding solutions to the legal and economic challenges faced by developing nations and emerging economies.

2002
ILI Nigeria is established in 2002.

2013
ILI Turkey is established in 2013.

2015
The ILI and its global affiliates have trained more than 29,000 participants from over 185 countries.
BOARD OF DIRECTORS

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Arnold & Porter, LLP

UMIT HERGUNER, ESQ.
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African Centre for Legal Excellence

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Director of Programs

ANNE MARIE WHITESELL
Director, Alternative Dispute Resolution Center

PATRICK MACRORY
Director, International Trade Law Center

JOHN NIEBUSS
Director, Private Investment in Infrastructure Center

H. STEPHEN HALLOWAY
Director, Center for Comparative Legislative Management

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Co-Director, International Investment Law Center

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RAGHAVAN SRINIVASAN
Senior Advisor

Jack Uppper
Senior Advisor

DON DE AMICIS
Senior Advisor

KATIE MCCALL
Marketing Consultant

* Members of the Executive Committee
** Non-Board Member, Counsel to the Board of Directors

* Members of the Executive Committee
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ILI’s training and technical assistance programs are conducted by international experts and practitioners of many nationalities drawn from government, academia, multilateral organizations and the private sector. These experts, along with colleagues from other countries who attend the seminars, provide participants with a great opportunity to network and establish professional contacts.

ILI has more than 500 adjunct faculty teaching in our programs and conducting technical assistance.

ILI faculty offer a thorough understanding of their fields of expertise, and share with participants a wealth of knowledge, tempered by practical experience.

In addition to the ILI Center Directors and Course Advisors that are featured in this brochure, the following is a sample of faculty who have taught at the ILI:

AL BURMAN
President, Jefferson Solutions, Former Administrator of the U.S. Office of Federal Procurement Policy

ANTHONY COE
Former Senior Counsel, Office of the Legislative Counsel United States Senate

HON. TOM DAVIS
Deputy, Former Chairman of the U.S. House of Representatives Government Reform and Oversight Committee

PASCALE DUBOIS
Sanctions Evaluation and Suspension Officer, World Bank

KENNETH FRIEND
Former General Counsel, U.S. Trade Development Agency

HON. WILLIAM J. FREDERICH
Administrative Judge, Atomic Safety & Licensing Board Panel, US Nuclear Regulatory Commission

MARTIN GOLD
Former Advisor to the U.S. Senate Majority Leader

KENNETH HANSEN
Partner, Chadbourne & Parke LLP, Export-Import Bank

MEG KINNEAR
Secretary General, International Centre for Settlement of Investment Disputes

MATT H. KIRTLAND
Partner, Fulbright & Jaworski LLP

JASON MATECKA
General Counsel, International Relief and Development

RONAN M’HUGH
Balye Law PC

DIVEISH MISHRA
Former Senior Procurement Advisor, World Bank

RUSSELL PITTMAN
Director of Economic Research, Antitrust Division, U.S. Department of Justice

JOSEPH R. PROSAZER
Partner, Paul Hastings LLP

MARC ROSSELL
Partner, Chadbourne & Parke LLP

ARTHUR SMITH
President, Management Analysis, Incorporated

HONORABLE LOREN A. SMITH
Senior Judge, U.S. Court of Federal Claims

OMAR TIKANA
Former Lead Procurement Specialist, Asian Development Bank

WILLIAM UCHIMOTO
Corporate, Finance and Capital Markets, China Practice Chair, Stevens & Lee
At the heart of the ILI’s work are the seminars offered at the ILI headquarters in Washington, DC. The seminars cover a broad range of topics related to good governance, project management, trade and investment and judicial administration. The biggest advantage of being in Washington, DC is the large pool of leading experts that the ILI may call upon from the World Bank and other multilateral development banks, international organizations, government institutions, international law firms and universities.

Outside of class time, participants can explore the sights of Washington, DC, including countless free museums and monuments. ILI is located in Georgetown where participants will find world-class shopping and dining. Many political figures are affiliated with Georgetown including President Kennedy, Secretary Kerry and former Speaker Pelosi. Thomas Jefferson’s home was around ILI’s current location.

Each ILI seminar presents a comprehensive, focused and critical examination of a topic.

QUALITY TRAINING
Each ILI seminar is designed to present a focused, comprehensive and critical examination of a topic, and to provide the most up-to-date information available in the field. Throughout the course of their training, in addition to the technical components, participants are also exposed to the following skill sets: the process of negotiation, policy planning and execution, and management. Additionally, ILI’s seminars place strong emphasis on knowledge-sharing and interaction among participants themselves, each of whom brings personal experience and insights that can prove very useful in the overall learning process.

FACULTY INTERACTION
ILI Faculty enjoy interacting with participants. During an ILI course, faculty will coach participants, work with them in developing their assignments and give feedback.

EVALUATIONS
Through our participants, faculty, and varied programs, ILI is engaged in constant exchange with the world outside of Washington, DC. The result is a continual reworking of the curriculum of each seminar to ensure that we are addressing the needs of our clients. Our most valuable suggestions come from our participants themselves. During all seminars, participants complete a daily evaluation for each session. In addition, at the end of each seminar, participants have the opportunity and are encouraged to provide an overall evaluation of the seminar. These evaluations, plus informal feedback, provide a basis for continual improvements. Because seminars are continuously updated, they can serve as refreshers for those who have attended in the past and need to be conversant with contemporary practice.

LOCATION
Through our participants, faculty, and varied programs, ILI is engaged in constant exchange with the world outside of Washington, DC. The result is a continual reworking of the curriculum of each seminar to ensure that we are addressing the needs of our clients. Our most valuable suggestions come from our participants themselves. During all seminars, participants complete a daily evaluation for each session. In addition, at the end of each seminar, participants have the opportunity and are encouraged to provide an overall evaluation of the seminar. These evaluations, plus informal feedback, provide a basis for continual improvements. Because seminars are continuously updated, they can serve as refreshers for those who have attended in the past and need to be conversant with contemporary practice.
TECHNICAL ASSISTANCE AND CUSTOM TRAINING PROGRAMS

ILI conducts technical assistance and customized trainings. Technical assistance ranges from assisting governments formulate their legislation, institutional strengthening, and training the respective government officials and practitioners on implementation. ILI has conducted technical assistance directly for host governments as well as for the multilateral donors. ILI also offers customized trainings at the request of the host governments. These trainings can be held at ILI’s headquarters in Washington, DC, or at a location appointed by the host government. With more than 500 adjunct faculty covering a broad spectrum of law, economics and management, ILI has the ability to be flexible and responsive to a government’s request for customized training.

If you are interested in having the ILI design and deliver training for your institution, please contact Kim Phan at kphan@ili.org. The following is a sample of recent Technical Assistance.

WASHINGTON, DC

- Nigerian Senate Constitutional Reform Committee on American Federalism and Election Reform
- Afghanistans Lawyers: Legal English and Writing, and Orientation of the U.S. Legal System
- Procurement Policy and Oversight for the Nigerian National Assembly House Public Procurement Committee and Senate Public Service Committee

AFRICA:

- Training on Public Private Partnerships in the Water Sector for project officers of the African Development Bank

NIGERIA:

- Public Procurement Reform and Capacity Building for the Bureau of Public Procurement and the Ministries, Departments, and Agencies
- Cooperation with the Nigerian National Assembly, National Institute of Legislative Studies (NILS) on the African Legislative Conference, and training on Legislative Strategic Planning and Management, Legislative Drafting, and Procurement
- Lagos State House of Assembly training on Legislative Drafting and Legislative Management

BANGLADESH:

- Strengthening Arbitration Institutions for the Bangladesh International Arbitration Centre (BIAC). This included ten trainings on Arbitration in Bangladesh funded by the International Finance Cooperation.

VIETNAM:

- Training on International Economic Integration for legal experts

*For a full listing of technical assistance projects, please visit our website at http://www.ili.org/technical-assistance/corporate-capabilities.html
EXPERIENTIAL LEARNING AND SITE VISITS

The International Law Institute's training is rich and rigorous, combined with lectures, case studies, interactive exercises, team assignments, and where appropriate - site visits. We want participants to interact with their counterparts and/or have an opportunity to observe key institutions in action.

Examples of site visits incorporated into past ILI training programs include:

- Capital Markets Development and Regulation courses will include a trip to Philadelphia and New York and have included visits to the New York Stock Exchange and NASDAQ.
- The Legislative Strategic Management Course includes visits to the U.S. Congress as well as the Maryland General Assembly.
- The Judicial Administration, Court and Case Management Course includes a visit to the U.S. Supreme Court as well as State and Federal Courts.
- The International Investment Treaties and Investor-State Arbitration course includes a visit to the International Centre for Settlement of Investment Disputes (ICSID) at the World Bank.

CHINA

ILI has maintained a long and valued relationship with the People’s Republic of China. Since 1979, when ILI Chairman, Professor Don Wallace, Jr., led the first U.S. delegation of lawyers from the American Bar Association to China, ILI has committed itself to assist China in training and technical assistance programs across many specialized subject areas.

- People’s Bank of China – Banking Law and Regulation Reform under WTO Requirements
- Shandong Prosecutors – Comparative Review of U.S. Prosecutorial Systems
- National Judges College - Enforcement of WTO Rules by the Judicial System
- Provincial Lawyer Training - International Trade, WTO, Commercial Law, Public-Private Partnerships, Dispute Resolution and International Economic Integration
- China Ministry of Finance – Conference on Trade and Tariff Dispute and Remedies
- Guangxi Zhuang Autonomous Region – U.S. Highway Systems; Engineering; Safety; and Funding

For more information, please contact Robert Sargin at rsargin@ili.org, who handles our China programs.

中文网页: http://www.ili.org/about/china.html
The ILI Alternative Dispute Resolution Center (Center) provides training and technical assistance on a wide range of matters concerning ADR. The ILI believes effective dispute resolution can occur outside of courts and that alternative dispute resolution makes an important contribution to commercial and economic development. The Center emphasizes the resolution of commercial and investment disputes through arbitration and mediation.

The Center offers several training seminars, including: Drafting of International Arbitration Clauses; Arbitration and Mediation; Advanced Arbitration and Mediation; Fundamentals of Investor-State Arbitration; International Investment Treaties and Investor-State Arbitration; and Employment Conflict- and Dispute Resolution in Development. The seminars provide a sound grounding in the theory and procedures that make up the legal structures of arbitration and mediation and offer an opportunity to gain practical experience through arbitration and mediation exercises. The Center has delivered training in Bangladesh, Nigeria, Egypt, Ghana, Chile, Turkey, Armenia and Uganda. In addition, ILI has developed special programs for Multi-door Courts and for judges to assist them in their critical task of overseeing and supporting ADR regimes in their countries.

The Center also advises lawyers and government officials on the drafting of mediation and arbitration laws and the implementation of ADR frameworks, and strengthens the capacity of new ADR institutions. Projects include strengthening capacity building of the new Bangladesh International Arbitration Centre, the development of a mediation law for Bulgaria and an arbitration law for the Republic of Georgia. The Center is led by Anne Marie Whitesell, former Secretary General of the ICC International Court of Arbitration. Ms. Whitesell works closely with ILI staff and members of the Center’s Advisory Committee, all of whom are experienced practitioners in the fields of domestic and international arbitration or mediation.

For more information, please consult pages 38-44 or contact us at training@ili.org.

The ILI Center for Public Procurement Law and Policy (Center) has worked for over thirty years to provide advice and assistance to governments on the development of legal frameworks for procurement. In addition, the Center has worked to increase institutional capacity to carry out procurement functions and to establish oversight institutions in accordance with international best practice. The Center’s Work includes: strengthening and capacity building of the new Bangladesh International Arbitration Centre, the development of a mediation law for Bulgaria and an arbitration law for the Republic of Georgia. The Center is led by Anne Marie Whitesell, former Secretary General of the ICC International Court of Arbitration. Ms. Whitesell works closely with ILI staff and members of the Center’s Advisory Committee, all of whom are experienced practitioners in the fields of domestic and international arbitration or mediation.

In recognizing that countries need strong procurement systems and implementing institutions to enable sustainable development, the ILI Center for Public Procurement Law and Policy (Center) has worked for over thirty years to provide advice and assistance to governments on the development of legal frameworks for procurement. In addition, the Center has worked to increase institutional capacity to carry out procurement functions and to establish oversight institutions in accordance with international best practice. The Center’s Work includes: strengthening and capacity building of the new Bangladesh International Arbitration Centre, the development of a mediation law for Bulgaria and an arbitration law for the Republic of Georgia. The Center is led by Anne Marie Whitesell, former Secretary General of the ICC International Court of Arbitration. Ms. Whitesell works closely with ILI staff and members of the Center’s Advisory Committee, all of whom are experienced practitioners in the fields of domestic and international arbitration or mediation.

For more information, please consult pages 29-33 and 35-36 or contact us at training@ili.org.
The ILI Center for Comparative Legislative Management (Center) offers advice to legislatures at the state, national, and international levels on both strategic and operational issues. The main focus of the Center is to assist lawmakers and staff in being more effective in their oversight and legislative responsibilities. ILI examines best practices important to an effective modern legislature: formulating of public policies; a functioning legislative process; working with and oversight of the executive branch; budgeting, and monitoring budget utilization; constituent service delivery, and creating a healthy system of checks and balances.

Our seminars offer instruction in policy analysis and succession planning (i.e., the ability to preserve and maintain the work of legislatures, especially during periods of transition). Through the Center, ILI offers several two-week seminars: Legislative Strategic Management; Workshop on Legislative Drafting; and Advanced Legislative Drafting. The Strategic Management seminar examines the operation of the U.S. Congress and state legislatures to demonstrate the relevance of scale and to expose participants to different systems and skills, allowing them to decide which methods and procedures are most appropriate for their needs. The Drafting Workshops are intensive hands-on seminars with several drafting projects.

Past activities and projects include:

- Federalism and Constitutional reform for the Nigerian Senate Constitution Reform Committee
- Procurement Oversight for the Nigerian House Public Procurement Committee
- Legislative Management for the National Institute of Legislative Studies (NILS) — and trained more than 200 from the National Assembly, State Assemblies and ECOWAS Parliament
- Legislative Drafting for the Lagos State House of Assembly

For more information, please consult pages 54–56 or contact Kim Phan at kphan@ili.org.

The Private Investment in Infrastructure Center (Center) of the International Law Institute provides training and technical assistance related to the policy, financial and legal aspects of private participation in the creation of infrastructure. Lack of infrastructure is a major impediment to economic growth in many countries. Governments that have limited resources to carry out needed infrastructure development often seek ways to obtain private sector assistance, and this has led to various forms of public-private cooperation. The Center's annual training seminars, Private Participation in Infrastructure Development; Project Preparation, Analysis and Financing; Project Finance Techniques; Applications of Financial and Risk Analysis; and Financial and Risk Analysis emphasize related issues to the design and negotiation of concessions and other forms of public-private partnerships, as well as the financing of infrastructure development. The seminars concentrate on topics of interest to host government officials but are also relevant for private sector lawyers, project sponsors, lenders and contractors. They provide an opportunity for participants to learn from senior practitioners in the field as well as colleagues from around the world, through expert-facilitated discussions and roundtable presentations. Participating in these seminars will also lend itself to strategic input in dealing with specific legal and financial problems that might arise in the course of a particular project.

For more information, please consult pages 30, 34, 48 and 52 or contact us at training@ili.org.
The International Law Institute established the International Trade Law Center (Center) to help countries effectively participate in the World Trade Organization (WTO) and the markets it creates. 159 governments have signed the agreement establishing the WTO, committing to comply with a large body of complex rules, regulations and procedures. Every country expecting to gain the benefits of WTO membership will also be expected to comply with its obligations and to implement them effectively through changes in their domestic laws, institutions, and administrative practices. Additionally, each country should take steps, when necessary, to ensure compliance by other countries. The Center provides advice on establishing the legal and administrative structures necessary to comply with these obligations under the WTO agreements, as well as on issues relating to dispute resolution. An important component of the Center’s activities is in-depth training in WTO rules, procedures, and practices.

Through the Center, ILI provides a training seminar entitled International Trade and Regional Trade Agreements: Opportunities and Challenges, in addition to customized training and technical assistance. Each program is designed with reference to the legal institutions, the level of legal development and the specific needs and challenges of the country the program is designed for.

Past projects include:

• Training more than 250 Chinese judges on the WTO
• Annual training in trade agreement monitoring and compliance at the U.S Foreign Service Institute
• Six multi-month training programs for 130 Chinese lawyers, focusing on trade and commercial law
• A six-month training program focusing on international economic law for a delegation of Vietnamese lawyers from the Ministry of Justice

In 2011, ILI signed an agreement with the Shandong Province (China) to train delegations of lawyers in trade law and international economic integration.

For more information, please consult page 72 or contact us at training@ili.org.

INTERNATIONAL INVESTMENT LAW CENTER

The ILI International Investment Law Center (Center) provides training and technical assistance relating to international investment treaties and investor-State arbitration. Today, investment treaties dominate the international regulatory framework governing cross-border flows of FDI and portfolio investments. A large percentage of countries are party to nearly 3,000 bilateral investment treaties (BITs) and free trade agreements containing investment chapters. These treaties provide international law protections and remedies to foreign investors and their investments, as well as granting foreign investors the right to directly initiate arbitral proceedings against host states for violation of treaty standards and protections.

The Center also designs tailor-made programs for interested entities. ILI designed and delivered a two-week program for investment treaty negotiators from the APEC economies entitled International Investment Agreements and Investor-State Dispute Settlements, conducted in Singapore and Washington, DC. The Center has trained lawyers, judges, policy makers, negotiators, economists, and individuals from the private sector and international organizations. The Center is also active in analyzing the latest developments in the field by arranging conferences and panel discussions.

For more information, please consult page 39 or contact us at training@ili.org.
The ILI publishes books on international law, trade law, litigation, commercial dispute resolution and foreign legal systems. Recent and ongoing publications are listed below.

DIGEST OF UNITED STATES PRACTICE IN INTERNATIONAL LAW
ILI is proud to co-publish, along with the American Society of International Law, the annual Digest of United States Practice in International Law, written by the Office of the Legal Adviser of the Department of State. These volumes are of great interest to practitioners and government officials, as well as scholars and historians.

LEGISLATIVE DRAFTING STEP BY STEP
By Arthur J. Rynearson
Co-published with Carolina Academic Press, this book provides invaluable instruction and insight into the art and science of legislative drafting, and is of interest to legislators, legal practitioners and scholars.

INTERNATIONAL LAW INSTITUTE-UGANDA
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INTERNATIONAL LAW INSTITUTE-CHILE
Centro Interamericano para la Excelencia Legal
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Pontificia Universidad Católica de Chile.
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Tel: 562-354 1828
Email: mrolando@uc.cl
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INTERNATIONAL LAW INSTITUTE-EGYPT
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Website: www.ili.org/global-affiliates/middle-east-institute-for-legal-development-mild.html

PuBLICATIONS
The ILI publishes books on international law, trade law, litigation, commercial dispute resolution and foreign legal systems. Recent and ongoing publications are listed below.

INTERNSHIP AND PRACTICAL TRAINING
By Bruno A. Ristau
This two-volume set has been recognized as the preeminent work and practice guide for attorneys in need of foreign judicial assistance, and has been cited repeatedly in U.S. Supreme Court opinions, lower court decisions and in scholarly publications. It is currently in the process of being updated.

INTRODUCTION TO LEGAL ENGLISH
By Mark E. Wojcik
Now in its third edition, this book introduces Legal English to law students and practitioners whose first language is not English. Employing a hands-on, structured approach, the author leads the reader through carefully crafted exercises that develop proficiency in understanding and using Anglo-Saxon legal terminology.

*Other ILI publications can be found in our catalog, available online at www.ili.org. For further information about ILI publications, contact Robert Sargin, Chief Financial Officer, at rsargin@ili.org.

For further information regarding ILI-Istanbul, please contact us at training@ili.org.
INTERNATIONAL PUBLIC PROCUREMENT

This seminar covers institutional, legal, financial and procedural issues involved in the procurement of goods and services by public entities and discusses reform programs to improve transparency, efficiency and accountability. It also provides participants with a detailed analysis of the project-procurement cycle including comprehensive coverage of the open tender system.

PUBLIC PROCUREMENT REFORMS
• Reform programs and approaches to enhance transparency, efficiency, integrity and accountability
• Differing approaches under common law and civil code systems
• UNCTAD model law
• Transparency and accountability
• Ethics and corruption

INTERNATIONAL PROCUREMENT
• Policies and procedures of IFIs (World Bank, ADB, IDB)

PROCUREMENT PLANNING
• Roles and objectives
• Policy and institutional aspects
• Project cycle: procurement issues
• Procurement process under goods, works and PPP
• Budgeting, cost benefit analysis and monitoring

SELECTION OF CONSULTANTS
• Procedures of IFIs
• Terms of reference, evaluation of pre-qualifications
• Contracts: lump sum and time based

INTERNATIONAL COMPETITIVE BIDDING (ICB)
• Objectives, principles, and key features
• Bid package preparation and scheduling
• Preparation of bidding documents
• Bid advertising, prequalification, examination, evaluation, and award

OTHER METHODS OF PROCUREMENT
• Limited/restricted international bidding
• National competitive bidding
• Direct purchase, shopping, Internet bidding and e-procurement
• Green procurement
• Versatile and adaptive procurement
• Performance based contracting

CONTRACT ADMINISTRATION
• Principal types of contracts, terms, and guarantees
• Negotiation techniques
• Dispute avoidance and resolution
• Oversight and monitoring

PERFORMANCE BASED CONTRACTING

DISPOSAL OF ASSETS

Course Adviser: Raghuvar Srinivasan has over forty years of experience in international procurement of goods and services and in national procurement systems. He was Chief Procurement Advisor for the World Bank for 10 years. Since retiring from the Bank, Mr. Srinivasan has been involved in preparing Country Procurement Assessments and assisting in the implementation of reform projects in various countries. He has been teaching this seminar at ILI for over 30 years.
This seminar provides hands-on training in the selection procedure, contractual issues, and negotiation techniques for hiring and supervising consultants and other providers of technical services for projects funded by the World Bank and other financial institutions. The seminar will also address policy and legal issues related to the hiring of intellectual and technical services: professional liability and conflicts of interest, provisions in the UNCITRAL model law; practices advocated by FIDIC and other professional associations, and practices followed in developing countries. Lectures and exercises (preparation of TORs; RFPs and Evaluation Reports) will be used to build participants’ knowledge and skills.

PROCUREMENT OF CONSULTING SERVICES OVERVIEW

• Consulting services distinguished from goods, works and technical services • Historical development and evolved practices • Special features in hiring consultants: cost as a selection factor, burden of professional liability, intellectual property issues, conflicts of interests • Electronic government procurement (e-CFP)

TYPICAL CONSULTING CONTRACTS

• Lump-sum, time-based, indefinite delivery, and percentage contracts • Important contract provisions: payments, liabilities, conflicts of interest, and intellectual property matters

HARMONIZING GUIDELINES FOR THE SELECTION OF WORLD BANK AND OTHER IFI CONSULTANTS

• Selection procedures • Terms of reference, requests for proposals • Choice of contract • Evaluation of proposals • Contract negotiations • Supervision of consultants

CONSULTING SERVICE CONTRACTS

• UNCITRAL • U.S. Government Regulations • Other Public Agencies • Performance Based Acquisition

HIRING OF CONSULTANTS IN IFI-FUNDED PROJECTS

Course Advisor: RagHAVAN Srinivasan has over forty years of experience in international procurement of goods and services and in national procurement systems. He was Chief Procurement Advisor for the World Bank for 10 years until his retirement in 1997. Mr. Srinivasan has been teaching at ILI for over 30 years. Since retiring, Mr. Srinivasan has been involved in preparing Country Procurement Assessments and assisting in the implementation of reform projects in various countries.

MARCH 30 - APRIL 10

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PROJECT PREPARATION, ANALYSIS AND FINANCING

This seminar provides the knowledge and skills required to develop an idea into a bankable project proposal ready for financing and implementation with a particular focus on the selection of viable projects as it is key to profitable and sustainable development.

Effective project preparation and financing has become even more critical in the past several years. Through lectures, case studies, and individual and group exercises, participants will have the opportunity to experience what makes projects successful. Participants are encouraged to bring an example of a project that they can relate to the seminar for discussion.

• Project finance: What is project finance and why? Preparing project financing plans; sources of project funds.

Course Advisors: After working in the Indian Steel industry for 17 years, Gopi Puri joined the World Bank, where he directed seminars at the World Bank Institute. Mr. Puri also worked for many years appraising investment proposals at the International Finance Corporation. He has an M.B.A. from The George Washington University and has worked with more than 80 developing countries.

Mehdi Al Bazaz has decades of experience as an economic practitioner and instructor on development methods and practices including the design, formulation, and delivery of numerous workshops and seminars in many countries. Mr. Al Bazaz holds economics degrees from British universities including a post-graduate degree from London University. His professional background includes work at the Iraq Ministry of Planning, the World Bank, George Washington University, Georgetown University, and Loyola University of Chicago.

Jack Upper is a Senior Advisor at ILI, a former World Bank Division Chief in the Europe Middle East Region and Ford Motor Company Financial Analyst. Mr. Upper holds degrees from Yale University and the University of Michigan.

Procurement of Consulting and Technical Services
PROJECT MANAGEMENT

This seminar focuses on project management and monitoring, including team building and leadership. It is especially designed for managers of developing country projects and for professionals responsible for implementing such projects. Past participants have come from government, utilities, corporations, international organizations and NGOs. The seminar will examine crucial issues and steps in project management. Participants are encouraged to come prepared to discuss a project.

- Defining objectives (logicframe)
- Managing the project environment
- The project life cycle
- Project identification, preparation and approval
- Financial and economic analysis
- Project financing
- Team building and leadership
- Organization alternatives
- Communicating with and motivating
- Role of project managers
- Implementing change
- Work breakdown structure
- Critical path method
- Project scheduling
- Cost control
- Risk analysis
- Reporting and control
- Monitoring
- Database management systems
- Introduction to procurement

Course Advisors: Robert Youker has over 35 years experience as a project management trainer and consultant. His project management experience includes new product development and consulting for many companies. Mr. Youker has an MBA from Harvard Business School. He consulted with the World Bank Institute to develop an instructor’s resource kit for Project Management training.

After working in the Indian Steel industry for 17 years, Gopi Puri joined the World Bank, where he directed seminars at the World Bank Institute and has worked with more than 80 developing countries.

This seminar focuses on project management and monitoring as a project management trainer and consultant. His project management experience includes new product development and consulting for many companies. Mr. Youker has an MBA from Harvard Business School. He consulted with the World Bank Institute to develop an instructor’s resource kit for Project Management training.

- Cost control
- Risk analysis
- Reporting and control
- Monitoring
- Database management systems
- Introduction to procurement

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- Reporting and control
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- Database management systems
- Introduction to procurement

CONTRACT ADMINISTRATION

This seminar provides the knowledge and skills necessary for administering and managing a contract. In a time when contracts are increasingly complex and involve sophisticated technology, a firm understanding of contract administration and management is vital to success. Through lectures, discussions and case studies, the seminar will examine contracts in the award and performance phases from the purchasers’ and contractors’ viewpoints.

KNOWING THE CONTRACT

- Types, forms, and terms of contracts (including Donor Contracts); Procurement; Concepts and principles of contract law; Key legal definitions and terms; FIDIC and other types of contracts; Contract price and payments

CONTRACT NEGOTIATION

- Negotiation objectives
- How to negotiate

CONTRACT ADMINISTRATION

- Roles, responsibilities and authorities
- Communications and teaming agreements
- Administering contracts
- Monitoring contract performance
- Managing project performance
- Managing contract administration
- Monitoring and controlling contractors
- Tracking and managing project performance
- Dispute resolution

EVALUATING CONTRACTOR PERFORMANCE

- Reporting
- Issue management
- Addressing poor performance
- Managing quality assurance of deliverables
- Status monitoring
- Performance incentives

PERFORMANCE AND SCHEDULING MANAGEMENT

- Baseline tracking
- Integrated change control
- Monitoring quality assurance and non-compliance
- Risk and issue management
- Management handover and contract closure
- Documentation management

CLAIMS MANAGEMENT

- Understanding claims and why they arise
- How to process and assess a claim
- Dispute mechanisms in the contract
- Dispute mechanisms under FIDIC
- Managing arbitration
- Dispute resolution

Course Advisor: Geoffrey T. Keating has been council to contractors, engineers, public and private owners and sureties for over 35 years. His practice emphasizes public works projects and international infrastructure. Mr. Keating advises on U.S. government contract regulations and international contract policy and terms. He prepares and negotiates FIDIC and other contract documents, assists clients with preparing and defending claims and serves as an arbitrator. He has conducted training on World Bank guidelines, international contracts and dispute resolution for governments and international organizations around the world. Through IFLI, he has served as an advisor on public contracting policy and training to the governments of Iraq, China, and Vietnam.

Gopi Puri

Gopi Puri joined the World Bank, where he directed seminars at the World Bank Institute and has worked with more than 80 developing countries.
This seminar provides training in the design, procurement, negotiation and financing of private participation in infra-
structure development. It covers topics of interest to private sector investors, contractors, and bankers, as well as government officials. It uses case studies and negotiation exercises to identify critical issues related to the use of project finance techniques to support PPPs.

PROJECT FINANCE: STRUCTURE AND TECHNIQUES
• The concept of project finance • Due diligence, risk analysis and mitigation • Legal structures • Project documents

PROJECT FINANCE: ARRANGING THE FUNDING
• Sources of financing, including the role of MDBs • Providing credit support and security for loans • Financial documentations • Intercreditor issues

RENOVATION, RESTRUCTURING, AND DISPUTE SETTLEMENT
• Why PPP projects encounter problems • Methods of renegotiation and dispute settlement • The workout process: standstill phase and restructuring of both financial and non-financial project documents

Course Adviser: John M. Niethaus is Director of the ILI’s Private Infrastructure Development Institute. He has been involved with international financial and investment transactions for over 40 years as a practicing lawyer, World Bank staff member, US Treasury Department official, and President of the Inter-American Development Bank and the US Export-Import Bank. He also serves as an adjunct faculty member at the University of Michigan Law School and at the Peking University School of Transnational Law in Shenzhen, China.

PRIVATE PARTICIPATION IN INFRASTRUCTURE DEVELOPMENT

COUNTRY PROCUREMENT SYSTEMS

This seminar will introduce participants to the strategies, ap-
proaches and tools for developing effective country procurement systems. It is increasingly recognized that using a country’s own institutions and systems, including procurement, strengthens the country’s sustainable capacity to define, execute and account for its policies.

OVERVIEW OF PUBLIC PROCUREMENT REFORM AND COUNTRY PROCUREMENT SYSTEMS
• Trends in procurement reform • Maximizing synergies of procurement reform and other initiatives • Implementing a reform strategy to address weaknesses in public procurement • Assessing procurement system architecture and performance • Mobilising financial and other resources to strengthen procurement systems

LEGISLATIVE AND REGULATORY FRAMEWORK
• Legal and regulatory framework for a public procurement system • National and international models for developing pro-
curement laws • Establishing mechanisms for independent review of bidder complaints • Ancillary legislation and regulations: planning and budgeting; advance notice of opportunities; public access to documents • The role of the administration, anti-corruption, e-procurement • Enforcement and sanctions • Trade and econom-
ic integration agreements in public procurement

INSTITUTIONAL, OPERATIONAL AND ORGANIZATIONAL RESOURCES
• Institutional, operational and organizational issues of a public procurement system • Design and functions of a central policy office: comparative national models systems • Information systems and management • Financial controls and audits • Collection and reporting of data on procurement systems

PROFESSIONAL PROCUREMENT WORKFORCE
• Features of a professional workforce • Establishing qualification and certification requirements for procurement workforce • Role and staffing of procurement units • Codes of ethics • Establishing performance incentives and reviews • Designing and institution-
ating public procurement curricula and training

INTRODUCING NEW PROCUREMENT MACHINES AND PRACTICES
• Features of a “sustainable procurement” program (including “green procurement”) • Strategy for implementing e-procurement • Innovative techniques (e.g., “framework agreements”) • Improving public procurement systems

Course Adviser: Professor Don Wallace, Jr. is Chairman of the ILI and a law faculty member of George-town University Law Center. As U.S. Chief Delegate to the United Nations Commission on Interna-
tional Trade Law (“UNCTRAD”), Professor Wallace was a key participant in drafting the UNCITRAL Model Law on Procurement of Goods, Construction, and Services, and is internationally known as a procurement law expert. He has advised foreign governments on public procurement and was involved in drafting the procurement rules of USAID.
This seminar familiarizes participants with project monitoring and evaluation (PME) systems and tools that focus on results in international development. The seminar offers practical training and an understanding of the conceptual framework.

RESULTS-BASED MANAGEMENT (RBM)
- Understanding and distinguishing between PME in the context of RBM
- Logical framework (M&E)
- Strategies and tools
- Monitoring and evaluation (M&E) systems and tools that focus on results
- Annual reviews and reports

PLANNING FOR AND EXECUTING THE M&E PROCESSES
- Key principles for overall work planning
- Managing goals and targets
- Identifying and involving key partners and stakeholders
- Building teams with defined roles and strong capabilities
- Selecting analytical tools, methodologies, or approaches enabling measurement and attribution
- Budgeting
- Importance of data quality and collection and baseline data
- Measuring and assessing project program output relevance, efficiency and effectiveness in achieving outcomes as well as level, sustainability, innovativeness, replicability and scalability of impacts from project/program outcomes
- Managing M&E processes

TOOLS, METHODS AND APPRAISAL PROCESSES
- Performance indicator development and common rating systems
- Log-Frame and results framework approach
- Performance management plans
- Performance evaluations
- Impact evaluations
- Rapid appraisal methods
- Participatory methods
- Qualitative and quantitative data collection methodologies
- Comparative overview of other tools, methods and approaches used by leading global institutions

KNOWLEDGE AND LEARNING
- Learning from evaluative evidence and applying recommendations from feedback
- Publication of evaluative evidence and feedback material
- Improving evaluation feedback
- Knowledge management
- Institutionalization of learning

Course Advisor: Daniela de Garcia is the Deputy Director of Performance Evaluation, Innovation, and Learning at Social Impact (SI). She has 10 years’ experience with monitoring and evaluation (M&E), organizational capacity building, and participatory methodologies in more than 25 countries. She has designed, developed, and delivered trainings for a number of international aid and training organizations. Mrs. de Garcia holds an MPA in International Management, is a Certified Performance Technologist for human and institutional capacity development.
Arbitration is increasingly used to resolve international disputes. The need for a well-drafted arbitration clause, which serves as a foundation in the event of a dispute, has grown. Participants will acquire knowledge and skills to create the framework for an efficient arbitration process. The seminar will conclude with a negotiation and drafting exercise.

**GENERAL INTRODUCTION**
- Importance of clause
- Role of the clause
- Legal aspects (identifying the parties, legal authority, separability of the clauses, enforceability)

**TYPES OF CLAUSES**
- Institutional vs ad hoc
- Standard institutional
- Multi-tier

**ESSENTIAL ELEMENTS TO BE INCLUDED IN THE CLAUSE**
- Scope of disputes subject to arbitration
- Number of arbitrators
- Place of arbitration
- Language of arbitration
- Applicable law
- Enforcement of the award (finality and waiver of appeal, entry of judgment provisions)

**FUNDAMENTALS OF INVESTOR-STATE ARBITRATION**

This course teaches lawyers, and other professionals, such as international investors (whether companies or individuals), as well as government officials how to draft, negotiate and interpret provisions that address arbitration, which are contained in 3,000 bilateral investment treaties (BITs) and investor-state chapters of free trade agreements, and how to resolve disputes arising from them, including the valuation of damages and enforcement of arbitral awards. The use of BITs has exploded in recent years, with almost 3,000 such treaties in effect. This course provides the participants with an in-depth understanding of the fundamental principles applied in investor-state arbitration.

**BASIC STANDARDS FOR THE TREATMENT OF FOREIGN INVESTMENT**
- Jurisdiction ratione materiae (subject to minimum standards under customary international law)
- Substance of compensation
- Definition of investment
- Treatment of investment
- Prohibition of discrimination
- National treatment
- Most-favored-nation treatment
- Full faith and credit
- Expropriation
- Effect of non-enforcement
- International law
- Waiver of immunity

**INVESTOR-STATE DISPUTE SETTLEMENT**
- Arbitration under various treaties and rules, including ICSID, NAFTA, CAPTA, ICS and UNCTAD investment treaties
- Parallel proceedings and related problems
- Seating of forum and arbitrators
- Sources and choice of applicable law
- Key jurisdictional thresholds
- Cumulative remedies
- Jurisdiction ratione personae
- State defenses to investor claims
- Defense to investor claims

**CONFERENCE)**
- Course Advisors: Ian A. Laird is co-chair of the Crowell & Moring's International Dispute Resolution Group and an adjunct professor at Columbia University School of Law and Georgetown University Law Center. He is recognized as a leading practitioner in international arbitration.
- Dr. Borouz Sabahi is an attorney at the International Arbitration group of Cariris, Malt-Pevos-Cafl & Mosk LLP in Washington, DC. He represents governments in international arbitration matters in a wide variety of sectors.
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This seminar examines alternative methods of dispute resolution (ADR). Participants will learn the key techniques and strategies for mediation, and the legal issues involved in international commercial arbitration. The seminar covers the development of practical skills, including arbitration and negotiation exercises.

PROS AND CONS OF INTERNATIONAL ADR
- Conciliation, arbitration, and mediation vs. litigation in the country of the party or in a third country
- Arbitration between private parties and governments

MEDIATION: HOW IT WORKS, TOOLS AND PRINCIPLES
- Mediation defines the role
- Mediation: the value
- Mediation: trust
- Rules and ethics
- Mediation: the value
- Mediation: trust

THE ARBITRAL PROCESS
- Designing the process: drafting arbitration clauses
- Choice of arbitration rules
- Conduct of proceedings: initiating arbitration
- Constituting the tribunal, defining terms of reference, discovery of documentary evidence, interim relief, submitting testimony, hearings, and awards
- Arbitration ethics & challenges

THE NEGOTIATION PROCESS
- Approaches to negotiation: (creating value vs. claiming value)
- Structuring a deal vs. resolving a dispute
- Assessing interests of both parties: (Opening offers vs. Strategic concessions)
- Why negotiations fail: (Breaking deadlock)
- Negotiating a dispute resolution clause

Course Advisor: Anne Marie Whitesell
- A Professor and Faculty Director of the Program on International Arbitration and Dispute Resolution at Georgetown University Law Center.
- She is also the Director of the ILI Center on Alternative Dispute Resolution.
- Mr. Whitesell was Secretary General of the ICC International Court of Arbitration from 2001 to 2007, where the supervised approximately 1,100 international arbitration cases each year involving parties from over 120 countries.
- She has practiced with law firms in both the United States and in France and was a lecturer at the University of Paris I, Panthéon-Sorbonne and the Instituto de Ciencias Comerciales (Universidad de Paris II).
- She is admitted to the New York State Bar, the Bar of the District of Columbia, and to the US District Courts for the Northern and Eastern Districts of New York.

EMPLOYMENT CONFLICT- AND DISPUTE RESOLUTION IN DEVELOPMENT
This seminar builds conflict and dispute resolution skills in the employment/labor arena, by utilizing various mechanisms including negotiation, mediation/conciliation and arbitration. The development of these skills will take place in the context of analyzing the necessary systems, processes and policies which may assist in the resolution of labor and employment conflicts. Exercises, role-plays, case studies, and a simulated labor arbitration will facilitate a deeper understanding. A round table discussion focusing on issues identified by participants will conclude the seminar. As workplaces are diverse, emphasis will be placed on the cross-cutting and essential employment conflict- and dispute resolution skills which will apply in different environments. Managers, supervisors, trade union officials and legal practitioners will benefit from this seminar.

SETTING THE CONTEXT FOR LABOUR CONFLICT- AND DISPUTE RESOLUTION
- Key aspects of Labour and Employment Law (also referring some important International Labour Conventions and Recommendation).
- Workplace development, versus the collective (trade union) labour relationship
- Workplace conflict understanding its causes, dynamics and implications
- Setting up policies and systems to facilitate workplace conflict prevention and resolution
- Key policies and their implementation (grievances, discipline, performance, changing operational needs)
- Employment termination – misconduct; incompetence/ incapacity; operational reasons

LABOUR CONFLICT- AND DISPUTE RESOLUTION MECHANISMS
- Negotiation (styles; approaches; negotiation process; skills; techniques)
- Mediation (principles; mediation process; role of mediator; skills; techniques)
- Hybrid processes
- Arbitration (aboritration mechanisms; agreement; arbitration process; stages; role of arbitrator; skills; techniques)

Course Advisor: Gerhard Botha
- Director of Programs at ILI.
- Previously, he worked for the World Bank as a senior sector specialist in legal and judicial reform and private and financial sector development.
- Mr. Botha specializes in labour/employment law and relations, conflict resolution and negotiations, both in private practice and within a large corporate environment in South Africa.
- He has over 25 years experience in legal and labour relations practice, and in international development.
- Mr. Botha holds B.A. and LL.B degrees from the University of South Africa and an LL.M in Labour Law, from the University of South Africa and an LL.M focusing on labour law and employment law and Alternate Dispute Resolution, from The George Washington University Law School in Washington DC.

LEGAL ISSUES IN INTERNATIONAL ARBITRATION
- National arbitration laws
- Títulos, including the New York Convention and ICC/UNIDROIT Convention
- Choice of governing law
- Validity and scope of arbitration agreements
- Role of the courts: judicial review, enforcement of awards, judicial assistance in the arbitration process
- Investment disputes
- Sovereign immunity

THE ROLE OF THE ADVOCATE AND MEDIATOR
- Preparing for mediation: (Devising a settlement strategy)
- Advocating for yourself and your client
- Managing your case
- Managing time

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This course strengthens participants’ knowledge of alternative methods of dispute resolution (ADR). The course examines the foundations of arbitration and mediation, and discusses advanced legal issues in international commercial arbitration.

The second week of the course emphasizes the development of practical skills through practical exercises in a simulated arbitration process. It is intended for judges, lawyers, non-lawyer professionals, government officials, judicial officers, officials of local and national courts, and arbitral administrators.

Course Advisor: Anne Marie Whitesell is a Professor and Faculty Director of the Program on International Arbitration and Dispute Resolution at Georgetown University Law Center. She is also the Director of the ILI Center on Alternative Dispute Resolution. Ms. Whitesell was Secretary General of the United Nations International Court of Arbitration from 2001 to 2007, where she supervised approximately 1,100 international arbitration cases each year involving parties from over 120 countries. She has practiced law in the United States and France and was a lecturer at the Université de Paris I, Panthéon-Sorbonne and the Instituto Superior de Derecho Comercial (Institut de Droit Comparé (Université de Paris II). She is admitted to the New York State Bar, the Bar of the District of Columbia, and to the US District Courts for the Southern and Eastern Districts of New York.

This course includes lectures, seminars, and practical exercises to help participants devise a settlement strategy; how to advocate for yourself and your client during mediation; how to negotiate and manage proceedings, terms of reference, evidence, interim relief, hearings and awards; choosing arbitration rules; Governing law, validity, enforcement, public policy, and mandatory rules of law; Court Measures: interim measures, appointment of arbitrators, judicial assistance; judicial review; Enforcement of Arbitral Awards; Issues of Public Interest: damages and remedies; arbitration involving states or government agencies; investment disputes; and other relevant issues.

NEGOTIATION & MEDIATION

• Process, Skills and Techniques: Defining Negotiation and Mediation; Mediation: mediator role and styles; determining the mediation process, including opening statements by the mediator and parties; Finding resolution in mediation (uncovering interests and breaking deadlock); closure and follow-up; The Role of Advocate and Litigator: how to prepare for mediation; how to devise a settlement strategy; how to advocate for yourself and your client; how to deal with your client during mediation.

INTERNATIONAL ARBITRATION (ADVANCED)

• The Arbitration Agreement: characteristics, validity, scope, applicable law, transfer, termination • The Arbitrators: appointment, qualification, arbitrator ethics and challenges • The Arbitration Proceedings: seat of the arbitration, commencing and managing proceedings, terms of reference, evidence, interim relief, hearings and awards; choosing arbitration rules; • Law Governing the Merits of the Dispute: choice of law, international public policy and mandatory rules of law • Court Measures: interim measures, appointment of arbitrators, judicial assistance, judicial review • Enforcement of Arbitral Awards • Issues of Public Interest: damages and remedies; arbitration involving states or government agencies; investment disputes; and other relevant issues.

Emphasis:

• Process, Skills and Techniques: Defining Negotiation and Mediation • Mediation: mediator role and styles; determining the mediation process, including opening statements by the mediator and parties; Finding resolution in mediation (uncovering interests and breaking deadlock); closure and follow-up; The Role of Advocate and Litigator: how to prepare for mediation; how to devise a settlement strategy; how to advocate for yourself and your client; how to deal with your client during mediation.

Topics:

• International Arbitration (ADVANCED)

• The Arbitration Agreement: characteristics, validity, scope, applicable law, transfer, termination • The Arbitrators: appointment, qualification, arbitrator ethics and challenges • The Arbitration Proceedings: seat of the arbitration, commencing and managing proceedings, terms of reference, evidence, interim relief, hearings and awards; choosing arbitration rules
The use of investment treaties – including bilateral investment treaties (BITs) and Free Trade Agreements (FTAs) – has exploded in recent years. Almost 3,000 such treaties are in effect. Almost 3,000 such treaties are in effect. Foreign investors have used BITs to initiate hundreds of international arbitration disputes against host governments with amounts ranging from a few million to several billion dollars in connection with foreign investments. This seminar teaches individuals how to draft, negotiate and interpret international investment treaties, and how to prevent and resolve disputes arising from them, including the valuation of damages and enforcement. It also includes advanced instruction in how and when international arbitration proceedings are initiated against nationals that violate investment treaties. It is also recognized as a leading practitioner in the arbitration field by the International Who’s Who of Commercial Arbitration Lawyers 2015. He is the co-Founder and Editor-in-Chief of InvestmentClaims.com, the on-line investment arbitration award service published by Oxford University Press. He is licensed to practice in Washington, DC as a Special Legal Consultant and in Ontario, Canada as a Barrister & Solicitor.

Dr. Borouz Sabahi is an attorney in the International Arbitration group of Curtis, Mallet-Prevost Colt & Mosle LLP in Washington, DC. He represents governments in international arbitration matters in a variety of sectors. He was recognized as a leading practitioner. He is also an adjunct professor at Georgetown and Columbia Law Schools, an Editor of Oxford’s InvestmentClaims.com, and a Co-Chair of the Annual Juris Conference in D.C. His publications have been cited by arbitral tribunals and the U.S. Supreme Court. He is licensed to practice in New York and the District of Columbia.

Course Advisors: Ian A. Laird is co-chair of the Crowell & Moring’s International Dispute Resolution Group and an adjunct professor at Columbia University School of Law and Georgetown University Law Center. He represents a range of clients in international arbitration proceedings involving disputes between corporations and foreign sovereign governments. Ian is recognized as a leading practitioner in the arbitration field by the International Who’s Who of Commercial Arbitration Lawyers 2015. He is the co-Founder and Editor-in-Chief of InvestmentClaims.com, the on-line investment arbitration award service published by Oxford University Press. He is licensed to practice in Washington, DC as a Special Legal Consultant and in Ontario, Canada as a Barrister & Solicitor.

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This seminar explores key topics with respect to international borrowing and debt management. The goal is to assist policy makers and practitioners from emerging economies to plan for long-term challenges, in a fast changing international borrowing and debt management environment.

INTERNATIONAL MARKET ACCESS
• World Bank, IMF, and other multilateral development banks
• Lending policies, legal constraints, pitfalls & advantages
• Direct sovereign lending
• Currency denomination issues
• Public syndicated bank loans
• Term structure of external debt

DOMESTIC MARKETS
• Substitution of domestic debt for international borrowing
• Bond auctions and the issuance calendar
• Creation and uses of sovereign yield curves
• Accounting and transparency
• Developing local currency bond markets

CREDIT RISK AND ANALYSIS
• International country-risk analysis
• Ratings and rating agencies
• Project analysis
• Corporate credit analysis

NEGOTIATIONS AND DEBT RestrUCTURING
• Negotiating tactics
• Sovereign-debt renegotiation
• Debt reduction strategies
• Key financial and legal clauses
• Disclosures

DEBT MANAGEMENT CAPACITY AND RISK MANAGEMENT
• Developing domestic institutions for debt management
• Accountability and transparency
• Interactions with other domestic institutions
• Term structure and roll-over risks
• Currency risk

DEBT AND DEVELOPMENT
• Managing a balance between the sovereign borrower and the investor public
• Fiscal planning and management
• Balance-of-payments management
• Sources of payment imbalances: monitoring their indicators
• Comparison of developing countries’ fiscal management and borrowing strategies
• Understanding debt sustainability

Course Advisor: Professor Reid Click is an Associate Professor of International Business and International Affairs and Chair of the International Business Department at The George Washington University in Washington, DC. He received his Ph.D. in economics and international business from the University of Chicago. Prof. Click teaches courses in international financial management, international business strategy, and international economics. His academic research has been published in leading journals, and he has also been a consultant for several international organizations.

INTERNATIONAL BORROWING AND DEBT MANAGEMENT – APPLICATIONS AND RECENT DEVELOPMENTS
This seminar highlights key applications and recent developments in respect to international borrowing and debt management, and comprises the second week of the International Borrowing and Debt Management seminar. The goal is to assist policy makers and practitioners from emerging economies to understand recent developments and their application, and could include the application and recent developments in respect to:

INTERNATIONAL MARKET ACCESS
• World Bank, IMF, and other multilateral development banks
• Lending policies, legal constraints, pitfalls & advantages
• Direct sovereign lending
• Currency denomination issues
• Public syndicated bank loans
• Term structure of external debt

DOMESTIC MARKETS
• Substitution of domestic debt for international borrowing
• Bond auctions and the issuance calendar
• Creation and uses of sovereign yield curves
• Accounting and transparency
• Developing local currency bond markets

CREDIT RISK AND ANALYSIS
• International country-risk analysis
• Ratings and rating agencies
• Project analysis
• Corporate credit analysis

NEGOTIATIONS AND DEBT RestrUCTURING
• Negotiating tactics
• Sovereign-debt renegotiation
• Debt reduction strategies
• Key financial and legal clauses
• Disclosures

DEBT MANAGEMENT CAPACITY AND RISK MANAGEMENT
• Developing the domestic institutions for debt management
• Accountability and transparency
• Interactions with other domestic institutions
• Term structure and roll-over risks
• Currency risk

DEBT AND DEVELOPMENT
• Managing a balance between the sovereign borrower and the investor public
• Fiscal planning and management
• Balance-of-payments management
• Sources of payment imbalances: monitoring their indicators
• Comparison of developing country fiscal management and borrowing strategies

Course Advisor: Professor Reid Click is an Associate Professor of International Business and International Affairs and Chair of the International Business Department at The George Washington University in Washington, DC. He received his Ph.D. in economics and international business from the University of Chicago. Prof. Click teaches courses in international financial management, international business strategy, and international economics. His academic research has been published in leading journals, and he has also been a consultant for several international organizations.
PROJECT FINANCE TECHNIQUES: APPLICATIONS AND RECENT DEVELOPMENTS

This course provides an introduction to: (1) the basic concepts and techniques of project finance; (2) the current application of these techniques to the funding of PPP and other projects in infrastructure and other key economic sectors. It will focus on areas critical to the success and sustainability of major projects and will combine lectures with case studies to illustrate key concepts and techniques. Topics considered will include those listed below.

STRUCTURE AND BASIC TECHNIQUE
• The concept of project finance • Legal structures and basic documentation • Stages of a project finance transaction

Critical role of project preparation, risk analysis and due diligence

HOW TO NEGOTIATE BANKABLE PROJECT DOCUMENTS
• The concept of bankability • Dealing with lender concerns

• Identification and negotiation of key contract clauses

ARRANGING FINANCE
• Sources of finance • The role of public sector lenders (MDBs), ECAs and DFI’s • Providing credit support and security for loans • Developing a finance plan

FINANCIAL DOCUMENTATION
• The basic loan agreements • Ancillary loan documentation: common agreements; project accounts; security documents; and intercreditor agreements

DEALING WITH CRITICAL NON-FINANCIAL ISSUES
• Procurement • Environment • Restitution • Human rights

• Corruption

RENEGOTIATION, RESCRUTINISING AND DISPUTE SETTLEMENT
• Reasons project finance transactions encounter problems

• The workout process: standstill concept • The special problems of project finance dispute settlement

Course Advisor: John M. Nicholas is Director of ILI’s Private Investment in Infrastructure Center. He has been involved in international financial and investment transactions for over 40 years as a practising lawyer, World Bank staff member, US Treasury Department official, investment banker, and General Counsel of the Inter-American Development Bank and the U.S. Export-Import Bank. He also serves as an adjunct faculty member at the University of Michigan Law School and at the Peking University School of Transnational Law in Shenzhen, China.

PRIVATE EQUITY, VENTURE CAPITAL AND INFRASTRUCTURE FUNDS IN EMERGING MARKETS

This course highlights the foundational issues relating to the development and regulation of private equity in developing economies. Participants will discuss the major building blocks supporting an effective private equity sector and the policy environment needed to assist its development. The seminar will cover issues related to the growing interaction of private equity in emerging markets with institutional investors in developed capital markets and its nexus with economic development.

OVERVIEW OF PRIVATE EQUITY
• Global comparative data of Private Equity Markets in emerging economies • Private Equity as asset class

STRUCTURES AND ROLES OF PARTICIPANTS IN PRIVATE EQUITY
• Investment funds • Managers • Investors • Governments and state-owned enterprises • Multilateral and bilateral development institutions • Professionals: auditors, lawyers • Financial participants • Portfolio companies

ADMINISTRATION OF PRIVATE EQUITY FUNDS
• Company formation • Limited Liability Partnerships

LEGAL, REGULATORY AND INSTITUTIONAL FRAMEWORK
• Securities and tax laws • Competition laws • Offshore financial centres • EMPEA Guidelines • Transparency and anti-corruption • Examination and enforcement • Comparison of regulatory regimes

Course Advisor: Don Scott De Amicis is an Adjunct Professor of Law at the Georgetown University Law Center, where he teaches international business transactions. He was previously Vice President and General Counsel of the Overseas Private Investment Corporation, the U.S. government’s development finance institution, which provides financial support to private equity funds investing in developing countries. Don had also been a partner at the international law firm Ropes & Gray, where he represented numerous private equity clients.

Robert van Zwieten is President and CEO of EMPEA, the global association for private capital in emerging markets. EMPEA has over 300 member firms, comprising institutional investors, fund managers and industry advisors, who together manage more than US$1 trillion of assets and have offices in more than 100 countries across the globe. Prior to EMPEA, Robert was the Asian Development Bank’s Director of Private Sector Capital Markets, based in Manila, Philippines, responsible for originisation and structuring of US$2.5 billion in transactions and investments across 40 Asian emerging and frontier markets. He is a citizen of both the Netherlands and the United States.

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Robert van Zwieten
This course highlights the foundational issues in respect to the development and regulation of capital and securities markets, and comprises the first week of the Capital Markets: Development and Regulation seminar. The Foundations seminar also includes the field trip to New York where typical capital markets institutions are visited. Participants will be exposed to selected topics based on the Course Outline listed under the “Capital Markets: Development and Regulation” seminar, depending on the final schedule, but topics could include:

- **LEgal, Regulatory, and InStitutional Framework**
  - Institutional structure related to market’s needs
  - Government regulation: securities laws, securities exchange commissions, central banks, ministries of finance • Stock exchanges: rules and regulations, self or external regulation, membership and listing standards • Corporate governance • Transparency • Prospects

- **DeveLopment of Capital Markets**
  - Policy issues affecting development of capital markets
  - Managing risks and responding to crises in capital markets
  - Capital markets and housing finance

- **Role of Participants in Capital Markets**
  - Regulators, financial institutions, accountants/auditors, government • Investors in capital markets: individuals and institutional players • Professio- 
  - nals: brokers, dealers, underwriters • Financial intermediaries: commercial banks, merchant banks, mutual funds, hedge funds, insurance companies, pension funds • Initial public offerings (IPOs)

**Typical Field Trips (Selection Based on Availability)**
- New York Stock Exchange, Nasdaq, U.S. Securities and Exchange Commission, U.S. Federal Reserve Bank in New York; a ratings agency, such as Standard and Poors; The Depository Trust and Clearing Corporation

**Course Advisor:** Paul Freedman is Counsel at the AES Corporation, a global energy company. Mr. Freedman was previously Chief Counsel for Credit Programs at the U.S. Agency for International Development (USAID) and has substantial government and private sector experience in capital markets transactions in developed countries and emerging markets. He worked on the first non-sovereign bond offerings in several developing countries, and he played a leading role in the structuring and negotiation of USAID’s partial credit guarantees for bond offerings and bank loans in over 40 developing countries.

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Financial assessments of proposed projects have become necessary for countries considering PPPs for infrastructure projects. These assessments are essential to attracting private investors. This is particularly important for countries with substantial needs in infrastructure rehabilitation and expansion. The workshop primarily focuses on two financial models: graphical and numerical, which have proven quite successful for preliminary financial evaluations when detailed data and financial arrangements are not yet fully defined.

Workshop participants will be asked to obtain, prior to the workshop, basic data available on an existing or proposed PPP project of their interest.

**FINANCIAL AND RISK ANALYSIS**

- Financial assessments of proposed projects have become necessary for countries considering PPPs for infrastructure projects. These assessments are essential to attracting private investors. This is particularly important for countries with substantial needs in infrastructure rehabilitation and expansion. The workshop primarily focuses on two financial models: graphical and numerical, which have proven quite successful for preliminary financial evaluations when detailed data and financial arrangements are not yet fully defined.

- Workshop participants will be asked to obtain, prior to the workshop, basic data available on an existing or proposed PPP project of their interest.

**FINANCIAL ASSESSMENTS OF PPP PROJECTS**

- Toolkit’s Graphical and Numerical models
- Exercise to assess viability of project
- Team presentation

**OVERVIEW OF PPP OPTIONS AND STRATEGIES**

- Brief history
- Key success factors
- Applications to different forms of infrastructure (e.g., transport, energy, security, health and education)
- Main stakeholders and their interaction

**POLICY AND PLANNING**

- Planning, objectives and PPP policy framework
- Laws and Contracts - Legal, legislative and contract bases for PPP

**IMPLEMENTATION AND MONITORING**

- Stages in PPP development from project identification to contract management

**Course Advisor: Cesar Queiroz** is an international consultant on roads and transport infrastructure. His main expertise is in public-private partnerships and road management and development. Between 1986 and 2006, he held several senior positions with the World Bank, including as Principal Highway Engineer and Highways Advisor. Prior to joining the World Bank, Cesar was the deputy director of the Brazilian Road Research Institute in Rio de Janeiro. He holds a Ph.D. in civil engineering from the University of Texas at Austin; a M.Sc. in production engineering; and a B.Sc. in civil engineering. Cesar has published two books and more than 130 papers and articles. His recent assignments include infrastructure advisory services to over 18 countries. He is currently a visiting professor at the University of Belgrade, Serbia, and has lectured on PPP at George Washington University since 1996, and at the International Law Institute since 2007.
This seminar stresses learning by doing. Participants will convert specific legislative proposals into a bill. Instruction will include the basics in drafting common statutory provisions. The United States legislative process will be introduced as a case study.

**LEGISLATIVE DRAFTING PRINCIPLES AND ANALYSIS**
- Applying legislative drafting principles and analysis to proposals for a legislation

**ELEMENTS OF LEGISLATIVE DRAFTING: RULES AND EXERCISES**
- Achieving the intended legal effect
- Drafting clear legislative sentences
- Structuring and organizing bills and other legislation
- Drafting amendments, repeats, and superseding language to existing law

**HANDS-ON DRAFTING OF LEGISLATION**
- Drafting a bill from a specific legislative proposal

**DRAFTING COMMON LEGISLATIVE PROVISIONS**
- Enforcement provisions
- “Power of the purse” funding provisions
- Grant programs
- Governmental commissions

**LEGISLATIVE PROCESS**
- Development of legislative policy
- Comparison of U.S. and foreign legislative processes
- Implementation of trade agreements through domestic legislation
- Role of legislative committees in developing legislation
- Role of professional legislative drafting services and other legislative support services

**SUMMARY INTERPRETATION**

**Course Advisor:** Arthur J. Rynearson served as the Deputy Legislative Counsel of the United States Senate from 1999 to 2003. For more than 26 years, he was an attorney-drafter in the Office of the Legislative Counsel, United States Senate, where he drafted thousands of bills, resolutions, and amendments. He has 20 years experience teaching legislative drafting and legislation to foreign parliamentarians, attorneys, and law students. He also served as a legislative researcher for the Congressional Research Service of the Library of Congress. He is a graduate of the Cornell University Law School, where he specialized in international legal affairs, and a Phi Beta Kappa graduate of the Cornell University Law School, where he specialized in international legal affairs.

**Rynearson is also the author of Legislative Drafting Step-by-Step (“Floor” Whole House Amendments) Amendments to existing law

**INSTRUCTION ON SPECIALIZED LEGISLATIVE PROCESSES**
- Working with legislative committees
- Budget and appropriations rules and problems
- Participating in a mock committee “markup” session

**DRAFTING A GOVERNMENT GRANT PROGRAM**
- Instruction in selection and drafting of legislative language authorizing grants

**DRAFTING GOVERNMENT REORGANIZATION**
- Establishing a Government Agency
- Abolishing a Government Agency
- Consolidating Government Agencies
- Savings (“grandfather”) clauses
- Transitions provisions
- Repeals

**Course Advisor:** Arthur J. Rynearson served as the Deputy Legislative Counsel of the United States Senate from 1999 to 2003. For more than 26 years, he was an attorney-drafter in the Office of the Legislative Counsel, United States Senate, where he drafted thousands of bills, resolutions, and amendments. He has 20 years experience teaching legislative drafting and legislation to foreign parliamentarians, attorneys, and law students. He also served as a legislative researcher for the Congressional Research Service of the Library of Congress. He is a graduate of the Cornell University Law School, where he specialized in international legal affairs, and a Phi Beta Kappa graduate of the Cornell University Law School, where he specialized in international legal affairs. He is a graduate of the Cornell University Law School, where he specialized in international legal affairs, and a Phi Beta Kappa graduate of the Cornell University Law School, where he specialized in international legal affairs. He is a graduate of the Cornell University Law School, where he specialized in international legal affairs, and a Phi Beta Kappa graduate of the Cornell University Law School, where he specialized in international legal affairs.

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LEGISLATIVE STRATEGIC MANAGEMENT

This seminar develops skills necessary to sustain a modern legislature. Elected officials and legislative staff at the National, State, and International level are ideal candidates for this seminar. Legislators work under constant pressure to enact laws and review national policies efficiently and effectively in an ever-changing and complex environment. Working in this environment requires close attention to how the process is managed and how the institutions function. The focus of the seminar will be on organizational structure and practical techniques for managing legislative institutions. Considering our location in Washington, DC, references and site visits will be made to the U.S. Congress and a State Assembly.

ROLE OF LEGISLATIVE STAFF:
• The relationship between career and political staff appointments
• Effective Communications strategies and constituent service delivery
• Effective allocation of staff to support member offices, committees, leadership and administrative services

LEGISLATIVE ORGANIZATION:
• Comparative analysis of legislative and parliamentary models
• Review of unicameral and bicameral structures
• How to work with leadership offices and through committees
• How the legislative branch can have a more productive relationship with the executive branch
• How to deal with member transitions

LEGISLATIVE SUPPORT OFFICES:
• Budgeting, staffing, and training
• Determining what legislative support offices are appropriate for a specific country or state; e.g. research, legislative drafting, committees, administration and member's offices

FIELD SEMINARS:
• United States Congress • Library of Congress • State Assembly

Course Advisors: H. Stephen Halloway is the Director of ILI’s Center for Comparative Legislative Management. He has over 25 years of experience in senior legal and policy positions in the U.S. Government, the U.S. Senate, State Legislatures, the United Nations and the Inter-American Development Bank. He serves on the Private Advisory Council to the State Legislative Leaders foundation. He held the rank of Ambassador when he served as Head of Mission for the U.S. at UNIDO.

Kim Pham is the Executive Director of the International Law Institute. She is experienced in working with the Nigerian National Assemblies, State Assemblies, ECOWAS, and the international community. She serves as the President of the Board of the Friends of the Law Library of Congress.

* JUDICIAL, COURT AND CASE MANAGEMENT FOR JUDGES
* COURT AND CASE ADMINISTRATION FOR COURT ADMINISTRATORS
* GOVERNANCE AND ANTI-CORRUPTION METHODS

GOVERNANCE AND JUDICIAL ADMINISTRATION
JUDICIAL, COURT AND CASE MANAGEMENT FOR JUDGES

Judges and other Judicial Officers face increasingly complex challenges in managing and adjudicating cases. This seminar focuses on the principles and techniques for the development and management of a modern, efficient, fair and transparent court system and judicial proceedings, from a judge’s perspective. References will be made to the experience of judges in the United States as a basis for discussion. The seminar will include presentations on the judge’s role in court and case management for the efficient adjudication of cases, as well as site visits to local, federal and state courts and supporting institutions. Selected sessions and site visits will be combined with the “Court and Case Administration for Court Administrators’ seminar which will be conducted concurrently with this seminar.

BASIC CONCEPTS AND PRINCIPLES (PRESENTED CONCURRENTLY WITH COURT ADMINISTRATION SEMINAR)

- Overview of the United States legal system and its component state court systems
- The role of an independent judiciary in trial and appellate courts
- Court structures
- Fundamental principles of judicial management and court administration

GENERAL ISSUES OF JUDICIAL MANAGEMENT

- Securing the independence of the judiciary through administration
- Judicial leadership
- The role of the judge as manager

- Judicial integrity: ethics and codes of conduct for judges

SPECIFIC ISSUES OF JUDICIAL MANAGEMENT

- Court governance
- Budget and finance
- Judicial education
- Strategic and long-range planning

CASE MANAGEMENT (PRESENTED CONCURRENTLY WITH COURT ADMINISTRATION SEMINAR)

- Case management principles and practices
- Evaluation of court procedures and case processing
- Developing and implementing a case management plan
- Establishing a case management system
- Technology for case management
- An efficient clerk’s office: filling and other systems

Course Advisor: James G. Apple

President of the International Judicial Academy, a non-profit educational institution in the District of Columbia which he founded in 1999. He was formerly a senior staff officer at the Federal Judicial Center, the U.S. federal courts’ agency for education, training and research. He has conducted or co-conducted almost 100 seminars and conferences on issues of judicial and court administration and other topics related to modern court systems for judges and court and legal officers from countries around the world.

COURT AND CASE ADMINISTRATION FOR COURT ADMINISTRATORS

Court Administrators, Clerks of the Court and other Court Administrative Officers have to contend with constant changes and increasing complexity in the Court Administration on a day-to-day basis. This seminar focuses on the principles and techniques for the development and administration of a modern, efficient, fair and transparent court system, from a court administrator’s perspective. References will be made to the experience of court administrators in the United States as a basis for discussion. The seminar will include presentations on case and document management for the efficient processing of cases through the courts, as well as site visits to local, federal and state courts and supporting institutions. Selected sessions and site visits will be combined with the “Judicial, Court and Case Management for Judges’ seminar which will be conducted concurrently with this seminar.

BASIC CONCEPTS AND PRINCIPLES (PRESENTED CONCURRENTLY WITH JUDICIAL SEMINAR)

- Overview of the United States legal system and its component state court systems
- The role of an independent judiciary in trial and appellate courts
- Court structures
- Fundamental principles of judicial management and court administration

GENERAL ISSUES OF JUDICIAL AND COURT ADMINISTRATION

- Court administration at the national, regional and local level
- Non-judicial court management
- Court staff integrity: ethics and codes of conduct for court managers

SPECIFIC ISSUES OF COURT ADMINISTRATION

- Budget and finance
- Space and facilities
- Legislative and public affairs strategies
- Court staff training
- Strategic and long-range planning

CASE MANAGEMENT (PRESENTED CONCURRENTLY WITH JUDICIAL SEMINAR)

- Case management principles and practices
- Evaluation of court procedures and case processing
- Developing and implementing a case management plan
- Establishing a case management system
- Technology for case management
- An efficient clerk’s office: filling and other systems

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GOVERNANCE AND ANTI-CORRUPTION METHODS

The seminar presents an in-depth survey of methods and best practices taken by governments, NGOs, and other stakeholders to eradicate corruption and promote transparency. It reviews elements in public sector management commonly known as “good governance,” the causes and effects of corruption, and undertakes a comparative study of domestic and multilateral efforts to eliminate corruption. Additionally, the seminar examines the main provisions of the United Nations Convention Against Corruption (UNCAC) and other international instruments designed to curb corruption and their implications for governance and transparency worldwide. Participants will be expected to develop an anti-corruption strategy relevant for their respective countries.

INTRODUCTION

• Definitions and measurement of corruption • Codes of conduct and accountability • Site visits based on availability

INTERNATIONAL ANTI-CORRUPTION MECHANISMS

• UNCAC • U.S. Foreign Corrupt Practices Act • OECD Anti-Bribery Convention • Inter-American Convention Against Corruption • Multilateral and bilateral programs • International cooperation

PUBLIC SECTOR MECHANISMS

• Government oversight, ethics and integrity • Transparency in procurement • Financial regulatory mechanisms

PRIVATE SECTOR ISSUES AND MECHANISMS

• Issues of financial integrity • Maintaining financial integrity • Role of accounting • Codes of ethics

CIVIL SOCIETY MECHANISMS

• Roles and activities of Transparency International • The right to information • U.S. Freedom of Information Act • Free and independent media • The role of stakeholders: parliamentarians, judges, civil society, NGOs, and media

DESIGNING AND IMPLEMENTING UNCAC LEGISLATION

• Drafting legislation • Costs and sources of funding for implementation and training • Implementation strategies

Course Advisors: H. Stephen Hallows is the Director of ILI’s Center for Comparative Legislative Management. He has over 35 years of experience in senior legal and policy positions in the U.S. Government, the U.S. Senate, State legislatures, the United Nations, and the Inter-American Development Bank.

Timothy L. Dickinson is a partner at Paul, Hastings, Janofsky & Walker LLP. His practice focuses on international commercial and compliance matters, including the U.S. Foreign Corrupt Practices Act, and the design and implementation of special investigations and compliance programs.

NOVEMBER 9-20, 2023

LEADERSHIP AND MANAGEMENT IN INTERNATIONAL DEVELOPMENT
NEGOTIATIONS IN INTERNATIONAL DEVELOPMENT
LEADERSHIP, MANAGEMENT AND NEGOTIATIONS IN INTERNATIONAL DEVELOPMENT
STATE AND MUNICIPAL MANAGEMENT
SUSTAINABLE ENERGY FUNDAMENTALS: LEGAL, POLICY, AND COMMERCIAL ASPECTS
EFFECTIVE PROSECUTION OF FINANCIAL CRIMES; HUMAN TRAFFICKING; AND CYBERCRIME
ACHIEVING FOOD SECURITY
LEGAL ENGLISH AND LEGAL WRITING
ORIENTATION IN THE U.S. LEGAL SYSTEM AND BUSINESS LAW
CONTRACT DRAFTING IN ENGLISH
INTERNATIONAL TRADE AND REGIONAL TRADE AGREEMENTS: OPPORTUNITIES AND CHALLENGES
LEADERSHIP AND MANAGEMENT IN INTERNATIONAL DEVELOPMENT

This seminar empowers participants to become effective leaders and managers in the international development context. International development work involves multi-stakeholder cooperation and delivery in challenging environments. Participants will develop skills in leadership and decision-making; organizational management; human capital development; negotiation; navigating through political Forces; and effective communications.

LEADERSHIP AND MANAGEMENT IN THE INTERNATIONAL DEVELOPMENT WORLD

- Mapping donor and other key stakeholder requirements
- Building strong relationships with strategic partners
- Executing in challenging political environments
- Working with limited resources
- Negotiations
- Institutionalizing open and participatory communication channels

Course Advisor: Kim Phan is the Executive Director of the International Law Institute, where she oversees all of ILI’s projects with various donors and has worked on projects in Nigeria, Vietnam, China, the Philippines, Mauritania, Angola, Honduras, Azerbaijan, Uzbekistan, Afghanistan, and the APEC region. Prior to joining ILI, she worked at the U.S. Embassy in Manila/Office of the U.S. Commercial Liaison to the Asian Development Bank where she served as the United States – Asia Economic Cooperation Coordinator. Ms. Phan also serves as the Project Director of ILI. This highly interactive seminar focuses on the development of effective negotiation skills, styles, and strategies, with special emphasis on multilateral negotiation with and within international organizations and companies. Through in-depth analysis of theory and practice (with exercises and simulated negotiations), participants will gain the necessary skills to become confident negotiators, overcome impasses in the negotiation process, and utilize strategic tactics to further their own positions and interests. Officials and practitioners from developing countries, who have been confronted by the challenges of negotiating with their domestic and international counterparts, as well as international development institutions, would find this seminar highly beneficial.

FOCUS AREAS:
- Negotiation and conflict styles
- Approaches to negotiation
- Preparing for negotiation
- Process and key stages of negotiation
- Analyzing positions, interests, options, and more
- Tactics and skills
- Exploring power and cultural dynamics

NEGOTIATIONS IN INTERNATIONAL DEVELOPMENT

This highly interactive seminar focuses on the development of effective negotiation skills, styles, and strategies, with special emphasis on multilateral negotiation with and within international organizations and companies. Through in-depth analysis of theory and practice (with exercises and simulated negotiations), participants will gain the necessary skills to become confident negotiators, overcome impasses in the negotiation process, and utilize strategic tactics to further their own positions and interests. Officials and practitioners from developing countries, who have been confronted by the challenges of negotiating with their domestic and international counterparts, as well as international development institutions, would find this seminar highly beneficial.

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- Process and key stages of negotiation
- Analyzing positions, interests, options, and more
- Tactics and skills
- Exploring power and cultural dynamics

Course Advisor: Gerhard Botha is Director of Programs at ILI. Previously, he worked for the World Bank as a senior sector specialist in labour and employment law and related institutions, focusing on labour/employment law and related issues in Latin America, the Caribbean, the Middle East, and Central and Eastern Europe. Mr. Botha holds a B.A. and LL.B degrees from the University of Stellenbosch in South Africa, an LL.M in Labour and Employment Law, from the University of South Africa and an LL.M focusing on labour/employment law and related issues from The George Washington University Law School in Washington D.C.
LEADERSHIP AND NEGOTIATIONS IN INTERNATIONAL DEVELOPMENT

This seminar offers an exciting opportunity for personal and professional development, and consists of a combination of two seminars: Leadership and Management in International Development and Negotiations in International Development. Participants in this seminar will receive one certificate indicating completion of the whole program, rather than two one-week seminar certificates. To see descriptions of the topical areas covered, please refer to the two previous descriptions in this booklet. In addition, the participants who enroll in this two-week combination seminar will have more opportunities to network, for site visits and for taking part in the optional weekend sightseeing tour of Washington offered to participants who attend seminars lasting two weeks or longer at the ILI.

Course Advisors: Kim Phan is Executive Director of ILI. Ms. Phan also serves as the Project Director for all of ILI’s projects with various donors, countries, and partners. Prior to ILI, she worked under the U.S. Mission at the Asian Development Bank as the U.S.–Asia Environmental Partnership representative. She has a Masters in the Study of Law from Northwestern University and a B.A. from Allegheny College with a focus in Nuclear Warfare Strategy. Ms. Phan is the President of the Board of the Friends of the Law Library of Congress.

Gerhard Botha is Director of Programs at ILI. Previously, he worked for the World Bank as a senior sector specialist in legal and judicial reform and private and financial sector development. Mr. Botha specialized in labour/employment law and relations, conflict resolution and negotiations, both in private practice and within a large corporate environment in Southern Africa. He has over 25 years experience in legal and labour relations practice, and in international development. Mr. Botha holds B.A. and LL.B degrees from the University of Stellenbosch in South Africa, an LL.M in Labour Law from the University of South Africa and an LL.M focusing on labour/employment law and Alternate Dispute Resolution, from The George Washington University Law School in Washington DC.

STATE AND MUNICIPAL MANAGEMENT

This seminar is for senior managers at the state and local levels of government responsible for economic development, financial management, and administration of public services. Broad topics include managing procurement, contracts and projects; budgeting and finance; leadership and management; and public service provision. Through lectures, case studies, and site visits participants will receive both practical training and a conceptual understanding of state and local governance, empowering them toward becoming more effective leaders and administrators.

Course Advisors: Scott Walchak is an Assistant Attorney General and Principal Counsel to the Department of General Services for the State of Maryland. He is lead counsel to a number of the State’s Public Private Partnership projects. He also served with the Office of the Attorney General for the District of Columbia, where he counseled the Office of the Deputy Mayor for Planning and Economic Development. Mr. Walchak received his B.A. from Michigan State University and a JD from the University of Hawaii School of Law. He also studied at Cambridge University and the Institute on International and Comparative Law in Paris and Florence.

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Leadership and Management

• Mediation and negotiation • Conflict resolution • Leading teams and organizations • Managing stakeholders • Engaging with civil society • Coordinating with third parties (NGOs, civil society groups)

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SUSTAINABLE ENERGY FUNDAMENTALS: LEGAL, POLICY, AND COMMERCIAL ASPECTS

This seminar examines issues using policy, legal and commercial lenses to provide a strategic level understanding of the sustainable energy value chain. Participants will receive a detailed review of the legal and commercial issues that must be resolved for successful sector development. Material is delivered through a variety of methods including: reference reading, in-class lectures, industry panels and interactive group simulations and workshops.

FUNDAMENTALS
• Global energy sector overview
• Petroleum industry fundamentals and structure
• Goals and objectives of a host government
• NOC and Host Country: Host country’s regulatory framework and fiscal regime
• Negotiation framework, strategy and tools

UPSTREAM PETROLEUM
• Strategic policy issues
• Upstream fiscal systems, taxation, accounting
• Upstream contracts and key terms
• Special considerations for development of natural gas

MIDSTREAM AND DOWNSTREAM PETROLEUM
• Strategic policy issues
• Industrys contracts (sales, storage, transportation)
• Pipelines, refineries

POWER SECTOR
• Sector fundamentals and structure
• Independent Power Project requirements
• Project funding issues and alternatives
• Power sector contracts and terms
• Trends and developments; case studies

SPECIAL CONSIDERATIONS AND TRENDS
• Financing of energy projects
• Local content
• Transparency, compliance and corporate social responsibility
• Dispute resolution
• Energy corridors and regional cooperation

Course Advisor: Mr. Guly Sabahi is a Partner in the Washington, D.C. office of Drinker, a member of the ten largest law firms in the world with 79 locations in 52 countries. Mr. Sabahi has over 12 years of experience in international energy projects (mainly upstream oil and gas), and advised the private sector and public sector clients on legal and fiscal regimes in the oil and gas industry in over 45 countries, in the Sub-Saharan Africa, Middle East and CIS.

Mr. Robert Lesnick is an Executive Advisor to businesses and projects seeking to develop projects which expand development and use of natural gas. Mr. Lesnick recently retired from the World Bank as its Oil and Gas Program Coordinator after a successful 30-year career in the petroleum sector. He has extensive experience in the petroleum sector, including commodity trading, project development, and natural gas field operations. Robert has over 25 years international experience as a manager and lead negotiator for the development of energy infrastructure projects, and has conducted business in more than 85 international locations in 60 countries on 6 continents.

EFFECTIVE PROSECUTION OF FINANCIAL CRIMES; HUMAN TRAFFICKING; AND CYBERCRIME

Prosecuting financial crimes, human trafficking, and cybercrimes often involves bringing together multiple people, often across many departments (and multiple jurisdictions), which can pose a variety of challenges. The covered material will be of interest to prosecutors, criminal justice personnel, judges, attorneys, and academics, specifically in developing economies where these crimes are emerging or may pose a particular threat. Drawing from the U.S. prosecutorial experience, this seminar will integrate the selected topics through class discussion. Participants will engage in in-depth study of each crime through discussion while developing their skills. More generally, the seminar will focus on the investigation, preparation, prosecution and required professional and technical skills in the context of these crimes.

Additionally, the seminar covers the institutional arrangements, such as working with the police, judges, and other relevant institutions and agencies at national and transnational levels. More generally, the seminar provides an overview of the mechanisms of implementation and lessons learned will be discussed in the seminar.

FINANCIAL CRIMES (RAUD, BRIEFTER, CORRUPTION, AND MONEY LAUNDERING)
• Current Policy and Legislation
• Global Money Laundering
• Types and Dimensions of Fraud
• The OECD, Anti-Corruption and Money Laundering

HUMAN TRAFFICKING
• Defining and Understanding Human Trafficking
• Victims and Survivors
• The Human Rights Dimension
• Combating Human Trafficking Regionally and Globally

CYBERCRIME
• Defining Cyber Crime and Understanding the Systems Involved
• Hacking: Privacy, Integrity, Accessibility, and Ap- plicaton + Botnets, Malware, Spam, Identity Theft and Other Vulnerabilities and Exploits + The Client/Server Model: Pro- cess, Text, Gigatools, Darknets and BitTorrents + Cloud Computing

Course Advisor: Ralph J. Caccia is a former federal prose- cutor, practiced in the defense of both criminal and civil enforcement actions, as well as corporate, criminal and political internal investigations. Mr. Caccia also defends company executives in complex cases, often regarding alleged whistle- blowing and fraud in fields such as health care, procurement, antitrust, contracts, grants, securities and both the False Claims Act (FCA) and the Foreign Corrupt Practices Act (FCPA). He has defended a variety of clients, including but not limited to, hospitals, major defense contractors and financial institutions. Mr. Caccia also has extensive experience in handling internal investigations, grand jury matters, and subpoenas.
This seminar will equip participants with the tools necessary to introduce and improve food security in their respective countries, on both policy and implementation levels. The discussion will focus on a short “Introduction and Overview” section and then “Implementing and Sustaining Food Security” will be investigated in the context of current trends and issues. During the process, consideration will be given to how the private sector can be mobilized in the effort to secure long term food security and to increase agricultural productivity. Case studies will be introduced throughout the seminar.

**INTRODUCTION AND OVERVIEW**

- Elements of Food Security
- Legal frameworks enabling international and domestic food security
- National economic and political environment

**National Sector Planning**

- Methodology for developing an effective national sector plan
- Role of the public sector and governmental policies
- Role of the private sector
- Role of civil society
- Role of international institutions and regional organizations

**Implementing and Sustaining Food Security - Current Trends and Issues**

- Public private partnerships and agriculture infrastructure
- Investment, finance and insurance
- Education and training
- Food safety, consumer protection and quality assurance
- Energy, water and environmental protection
- Social safety nets and emergency preparedness

Course Advisor: Martin Jacobson is a former Franklin Fellow at the Office of the Legal Adviser to the U.S. Department of State; he is a retired partner in Simpson Thacher & Bartlett LLP. Mr. Jacobson has over 30 years of experience in financial and corporate transactions with a focus on project, infrastructure and aviation finance. He is currently a Lecturer in Law at the University of Chicago Law School.

**The Legal English and Legal Writing seminar exposes foreign legal practitioners and law students to English legal terminology and usage through an overview of the U.S. legal system, contract law, constitutional law, and commercial law. In addition to learning a broad range of legal terminology, participants benefit from an introduction to the legal reasoning process in the U.S. legal system, helping them to apply the terms and concepts as they learn them and to better understand how U.S. legal professionals reason and analyze. Participants in this seminar will develop the skills they need to succeed in a multi-jurisdictional legal practice. The language and reasoning skills that they develop are useful not only for working with clients, firms and organizations in the United States, but also for understanding the logic behind U.S. legal practice and applying U.S. legal reasoning in their own practice. This seminar is also highly encouraged for foreign lawyers wishing to pursue a U.S. LL.M. Participants will engage in interactive seminars consisting of lectures, individual writing and speaking exercises, and group projects. If requested, ILI will provide complimentary tutors, U.S. lawyers, to help review writing samples with participants outside of class time.**

Course Advisor: Kevin J. Fandl is a Professor of Legal Studies and Global Business Strategy at the Fox School of Business at Temple University. In 2013, he completed ten years in federal service, most recently as the Chief of Staff for international trade and intellectual property at U.S. Immigration and Customs Enforcement. He had previously served as Senior Counsel to the Assistant Secretary, among other roles. He won numerous leadership awards while working as a public servant.

Following law school, Kevin was selected to be a Presidential Management Fellow, leading him into a career of public service. He began his doctoral studies in 2005 and was awarded a Fulbright scholarship in 2006 to study and teach in Colombia. This experience greatly expanded his view of legal education outside the United States. He has also consulted on projects for the World Bank and the Organisation of American States as a technical legal expert on international trade and immigration. He has delivered short courses on these issues in Colombia, Chile, Costa Rica, El Salvador, Guatemala, Spain and the Dominican Republic. He lectures in English and in Spanish.
In its 45th consecutive year, this seminar is designed to introduce foreign attorneys to the American mixed system of common law and statutes. Foreign lawyers will gain a better understanding of how to work within the U.S. legal system and how to best interact with their counterparts and American corporate clients. It provides a foundation of U.S. legal thinking and commercial law, as well as background into the role of common law in international and supranational organizations such as the WTO, the EU, and other similar institutions. This seminar is ideal for attorneys in corporations, law firms, and those seeking a U.S. LL.M.

STRATEGIC BENEFITS:
• Basic knowledge of American legal system institutions, the use of case law and judicial precedent
• Exposure to major judicial doctrines central to American law
• Enhancement of analytical and research skills needed in the study of law
• Basic understanding of the role and thought process of the legal profession in the U.S.
• Opportunities to meet lawyers from the private and public sectors

CORE TOPICS COVERED IN THE PROGRAM:
• U.S. Codes and Common Law
• Arbitration and American Courts: Enforcement
• The American Court System: Civil Litigation and Jurisdiction of Courts
• Civil Litigation: Pleadings, Discovery, Trials and the Jury
• International Litigation: Extraterritorial Application of U.S. Law
• Commercial Contracts
• Bankruptcy
• Law Firms and Professional Responsibility

Course Advisor: Professor Charles F. Abernathy of the Georgetown University Law Center has directed the Orientation Program for the past 19 years. A graduate of Harvard College and Harvard Law School, Professor Abernathy was a co-founder of the Southern Poverty Law Center in 1971. He has written casebooks on civil rights, constitutional litigation and on the law of equal employment opportunity. One of his more recent works is Law in the United States: Cases and Materials, which also serves as the basic text of the Orientation seminar.

This seminar focuses on the practical skills necessary for drafting contracts in English. Participants will sharpen their skills in working with legal English, and specifically drafting contracts in legal English. The emphasis is on learning by doing, and the seminar will offer the opportunity to draft and receive feedback from experts. Participants will engage in several drafting exercises and a negotiation session.

OVERVIEW OF U.S. CONTRACT LAW:
• Sources of Law
• Contract Formation
• Contract Interpretation

BASIC DRAFTING TOPICS:
• Definitions
• Warranties
• Termination Clauses
• Remedy Provisions
• Capacity Clauses

BOILERPLATE LANGUAGE AND UTILIZING TEMPLATES:
• Choice of Law/Governing Law
• Jurisdiction
• Arbitration
• Force Majeure
• Third Party Rights

Course Advisor: Dr. Kevin Fandl is the director of the Global Legal Education Institute and author several books, including Narrowing the Gap: Legal English for the New Global Legal Practitioner and Lost in Translation: Effective Legal Writing for the International Legal Community. He has taught law and policy courses around the world since 2004 and specializes in the areas of international trade, migration, and economic development. Dr. Fandl is a graduate of American University (J.D., M.A.) and George Mason University (Ph.D.) and is currently Professor of Legal Studies and Global Business Strategy at the Fox School of Business at Temple University.
INTERNATIONAL TRADE AND REGIONAL TRADE AGREEMENTS: OPPORTUNITIES AND CHALLENGES

The creation of the WTO twenty years ago, with its effective enforcement system, vastly expanded the scope and effectiveness of the international trade rules. As a result, the Uruguay Round – designed to improve and enlarge upon the existing rules – has languished, Regional Trade Agreements have become an increasingly important part of the international trading system. RTAs already cover more than half of world trade, and massive new agreements are under negotiation. These include the Trans Pacific Partnership (TPP) (12 countries including the United States and Japan, covering around 40 percent of world trade), the Transatlantic Trade and Investment Partnership (TTIP) between the United States and the EU, also accounting for about 40 percent of world trade, and the Regional Comprehensive Economic Partnership (RCEP) (16 countries, including India, China, Japan and Korea, accounting for nearly 30 percent of world trade). There is also a great deal of RTA activity in Africa, as the many existing RTAs are consolidated with a view to eventually creating a single African Economic Union.

The course will examine the implications of these important developments: • Agreements -- RTAs in Africa. • The Trans Pacific Partnership (TPP); TTIP; Regional Comprehensive Economic Partnership (RCEP); RTAs in Africa. • Dispute Settlement -- WTO; RTAs. The course will cover those expenses. Submission of an application form available at http://www.ili.org. A current Curriculum Vitae (CV), supporting essay, and contact information for the nominating official must be submitted with each application. The candidate must be in the candidate’s completed application and approval by the International Trade Law Center’s Inter- national Trade Law Center/He was a senior partner in two of Washington’s largest law firms, and has practiced trade law for more than forty years. He has taught international trade law at universities in Washington, London, and Tokyo. He has written extensively on the subject, and was Editor-in-Chief of a book extensively on the subject, and was Editor-in-Chief of a book extensively on the subject, and was Editor-in-Chief of a book extensively on the subject, and was Editor-in-Chief of a book extensively on the subject.
REGISTRATION INFORMATION

ACCOMMODATIONS
ILI cannot arrange hotel bookings if using one of the designated hotels. If participants wish to take advantage of this offer, they must submit a completed hotel reservation form to the Program Administrator no later than 10 business days prior to the start of the seminar. Payment for the hotel is the responsibility of the participant. Participants can stay elsewhere but they will be wholly responsible for the arrangements.

Note: Hotel reservations require an advance deposit.

* Babysitting and Childcare - For participants who plan to bring children to Washington, DC, please make babysitting arrangements and have someone look after your children during classtime.

LANGUAGE

All seminars are conducted in English. Each participant is required to participate in seminar discussions, and must therefore be fluent in understanding, speaking, and reading English.

Note: ILI can arrange for translation services for an additional fee with advance notice.

DISCOUNT POLICY
ILI Alumni receive a 5% discount on all subsequent seminars attended. Please identify yourself as an alumnus on the application in order to receive a discount on your invoice.

In the case of institutions, when 5 or more participants attend an ILI seminar in a calendar year, a 5% discount will be applied to the last day of attendance.

In the case of governments, when 5 or more participants attend an ILI seminar in a calendar year, a 5% discount will be applied to the last day of attendance.

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CERTIFICATION

Upon completion of the seminar, each participant will be awarded a Certificate of Completion. Successful completion requires that a participant diligently attend all seminar sessions, including team meetings, promptly at the scheduled time from the first day through the last day, read all assignments, and participate in all group discussions and exercises. If a participant misses a number of sessions without good reason, ILI reserves the right to withhold certification.

INTERNATIONAL PUBLIC PROCUREMENT

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* Includes the latest version of the IPAD B with Wi-Fi and cellular and may include relevant program application, the tuition without an IPAD B is $1995.

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