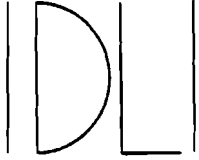


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International
Development Law
Institute

International Development Law Institute

QUARTERLY REPORT
Number 26

January 1-March 31, 1989

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1) Summary

This was an active quarter for the Institute, both programatically and organizationally. IDLI conducted two International Business Transactions seminars and completed the first month of the English language Development Lawyers Course. In addition, IDLI trainers made two diagnostic visits in preparation for upcoming training workshops in the Caribbean and Congo. Organizational highlights were the thirteenth Executive Committee and seventh Annual Board Meeting. There was progress on internationalization, with the accession by Egypt to the establishment agreement and ratification by the Governments of France and Sudan. The Director made a fundraising and program development mission to the United States. Finally, the Institute welcomed two new key staff personnel and modernized its word processor/computer system.

2) Monthly Progress Report

-- January, 1989

The month was largely devoted to preparations for the English language seminar on "Investment Treaties, Investment Contracts and Joint Ventures", the French language seminar on "Contrats de Gestion et de Consultants" and the submission of special reports to each donor organization.

During the month, Mr. Blanchi, Senior Program Legal Counsel visited Paris to discuss internationalization and fundraising with Ministry of Foreign Affairs and Ministry of Cooperation officials and to meet with visiting instructors in preparation for the February seminar. Mr. Blanchi also travelled to Aix-en-Provence to participate as a trainer in the "Magistère" program at the law faculty of Aix-en-Provence University.

During the month, Mr. William T. Loris, Senior Program Legal Counsel, addressed law faculty students at L.U.I.S.S. (Libera Università Internazionale degli Studi Sociali) on careers in international law.

IBT-11E ("Investment Treaties, Investment Contracts and Joint Ventures"), with 24 participants from 19 countries, took place over the two weeks beginning January 22, with Mr. Yohannes Kassahun, Program Legal Counsel, as seminar manager.

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-- February, 1989

IBT-11E continued through the first three days of the month, closing successfully on February 4.

At the beginning of the month, Dr. Wilhelm Schirmer of the Public Administration Promotion Centre of the German Foundation for International Development visited the Institute for two days. His purpose was to observe a seminar in progress and to discuss possible cooperation between the two organizations.

IBT-12F ("Contrats de Gestion et de Consultants") was held February 12-25, with 23 participants from 19 countries participating. Mr. Blanchi was seminar manager.

During the month the international auditing firm of Price Waterhouse completed its audit of IDLI's finances for calendar year 1988. At the same time, the Institute prepared a revised three-year budget for 1989-91 for presentation to the seventh annual Board Meeting the following month. The Administration Manager undertook an extensive wage/benefit survey among other employers in the Rome community as a first step in the revision of the Institute's own pay/benefits schedule.

Mr. Loris visited Barbados, Jamaica, Trinidad & Tobago and St. Lucia at the invitation of the Caribbean Justice Improvement Project (CJIP) in Barbados. The purpose of the trip was to conduct a diagnostic survey in preparation for a training workshop to be held in June, 1989. He followed-up this visit with meetings at the U.S. Agency for International Development, the World Bank and the Inter-American Development Bank in Washington, D.C.

During the month, the Director travelled to New York, Chicago, and Washington, D.C. Although the primary purpose of his trip was fundraising, meetings at the United Nations Development Programme (UNDP), the United Nations Institute for Training and Research (UNITAR), the United Nations Center for Transnational Corporations (UNCTC) and the Inter-American Development Bank (IDB) had program development objectives.

During the month Mr. Wagih Alexandre Cordahi, a Lebanese national, joined IDLI as Program Legal Counsel, with responsibility for French and Arabic language programs. Mr. Cordahi has served as legal advisor to two international banks, CCF and BAI. His experience includes teaching law and chief responsibility for syndicated loan operations. The Institute also welcomed Ms. Flavia Grassi, an Italian national, as

Admissions officer for anglophone programs.

The Institute took delivery under a long-term rental contract of a new Olivetti system (ETV 260) of word processors and computers replacing older models.

-- March, 1989


Mr. Blanchi visited Brazzaville (Congo) and Kinshasa (Zaire) at the beginning of the month. The Congo visit was for the purpose of diagnosis, in preparation for a training workshop to be held in Brazzaville in October, 1989. His trip to neighbouring Zaire was directed toward participant and program development, with primary meetings held with the Association of Zairian Women Lawyers (AFEJUZA). Preliminary discussions resulted in a plan for holding a workshop in Kinshasa in collaboration with the Association in 1990.

Under the co-course managership of Messrs. Loris and Kassahun, the sixth English language Development Lawyers Course (DLC-6E) opened on March 5, with 27 lawyers from 17 countries participating. In line with the basic course design, instruction during the first month addressed the seven basic development lawyer skills: advising, negotiating, drafting, planning and designing, reviewing and revising, monitoring agreements and resolution of disputes.

Counsellor Alberto Balboni, Head, Multilateral Cooperation, General Directorate for Development Cooperation of the Italian Ministry of Foreign Affairs replaced Minister Manfredo Incisa di Camerana as host country representative on the IDLI Executive Committee and Board of Directors.

The thirteenth Executive Committee Meeting, with all four members present, took place on March 15 at IDLI headquarters. As in past meetings on the eve the Annual Board Meeting, it focused primarily on the audit report, IDLI finances and budgetary requirements. The Committee also took note of the "disappointing" earnings record of the IDLI endowment funds and considered options for the future.

The seventh Annual Board Meeting was held in Rome at the Conference Room of the International Fund for Agricultural Development on March 16. Ten of IDLI's current twelve-member Board participated under the chairmanship of Dr. Ibrahim F.I. Shihata. The Board approved IDLI's program for 1990 and gave provisional concurrence to the program for 1991. Representatives of six signatory governments and three



non-signatory donor governments attended the morning session as observers.

The Board also encouraged the Institute to organize a special colloquy in 1989 on the subject of new debt instruments for lawyers actively working on the debt crisis in both developing and industrial countries. The Board also approved the IDLI audit and budget and provided guidance on management of the general endowment fund. In recognition of the role of the General Assembly of the new internationalized Institute in constituting its first Board of Directors, the Board decided that the current membership of the Board should remain fixed until dissolution of the Dutch Stichting.

In keeping with tradition, IDLI held its annual reception for Board Members on the evening of the Board meeting, inviting DLC participants, the diplomatic community in Rome and Italian Government officials and lawyers.

During the month, IDLI commissioned Mr. Russell B. Sunshine, who has extensive experience with the Institute as consultant, visiting instructor and visiting Program Legal Counsel, to write two-volumes on "International Development Negotiation". The first volume will be a participant handbook, while the second will be a trainers' manual. A parallel contract with the Dutch publishing company of Martinus Nijhoff provides for publication of Volume I. Volume II will be locally published in looseleaf form by the Institute. A request to the Italian Government for funding of this project remains pending.

During the month, Egypt became the ninth state signatory of the Agreement for the Establishment of the International Development Law Institute. It was learned during the month that the Government of the Sudan completed its ratification process, leaving only one additional ratification necessary to bring the international agreement into force.

During the month the Director presented a paper on "Environment and Development: the Lawyers' Role" at the working group on "Environment and Development" in Rome on March 11. The working group was sponsored by the European Association of Development Research and Training Institutes (EADI).

The end of the month witnessed the departure of Ms. Elizabeth Larc Abbot for maternity leave.

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In addition to visiting instructors in the Development Lawyers Course and Board members IDLI welcomed as a distinguished visitor Prof. Detlev Vagts, Bemis Professor of Law at Harvard Law School, Cambridge, Massachussets.

3) Future Goals, Constraints and Strategies

IDLI priorities in the next quarter include **publications** (a new brochure, poster, training program and annual report - as well as Bulletin No. 9); **ongoing program** (including completion of DLC-6E, IBT-11F and training workshop for the Caribbean region in Barbados); **program development** (including meetings with GATT and UNCTAD in Geneva on possible training programs for developing country representatives to those organizations in the field of multilateral trade law) and **fundraising**. In view of the termination in the current year of several major ongoing grants, fundraising will assume particular importance in the next quarter.

With respect to internationalization, the Institute hopes to receive during the next quarter at least one additional ratification, which will bring the establishment agreement into force. It also plans to open informal discussions with the Italian Government on the text of a headquarters agreement.

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International
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QUARTERLY REPORT

Number 16

June 1 - September 30, 1986

1) Summary

In order to bring IDLI's quarterly reporting into harmony with the calendar year and thereby to facilitate reporting required by donor agencies, this "quarterly" report covers four months rather than the usual three. Future reports will be made as of December 31, March 31, June 30 and September 30.

During this period, the Institute conducted one International Business Transactions seminar (IBT-6F), commenced its sixth Development Lawyers Course (DLC-3F) and conducted its first in-country training program, a one-week workshop in the People's Republic of China. In addition, the Institute began to implement its new strategy on internationalisation, made major fundraising contacts in Japan and received its first financial assistance from private foundations and corporations. A three-year grant for fellowships and institutional support from USAID through AMIDEAST, staff intervention in important Italian programs and publication of a new Training Program, Annual Report and Alumni Bulletin were additional highlights.

2) Monthly Progress Report

— June, 1986

The month began with IBT-6F ("La Syndication de Prêts Internationaux: Financements Bancaires du Développement") with 21 participants from 11 countries attending. One private sector lawyer, Mme. Mediatrice Niwenamuha from Rwanda, received a USAID/PRE fellowship.

On June 20, the IDLI Director and the legal advisor met with the Board Chairman, Dr. Shihata during his visit to Rome. They agreed upon a new internationalisation approach involving invitations to states to become sponsors. Subsequently, initial approaches were made to the Governments of Austria and Italy.

Major effort was devoted to completion of the Annual Report for 1985-86.

The Institute received word that the Levi Strauss and Company, International Group would be making a grant through the Asia Foundation to cover approximately one half of the costs of the forthcoming training workshop in China. The contribution represented IDLI's first involvement of private foundations and corporations. At the end of the month, Program Legal Counsel Dr. Abdelhafidh Ellouze participated in a seminar on the "The Legal Aspects of Development" held at the University of Trieste, Italy.

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A cardio-pulmonary resuscitation (CPR) course was attended by all IDLI staff on June 26-27.

In addition to visiting instructors participating in IBT-6F, important visitors during the month included:

- Mr. S.M. Sulaiman, Consultant and former official of the World Bank; and
- Mr. André Wilmots Van-Den-Daele, Director, UNITAR/Rome.

-- July, 1986

The month began with the publication of the IDLI Training Program for 1987 and news that the John D. and Catherine T. MacArthur Foundation of Chicago, Illinois would be providing a contribution for the balance of funds required for the training workshop in China and IDLI's expenses in arranging the China Company Law Drafting Group study mission visits to Egypt, France and Italy (see Quarterly Report No. 15).

Program Legal Counsel William T. Loris made a two-day IDLI intervention in a training course designed to prepare young Italian technicians to work in developing countries.

IDLI's first in-country workshop took place in Beijing on July 20-25. The workshop was designed to help the Chinese drafters of a new company law understand different legislative approaches. The workshop was attended by 23 participants (including five women) and five observers. Doctor Sayed Omar, Legal Advisor to the Egyptian Ministry of Economy and principal draftsman of the Egyptian company law of 1981 and Professor Richard M. Buxbaum, Professor of Law of the University of California served as visiting instructors. The IDLI Director, Mr. Hager, was workshop manager. As Mr. Yang Fong, Director of the Bureau of Economic Legislation of the State Economic Commission reported in a telex to the Board of Directors, the workshop was a "great success".

En route from the workshop, the IDLI Director visited Tokyo for meetings with officials of the Ministry of Finance, private industries and United Nations University with respect to a variety of topics (including fundraising, the possible reception of a Chinese company law study mission visit in 1987 and legal status).

Important visitors during the month included:

- Mr. Michael Miklaucic, Project Officer, America-Middle East Educational Service, Inc.;
- Mr. Fan Xuan, Second Secretary (Commercial) Embassy of the PRC in Italy; and
- Mr. Cao Xienzhi, Vice General Manager, lawyer and economist, China National Technical Import Corporation (CNTIC), Beijing, China.

— August, 1986

Early in the month, Program Legal Counsel Hilary Lewis Ruttley travelled to Bangkok at the request of the USAID Bureau for Private Enterprise to participate in a policy conference on privatisation in Thailand sponsored by the Public Enterprise Institute, Bangkok.

Preparations were completed for the French-language Development Lawyers Course (DLC-3F) to begin on September 8 and the Admission Office was kept busy both with arrangements for that program and applications for the IBT-6E ("Commercial Financing for Development") to be held in December.

The IDLI Director completed the trip follow-up from his visits to Beijing and Tokyo, including a report on the China workshop. Also during the month, major proposals were prepared for several donor organisations, including the Arab Fund for Economic and Social Development and the OPEC Fund for International Development.

While enroute to the United States on home leave, Program Legal Counsel William Loris visited DANIDA in Copenhagen in an effort to secure that agency's support.

Important visitors during the month included:

- Mr. Stewart Halstead, private practitioner, London; and
- Mr. Anthony V. Elisio, Corbo & Cefaly Law Firm, Rome.

— September, 1986

The month began with the publication and distribution of the Annual Report for 1985-86. Completing the announcement process, IDLI staff posted some 1,600 announcement packages to various parts of the world.

With Dr. Abdelhafidh Ellouze as Course Manager, the third francophone Development Lawyers Course (Pratique du Droit du Développement) began on September 8 with 25 participants from 17 countries; 19 members of the group represent Government ministries, 5 work for public enterprises and 1 is a private practitioner.

On September 15, the Director departed Rome for visits to San Francisco, New York and Washington. Although the primary purpose was fundraising, the trip featured meetings with the new Administrator of UNDP, two Undersecretaries General of the United Nations, a prospective Board Member candidates and the IDLI Chairman. While in Washington, the Director attended as a visitor some plenary sessions of the Annual meeting of the IMF and World Bank.

Mr. Blanchi, Program Legal Counsel, visited Paris and Douala, Cameroon. The purpose of the Paris visit was two-fold: to discuss financial participation with officials of the French Government and to participate in a coordination meeting in preparation for IBT-8F ("Accords de Compensation"). In Douala, Mr. Blanchi conducted a diagnostic survey in preparation for a training workshop on legal constraints to private enterprise to be held in the spring, 1987. He also met with officers of cooperating organisations in Douala. The workshop to be held April 6-11, 1987, is being financed under a grant from the Bureau for Private Enterprise, U.S. Agency for International Development. The National Association of Business Jurists (ANAJE) will be IDLI's partner in this endeavour to be conducted in collaboration with the Chamber of Commerce and the National Centre for Assistance to Small and Medium Size Enterprises (CAPME).

Mr. William Loris, Program Legal Counsel, visited Oslo and Helsinki to introduce IDLI to cooperation officials and to seek broader financial support from the Nordic countries.

In preparation for the forthcoming seminar on "State-Owned Enterprises" (IBT-7E), Ms. Hilary Lewis Ruttley, Program Legal Counsel, attended a seminar on public enterprise management hosted by the International Centre for Public Enterprises in Developing Countries (ICPE) in Ljubljana, Yugoslavia. The seminar, co-sponsored by the Economic Development Institute of the World Bank, catered for participants of the EMENA (Europe, Middle East and North Africa) region. The seminar provided Ms. Lewis Ruttley with useful information and introductions to experts in the field.

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In addition to visiting instructors at DLC-3F, important visitors during the month were:

- Mr. Donald J. MacKay, Counsellor and Permanent Representative to the FAO, New Zealand Embassy, Rome;
- Mr. Robert Trudel, Advisor to the Delegate General of the Quebec Province Delegation to Italy; and
- Mr. André Wilmots, Director, UNITAR/Rome.

3) Future Goals, Constraints and Strategies

With the receipt of the Italian Government contribution for 1986, a new three-year contribution from the Swedish International Development Authority and commencement of a three-year grant from the Asia Near East Bureau of USAID, the Institute began the second half of the year without immediate financial worries. Nevertheless, the preponderance of short term assistance, the need to renew multi-year contributions received from Italy and the Netherlands and the longer term desirability of creating financial security have kept fundraising as a major priority.

At the top of IDLI's priority list is, however, internationalisation. Convinced that international organisation status is essential for IDLI's relationship with the Government of Italy, the Institute has begun a campaign to enlist state sponsors. The object is to have two or more states and/or international organisations mutually agree to re-establish IDLI as an international organisation. This would then permit the Government of Italy to recognise the Institute's international status and negotiate a headquarters agreement with continuing operational facilities.

On the program side, the period under review marked important strides toward an active program of training workshops. In addition to the China workshop, preliminary steps were taken for workshops in Cameroon, Indonesia and Thailand.

On the staff side, Maurizio Dal Ferro joined the Institute in late August as Course Assistant for the francophone Development Lawyers Course. In early September, Coraline de Wursterberger, Logistics Coordinator, left the Institute to return to Paris. Suzel Berneron was hired as a francophone secretary at the beginning of September to substitute Catherine Deslandes on maternity leave. Ms. Berneron left IDLI at the end of September.



International
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QUARTERLY REPORT

Number 17

October 1 - December 31, 1986

1) Summary

During the period under review, IDLI successfully completed its third program year. The twelve-week "Pratique du Droit du Développement" (DLC-3F) and two-week seminar on "Commercial Financing for Development" (IBT-6E) brought the number of completed IDLI programs to 18.

The period also witnessed substantial progress in IDLI's newest program activity: training workshops. The Institute's legal training staff intervened in an Italian Government program for Latin American government officials, co-managed a two-week program on "Legal Aspects of International Trade" with the International Trade Centre in Jakarta, Indonesia and conducted a one-week workshop with ITC as co-manager on the same topic in Geneva. Diagnostic visits to Jakarta and Bangkok were made in preparation for 1987 workshops in those countries. Meanwhile, the Institute was invited to design and conduct or participate in several other workshops in the coming year.

The Institute's management priority is internationalisation, in order to negotiate a headquarters agreement with the Government of Italy. Preliminary consultations were held with the Governments of Austria, Egypt, Italy and Sweden. In addition, the Institute addressed letters inviting expressions of interest to Canada, Kuwait, the Netherlands, Senegal, Sri Lanka, Tunisia and the United States. At its eighth meeting in November, the Executive Committee of the Board of Directors discussed internationalisation and other pending issues.

There was progress on fundraising during the period. The Governments of the Netherlands and Sweden announced multi-year contributions, while the Government of Italy increased the amount of its contribution for 1987. The General Electric Foundation, Inc. announced a \$ 10,000 contribution for DLC-3F, the first corporate grant to IDLI's regular program.

2) Monthly Progress Report

-- October, 1986

During the second month of the francophone Development Lawyers Course, participants completed the skills sections and proceeded to the "rules of the game" sequences, beginning with project financing.

The Director returned from his United States trip on October 4. On October 13-15, he and Mr. William Loris, Program Legal Counsel, visited Vienna to meet with the Director General and other staff of the OPEC Fund for International Development and to consult with the Legal Advisor to the Ministry of Foreign Affairs of the Government of Austria regarding possible Austrian participation as a co-sponsor in IDLI's internationalisation.

On October 17-20, the Director and Dr. Abdelhafidh Ellouze, Program Legal Counsel, visited Kuwait for meetings with the Kuwait Fund for Arab Economic Development and the Arab Fund for Economic and Social Development regarding future financial support and possible workshops for the Middle East region. While in Kuwait, they also met with H.E. Mr. Faisal Al-Khaled, Minister of Commerce and Industry of the Kuwait Government, officers of the Kuwait Investment Authority and other officials.

Preparations accelerated for the EEC-sponsored workshop on "Legal Aspects of International Trade" to be held in November in Jakarta, Indonesia for ASEAN member country officials. Mr. Blanchi, Program Legal Counsel, was designated workshop co-manager along with Mr. Gerd Langer, Senior Advisor of the International Trade Centre.

Ms. Hilary Lewis Ruttley, Program Legal Counsel, prepared for diagnostic visits to Jakarta and Bangkok, arranged by USAID Missions to Indonesia and Thailand, respectively, to discuss the possibility of private sector-oriented programs in those countries.

On the staff side, the Institute welcomed three new additions: Ms. Annick Van Houtte, a Belgian citizen, joined IDLI as a work-study fellow and course assistant for anglophone programs. In addition, she assumed responsibility for compiling a catalog of library holdings. Ms. Laurence Blais, a French national, was hired to fill the francophone secretary position until Ms. Deslandes' return from maternity leave. Ms. Silvia Laganà, an Italian, replaced Ms. de Wurstemberger as logistics coordinator.

Important visitors during the month were:

A. Visiting Instructors (DLC-3F):

-- Mr. S.L. Alao, Legal Advisor, African Development Bank, Abidjan;

-- Mr. G. Audren, Legal Advisor, Caisse Centrale de Coopération Economique, Paris;

-- Me Robert Dossou, Avocat and Dean of the Law Faculty, University of Benin, Cotonou;

- Mr. Louis Forget, Legal Advisor, World Bank;
- Mr. X. Herlin, Deputy Director, Legal Department, European Investment Bank, Luxembourg;
- Dr. Odette Jankowitsch, Officer in Charge, Inter-Agency Program Coordination Section, UNIDO, Vienna;
- Me C. Matar, Crédit Commercial de France, Paris;
- Mr. D. Nedjar, Avocat, Tandeau de Marsac, Serrero, Popineau & Associés, Paris; and
- Mr. Philip Ruttlely, Legal Advisor, International Fund for Agricultural Development (IFAD), Rome.

B. Others:

- Prof. Terence Daintith, Professor of Law, European University Institute, Florence; and
- Mr. Michael Davies, Solicitor, Fox & Gibbons, London.

-- November, 1986

The francophone Development Lawyers Course continued through its third and final month, with an emphasis on international contracting.

On November 2, Mr. Pasquale Ferraro, Administration Manager, travelled to New York and Washington where he met officers of UNDP/OPE, USAID PRE and ANE Bureaus and AMIDEAST to discuss the implementation of grants and fellowship support. He also visited EDI, where he met with several officers to share information concerning administrative procedures.

On November 6, Program Legal Counsel Mr. Loris and Ms. Lewis Ruttlely presented a one-day program on negotiation techniques for an audience of Latin American officials attending an export promotion course sponsored by the Italian Ministry of Commerce and Industry and ITC.

Program Legal Counsel Mr. Blanchi travelled to Indonesia to co-manage the EC-sponsored two-week workshop on "Legal Aspects of International Trade", attended by thirty-one trade promotion officials from five ASEAN member countries.

Ms. Hilary Lewis Ruttlely, Program Legal Counsel, visited Jakarta, Indonesia on November 22-29 to meet with government officials regarding the possibility of one or more training workshops on development law topics in 1987. A second diagnostic visit was paid to Bangkok, Thailand on November 29-December 4. The consultation, on the subject of privatisation, took the form of a roundtable conference of senior officials.

The Institute continued efforts to reorganise itself as an international organisation. The Director met with H.E. Dr. Esmat Abdul Meguid, Deputy Prime Minister and Foreign Minister of Egypt, who expressed support and encouragement for the Institute and its program.

The eighth meeting of the Executive Committee of the IDLI Board of Directors took place in Rome on November 21. All four members of the Committee (Dr. Ibrahim F.I. Shihata Chairman, Mr. Mohammed Y. Abdel Aal, Minister Sergio Balanzino and the IDLI Director) were present. Principal agenda items discussed were: internationalisation, composition of the Board of Directors, the 1988-89 program and next year's Board of Directors meeting.

On the staff side, Ms. Ann Johansson resigned from IDLI to return to her native Sweden. Ms. Fiamma Spinelli, an Italian, retained on a temporary basis, replaced her.

Important visitors during the month included:

A. Visiting Instructors (DLC-3F)

- Ms. Belinda Barrington, Regional Legal Advisor, U.S. Agency for International Development, Nairobi;
- Mr. Reinhardt Helmke, Deputy-Director, UNDP European Office, Geneva;
- Mr. J. Köppen, EC Commission, Bruxelles;
- Ambassador Mahmoud Maamouri, League of Arab States, Rome;
- Mr. Gilbert Patrice, Canadian Agency for International Development, Hull, Quebec;
- Mr. Jeswald Salacuse; Dean of the Fletcher School of Law and Diplomacy, Tufts University, Medford, Massachusetts;
- Mr. Charles Struxiano, European Development Fund, EC Commission, Bruxelles;
- Ambassador Oumar Sy, Embassy of Senegal, Bruxelles.

B. Others

- Mr. Thomas Hill, Private Practitioner, West Palm Beach, Florida; and
- Ms. Essma Ben Hamida, Inter Press Service, Rome

-- December, 1986

The final program of the 1986 training year "Commercial Financing for Development" (IBT-6E), took place on November 30-December 13, with 24 participants from 16 countries participating. The seminar was distinguished by its regional distribution: Africa (7), Asia (8),

Latin America (6), Middle East (2) and North America (1) and the large number of private practitioners (9). The increasing response of the developing countries to the fellowship program for private practitioners funded by the USAID Bureau for Private Enterprise was manifest in this program, which had eight PRE-sponsored fellowships.

Mr. Blanchi, Program Legal Counsel, co-designed and conducted a one-week workshop on "Legal Aspects of Foreign Trade" for an inter-regional audience in Geneva on December 8-12. With funding from the United Nations Development Programme, the workshop was held in collaboration with the International Trade Centre, Geneva. Mr. Blanchi also discussed with ITC possible future collaboration.

The Institute revised its general information brochure for publication in English, French, Italian and Arabic and prepared for the January and February 1987 seminars and the March 1987 Development Lawyers Course.

Mr. Blanchi was invited to participate in a curriculum planning meeting in Aix en Provence for the Aix-based "Magistère en Sciences Sociales et Humaines appliquées aux mondes non occidentaux". This meeting was an opportunity for planning the legal training component of the third and final year of this newly created Aix Marseille University graduate program. IDLI may be called upon to design and conduct a segment of this program on international trade.

As an experiment in participant recruitment, IDLI placed commercial advertisements in Jeune Afrique (December 5 and 12) and in The Economist (November 21 and December 5, 12 and 19).

With the purchase of a video unit and television monitor the Institute has the capability to show training films in courses and seminars. The planned purchase of a video camera in 1987 will permit self-review of practice negotiations.

The Director revised for publication his remarks to a conference of former law teachers in Africa held at the Arden House Conference Center in Monroe, New York, in September 1986.

On the staff side, the Institute bid farewell to Mr. Maurizio Dal Ferro, work-study fellow, who completed his assignment as course assistant in DLC-3F.

Important visitors during the month included:

A. Visiting Instructors (IBT-6E):

- Mr. Adronico Adede, Legal Advisor, International Atomic Energy Agency, Vienna;
- Ms. Susanna Beltramo, Avvocato, Graziadei Law Firm, Rome;
- Mr. Speed Carroll, Managing Partner, Cleary Gottlieb Steen & Hamilton, New York;
- Mr. Francis Chronnell, Solicitor, Norton Ross Botterell & Roche, London;
- Mr. Michael Davies, Attorney, Fox & Gibbons, London;
- Mr. Antonio De Cata, MedioCredito, Rome;
- Mr. Thomas Fallon, Economist, Union des Banques Arabes et Françaises (UBAF), Paris;
- Mr. Lotfi Maktouf, Legal Advisor, International Monetary Fund, Washington;
- Mr. Herbert Morais, Legal Advisor, World Bank, Washington;
- Mr. Marco Pracca, Bankers' Trust, Milan; and
- Mr. Marco Ragno, Società di Assicurazione per il Commercio Estero (SACE), Rome.

B. Others:

- Dr. M. Y. Seyyid Abdulai, Director General, OPEC Fund for International Development, Vienna;
- Mr. Claude Cellich, Chief of Training Section Division of Specialised Services, ITC Geneva.
- Dr. Saad El-Fishawi, Senior Advisor for Middle Eastern Affairs, World Bank/Washington D.C.;
- Mr. Bader Al-Humaidhi, Director General, Kuwait Fund for Arab Economic Development, Kuwait; and
- Dr. F. Orlandini, IRI, Rome.

3) Future Goals, Constraints and Strategies

The Institute looks forward to the beginning of a new program year. "State-Owned Enterprises" (IBT-7E), scheduled for January 25-February 7, will be IDLI's first regular program on a national law topic. "Accords de Compensation" (IBT-8F) scheduled for February 15-28, addresses a subject-matter of immediate concern to many countries: Barter and Countertrade. In March, IDLI will welcome participants to its fourth anglophone Development Lawyers Course (DLC-4E). The DLC has become so popular that a waiting list of about one year for each version is becoming the norm.

With the expected completion of preliminary consultations with states regarding internationalisation, the Institute plans to obtain Board approval of a draft agreement to be vetted with interested governments. If the results are favorable, the Institute will hold a signing conference in 1987, if possible by May or June.

In order to build on recent fundraising successes, the Institute is increasing its efforts to expand public sector donors by adding new countries (especially France and Japan) and private sector organisations. We are hopeful that the next quarter will show some results from our recent efforts to attract renewed assistance from the Arab/OPEC donor group.

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International
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QUARTERLY REPORT

Number 18

January 1 - March 31, 1987

1) Summary

As in previous years, the first quarter was largely taken up with the Rome-based programs, workshop preparation, the financial audit and the Annual Board Meeting.

During this period, the Institute conducted two International Business Transactions seminars and commenced its seventh Development Lawyers Course. These programs brought the number of participants trained by IDLI in its Rome-based courses and seminars to 474 from 81 countries.

With the Fifth Annual Board Meeting in March confirming the Institute's transformation from NGO to international organisation, IDLI made significant progress toward international status.

2) Monthly Progress Report

-- January, 1987

The principal activity of the month was IBT-7E: "State-owned Enterprises", attended by 27 participants from 19 countries (including 4 private practitioners with fellowships provided by the USAID "Bureau for Private Enterprise"). For the first time, IDLI utilised its new video equipment for a training film.

Consultations continued during the month with representatives of various Governments regarding the Draft Agreement for the establishment of the International Development Law Institute as an international organisation. The most significant meetings took place with representatives of the Government of Italy, resulting in Ministry of Foreign Affairs clearance of a revised draft acceptable to the IDLI Board Chairman, under a resolution approved by the full Board.

On the administrative front, management developed a five-year plan for presentation to the Board of Directors at the Fifth Annual Meeting. Efforts were made to recruit a visiting Program Legal Counsel to replace Ms. Hilary Lewis Ruttley who will be absent on maternity leave in the fall. Individual appraisal meetings were held by the Director with members of the management team.

Participant recruitment and identification of fellowship sponsors for IBT-8F and DLC-4E were major activities throughout the month.

The French Government announced a contribution in the amount of approximately FF 200.000 (equivalent to approximately US \$ 30,000) for fellowships to francophone programs.

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In addition to visiting instructors to IBT-7E, important visitors during the month included:

-- Mr. John Gray, Juan Grande International Oil Co., El Dorado, Arkansas;

-- Dr. Giulio Murano, Attorney, and Head, External Relations, International Juridical Organisation, Rome; and

-- Mr. William T. Wynne, Crumpler, O'Connor & Wynne, El Dorado, Arkansas.

-- February, 1987

A week after the completion of IBT-7E, IDLI conducted the francophone seminar (IBT-8F) on "Accords de Compensation". Twenty participants from 14 countries participated (including 2 private practitioners financed under the USAID Private Enterprise Bureau grant).

The annual audit of IDLI's financial status took place during the month. The international audit firm of Price Waterhouse conducted the audit, with a report being issued on February 25.

In preparation for renewed application for fellowships assistance from the European Community, IDLI representatives met with the head of the EC office in Rome.

The Director traveled to Cairo (Egypt) on February 15-19 to attend the first Arab Regional Conference on Arab comparative and commercial law sponsored by the International Bar Association. He also met with representatives of the Egyptian Foreign Ministry regarding possible Egyptian participation in IDLI's internationalisation agreement.

In addition to visiting instructors participating in IBT-8F, important visitors during the month included:

-- Minister Giulio Cesare Garaguso, Head, Multilateral Cooperation Division, Department of Development Cooperation, Italian Ministry of Foreign Affairs;

-- Michael Miklaucic, Project Officer, America-Mideast Educational and Training Services, Inc. (AMIDEAST); and

-- Ms. Brunon, First Secretary, French Embassy Rome.

Mr. André Cooreman, who served as course assistant for IBT-8F departed the Institute during the month.

-- March, 1987.

The month began with the opening of the Development Lawyers Course. This anglophone version (DLC-4E) welcomed 22 participants from 15 countries and one regional organisation. Three private practitioners were admitted under sponsorship of the Private Enterprise Bureau of USAID.

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The fifth Annual Board Meeting took place in Rome on March 19-20. Ten of the current thirteen Board Members participated at the premises of the Italian Diplomatic Institute, generously provided by the Ministry of Foreign Affairs of the Italian Government. The Director General of the Department of Development Cooperation of the Italian Ministry of Foreign Affairs, Ambassador Patrizio Schmidlin, opened the meeting with a keynote address.

The Board approved IDLI's program, audit report, three-year budget and five-year plan. The Board also made important decisions regarding the appointment of members to fill vacancies and devoted the major portion of its time to discussing the internationalisation issue. With several clarifying modifications, the Board approved a revised Draft Establishment Agreement and recommended that it be made available by the Italian Government for signature by states, national development agencies of states and intergovernmental organisations as early as June, 1987. The Board also instructed the IDLI Director to begin negotiation of a headquarters agreement with the Government of Italy at the earliest opportunity.

A well-attended reception at IDLI's training center on March 19 brought together Board members, DLC-4E participants, Government officials, Diplomatic representatives and distinguished members of the local legal community.

The OPEC Fund announced a grant to IDLI in the amount of US \$ 75,000 for fellowships. The World Bank continued its support with the announcement of a US\$ 10,000 contribution for 1987.

At the end of the month, Dr. Abdelhafidh Ellouze, Program Legal Counsel, visited Geneva, Karachi, Lahore and Islamabad in preparation for a training workshop in Pakistan on "Legal Aspects of Technology Transfer". Mr. Gilles Blanchi, Program Legal Counsel, completed arrangements for a training workshop to be held in Douala, Cameroon in early April.

March witnessed the departures of two temporary staff members, Ms. Nicoletta Mughini, Admissions Officer and Ms. Laurence Blais, francophone secretary.

In addition to visiting instructors participating in the Development Lawyers Course (DLC-4E), important visitors during the month included:

- Mr. Mohammed Y. Abdel Aal, Board Member and Senior Legal Advisor, Kuwait Fund for Arab Economic Development, Safat, Kuwait;
- Avv. Alberto Annibaldi, Annibaldi Law Office, Rome;
- Dr. Samuel K.B. Asante, Board Member and Director, Advisory and Information Services Division, UNCTC, New York;

- Mr. Patrice Dufour, EDI, Washington;
- Dr. Dieter Feddersen, Partner, Feddersen, Laule Stroth & Partners, Paris, France;
- H.E. Florentino P. Feliciano, Board Member and Justice, Supreme Court of the Philippines, Manila, Philippines;
- Gordon L. Jaynes, Esq., Board Members and Partner, Whitman & Ransom, London, England;
- Minister Giulio Cesare Garaguso, Board Member and Head, Multilateral Cooperation, Department for Development Cooperation, Ministry of Foreign Affairs, Rome;
- Prof. Ugo Leone, Board Member and Director, UNSDRI, Rome;
- Minister Simbi Mubako, Minister of National Supplies, Harare, Zimbabwe;
- Dr. Willibald P. Pahr, Board Member and Secretary General, World Tourism Organisation, Madrid; and
- Dr. Ibrahim F.I. Shihata, Board Chairman and Vice-President and General Counsel, the World Bank.


3) Future Goals, Constraints and Strategies

Although the internationalisation process appears to be on track, much remains to be done. With government approval of the draft recently revised by the Board of Directors, prospective signatories will again need to be contacted. Arrangements will need to be made with the Italian Government for signing modalities. The terms of a headquarters agreement will need to be worked out. Both internationalisation and headquarters agreement will require sustained efforts of the Director and staff.

Although funding is less of an immediate problem than in the past, it remains an important preoccupation. This year's regular fundraising missions by the Director in the spring and fall will attempt to use internationalisation to attract broader fundraising support.

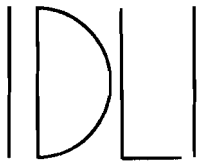
On the personnel side, IDLI will be forced to do more with less. Mr. Blanchi will be absent from the office for about three months beginning in May in order to undergo surgery. Ms. Hilary Lewis Ruttle, Program Legal Counsel, is expected to be away for five months maternity leave beginning in late June. The Institute has made arrangements for a visiting Program Legal Counsel during the period and will extend the services of a work study fellow to support the training staff.

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International Development Law Institute

QUARTERLY REPORT



International
Development Law
Institute

Number 19

April 1 - June 30, 1987

1) Summary

Programs and fundraising were paramount interests in the second quarter.

During the period under review, the Institute completed its seventh Development Lawyers Course (DLC-4E), conducted a seminar on state-owned enterprises (IBT-7F "Aspects Juridiques des Entreprises Publiques et Parapubliques") and carried out a training workshop in Douala, Cameroon. The Director undertook a fundraising/program development mission to Canada and the United States.

Progress was made in the enlistment of sponsoring governments to join in the Agreement for the Establishment of IDLI as an International Organization. Arrangements for signing will be made upon the constitution of a new Italian Government, for which elections were held in June.

2) Monthly Progress Report

-- April, 1987

During the second month of the English language Development Lawyers Course, participants completed the skills sections and proceeded to the "rules of the game" sequence, beginning with project financing.

During the month, Mr. Blanchi, Program Legal Counsel, conducted a training workshop for francophone lawyers in Douala, Cameroon in collaboration with the Cameroon Association of Business Lawyers ("Association Nationale des Juristes d'Entreprises (ANAJE)"). The workshop was financed by a grant from the Private Enterprise Bureau of the United States Agency for International Development (USAID). The topic, "Drafting and Negotiating Investment Agreements", was designed for private sector and parastatal lawyers in Cameroon. Upon completion of the one-week workshop, Mr. Blanchi visited Lomé (Togo) and Cotonou (Benin) to interview candidates for future programs and meet with employers and potential fellowship sponsors.

The Director was absent from the Institute for the period April 14-21 on emergency family leave to attend the last illness of his father. Shortly thereafter, he traveled to Canada (Ottawa-Hull) and the United States (New York City, Washington, D.C., Little Rock and El Dorado, Arkansas, Shreveport, Louisiana and Dallas, Texas). The purpose of the trip was primarily fundraising.

The Director met with officials of the Canadian International Development Agency (CIDA), including the CIDA President, Ms. Catley-Carlson; the International Development Research Centre (IDRC), the IBM Corporation, the General Electric Foundation, Inc., the United States Agency for International Development (USAID), the World Bank, the International Finance Corporation (IFC), the John D. and Catherine T. MacArthur Foundation. He also met with officers at the United Nations Development Programme (UNDP) (regarding IDLI's proposal to conduct a series of workshops in Africa on "Legal Constraints to Business Activity") and with representatives of the United Nations Department for Technical Cooperation for Development (UNDTCD), the America Mideast Educational and Training Services, Inc. (AMIDEAST) and the Economic Development Institute (EDI) of the World Bank. Mr. Hager met with IDLI's Board Chairman, Dr. Shihata. He conferred with Mr. Chuck Verrill, Chairman of the Board of Directors of the International Law Institute (ILI) in Washington, D.C. and with Mr. Frank Loftus, the ILI Executive Director. He also paid a courtesy call on the Kuwait Embassy in Washington, D.C. at the request of its Ambassador.

In Arkansas, Louisiana and Texas, the Director met with private businessmen, primarily from the oil industry. The Arkansas Industrial Development Commission hosted a luncheon in Little Rock, with prominent local attorneys attending. In El Dorado, Shreveport and Dallas, Mr. John Gray, former Director of the United Nations Institute for Training and Research (UNITAR) Small Energy Resources Centre in Rome, hosted the Director's meetings with the Society of Independent Professional Earth Scientists (SIPES) chapters in Shreveport and Dallas. In both of the latter meetings, the IDLI Director was the featured speaker. The principal aim of the meetings in the U.S. Southwest was to explore the possibility of establishing a "Friends of IDLI" association which would assist in fundraising and provide a grass roots constituency for other financial support.

During the trip the Director made a presentation on IDLI at the Yale Law School and met with IDLI's newest Board member, Mr. James Hurlock, managing partner of White & Case in New York City.

Participant recruitment and identification of fellowship sponsors for IBT-7F and DLC-4F accelerated during the month.

In addition to visiting instructors to DLC-4E, important visitors during the month included:

- Mr. Ronald Léger, Head, International Non-Governmental Organization Office, Canadian International Development Agency, Ottawa-Hull;

- Prof. R. St. J. Macdonald, Professor of Law, Dalhousie Law School, Halifax, Canada;

- Ms. Chiyoko Teranishi, First Secretary, Embassy of Japan, Rome;
- Mr. Jurgen Voss, Legal Advisor, the World Bank; and
- Dr. Thomas Wälde, Inter-Regional Advisor, United Nations Department of Technical Cooperation for Development, New York, N.Y.

Dr. Ellouze, Program Legal Counsel, returned from his diagnostic visit to Pakistan for the workshop on Technology Transfer. On his way, he met with the WIPO (World Intellectual Property Organization) General Counsel and ILO (International Labour Organization) officials in Geneva and collected useful information and documents for the workshop itself as well as for the next IBT-9E and 9F on the same subject.

Regarding personnel matters, April opened with the return of Ms. Catherine Deslandes (francophone secretary) and the departure of her replacement, Ms. Laurence Blais. Ms. Nicoletta Mughini (Admissions Office), temporary replacement for Ms. Virginia Cameron, also left at the end of March. Ms. Cameron extended her leave and Ms. Maria Egizia Petroccione joined the IDLI staff as Acting Admissions Officer/ Francophone programs while Ms. Deborah Martin took over as Acting Admissions Officer/Anglophone programs.

-- May, 1987

This month saw completion of the twelve-week Development Lawyers Course, with participants devoting most of their time to the international procurement of goods, services and works and preparation for return to their home countries.

Three IDLI Program Legal Counsel (Mr. Blanchi, Dr. Ellouze and Mr. Loris) led sessions on "Negotiation Techniques" and "Trade Financing and International Contracts", an export promotion course for Southern African government officials sponsored by the Italian Institute for Foreign Commerce (ICE), in Rome. This was the second time IDLI has been asked to contribute to an ICE program.

As a follow-up to the Director's fundraising mission to Canada and the United States, proposals were submitted to the IBM Corporation and the General Electric Foundation, Inc. Further guidance prior to submission of a proposal was sought from the John D. and Catherine T. MacArthur Foundation. The Institute is awaiting release of revised guidance for NGO grant applicants before submitting a request for renewed assistance to the Canadian International Development Agency.

Preparatory work continued on training workshops scheduled for September in Karachi, Pakistan ("Transfer of Technology Agreements") and Jakarta, Indonesia ("Role of the Corporate Director").

Dr. Ellouze is course manager for the former program, while Ms. Lewis Ruttley is manager for the second. During the major portion of Ms. Lewis Ruttley's maternity leave (mid-July through November), Mr. Russell B. Sunshine will assume responsibility as visiting Program Legal Counsel for her entire portfolio, including the Indonesia workshop.

In support of the proposed establishment of IDLI as an international organization, the Government of Senegal notified IDLI of its intention to participate in the Agreement to establish the International Development Law Institute.

In addition to visiting instructors participating in the Development Lawyers Course (DLC-4E), visitors during the month included:

-- Mr. Gray Cowan, Senior Economic Technical Advisor, United States Agency for International Development;

-- Mr. Henry Ergas, N.M. Rothschild & Sons, Limited, Rome, Italy.

Program Legal Counsel Gilles Blanchi traveled to France to undergo a serious knee operation in late May. He returned to Rome in mid-June where he resumed work from home on a graduated basis. He is expected back in the office in late August.

-- June, 1987

The month began with intensive preparation for the francophone seminar on "State-owned Enterprises" (IBT-7F), with Dr. Ellouze as seminar manager. The seminar began on June 7 with 31 participants from 21 countries (including El Salvador, a new country, attending).

Meanwhile, preparations continued on the planned training workshops in Pakistan and Indonesia, referred to above. Dr. Ellouze completed arrangements for his intervention in a segment on "Legal Aspects of Tourism Development Contracts" sponsored by the World Tourism Organization in Grenada, Spain in late July. Meanwhile, Mr. Loris, course manager for the forthcoming anglophone seminar in December, 1987 on "Barter and Countertrade", resumed preparatory work for that seminar.

On the administrative side, the Institute increased its efforts to locate suitable enlarged training facilities, making a number of visits to prospective sites.

In line with the Director's meeting with Board Chairman Shihata in Washington in May, plans were made to hold the Tenth Executive Committee Meeting in Rome on Saturday, September 19.

In addition to visiting instructors participating in IBT-7F, important visitors during the month included:

- Dr. Csillag György, Head of Law Department, State Development Bank, Budapest, Hungary;
- Dr. G. Giovagnoni, AGIP Spa, Milan;
- Prof. Thomas Haney, Vice Dean, Loyola University School of Law, Chicago;
- Mme Ma Huanqin, Program Coordinator, Foreign Affairs Bureau, State Economic Commission, Beijing, People's Republic of China;
- Mr. Patrick McFaddon, Loyola University School of Law, Chicago;
- Mr. Kimmo Mettala, Cadwalader, Wickersham & Taft, Washington, D.C.;
- Dr. Pedro Moral Lopez, Attorney, Santiago, Chile;
- Mr. Richard Seifman, Development Coordination Officer, FODAG, American Embassy, Rome.

Program Legal Counsel Hilary Lewis Ruttle left for the obligatory Italian maternity leave period in mid-June. She will return on or about December 1.

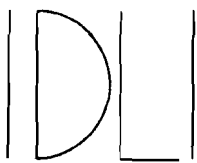
3) Future Goals, Constraints and Strategies

IDLI's program continues to elicit favorable evaluations from participants. At the same time, constructive comments and discussions with participants maintain a continuous stream of new ideas for implementation in future courses. Our principal challenge over the remainder of the year will be to husband our more limited professional resources during the extended absences of two regular Program Legal Counsel.

Formal announcement and opening for signature by the Italian Government of the Agreement Establishing the International Development Law Institute to prospective signatory states should take place in the next quarter. We anticipate that the announcement will be made as soon as September. Once signing modalities are formally announced by the Italian Government, we plan to begin negotiation of a Headquarters Agreement.

Regarding fundraising, some major funding proposals will need to be completed in the third quarter, principally those to the Governments of Italy and Japan, CIDA and the John D. and Catherine T. MacArthur Foundation. We will also be following up on other private sector and foundation contacts and proposing introductory presentations to the Governments of Australia and New Zealand, with a related objective of seeking their assistance in recruiting candidates from the South Pacific.

International Development Law Institute



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QUARTERLY REPORT

Number 21

October 1 - December 31, 1987

1) Summary

IDLI's achievements during this period were both programmatic and organizational. Regarding program, the Institute completed its fourth French-language Development Lawyers Course (DLC-4F) and an International Business Transactions seminar on "Barter and Countertrade" (IBT-8E). The Institute also conducted two in-country training workshops (Indonesia and Pakistan). In addition, IDLI assisted in programs conducted by other training organizations through "staff interventions" in Rome and Nairobi.

Organizationally, the Institute completed preparations for the signing of an agreement in early 1988 to reestablish IDLI as an international organization. The Director completed a fundraising trip to the United States, Japan and Australia, with a participant recruitment visit in Fiji enroute. Major grants to IDLI were announced by the Governments of Canada, Italy and Japan. The John D. and Catherine T. MacArthur Foundation also made a generous two-year contribution.

2) Monthly Progress Report

-- October, 1987

The Director completed his fundraising trip (which started in New York and Washington) with visits to San Francisco, California (Asia Foundation, Bank of America and Levi Strauss), Tokyo, Japan (the Government of Japan and the Sasakawa Peace Foundation), Suva, Fiji (the South Pacific Bureau for Economic Cooperation and the University of the South Pacific), Sydney, Australia (International Training Institute and LAWASIA) and Canberra, Australia (the Australian Development Assistance Bureau). Upon his return, the Director received word from the John D. and Catherine T. MacArthur Foundation of its award in the amount of US\$ 250,000 for fellowships and workshops for 1988-89. Later in the month, the Canadian International Development Agency (CIDA) announced a renewal of its three-year grant in the amount of CAN\$ 500,000.

During the second month of the French-language Development Lawyers Course, participants completed the skills sections and proceeded to the "rules of the game", beginning with project financing.

Later in the month, Dr. Abdelhafidh Ellouze, Program Legal Counsel, visited Oman, Kuwait and Bahrain. In Oman he met with several organizations which expressed interest in sending participants to IDLI programs and/or requesting workshops (Ministry of Commerce and Industry, Oman Institute of Bankers, Petroleum Development Oman, Institute of Public Administration,

Public Authority for Marketing Agricultural Produce and Oman-U.S. Joint Commission). In Kuwait, he met with the Gulf Investment Corporation to discuss the possibility of holding an IDLI workshop on the subject of "Project Documentation: Direct Investment and Equities".

In Bahrain, Dr. Ellouze participated in the Euro-Arab Symposium on Arbitration, renewed acquaintance with a number of former IDLI visiting instructors and met with the Bahrain Monetary Agency. The visit provided opportunities for participant recruitment and coordination with potential visiting instructors for the proposed Kuwait workshop.

During the month, Ms. Elizabeth Abbot, Administration Assistant, departed the Institute on maternity leave. She was replaced by Ms. Samira Badawi.

In addition to visiting instructors to DLC-4F, important visitors during the month included:

- Mr. Timothy Bork, Mission Director, USAID/Pretoria;
- Mr. Owen Cylke, Deputy Assistant Administrator, Private and Voluntary Organizations, USAID/Washington;
- Mr. Leonardo Leonardi, International Labor Standards Office, International Labor Organization (ILO), Geneva; and
- Mr. Richard Seifman, Development Attaché, U.S. Embassy Rome.

-- November, 1987

The Development Lawyers Course neared completion, with primary attention being given to the segments on law and development, foreign investment and international contracting.

Responding to requests of other training organizations, IDLI Program Legal Counsel participated as visiting instructors in programs organized by the Italian Institute of Foreign Commerce (ICE) and the Programme for Development Cooperation (PRODEC) at the Helsinki School of Economics. Visiting Program Legal Counsel, Russell Sunshine, intervened on the "Negotiation" topic at the ICE program for Asian country participants in Rome on November 9. Mr. Gilles Blanchi, Program Legal Counsel, covered "International Contracts" in the same program on November 25. Meanwhile, Mr. William Loris, Program Legal Counsel, presented training modules on "The Use of Consultants for Projects" and "Cooperation and Relationships between Buyers, Local and Foreign Consultants, Suppliers and Contractors" at the PRODEC seminar in Nairobi, November 12-19.

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At the end of the month, Mr. Sunshine completed his three-month tour as "Visiting Program Legal Counsel" for IDLI. However, he agreed to serve as course manager for the transfer of technology agreements seminar in January 1988 (IBT-9E). Ms. Lewis-Ruttley postponed her return to IDLI, deciding to extend her maternity leave.

In addition to visiting instructors to DLC-4F, important visitors during the month included:

- Mr. Pat Brazil, Attorney General's Department, Canberra, Australia;
- Mr. Patrick Dufour, Economic Development Institute, Washington, D.C.;
- Mr. Wilfrido Fernandez, Private Practitioner, Asunción, Paraguay, (IDLI alumnus);
- Mr. January Kambamwene, Ministry of Communications and Works, Dar Es Salaam, Tanzania (IDLI alumnus);
- Ms. Luz Maria Meza Bartrina, Private Practitioner, Asunción, Paraguay (IDLI Alumna); and
- Mr. Abera Zerabruk, Legal Department, the World Bank (IDLI alumnus)

-- December, 1987

The French language Development Lawyers Course (DLC-4F) closed successfully on December 4. During the last week of the Course, attention was given to "planning for re-entry".

On December 6, the Institute welcomed 25 participants from 17 countries to its International Business Transactions seminar on "Barter and Countertrade" (IBT-8E). The regional representation was diverse, with representatives from Africa (10), Asia (9), Latin America (2), the Middle East (3) and Eastern Europe (1) attending. In addition the group represented a variety of private-public employment, with 16 from the public sector, four parastatal employees, two banking representatives and three private practitioners. Completion of this seminar on December 18 marked the end of IDLI's fourth full training year.

Mr. Blanchi called on representatives of the Cuban and Vietnamese Embassies in Rome to discuss participant recruitment and Italian Government fellowships and met with the French Ambassador to discuss possible French Government participation in IDLI's internationalization.

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During the month, arrangements were completed for the signing of the internationalization agreement ("An Agreement to Establish the International Development Law Institute") early in the new year. By the end of the month the following countries had formally notified the Italian Government of their intention to sign the agreement:

Egypt, Italy, The Netherlands, The Philippines, Senegal, Sudan and the United States of America,

Also during the month, IDLI received word that the Government of Japan had approved a grant to IDLI for fellowships to be channelled through the United Nations Development Programme (UNDP). Responding to IDLI's request, the Government of Italy notified IDLI of its commitment to provide a generous contribution for core support in 1988. By separate action, the Government of Italy signified its intention to provide up to 30 fellowships for 1988 programs.

Committing itself to more efficient utilization of computer technology in its various functions, the Institute decided to embark on a computer project which will provide advisory services, training and assistance in inputting a backlog of information during the first half of 1988. Proposals were invited from several local computer services organizations. Meanwhile, in preparation for the computer project and internationalization, the Director conducted a series of "review meetings" with staff members individually and in groups. The objective of these meetings was to solicit new ideas at a time of organizational change.

In addition to visiting instructors to DLC-4F and IBT-8E, important visitors during the month included:

- Mr. David Cahn, Private Sector Officer, Asia and Near East Bureau, U.S. Agency for International Development, Washington, D.C.

On December 4, Ms. Annick Van Houtte, Work Study Fellow, completed her assignment with IDLI. She was replaced by Ms. Maria Rita Mazzanti. In the Admissions Office Ms. Deborah Martin replaced Ms. Virginia Cameron, now on maternity leave.

3) Future Goals, Constraints and Strategies

On the brink of international status with increasing financial support, the Institute looks forward to a period of renewed challenge and creativity. Although the signing of an establishment agreement will not by itself alter the Institute's legal status, it will mark the first, and psychologically most important, step in the process of

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reestablishment. At the same time, the Institute will need to avoid politicization tendencies if it is to maintain the effective problem-solving approach which has characterized its basic design. In this effort, the retention of an independent "scientific and technical" Board of Directors is paramount.

Since the Institute has traded off regular financial support in the Establishment Agreement for "autonomy", it will continue to rely on voluntary contributions requiring substantial fundraising efforts on a regular basis. In that connection, improvement of IDLI's financial fortunes is encouraging but not definitive. Vigilance and hard work remain the watchwords for financial security. Our hope is that internationalization will facilitate fundraising among those bilateral cooperation agencies which have limitations to assisting non-governmental organizations.

International Development Law Institute



International
Development Law
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QUARTERLY REPORT

Number 20

July 1 - September 30, 1987

1) Summary

Despite having to operate with substantially reduced personnel during the vacation months of July and August, IDLI achieved its goals on planning, program preparations, announcement of 1988 courses and seminars and commencement of DLC-4F ("Pratique du Droit du Développement").

With the formation of a new Italian Government, IDLI's internationalization process resumed momentum. The Government of Italy invited interested Governments to join in the Agreement for the Establishment of IDLI as an International Organization. A formal signing of the establishment agreement is contemplated for November or December.

2) Monthly Progress Report

-- July, 1987

Following a precedent established in prior years, the management team devoted an entire day to long-term planning. This year's topic, "Planning for Expansion", examined interrelationships among program needs, space requirements and funding a budget increase. The management team also considered criteria for new facilities as well as timing and move strategies.

July was also proposal month. As a follow-up to the Director's annual spring fundraising mission, IDLI sent formal proposals to the Canadian International Development Agency, the Governments of Italy and Japan and the John D. and Catherine T. MacArthur Foundation. Responses on each of these proposals are still being awaited.

Meanwhile, the Arab Fund for Economic and Social Development announced a grant in the amount of KD 30,000 (equivalent to US\$ 104,000) which will more than double its original endowment fund for IDLI. The endowment generates income to be used for technical assistance (including fellowships) for Arab participants. The Institute also received a US\$ 5,000 contribution from the H.J. Heinz Company Foundation to finance a fellowship for a Zimbabwean participant. In addition, Martindale Hubbell Inc. graciously donated its eight volume 1987 Lawyers Directory to the Institute. Finally, the International Bar Association announced its intention to provide a fellowship to a developing country lawyer for one IDLI program on terms yet to be agreed upon.

A major exercise during July was the preparation for and mailing of the Institute's annual program announcement. Part one of the announcement process requires as the principal enclosure the IDLI Training Program. Publication of the 1988 Training Program early in the month allowed the announcement to be dispatched on schedule. The mailing, addressed principally to selected government ministries and departments in developing countries, amounted to some 1,600 pieces.

In preparation for IBT-8E ("Barter and Countertrade") and IBT-10E ("International Transport of Goods: Contracts and Insurance"), Program Legal Counsel William Loris visited Vienna and London to meet with prospective visiting instructors.

Toward the end of the month, Dr. Abdelhafidh Ellouze, Program Legal Counsel, travelled to Granada (Spain) to intervene for two days on the subject of "Negotiating and Implementing International Construction Contracts for Tourism" for a "multidisciplinary study cycle" organized by the World Tourism Organization. The session, conducted in English, French and Spanish was attended by 67 participants from 51 countries.

During the month, IDLI received the following visitors:

- Prof. Alessandro Costa, Studio Legale Costa, Rome;
- Dr. Luz Etchemendiary, Legal Advisor to the Presidency, Government of Argentina;
- Ms. Anne Seronis, Field Operations Consultant, American Field Service (AFS), New York; and
- Mr. Alain Bonzon, Fisheries Consultant, FAO, Rome.

-- August, 1987

With only a skeletal staff during the first half of the month, IDLI concentrated on final selections for DLC-4F, to begin in early September. Until Mr. Blanchi's return from medical leave on August 24, Ms. Annick Van Houtte, Work-Study Fellow and Course Assistant for DLC-4F, handled contacts with visiting instructors under regular telephone guidance by Mr. Blanchi.

With the publication of the Institute's Annual Report for 1986 at the end of the month, IDLI completed the second phase of its announcement process, sending the expanded packages to national authorizing officers and a network of local donor agency officials.

With an invitation from the World Bank to attend the annual Bank/IMF meetings at the end of September and an invitation from the Sasakawa Peace Foundation to meet in Tokyo in October regarding possible future cooperation, the Director began planning for his annual fall fundraising trip.

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Final preparations were made for the September Development Lawyers Course (DLC-4F), including preparation of the first handbook and logistics arrangements for participants. Similarly, final preparations were made for two training workshops to be held in September, one in Jakarta (Indonesia) and the other in Karachi (Pakistan).

Distinguished visitors during the month were as follows:

- Dr. Giacomo Luciani, Director of Studies, Italian International Affairs Institute, Rome.

-- September, 1987

With Mr. Gilles Blanchi as Course manager, the fourth francophone Development Lawyers Course ("Pratique du Droit du Développement") began on September 13 with 26 participants from 19 countries: 19 representatives of the group come from government ministries, 6 work for public enterprises and 1 is a private practitioner. 36 percent of the participants are women.

At the International Congress on "Uniform Law in Practice" sponsored by the International Institute for the Unification of Private Law (UNIDROIT) in Rome on September 7-10, the IDLI Director presented a paper entitled "Training for Acceptance: Workshops to Promote the Adoption and Use of Uniform Law Texts in Developing Countries". The paper will be published in the Congress Proceedings.

IDLI's tenth Executive Committee meeting took place on September 19, with all four members (Dr. Ibrahim F.I. Shihata, Dr. Mohammed Y. Abdel-Aal, Minister Giulio Cesare Garaguso and L. Michael Hager) participating. Among other things, the Executive Committee reviewed IDLI's financial conditions, internationalization and plans for the Board meeting.

On September 20-24, IDLI organized a workshop in Karachi, Pakistan on "Transfer of Technology Agreements", with the Pakistan Development Banking Institute (PDBI) acting as the host country cooperating organization. The workshop was sponsored by USAID/Islamabad. In addition to Dr. Abdelhafidh Ellouze, IDLI workshop manager, experts included lawyers from the United States, Austria (UNIDO) and Pakistan.

On September 21-25 IDLI organized a workshop on "Current Key Issues in Indonesia's Corporate Law", in Jakarta (Indonesia). The Center for Legal Studies (CLS), as IDLI's Indonesian counterpart requested that the workshop take a comparative law approach. Thus teaching faculty included legal experts from the United Kingdom, the United States and Indonesia. Workshop manager Hilary Lewis Ruttlely managed preparations for the workshop before leaving on maternity leave in July. Her interim replacement, IDLI visiting Program Legal Counsel Russell Sunshine, managed the workshop, attended by 29 senior lawyers from the local private sector, including law firms, corporations and banks.

At the end of the month, the IDLI Director travelled to Washington, to attend the annual meeting of the World Bank/International Monetary Fund as a visitor and to meet with various donor agency officials. The visit to Washington and one day stopover in New York City (to meet with the UNDP regarding a cooperative workshop program) were the first parts of a longer mission which is to include stops in San Francisco, Tokyo, Sydney, Canberra and Wellington.

During the month Mr. Russell Sunshine, an experienced lawyer and trainer who regularly serves as consultant to the World Bank and has participated as a visiting instructor to DLC-1E/2E/3E/4E, joined IDLI as a visiting Program Legal Counsel to cover the major part of Ms. Lewis Ruttlely's absence on maternity leave. Ms. Deborah Martin, Acting Admissions Officer/Anglophone Programs, resigned from IDLI in mid-September to pursue other interests. Ms. Virginia Cameron returned from maternity leave to take up her post as Admissions Officer.

In addition to visiting instructors to DLC-4F and Executive Committee Members, important visitors during the month were:

— H.E. Ambassador M. Sahadou Bawa, Ambassador of Niger to Italy; and

— Mr. Jukka Jokilehto, Coordinator of Architectural Programs, International Centre for the Study of the Preservation and the Restoration of Cultural Property (ICCROM).

3) Future Goals, Constraints and Strategies

Demand for IDLI training is increasing with each course/seminar. Thus the Institute needs to plan for a modest expansion over the medium term. But any program increase will require additional office and training space, as well as some additions to staff. Related to the timing for such expansion are the internationalization effort and prospects for additional financial support from a broader range of donors.

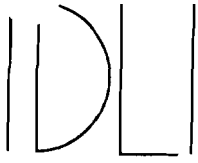
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Internationalization is back on the track, but it remains unclear as to when the Establishment Agreement will come into force, since effectiveness requires completion of legal formalities of accession by three signing states. Since some states may require ratification and others not, the span of time required for effectiveness cannot be estimated at this time. Furthermore, it is not yet clear how long the headquarters agreement negotiation will take and at what point the Italian Government may consider assisting in the identification and financing of larger facilities.

Funding also is a question mark. Since it appears unlikely that a program revenue increase will cover the additional costs, at least in the first years of our expansion, new budget resources must be found. Over the past year, IDLI was more successful than ever before in attracting contributions for both institutional support and scholarships. However, most of our funding is relatively short term in nature and cannot be counted on several years down the line. We have had preliminary indications that some new donor states and foundations may contribute to the Institute. But we cannot yet say whether these contributions, if they materialize, will cover the additional administrative costs and fellowships required by a program expansion.

LMH/rmp

International Development Law Institute



International
Development Law
Institute

QUARTERLY REPORT

Number 22

January 1 - March 31, 1988

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1) Summary

In IDLI's relatively short history, the quarter under review ranks as one of the fullest and most significant. The first quarter of the year is programatically the most active, with two seminars and the beginning of the English language Development Lawyers Course. In addition, this year IDLI played host to a visiting delegation from Indonesia, offering a training of trainers tutorial and series of "twinning" sessions with IDLI staff members.

Organizationally, the significance of the quarter derives from the signing in February of the "Agreement for the Establishment of the International Development Law Institute" by eight governments. Following past practice, the Institute held its eleventh Executive Committee Meeting and Sixth Annual Board Meeting in Rome in March.

During the quarter, IDLI made progress in fundraising and in its development of training workshops.

2) Monthly Progress Report

-- January 1988

The month was largely devoted to preparations for the English and French language seminars on "Transfer of Technology: Know-How and Licensing Agreements/Transfert de Technologies: Savoir-faire et Contrats de Licences" and to final negotiations with signatory governments and arrangements for the signing of the internationalization agreement.

During the month, Mr. Blanchi, Program Legal Counsel, visited Paris to discuss the French-language version of the internationalization agreement and to Aix-en-Provence to attend the Board meeting of "Magistère en Sciences Sociales et Humaines Appliquées aux Mondes Non Occidentaux".

IBT-9E ("Transfer of Technology: Know-How and Licensing Agreements"), with 25 participants from 18 countries took place over the two weeks beginning January 25, with Mr. Russell Sunshine, visiting Program Legal Counsel, as seminar manager.

IDLI staff bade farewell to Ms. Marijke Schiffer, Secretary, who left the Institute at the end of the month to relocate in Paris.

In addition to the visiting instructors intervening in IBT-9E, distinguished visitors during the month included:

- Mr. Thomas B. Ragle, Director, Salzburg Seminar, Salzburg, Austria;
- Mr. Niccolò De Luigi, Legal Department, Technipetrol, Rome;
- Mr. Aberra Zerabruk, Legal Department, the World Bank, Washington, D.C.

--- February 1988

IBT-9E continued through the first week of the month, closing successfully on February 6.

On February 1, Dr. Abdelhafidh Ellouze, Program Legal Counsel, inaugurated and participated as a visiting instructor in the Study Cycle on Integrated Tourism Planning organized in Las Palmas, Gran Canaria, by the World Tourism Organization, in cooperation with the Cabildo Insular and the Universidad Politecnica de Canarias.

Early in the month the Government of Australia announced its first unrestricted contribution to the Institute for 1988.

IBT-9F ("Transfert de Technologies: Savoir-Faire et Contrats de Licences") was held February 14 through 27, with 26 participants from 15 countries participating. Dr. Ellouze was seminar manager.

During the month, Mr. Blanchi visited the Cairo Regional Centre for Commercial Arbitration in Cairo, Egypt to discuss a collaborative workshop on the training of arbitrators. His trip also provided an opportunity to recruit Egyptian participants for future IDLI training programs in Rome.

During the month Ms. Helen Batchelor joined IDLI staff as a secretary and Ms. Souad Lesina began and completed her one-month assignment as course assistant.

In addition to visiting instructors at the two IBT seminars, distinguished visitors during the month included:

- H.E. Ambassador Ibrahim Ayoub, Ambassador of Sudan to Italy, Rome;
- Mr. Ibrahim Kaba, First Secretary, Embassy of Guinea, Rome;
- Prof. Egmont Lee, Director, Canadian Academic Center, Rome;
- Mr. Angus MacDonald, Embassy of Australia, Rome;
- Mr. David O'Keefe, Court of Justice of the European Communities, Luxembourg.

-- March 1988

Under the managership of Mr. William Loris, Program Legal Counsel, the fifth English language Development Lawyers Course (DLC-5E) opened on March 6, with 25 lawyers from 17 countries participating. In line with the basic course design, instruction during the first month focused on the seven basic development lawyer skills: advising, negotiating, drafting, planning and designing, monitoring agreements and resolution of disputes.

Traditionally, March is also Board meeting month. On March 16, IDLI hosted the eleventh Executive Committee Meeting at its headquarters. The following day, IDLI held its sixth Annual Board Meeting at the Conference Room of the International Fund for Agricultural Development (IFAD). Under the chairmanship of Dr. Ibrahim F.I. Shihata, eleven of the twelve members attended. The Board meeting was followed by a reception in honor of the Board and DLC participants. Held at IDLI headquarters, the reception attracted the diplomatic community, senior Italian Government officials and other friends of the Institute.

During the period March 24-April 1, IDLI hosted five representatives of the Center for Legal Studies (CLS) in Jakarta, Indonesia. CLS, legally established less than a year ago, has modeled its early development as a training institution on IDLI. The purpose of the visit was twofold: to attend a training of trainers workshop specially designed for the needs of the group and to confer at some length with the various IDLI staff members regarding the different elements of law training institute management.

During the last week of the month, Mr. Blanchi returned to Cairo to finalize the program of a "Training Workshop for Arab and African Arbitrators" scheduled for November in Egypt. The program as amended during discussions with Dr. Shihata, Mr. Gordon Jaynes and Professors Bernini and Kosheri was officially announced by H.E. Dr. Abdel Meguid, Egyptian Minister of Foreign Affairs during the seminar of the Cairo Regional Centre for International Commercial Arbitration, in which Mr. Blanchi participated.

The end of the month witnessed departure of Ms. Hilary Lewis Ruttlely who relocated with her husband in London.

In addition to visiting instructors in the Development Lawyers Course and members of the IDLI Board of Directors, distinguished visitors during the month included:

- Dr. Abou El-Enein, Director, Regional Centre for International Commercial Arbitration, Cairo, Egypt;
- Mr. Thomas Ennison, Legal Counsel, Intergovernmental Bureau for Informatics (IBI), Rome;

- Mr. Ian Gwinnell, United Bank of Kuwait, London, U.K.;
- Mr. Roy Jackson, Former Deputy Director-General, FAO and Chairman of the Board, ICLARM, Seattle, Washington;
- Mr. Kenji Ikeda, Multilateral Cooperation Division, Economic Cooperation Bureau, Ministry of Foreign Affairs, Tokyo, Japan;
- Ms. Kristie J. Martin, Non-Governmental Organization, Strategic Planning and Review; the World Bank, Washington, D.C.;
- Mr. Wael Adel Nasr, Third Secretary, Egyptian Embassy, Rome; and
- Mr. Alexander Shakow, Director, Strategic Planning and Review, the World Bank, Washington, D.C..

3) Future Goals, Constraints and Strategies

The Institute's goals in the months ahead are straight forward: negotiation of a headquarters agreement (which hopefully will result in adequate headquarters facilities); recruitment of a developing country national to fill the anglophone Program Legal Counsel position vacated by Ms. Lewis Ruttley; successful fundraising trips to Europe and North America in the spring and effective program preparation and recruitment of participants for future courses and seminars.

In order to streamline and make more efficient IDLI's administration, we plan in the second quarter to receive consulting assistance on computer hardware and software systems. The following months will also include the planning of a staff training workshop to be held in the fourth quarter or the first half of 1989.

International Development Law Institute



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QUARTERLY REPORT
Number 24

July 1 - September 30, 1988

1) Summary

The Institute operates with substantially reduced personnel during the vacation months of July and August. Nevertheless, there were several notable accomplishments during the quarter, including reconstruction and enlargement of the IDLI premises, publication of the Institute's Annual Report for 1987, mailing of the general announcement for 1989 courses and seminars (along with special announcements for IBT-10E and IBT-11E) and completion of a special project for the Centre for Legal Studies in Jakarta, Indonesia.

With the return of vacationing personnel at the end of August and the beginning of September, preparations for the francophone Development Lawyers Course (DLC-5F) were completed and the course begun. In addition, a number of fundraising proposals were submitted during the period and three important commitments were received.

2) Monthly Progress Report

-- July, 1988

As in past years, the Institute devoted substantial time to "long-term planning". This year, however, instead of having one or two days dedicated to the subject, management devoted several regular "policy" meetings to the topic. The result was a two-part proposal which will be presented to the Executive Committee at its October 1988 meeting. Among other things, the proposal recommends an Advanced Development Lawyers Course for DLC alumni which could begin as early as July 1990 and a program planning workshop to be held in April 1990. The purpose of the workshop would be to determine the feasibility of establishing, parallel to the English and French programs, a Spanish language program to be conducted wholly or partly in the language and designed primarily for Latin American lawyers.

During the month, the World Bank announced an unrestricted contribution in the amount of US\$ 10,000. During the same month, discussions were held with representatives of the Government of Italy and the Japanese Embassy in Rome regarding continuation of assistance from those Governments. Publication of the 1987 Annual Report permitted earlier than usual completion of the Institute's annual program announcement mailing. This year's mailing, addressed principally to selected government ministries and departments in developing countries, amounted to some 2,400 pieces.

With respect to IDLI staff, July marked the completion of the consultancy contract of Dr. Abdelhafidh Ellouze. He returned to private practice in Tunisia after four years of service with IDLI as a Program Legal Counsel.

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During the month IDLI received the following distinguished visitors:

-- Mr. Safwat Ayoub, Minister Plenipotentiary, Embassy of Egypt, Rome;

-- Mr. Riad El-Badawi, First Secretary, Commercial Affairs, Embassy of Egypt, Rome;

-- Prof. Luis F. Del Duca, Associate Dean and Professor of Law, Dickinson School of Law, Carlisle, Pennsylvania, U.S.A.;

-- Dr. Hassan Kamal Hassanein, Minister Plenipotentiary, Commercial Affairs, Embassy of Egypt, Rome;

-- Mr. John Glistrup, Counsellor, Embassy of Denmark, Rome;

-- Ms. Ruth Gruber, Journalist, Christian Science Monitor Radio, Rome; and

-- Prof. Peter Severid, Professor of Law, Temple University; Philadelphia, Pennsylvania, U.S.A..

-- August, 1988.

August was proposal month, with draft or final proposals submitted to Australia, Japan, Denmark, the Federal Republic of Germany, Finland, Norway and USAID. Our fundraising efforts were boosted by the announcement of voluntary contributions by the Government of Switzerland (US\$ 50,000) for 1989 programs and the Exxon Corporation (US\$ 5,000) for 1988.

Participating in the Institute's staff development program, the Director attended an intensive French language course (48 classroom hours) during the month. On August 29, during the course of non-official travel in the United States, the Director met with Mr. Michael Miklaucic, Project Officer, America-Mideast Educational and Training Services, Inc. (AMIDEAST) regarding IDLI's proposal for supplementary financing addressed to the United States Agency for International Development. He also met with Mr. Charles Vuylsteke of the World Bank Legal Department in preparation for his upcoming presentation of a paper on "A Legal Framework for Privatization" in Ankara in October under the auspices of the Technical Cooperation Service of OECD. A final meeting of the visit was held with Mr. John D. Sullivan, Director, Congressional and Public Affairs, Center for International Private Enterprise, to discuss the proposed UNDP-sponsored pilot workshop in Ghana on "Legal Constraints to Business Activity".

A major program activity took place at the end of August through the beginning days of September. As part of a special program of institutional assistance to the new Centre for Legal Studies in Jakarta, Indonesia, Visiting Program Legal Counsel Russell Sunshine assisted CLS in a workshop on "International Business Contracts". More significantly, he consulted with the CLS Board on future directions of CLS as a follow-up to the "institution-building" sessions held in Rome with some Board representatives in March.

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During the month, the Institute welcomed as a Board Member Professor Luigi Ferrari-Bravo, Head of Legal Services of the Italian Ministry of Foreign Affairs. At the same time, it acknowledged with appreciation the significant contribution of Professor Ugo Leone, Director of the United Nations Social Defence Research Institute, a charter member of the IDLI Board of Directors who resigned to make a place for Prof. Ferrari-Bravo.

During August, IDLI received the following important visitors:

- Mr. Austin M. Chinhengo, Zimbabwean LLM candidate at the Law Faculty of Aberdeen University, Scotland;
- Mr. Daniel Lecuona, Managing Director, The Southern Cross Group, Washington, D.C.

-- September, 1988

As in the past, the Institute's principal activity in September was the commencement of the francophone Development Lawyers Course ("Pratique du Droit du Développement"). DLC-5F began on September 11 with 25 participants from 18 countries: 21 representatives of the group come from government ministries or departments; two are employed by banks; one works for a public enterprise and one is a private practitioner. Eight participants are women.

During the month, final interviews were held with the top three candidates for the francophone Program Legal Counsel vacancy. A final decision was pending at month's end.

At the end of the month, the Director visited Bonn (Ministry of Cooperation) and Eschborn (Agency for Technical Cooperation) to invite West German financial participation in IDLI. His visits were timed to coincide with his attendance as a visitor at the World Bank-International Monetary Fund Annual Meetings in Berlin on September 27-29. The Berlin Meetings afforded an opportunity for the Director to make fundraising presentations to the Governments of Australia, Finland, Japan, the Kuwait Fund and the Nordic Investment Bank; to meet with the IDLI Board Chairman Dr. Shihata and other World Bank officials and to meet with the Director of the Public Administration Section of the German Foundation (DSE) in Berlin.

Dr. Yohannes Kassahun of Ethiopia, who was recruited in June as a Program Legal Counsel for anglophone programs, attended the "Training Resources Group" Facilitators Course in Alexandria, Virginia U.S.A. in mid-September. He also made some introductory calls at the World Bank. Dr. Kassahun, who has been most recently employed by Harvard Law School, joined IDLI on September 27.

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Several other staff changes took place during the month. Ms. Catherine Deslandes departed the Institute on maternity leave. Ms. Elizabeth Abbot returned to IDLI from maternity leave. Ms. Donatella Magnaldi joined IDLI as a new hire receptionist in the administrative office.

The Executive Committee agreed to hear the contract appeal presented by former PLC, Dr. Abdelhafidh Ellouze.

In addition to visiting instructors in the Development Lawyers Course, distinguished visitors during the month included:

- Avv. Andrea Giardina, Private Practitioner, Rome, Italy;
- Mr. Ronald Légér, Director, International NGO Division Canadian International Development Agency, Hull, Québec, Canada;
- Ms. Hilary Lewis Ruttley, Barrister, London and Former Program Legal Counsel;
- Mr. Michael Miklaucic, Project Officer, America-Mideast Educational and Training Services, Inc. Washington, D.C.;

3) Future Goals, Constraints and Strategies

Completion of the internationalization process remains high on our priority list. The coming into force of the agreement, negotiation of a headquarters agreement and the commencement of operations as an international organization are important steps yet to be achieved. In this connection, IDLI will be seeking guidance from the Executive Committee of the Board of Directors at its forthcoming meeting in October.

Having operated at half strength in its training management section for most of the past year, IDLI is anxious to involve its new PLCs in the program. We hope that the next months will also bring more vigorous development of in-country training workshops, the promotion of which slowed during the past year due to the reduction of professional capacity.

Finally, IDLI hopes to achieve its objective of broadening public funding support as a result of the internationalization agreement. The recent contribution by the Government of Switzerland augurs well for the process. If we can maintain support for 1989 from Italy and the United States, increase it in Australia and Japan and in addition attract such new countries as West Germany, Austria, Denmark and Finland, our financial prospects will greatly improve.

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International
Development Law
Institute

INTERNATIONAL DEVELOPMENT LAW INSTITUTE

QUARTERLY REPORT

Number 25

October 1 - December 31, 1988

Via Paolo Frisi, 25 - 00197 Rome, Italy - Tel. 872.008 - 872.378 - Telex 622381

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1) Summary

This quarter marked the completion of IDLI's fifth training year. As in the past, the focal point for the fall months was the French language Development Lawyers Course ("Pratique du Droit du Développement"). In addition, the Institute designed and conducted a training workshop for Arab and African Arbitrators in Cairo (Egypt) and addressed Turkish Government officials on "Legal Aspects of Privatization" at a series of roundtable meetings organized by the Turkish State Planning Department in Ankara. The Institute also presented its English language seminar on "International Transport of Goods: Contracts and Insurance".

With a new Program Legal Counsel for English language programs, completing his first three months, IDLI continued to operate with a PLC vacancy on the French language side. As the quarter ended, an appointment for the position was made.

The Director made fundraising visits to West Germany and Austria during the period and the twelfth Executive Committee Meeting took place in October.


2) Monthly Progress Report

-- October, 1988

The French-language Development Lawyers Course continued through its second month. Participants completed the skills section and proceeded to the "rules of the game" sequences, beginning with project financing. The Director completed his fundraising trip (which began in West Germany) with a visit to Vienna (Austria) where he met with the Director-General of the OPEC Fund for International Development. He also met with the Legal Advisor to the Austrian Ministry of Foreign Affairs and the Deputy Director of Cooperation regarding possible membership by Austria in the IDLI Agreement and eventual funding contributions. Visits to UNCITRAL and the International Atomic Energy Agency completed the trip.

Dr. Yohannes Kassahun, Program Legal Counsel, completed an in-house orientation and training program which complemented the TRG Facilitators Course he took in Alexandria, Virginia (USA) prior to his arrival in Rome.

At the invitation of the State Planning Department of the Turkish Government, the Director participated as a visiting expert in a series of roundtable meetings on privatization in Ankara, Turkey. With managers of state-owned enterprises, government officials and university professors participating, he addressed "Legal Aspects of Privatization". The meetings were financially assisted by the OECD Technical Co-operation Service.



On October 24, the twelfth Executive Committee Meeting was held in Rome. Among other things, the Committee endorsed, for full Board consideration at its next meeting, the initiation of an **Advanced Development Lawyers Course** and a **Program Development Workshop** to consider the feasibility of a new program on development law for Latin America. The Committee also approved a draft agenda for the seventh Annual Board Meeting and fixed dates for the next Executive Committee meeting (March 15, 1989) and Board Meeting (March 16-17, 1989).

Constituting itself as an appeal board, the Committee (minus the Director) heard a contract appeal lodged by former Program Legal Counsel Dr. Abdelhafidh Ellouze. A final decision will be rendered following further written submissions of legal briefs by the parties.

Ms. Laura Capoccia, an Italian national, joined IDLI as a temporary replacement for Ms. Catherine Deslandes, who is on maternity leave. She will provide both English and French language secretarial services for the Program Legal Counsel.

In addition to visiting instructors at DLC-5F, distinguished visitors during the month were:

- Mr. Daoud Ilias, Financial Advisor, Asian Development Bank, Manila, Philippines;
- Ms. Diana Morris, Ford Foundation Representative, Nairobi, Kenya;
- Mr. Jan Nico Van Overbeeke; Clerk of the Standing Committees for Foreign Affairs and Development, Government of the Netherlands, The Hague; and
- Mr. Haji nur Ahmed Yusuf (DLC-4E alumnus), Mogadishu, Somalia.

-- November, 1988

The French language Development Lawyers Course proceeded through its third month, with an emphasis on foreign investment and international contracting for goods and services.

During the month the Institute also organized and presented a two-week training workshop for Arab and African arbitrators in Cairo (Egypt). Mr. Gilles Blanchi, Senior Program Legal Counsel, developed the program in collaboration with Dr. Aboul Enein, Acting Director of the Regional Centre for International Commercial Arbitration in Cairo. Nineteen lawyers from seven African and Middle-Eastern countries participated in the workshop.

The French Ministère de la Cooperation dispatched Ms. Maria France Fabre to IDLI for a two-day evaluation mission. Ms. Fabre interviewed francophone participants attending the ongoing DLC-5F. She was also able to meet with Board Member Prof. Juillard, who was present as a visiting instructor, and confer with Institute personnel and IDLI counterparts at the French Embassy in Rome.

The Government of Italy announced its intention to provide a generous voluntary contribution to the Institute's general and administrative budget in 1989.

Eight members of the IDLI staff began a four-month, three hour per week intermediate French course with classes at the Institute twice a week. The objective of this staff development effort is to improve IDLI's ability to manage its French language programs.

Ms. Roberta Harding, a U.S. national, (J.D. Harvard Law School), currently on leave from a California law firm, joined IDLI as a Work-Study Fellow. She served as course assistant for IBT-11E held in December. The second Fellow, Ms. Caroline Mong, who joined IDLI last June continued her service as a francophone course assistant.

In addition to DLC-5F visiting instructors and others mentioned above, distinguished visitors during the month were:

-- Dr. Mohsen Helal, Commercial and Economic Counsellor, Egyptian Mission, Geneva, Switzerland (IBT-8E alumnus); and

-- Mr. Li Daoran, Deputy Division Chief, Department of Treaty and Law, Ministry of Foreign Economic Relations and Trade (MOFERT), Beijing, People's Republic of China.

-- December, 1988

The French language Development Lawyers Course concluded on December 3. The following day, participants arrived for IBT-10E seminar ("International Transport of Goods: Contracts and Insurance"). Twenty-eight participants from twenty-two countries, including Papua New Guinea as a new country, attended the seminar.

The United States Agency for International Development, Bureau of Private Enterprise (PRE) completed its assessment of the IDLI cooperative agreement with the Bureau of Private Enterprise. The assessment was favorable and recommended consideration of future PRE support.

The Government of Italy announced its intention to finance 5 fellowships for each DLC and 6 fellowships for each IBT seminar in 1989.

Dr. Yohannes Kassahun completed the Criterion Reference Instruction (CRI) training-of-trainers program under the direction of Mr. John Davies, Staff Development Group of FAO.

Completing an office upgrading process that began with an enlargement of office space last summer and the installation of a new telephone system, the Institute signed a rental contract for a new Olivetti word processing computer system (ETV 260). The equipment is due to be installed in February.

IDLI selected as its new Program Legal Counsel for French language programs Mr. Alexandre Cordahi, a national of Lebanon. Born and raised in Cairo (Egypt), Mr. Cordahi has served as a legal advisor to commercial banks active in the Arab World.

Ms. Deborah Martin, Admissions Officer for anglophone programs, having completed almost five years of service with the Institute, departed Rome for new employment in London.

In addition to visiting instructors from DLC-5F and IBT-10E, distinguished visitors during the month were:

- Mr. Zhang Baichun, First Secretary (Commercial Affairs), Embassy of People's Republic of China, Rome;
- Mr. Li Daoran, Deputy Division Chief, Department of Treaty and Law, MOFERT, Beijing, People's Republic of China;
- Mr. Abne Gjermundsen, Second Secretary, Norwegian Embassy, Rome;
- Ms. Zhao Lili, Second Secretary (Commercial Affairs), Embassy of People's Republic of China, Rome;
- Ms. Emma Playfair, Ford Foundation Representative, Cairo, Egypt; and
- Mr. Joseph Wheeler, Chairman, Development Assistant Committee, OECD, Paris.

3) Future Goals, Constraints and Strategies

With the closing of IBT-10E on December 17, IDLI completed its fifth full training year. During its first five years, the Institute has received 713 participants from 91 countries. In addition, it has designed and conducted nine training workshops at offsite locations and intervened in a number of programs conducted by other organizations. If the past is an accurate guide, the Institute's long-term future is bright. There is both a recognized need for IDLI training -- creating a ready market -- and strong positive feedback by IDLI alumni, showing that the training improves job performance.

In the shorter run, there are important new challenges. The internationalization process is not yet complete. Two more ratifications are required for the establishment agreement to come into force. A headquarters agreement must be negotiated, signed and ratified by the Italian Parliament. Since the Institute continues to rely on voluntary contributions, fundraising is a constant preoccupation. Furthermore, during the next quarter our Board of Directors will consider our proposal for a modest expansion of program.

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AMIDEAST

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EDUCATION AND TRAINING FOR MIDDLE EAST DEVELOPMENT

HR

2 November 1987

Mr. William Fuller
Deputy Assistant Administrator
Asia/Near East Bureau
Agency for International Development
Washington, D.C. 20523

Dear Mr. Fuller,

On behalf of AMIDEAST and the International Development Law Institute (IDLI) I would like to thank you for meeting with Mike Hager and me last month. As you know the involvement of this bureau goes back to the inception of the IDLI "project", and we appreciated the opportunity to brief you on current developments affecting IDLI. We deeply appreciate your continued support. AMIDEAST and IDLI are committed to maximizing the impact of Institute programs, both in Rome and in region, on African and Arab participants, and we have developed a modest strategy to increase recruitment of Arab participants.

For your information I have enclosed a copy of the current IDLI quarterly report, to bring you up to date. If I can provide any further information please do not hesitate to call me.

Sincerely,

Michael Miklaucic
Project Coordinator