

**RULE
OF LAW
PROGRAM**

**NIS Regional and
Trans-Caucasus Republics**

Project No.: 110-0007-3-466-2107
Contract No.: CCN-0007-C-00-4003-00

**Submitted to:
U.S. Agency for
International
Development**

**Submitted by:
ARD/Checchi Joint Venture
1819 L Street, NW, Suite 500
Washington, DC 20036
Phone: (202) 861-0351
Fax: (202) 861-0370**

**ELEVENTH QUARTERLY
PROGRESS REPORT
(June 1, 1996 - August 31, 1996)**

INTRODUCTION

On November 30, 1993, the Rule of Law Consortium, ARD/Checchi Joint Venture (ROLC), entered into a contract with the United States Agency for International Development (USAID) to provide professional services in support of the Rule of Law Program for the NIS Regional and the Transcaucasus Republics. The goal of the Rule of Law (ROL) program is to assist in the development of legal and political environments that facilitate the transition to democratic, market-based societies in the NIS region. The purpose of the program is to collaborate with public and private organizations in the NIS countries to develop or strengthen the laws, legal institutions and civic structures which support democratic, market-based societies.

The information in this (eleventh) quarterly report covers the period from June 1, 1996 - August 31, 1996. Detailed information on all program activities under the Regional Contract is contained herein.

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I. COMMERCIAL LAW TRAINING PROJECT IN KAZAKSTAN AND THE KYRGYZ REPUBLIC

A. OBJECTIVE

This project addressed the need for a legal environment that supports further privatization and the conduct of private enterprise in the Central Asia Republics of Kazakstan and the Kyrgyz Republic. In order to promote economic restructuring, the ROLC is working with the members of the judiciary and the legal profession in establishing training programs that will focus on interpreting and applying commercial law.

B. ELEVENTH QUARTER TARGETS

Stage week 2 of the first cycle of Phase 2 training seminars for attorneys in Bishkek and Almaty.

Stage Phase 3 concentrated seminars for mixed groups of attorneys and judges in the regions in both countries.

Select the local participants and develop the schedule and curriculum for the second cycle of Phase 1 training for attorneys at the PLI in New York.

Select the local participants and develop the schedule and curriculum for the second cycle of Phase 1 training for judges at the NJC in Reno.

Stage the second cycle of Phase 1 training for Kazakstani and Kyrgyzstani judges at the NJC.

C. OUTPUTS AND ACHIEVEMENTS

In the reporting period of the Commercial Law Training Project, the ARD/Checchi Rule of Law Consortium (the "Consortium") accomplished its administrative and programmatic objectives set forth in the quarterly work plan.

C.1 Goals for the Program During the Quarter

The initial thrust of this Training Project was to equip local institutions with the tools to organize training in commercial law and to provide local professionals with both the methodological tools to disseminate information on commercial law and the substantive background in commercial law in market economies. The emphasis in this quarter shifted to tapping this local capability, which we have fostered, to train judges, attorneys and other legal

professionals in commercial law and to strengthen core legal institutions in Kazakhstan and Kyrgyzstan (the judiciary and the bar). During the reporting period, the Consortium focused its efforts on several seminars for judges, attorneys and other legal professionals. The Consortium organized eight seminars of varying duration during the reporting quarter. The Consortium designed the seminars to further the following goals:

- to equip Kazakstani and Kyrgyzstani judges, attorneys and other legal professionals with a general understanding of the relationship between the legal system and the market in a developed economy: how commercial laws function to ensure fair and efficient markets;
- to strengthen the autonomy of judiciary as a whole;
- to provide a forum in which the US perspective on points of emerging Kazakstani and Kyrgyzstani commercial legislation can be constructively presented and to offer the benefits of the US comparative advantage in commercial law expertise;
- to bolster the critical evaluation and interpretation skills of sitting judges and thus to promote a more flexible approach to commercial dispute resolution;
- to afford Kazakstani and Kyrgyzstani judges and attorneys an opportunity to appreciate the policy rationale behind particular pieces of legislation;
- to help modernize the system for training judges and attorneys by demonstrating US teaching methodology and conceptualization for teaching purposes of key commercial law topics;
- to provide an overview of the black-letter law in recent commercial legislation in a comprehensive and systematic fashion;
- to familiarize a large majority of Kyrgyzstani judges with their national Civil Code to enable them to implement it based upon black-letter law and understanding of market economy.

The programs during the quarter substantially furthered each of these goals as detailed below.

C.2 Programs During the Quarter

The Consortium implemented programs in each of the three phases of the program during the quarter: Phase 1 (training trainers); Phase 2 (model seminars); and Phase 3 (concentrated seminars). The thrust of the activities during the quarter, however, was the Phase 3 seminars for judges and Phase 2 for attorneys. These seminars provided significant and substantial information on commercial legislation and other legal topics to over 320 judges, attorneys, and other legal professionals. Each seminar was based primarily on local laws taught by local legal professionals to local audiences. To augment and support this effort, the Consortium tapped US judges to join with their local colleagues to teach the judge seminars, and US attorneys to join with their local colleagues to teach the attorney seminars. The major activities that occurred during the quarter are described below:

Judges' Phase 1

- observed and participated in the second Phase 1 training seminar at the National Judicial Collage conducted under NET auspices.

Judges' Phase 3

- held five Phase 3 regional seminars for judges in different regions of Kyrgyzstan on the new Civil Code. A total of 196 Kyrgyzstani judges, which is about 80% of the entire judiciary in Kyrgyzstan, participated in the training.

Attorneys' Phase 2

- held a one-week model seminar in Kazakstan in which 55 lawyers and other legal professional in Kazakstan took part; and another one-week seminar in Kyrgyzstan in which 70 lawyers and other legal professionals took part. These seminars were for lawyers and other legal professionals on fundamental principles of commercial law and emerging issues in commercial legislation.

C.3 Significance of Programs

The programs that the Consortium organized during the quarter were significant in several major respects.

Judges: The second set of judges that received Phase I training in Reno included key-decision makers who are in a position to substantially influence the course of judicial education in Kazakstan and Kyrgyzstan. The training program focused on providing participants with the tools needed to develop sustainable, comprehensive judicial training approaches.

The in-country Phase 3 training reached approximately 80% of the entire judiciary in Kyrgyzstan. Copies of the Kyrgyzstan Civil Code were widely distributed to everyone who attended the seminar. In addition, videotapes were distributed to chairmen of each of the

regional courts where the seminars were held to enable further training for judges who did not attend the seminar. Phase 3 training in Kyrgyzstan was especially timely since it enabled the local judges to prepare for the judicial examinations that were scheduled to begin in August.

Attorneys: Week two of the very first extended training program which began in May for private attorneys proved just as successful as the first week. It illustrated that institutionalization of a continuing education program administered by a private law school in Kazakhstan is attainable and that practicing lawyers in Kazakhstan were willing to pay for a training program. The need for comprehensive written materials devoted to local law which the Consortium distributed at the seminars was once again evident. Each program was the major event for each of the nascent bar associations in each country.

Both Seminars: The format of the joint training exercise involving local counterpart- and US-provided trainers with shared teaching responsibilities was once again well received. The seminars offered the pooled talents of an unusually wide array of experts: Kazakstani and Kyrgyzstani judges; Kazakhstan and Kyrgyzstani legal academics, faculty from the National Judicial College and the Practicing Law Institute, and specialists from USAID contractors. The seminars brought together all the contractors from the Commercial Law Project and representative contractors from the other USAID privatization and economic restructuring projects in a way that maximizes synergies and efficiencies and demonstrates close USAID contractor coordination.

A detailed quarterly report that was submitted to USAID/Washington, USAID/Almaty, and USAID/Bishkek is enclosed as an attachment.

D. TWELFTH QUARTER TARGETS

Stage the second cycle of Phase 1 training for attorneys at the Practicing Law Institute (PLI) in New York.

Develop final schedule for second cycle of Phase 2 judicial training seminars in both Kazakhstan and Kyrgyzstan.

Develop final schedule for second cycle of Phase 2 attorney training seminars in Kazakhstan and Kyrgyzstan.

Stage the second cycle of Phase 2 training seminars for attorneys in Bishkek and Almaty.

Stage the second cycle of Phase 2 training seminars for judges in Osh and Almaty.

Stage a Phase 3 concentrated seminar for mixed audiences of attorneys and judges in Kazakstan.

Attachment I(a)

Kazakstan and Kyrgyz Republic Commercial Law Training Project

AID Rule of Law Program CCN-C-00-4003-00

Third Quarterly Status Report June - August 1996

Rule of Law Consortium
ARD/Checchi Joint Venture
1819 L Street, N.W., Suite 500
Washington, D.C. 20036
Tel.: (202) 861-0351

Kazakstan and Kyrgyz Republic Commercial Law Training Project
ARD/Checchi Rule of Law Consortium (Regional Contract)

AID RULE OF LAW PROGRAM
CCN-C-00-4003-00

Third Quarterly Status Report
(June - August 1996)

Executive Summary

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Goals for the Program During the Quarter

The initial thrust of this Training Project was to equip local institutions with the tools to organize training in commercial law and to provide local professionals with both the methodological tools to disseminate information on commercial law and the substantive background in commercial law in market economies. The emphasis in this quarter shifted to tapping this local capability, which we have fostered, to train judges, attorneys and other legal professionals in commercial law and to strengthen core legal institutions in Kazakstan and Kyrgyzstan (the judiciary and the bar). During the reporting period, the Consortium focused its efforts on several seminars for judges, attorneys and other legal professionals. The Consortium organized eight seminars of varying durations during the reporting quarter. The Consortium designed the seminars to further the following goals:

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Both Seminars: The format of the joint training exercise involving local counterpart- and US-provided trainers with shared teaching responsibilities was once again well received. The seminars offered the pooled talents of an unusually wide array of experts: Kazakstani and Kyrgyzstani judges; Kazakstan and Kyrgyzstani legal academics, faculty from the National Judicial College and the Practicing Law Institute, and specialists from USAID contractors. The seminars brought together all the contractors from the Commercial Law Project and representative contractors from the other USAID privatization and economic restructuring projects in a way that maximizes synergies and efficiencies and demonstrates close USAID contractor coordination.

1 JUDGES PROGRAM

Phase 1 Seminars: During the reporting period, the Consortium applied the experience and knowledge gained from its seminars in May to observe and participate in NET sponsored Phase I training activity at the NJC in Reno, Nevada. The second set of Phase I training took place over the period August 1 - August 15, 1996. The NJC training in Reno included six judges from Kyrgyzstan and seven from Kazakstan. In view of the Consortium's desire to include the southern part of Kyrgyzstan in its program, two judges from the southern regions of Osh and Jalalabad were included among the six Kyrgyzstani judges who attended the training. The program was highly successful and all participants took an active part.

Preparation for Seminars: During the reporting period, applied the experience and knowledge gained from its seminars in May and June to finalize the curriculum for the second Phase I training activity. Based on its past experience, the Consortium worked closely with NJC and NET to ensure that training was well organized and effective. In

preparing for the seminar, the Consortium worked with its local counterparts to finalize the selection of judges who took part in the training. After the selection was completed, the Consortium held meetings with the judges from each country and received first drafts of the materials that the judge-participants are to prepare for the Phase 2 judicial seminars that are to be held in-country in October. The Consortium also began consultations with its partner institutions to develop the curriculum for the Phase 2 judicial seminars that will be held beginning October 14 in the region.

Consortium's Washington, DC Office Support: While the field offices were taking care of local arrangements, the Consortium's Washington, DC office provided the necessary assistance in the US. The numerous activities that took place during the reporting period required the DC office to keep in close touch with the US trainers, the field, and USAID/Washington to facilitate the flow of information and coherence of operations. When necessary, the DC office accorded continuous logistical and substantive assistance and support in preparation for the instructor's trip to Central Asia. Similarly, the DC office was actively involved in preparing for the Kazakstani and Kyrgyzstani delegations training in the US.

1.1 Kazakstan

Phase 3 Seminars: During the reporting period, the Consortium made preliminary and final arrangements for two Phase 3 concentrated seminars for joint audiences of Commercial judges and attorneys to be conducted in early September in Akmola and Dzhambul. Video films and the Spring seminar course books were edited and republished by Adilet law school in preparation for the September seminars.

1.2 Kyrgyzstan

Five Phase 3 Seminars Throughout Country: During the reporting period, the Consortium staged five Phase 3 concentrated seminars for judges that were held in different regions of Kyrgyzstan. The Consortium worked closely with the Supreme Court and Supreme Commercial Court in planning and organizing the seminars. At the Consortium's suggestion it was agreed that the initial seminar would take place in Bishkek for judges from Bishkek and the Chui region; and would be followed with seminars in Naryn, the Issyk-Kul region, Osh and Jalalabad, at which the videotape from the Bishkek seminar would be shown, accompanied by a judge from the Supreme Court who would answer additional questions and provide additional commentary.

Purpose of Phase 3 Seminars: The purpose of the seminars was to familiarize as many of the Kyrgyzstani judiciary as possible with the new Civil Code, which came into force on June 1, but remained largely unknown and poorly understood by most Kyrgyzstani judges. The Consortium distributed copies of the Civil Code to each judge who participated in any of the seminars. Copies of the videotape of the Civil Code seminar were also distributed to the chairmen of each of the regional courts where the seminars were held.

80% of Entire Judiciary Attended Seminars: The first seminar was held in Bishkek on July 17 - 18, with 84 judges from the Commercial Court and Courts of General Jurisdiction in attendance, along with six specialists from the Civil Law Section of the

Procuracy. In July seminars were also held in Naryn, where 19 judges attended; in Karakol (the Issyk-Kul region), with 27 judges attending, and in Osh, where 34 judges attended the seminar. Two judges from the Supreme Court accompanied the Consortium's staff in conducting the seminars, and the Consortium received organizational support from the Supreme Court and the courts of the local regions and districts. Thus, by the end of this reporting period, the Consortium provided instruction to a total of 196 Kyrgyzstani judges, which is nearly 80% of all Kyrgyzstani judges currently on the bench.

Curriculum: Each seminar lasted two days, with approximately 10 hours of instruction. The topics covered at each seminar included a general introduction to the Civil Code, and the fundamental ways in which it differs from the previous, Soviet-era Code, and the Code provisions related to the following subjects: Legal Entities; Transactions; Securities; Statutes of Limitation; Property Rights; Obligations; and Collateral. The instructors were prominent local judges and legal specialists who participated in drafting the Civil Code.

Videotapes Used to Strengthen and Standardize Programs: The Consortium distributed copies of the videotape of the Civil Code seminar to the chairmen of each of the regional courts where the seminars were held. The use of videotapes enabled the Consortium to bring the seminars to many more judges in Kyrgyzstan than would otherwise be possible; it also enabled the Consortium to begin to acquaint local judges with the practice of learning by videotape, which is generally unheard of in the former Soviet Union but which is indispensable for the development of a comprehensive Continuing Legal Education program in these countries.

Future Phase 2 Seminars: Phase 3 seminars held in the Osh and Jalalabad regions enabled the Consortium staff to develop contacts with local authorities in those areas so as to facilitate planning for the October Phase 2 judicial seminar, which the Consortium intends to hold in the South of Kyrgyzstan. Meetings were held with the Chairpersons of the Osh Regional Court, the Jalalabad Regional Court, the Manager of the regional business center "Yug", with the Deputy Director of the Sanitarium "Jalalabad" and with the respective Chairpersons of the regional offices of the Ministry of Justice for the Osh and Jalalabad regions.

2 ATTORNEY PROGRAM

Phase 2 Seminars: In June the Consortium successfully carried out in Kyrgyzstan and Kazakhstan the second week of a two-week seminar for attorneys and other legal professionals. The attendance, and the enthusiasm shown by the attendees, was very high and exceeded the Consortium's expectations. Over the two weeks of the seminar, a total of five lecturers from PLI took part in the seminars in Kazakhstan and Kyrgyzstan. These lecturers were accomplished legal experts with national reputations in the United States. The lecturers included A.A. Somer, Jr., a leading expert in securities, Professor Peter Maggs, a law professor with over thirty years of experience in the law of the Soviet Union and the republics of the former Soviet Union, and an expert in intellectual property law in the United States, B. Holtzschue, a noted author and expert in property law, and Judge William C. Hillman. The PLI instructors who participated in the seminars in June lectured on intellectual property law, property law and securities law and regulation.

Seminar Format: As with the judges seminar, in each country attorneys who participated in the Phase 1 program at PLI in April also lectured on commercial law or professional topics. A number of USAID contractors and local experts and officials lectured on a variety of commercial law topics as they relate to the respective country's new commercial law legislation. All sessions were videotaped in their entirety by OSC specialists in order to provide material for possible use in Phase 3 seminars.

Seminar Materials: Attendees during each week of the attorneys seminar received study materials that were prepared in collaboration by the Consortium's training offices in Almaty and Bishkek and by the local lawyers who received training in the Phase 1 program with PLI in New York, the visiting US instructors, and USAID contractors and other specialists of Kazakstan and Kyrgyzstan taking part in the seminar. The study materials were published by OSC, a USAID contractor.

Seminar Preparation: The training offices also made all final arrangements required to accommodate the visiting US instructors as well as the local lawyer-attendees and lecturers from other parts of their respective countries; oversaw completion of preparations of the seminar sites and arrangements relating to the interpreters and simultaneous translation equipment and finalized other equipment needed for the seminars; and other logistical matters related to the successful presentation of the seminars. The Consortium training offices maintained continuous, close contact with their local counterpart organizations.

Preparation for second Phase 1 Seminar: During the reporting period, the Almaty and Bishkek training offices identified six attorneys from Kazakstan and four from Kyrgyzstan to attend the second Phase 1 training under the auspices of NET and administered by PLI in September in New York. The Consortium training offices met with the delegations and began working on substantive and logistical preparation in sending the delegation to PLI for Phase 1 training.

Consortium's Washington, DC Office Support: The Consortium's Washington, DC office was instrumental in providing continuous logistical and substantive assistance and support to the US instructors traveling to Kazakstan and Kyrgyzstan. Working closely with the field offices and PLI, visas were obtained, tickets issued, hotel reservations made, general country information and teaching schedules distributed, and appropriate materials sent to the field. Acting as a liaison, the DC office kept in close touch with the US trainers and the field to facilitate the flow of information and coherence of operations.

2.1 Kazakstan

Phase 2 Seminar Attracts a Paying Audience : The second one-week seminar commenced on June 3 and attracted a higher percentage of practicing lawyers than the first attorneys' seminar, which was conducted in the last quarter. At this seminar, there were 56 attorneys, the vast majority of whom were practicing lawyers who paid the registration fee. (The first Phase 2 Seminar had opened at Adilet Law School on May 13 and was extensively discussed in the last quarterly report).

Seminar Preparations: In preparing for Phase 2 attorneys seminars, the Consortium worked with its local counterparts and OSC to develop a marketing strategy to attract lawyers to the seminar. Due to OSC's planned targeted advertising campaign, the seminars were extensively advertised in the Kazakstani press. It was decided that in order to have maximum attendance, the attorney Phase 2 seminars should take place in the evenings. During this time, the Consortium met frequently with Anatoly Matiukhin, the director of Adilet Law School and coordinator for attorneys program in Kazakstan and with the members of the Business Lawyers Association in connection with the foregoing matters. The Consortium also met with the Kazakstani attorneys that attended Phase 1 of the attorneys' seminar program in New York. By the end of May, the Consortium collected all the training materials put together by the Kazakstani attorneys involved in the second Phase 2 seminar.

Prior to the commencement of week two seminars, schedules were finalized and teaching materials for the second week of training obtained. Logistical arrangements were made for the second set of US trainers to participate in the seminars. The Consortium also worked closely with other USAID contractors to coordinate their participation in the seminars, including lecture presentations and written contributions to the course book (training materials).

Seminar Attracts Lawyers from Throughout the Country: In large measure as a result of extensive advertisement and good publicity from the first week of Phase 2 Seminar, week two was well-attended and the lectures were very well-received. Attorneys from Kustanai, Turgai, Leninogorsk, Karaganda, Petrovalovsk, Semipalatinsk, Pavlodar, Stepnogorsk, Akmola, among other cities, made the long trip to Almaty to attend the seminar. Over 30 lawyers primarily from Almaty and environs each paid \$50 for the seminar. It had been decided to charge participants a fee in order to demonstrate to the Kazakstani bar the viability of self-financed CLE seminars, and the organizers' expectations were happily borne out. An additional twenty-four lawyers working primarily in government service were invited to attend as well. Average daily attendance was well over 40.

Curriculum: The lawyers who had received training at the PLI in New York in April played a critical role in running the seminar, and did a thoroughly professional job. Each session was chaired by a local lawyer. The local lawyers lectured together with local law professors and other legal professionals on topics including secured transactions, bankruptcy, the general part of the new civil code, contracts, and foreign investment. Lecturers from the other Commercial Law Project contractors, and from USAID privatization and capital markets contractors contributed more than five hours of lectures to the total of 30 hours over the six days of the seminar.

Seminar Materials: For the second seminar, 22 authors prepared 200 pages of materials. The Consortium also included 95 pages of relevant legislation. Altogether there were 40 articles, 29 of which were prepared by local attorneys and other legal professionals. The remaining 11 articles were prepared by USAID contractors or the PLI faculty.

Impact on the Local Counterpart Organization: Adilet Law School assumed substantial responsibility for organizing and coordinating the seminar together with the Commercial Lawyers' Association. The success of the first seminar has confirmed Adilet in its determination to offer continuing legal education programs for legal professionals on a regular basis in future. The seminar also provided a great organizational stimulus to the Commercial Lawyers' Association, which saw a significant increase in membership as a direct outcome of the seminar.

Phase 3 Seminars: During the reporting period, the Almaty field office concluded negotiations with Adilet Law School regarding preparations for Phase 3 concentrated seminars in Akmola and Dzhambul. Adilet agreed to shoulder organizational responsibility for these seminars since it has branch law schools in each city. These seminars will be held for joint groups of lawyers and commercial court judges.

Preparation for Second Phase 1 Seminar: During the reporting period, the Almaty training office identified and met with attorneys-instructors designated to participate in the second Phase 1 seminar under the auspices of NET and administered by PLI in September in New York. The Consortium was heavily involved in all logistical and substantive preparation in sending the delegation to PLI for Phase 1 training.

Preparation for Phase 3 Seminars: Adilet began preparing for Phase 3 seminars which are scheduled to take place in early September by editing and reprinting in two volumes materials which were distributed to participants in Phase 2 seminars in May and June. Adilet published approximately 1,000 copies of the course books and made them available for purchase for all legal professional in the country.

2.2 Kyrgyzstan

Phase 2 Seminar Successful: Week two of Phase 2 seminars took place in Kyrgyzstan during the week of June 3, 1996. The seminars were well received and the Minister of Justice and the President of the Consortium's counterpart, the Lawyers Association of Kyrgyzstan, expressed great satisfaction with the seminar, and the results of the survey conducted among attendees indicates that they found the seminar very beneficial and timely.

Seminar Preparation: In preparation for Phase 2 of the attorneys training seminars, the Bishkek training office worked with its local counterpart, the Lawyers Association of Kyrgyzstan and OSC to place announcements in local pertinent publications in order to

attract a wide range of local attorneys to attend the attorneys' seminars in May and June. It was decided that the attorneys Phase 2 seminars in Kyrgyzstan should also be conducted in the evenings to maximize attendance. Upon their return, the Consortium has been in close contact with the Kyrgyzstani attorneys that attended Phase 1 of the attorneys training program in New York. By the end of May, the Consortium collected all the training materials put together by the Kyrgyzstani attorneys involved in the second week of Phase 2 seminars.

Attendance: Phase 2 seminars were well attended. During the first week an average of 70 Kyrgyzstani lawyers attended the seminar each day, with a high of 80 and a low of 62 over the two weeks. In all, over 110 persons attended some portion of the seminar, and 62 received certificates for attending 7 out of the 10 sessions. The attendees represented a cross-section of the Kyrgyzstani legal community, coming from private firms, enterprises, commercial banks, state agencies and law school faculties, and included trial lawyers (advokaty) and transactional lawyers (juristy). The attendees also represented a number of geographical regions of Kyrgyzstan, including Naryn, the Chui valley region, the Issyk-Kul region and Bishkek. (As with the judges seminar, in organizing this Phase 2 seminar the Consortium focused on the northern and eastern regions of Kyrgyzstan, since it plans to hold a second, similar seminar at which lawyers from the south will be able to participate.)

The successful attendance in part reflects the Consortium's decision in Kyrgyzstan to target lawyers who are visibly active in their profession and are in a position to influence policy-making and policy implementation in the legal sphere. The Consortium used primarily a direct-mail approach, along with advertising developed with OSC, to ensure an active, engaged and influential professional audience at the seminars.

Curriculum: The lectures were held for five hours per day over two five-day weeks. The curriculum in Kyrgyzstan for the two weeks included, in addition to the subjects taught by the PLI instructors, such subjects as Kyrgyzstani bankruptcy law, the current and draft laws on collateral and secured transactions, foreign trade and investment, banking law, the relation of law and business in a market economy, the draft law on civil procedure, property law in Kyrgyzstan, corporate governance, the new Civil Code, commercial transactions, professional ethics, the Kyrgyzstani tax system and Kyrgyzstani contract law.

Civil Code Distributed: In addition to the learning materials that the attendees received every day, the participants received copies of the new Civil Code (Part 1) which has been in force since June 1 of this year, but is not yet available in print to any significant extent.

Preparation for second Phase 1 Seminar: During the reporting period, the Bishkek training office identified and met with attorneys-instructors designated to participate in the second Phase 1 seminar under the auspices of NET and administered by PLI in September

in New York. The Consortium was heavily involved in all logistical and substantive preparation in sending the delegation to PLI for Phase I training.

3 TRAINING SUPPORT

The Consortium was not called upon to provide direct training support to the other contractors during the reporting period. The Consortium did, however, coordinate its work with the other AID commercial law project contractors in organizing and conducting the seminars in Kazakstan and Kyrgyzstan, a significant number of whom gave lectures at the seminars at the Consortium's request. The Consortium also consulted regularly with other CLP contractors in both countries as it developed plans for future seminars.

4 OTHER TECHNICAL SUPPORT

USAID/ENI Conference: Both Scott Newton and Brian Kemple, the directors of the training offices in Kazakstan and Kyrgyzstan, respectfully, participated on a panel and attended a conference on Sustainable Legal Reform in the NIS. The conference was sponsored by USAID's ENI bureau and was held on July 30-31. During their presentation on the panel, Mr. Newton and Mr. Kemple discussed Consortium's work in Kazakstan and Kyrgyzstan. A brief video of Consortium's judges training initiative was presented and was very successful. Mr. Newton's and Mr. Kemple's presentation along with the video invited a number of positive comments from the audience during the discussion period which followed the panel's presentation.

The Consortium also met with the head of the newly-formed Court Department in order to familiarize him with the Consortium's work and to explore avenues for future cooperation.

Program Evaluation: The Consortium submitted an evaluation of the program to date, focussing on the model seminars in May and June, 1996. The evaluation concluded that the seminars generally achieved the goals set for the Training Project.

- the Consortium was able to launch the first significant efforts at training legal professionals in commercial law areas in Kazakstan and Kyrgyzstan
- the Consortium and its local counterparts were able to attract more judges, attorneys and other legal professionals than were anticipated for the six seminars
- the Consortium worked with its local counterparts to fashion seminars that were primarily based on local legislation with the primary burden on local legal professionals to conduct the training
- the Consortium was able to introduce into Western commercial law principles into each of the seminars
- the Consortium was able to introduce new areas into the curriculum such as judicial ethics and communications in the courtroom for judges and the relationship between law and business in a market economy for the attorneys

Further Program Design: At the request of USAID, the Consortium met with procurators and judges in both countries to discuss the design concept for an expanded program to include economic crime as part of the Commercial Law Training Project. The Consortium met with its current local counterparts in the judge programs to discuss how to include economic crime as one of the areas in which the Commercial Law Training Project can provide effective training. In addition, the Consortium met with procurators in both countries as discussed below.

4.1 Kazakstan

After approval from USAID, the Consortium met with the General Procurator Narikbayev and his assistant. Mr. Narikbayev emphasized that the role of the procurator in Kazakstan is vastly different from that of other NIS countries in that the Kazakstani procurator is no longer involved in the investigation of crimes. There are currently 4500 procurators. Mr. Narikbayev was keenly interested in providing training to a core group of trainers within the Procuracy to handle cases dealing with economic crimes. Mr. Narikbayev indicated that he anticipates that a new Criminal Code will be adopted before the end of the year. Shortly after the meeting with Mr. Narikbayev was appointed as Chair of the Supreme Court.

Other Meetings: The Consortium met with Mr. Nurpeisov, Rector of the Kazak State Law Institute, and Rakahdil Orinbaev, Dean of the Training Faculty, to discuss future assistance to the Institute in developing its judicial training programs.

4.2 Kyrgyzstan

After consultation with the Embassy, the Consortium met with Nazarkul Bopoev, Deputy Procurator General and several assistants. Mr. Bopoev emphasized that there is currently no serious effort at training of procurators, but would be very interested in developing a component of the Commercial Law Training Project to develop a capacity within the Procuracy to teach how to prosecute economic crime cases. Mr. Bopoev indicated that he anticipates that a new Criminal Code will be adopted in Kyrgyzstan before the end of the year.

The Consortium also met with the Minister of Justice, who also indicated that the Criminal Code will be passed as early as the Fall, and that new sections on economic crime will be part of the Code. She informed the Consortium that there the government has convened bi-weekly meetings to discuss how to combat economic crime. The Minister of Justice attends these meetings along with the head of the Ministry of Internal Affairs (MVD), the Ministry of Finance, Vice-Premiers as well as others in the government.

Other Meetings: The Consortium's Bishkek office had various meetings with Fred Huston of USAID and members of the Legal Department of the Executive Office of the President of Kyrgyzstan, including a meeting with the Head of the Legal Department, Nelia Beishenalieva, in order to inform them of developments in the Consortium's work to date, and to discuss the examination / confirmation process then underway for judges in Kyrgyzstan. Of particular interest was the question of how the Consortium could best elicit from the Examination Commission its general findings as to the level of preparedness of judges in Kyrgyzstan and their training needs, in order to planning the Consortium's work in the future.

Deliverables

Task 1. Deliverables. (Establish Training Offices in Host Countries)

Hire Personnel	Offices operating with full staff. One of the two coordinators in each office left the office and has been replaced with another coordinator
Moving Into Offices	Both offices fully set up.
Develop Six Month Rolling Work Plan	Both plans submitted to USAID.
Identify Local Counterpart Institution	Completed for both countries
Identify US or European Partner	National Judicial College and Practicing Law Institute

Task 2. Deliverables. (Train the Trainers; Develop Local Capability to Train and Distribute Information about Commercial Law)

Make material assistance purchases	Equipment received and installed.
Conduct initial training seminar	Accomplished for judges program Accomplished for attorneys' program
Develop Curriculum for Seminars	Curriculum for phase 1 seminars completed; curriculum for phase 2 seminars (in Bishkek and Almaty) finalized.

Task 3. Deliverables. (Ongoing Training)

Completed Phase 1 Seminars

First judicial training seminar completed; second judicial training seminar completed August 1996

First attorney training seminar completed; second attorney training seminar scheduled for September 1996

Completed Phase 2 Seminars

Two week judicial training seminars held in both countries. Over 120 judges trained.

Two week attorney seminars held in both countries. Over 120 attorneys trained.

Completed Phase 3 Seminars

Bankruptcy seminars held in both countries. Five Phase 3 seminars on the new Civil Code held in Kyrgyzstan. Almost 200 legal professionals attended. Video and written materials produced for two Phase 3 seminars for judges and lawyers in Kazakstan to be held in September.

Task 4. Deliverables. (Training Capacity)

Judicial Training

13 Kazakstani judges prepared as trainers at NJC and 19 other legal professionals included as trainers for judges; 12 Kyrgyzstani judges prepared as trainers at NJC and five other legal professional included as trainers for judges; teaching materials prepared.

Attorney Training

7 Kazakstani attorneys prepared as trainers at PLI; and 6 Kyrgyzstani attorneys prepared as trainers at PLI; a number of other attorneys and legal professionals included as trainers for attorneys; preparation of teaching materials completed.

Task 5. Deliverables. (Coordination, Evaluation and Sustainability)

Coordination

Phase 2 seminars for both judges and attorneys in both countries included substantial participation from Booz Allen and IRIS as well as other privatization and capital markets contractors. Bankruptcy phase 3 seminars closely coordinated with Booz Allen.

Evaluation

Data collected for interim evaluation of program, including evaluation of sustainability. Evaluation was submitted in July 1996.

5 EXPENSES

The following table reflects the budget and actual expenses up through August 31, 1996. Many of the expenses, especially local expenses in Kazakhstan and Kyrgyzstan, have not yet been processed, but will be reflected in future reports.

Category	Budget	Expenses 11/95 - 8/96	Amount Remaining
Expatriate Staff Costs	266622	215222	51400
Local Staff Salaries and Benefits	104000	38624	65376
ST Specialist Costs	93700	19088	74612
In-Country Travel	28000	3255	24745
Equipment	50000	61082	-11082
Training: Attorney Program	175000	156827	18173
Training: Judges Program	175000	82281	92719
Expense Reimbursement	40000	24779	15221
Office Rent / Utilities / Supplies	56000	46495	9505
Communications	22000	10031	11969
Administration Charges	289621	186018	103603
TOTAL	1299943	843702	456241

II. TRANSCAUCASUS

A. OBJECTIVE

Design and implement a Rule of Law program that will promote an independent judiciary and sustainable development of democratic institution building in Armenia and Georgia.

B. ELEVENTH QUARTER TARGETS

ARMENIA

Set new dates for the Civil Code drafting meeting that was canceled.

Submit all the paperwork to CO for grant approval to the American University of Armenia (AUAC).

Solicit bids from US organizations to provide judicial and attorney training programs for the Armenian judges and attorneys in collaboration with the AUAC program.

Identify, contact, and direct mail bid packages to US organizations capable of providing training programs for the American judges and attorneys in collaboration with the AUAC program.

Procure and deliver equipment for the Legislative Committee of Armenia.

GEORGIA

Upon approval of the CO, enter into the subcontract with the Parliamentary Human Rights Foundation (PHRF) for year two of the Parliamentary Support through Internet Connectivity activity.

ROLC stands ready to provide Criminal Code drafting assistance upon instruction from USAID.

The ROLC stands ready to proceed with judicial training programs upon instruction from USAID.

C. OUTPUTS AND ACHIEVEMENTS

C.1 The American University in Armenia

ROLC received CO approval to award a grant to AUAC. On going process.

C.2 Civil Code Drafting - Armenia

The Armenian Civil Code Part I drafting work meeting took place July 13 - 20, 1997 in The Netherlands. The meeting was sponsored and organized by the Center for International Legal Cooperation. In preparation for the meeting, the ROLC DC office performed administrative and logistical assistance. A delegation of five Armenian Civil Code experts headed by Mr. Vladimir Nazaryan attended the meeting. In addition, David Bronheim and Professor V. Palmer, US expert, attended the working meeting.

C.3 Procurement - Armenia

Procured and delivered equipment for the Legislative Committee of Armenia.

C.4 Parliamentary Human Rights Foundation (PHRF) - Georgia

The ROLC received CO approval to fund year two activities. PHRF will provide technical services required in the establishment of an Internet link with Tbilisi, Georgia for access by the US Embassy and the Georgian Parliament. The period of performance for the work commenced on July 1, 1997 and will continue through June 30, 1997.

D. TWELFTH QUARTER TARGETS

ARMENIA

Finalize date and provide support for Armenia Criminal Code drafting meeting.

Procurement for the Legislative Committee and the Constitutional Court of Armenia.

AMERICAN UNIVERSITY OF ARMENIA(AUA)

Finalize grant to AUA and establish a management structure at the University and a preliminary timetable to administer the programs covered by this grant.

GEORGIA

Continue monitoring PHFR and it's work with the Parliament Internet Connectivity project.

Attachment II(a)



CENTRE FOR INTERNATIONAL LEGAL COOPERATION



CIVIL CODE OF THE REPUBLIC OF ARMENIA

CONSULTATION
July 13 - July 20, 1996

Participants

Republic of Armenia

* Dr. V.R. NAZARYAN, Chief of the Legal Department of the National Assembly of the Republic of Armenia; Director of the Juridical Centre for Legislation Development; Head of the team

* Prof. G. KARAKHANYAN, Professor in Civil Law, Department of Civil Law, Yerevan State University; member of the Juridical Centre for Legislation Development

* Mr. A. MKRTUMYAN, Deputy-chief of the Legal Department of the National Assembly of the Republic of Armenia; member of the Juridical Centre for Legislation Development

* Mr. T. MUKUCHYAN, Senior Consultant to the Legal Department of the National Assembly of the Republic of Armenia; member of the Centre for Legislation Development

* Mr. S. MCHITARYAN, Senior Consultant to the Legal Department of the National Assembly of the Republic of Armenia; member of the Centre for Legislation Development

The Netherlands

* Mr. W. SNIJDERS, Vice-President of the Supreme Court

* Prof. mr. J. HIJMA, Professor in Civil Law, Leiden State University

* Prof. mr. F.J.M. FELDBRUGGE, Director of the Institute of East European Law and Russian Studies, Leiden State University

* Dr. J.H.M. VAN ERP, Senior Lecturer in Civil Law, Catholic University Brabant, Tilburg

United States of America

* Prof. dr. V.V. PALMER, Thomas Pickles Professor of Law, Tulane University School of Law, New Orleans, Louisiana

* Mr. D. BRONHEIM, Program Director, ARD/Checchi Rule of Law Consortium, Washington

Federal Republic of Germany

* Prof. dr. O. LUCHTERHANDT, Department of East European Law, University of Hamburg; Main consultant to the GTZ

Interpreter

* Mr. M. FERSCHTMAN

Important Addresses

* Centre for International Legal Cooperation
Tel.: 071 - 5 121 888
Fax : 071 - 5 130 160

Contactpersons:
Mr. Jan F. van Olden
Director
Tel.(p): 020 - 664 77 20

Mr. Eric L.J.F.M. Vincken
Project-coordinator
Tel.(p): 071 - 5 13 44 28

* Institute of East European Law and Russian Studies
Tel.: 071 - 5 27 78 14
Fax : 071 - 5 27 77 32

Contactperson:
Prof. mr. F.J.M. Feldbrugge

Accommodation/ Address Working Sessions

* Hotel AC Leiderdorp
Persant Snoepweg 2-4
2353 KA Leiderdorp
Tel.: 071 - 5 89 93 02
Fax : 071 - 5 41 56 69

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Sponsored by

- * ARD / Checchi Rule of Law Consortium - USAID

Organized by

- * Centre for International Legal Cooperation

PRELIMINARY AGENDA**SATURDAY JULY 13**

- 08.00 : Arrival of the Armenian delegation
Free program
- 18.30 : Dinner at the AC Hotel

SUNDAY JULY 14

An excursion to (?) will be organized

- 18.30 : Dinner at the AC Hotel

MONDAY JULY 15

- 09.30 - 12.30 : Part I: General Provisions (Chapter 1-10)
- 12.30 - 14.00 : Lunch
- 14.00 - 17.00 : Questions on Special Contracts (second part of the Civil Code)
- Experts : Prof. Mr. J. Hijma, Mr. W. Snijders (afternoon)
- 18.30 : Dinner at the AC Hotel

TUESDAY JULY 16

- 09.30 - 12.30 : Part II: Persons (Chapter 11-13)
- 12.30 - 14.00 : Lunch
- 14.00 - 17.00 : Part II: Persons (Chapter 11-13)
- Experts : Mr. W. Snijders
- 18.30 : Departure to Restaurant in Leiden
- 19.00 : Dinner at Restaurant in Leiden

WEDNESDAY JULY 17

09.30 - 12.30 : The Law of Obligations - General part (Chapter 21-30)
12.30 - 14.00 : Lunch
14.00 - 17.00 : The Law of Obligations - General part (Chapter 21-30)

Experts : Dr. J.H.M. van Erp

18.30 : Dinner at the AC Hotel

THURSDAY JULY 18

09.30 - 12.30 : The Law of Obligations - General part (Chapter 21-30)
12.30 - 14.00 : Lunch
14.00 - 17.00 : The Law of Obligations - General part (Chapter 21-30)

Experts : Dr. J.H.M. van Erp

18.30 : Dinner at the AC Hotel

FRIDAY JULY 19

09.30 - 12.30 : Part III: The right of ownership and other rights in rem (Chapter 14-20)
12.30 - 14.00 : Lunch
14.00 - 17.00 : Part III: The right of ownership and other rights in rem (Chapter 14-20)

Experts : Mr. W. Snijders

18.30 : Departure to Restaurant.... in

19.00 : Farewell Dinner in Restaurant in

SATURDAY JULY 20

Free program
14.45 : Departure to the airport
16.45 : Departure of the Armenian delegation

- Note: 1. Professor LUCHTERHANDT and Professor PALMER will only attend the meetings partly.
2. Farewell dinner at Restaurant in will either be on Thursday or on Friday.
3. The program is only a preliminary one. Changes can take place

III. OTHER ACTIVITIES

NEWSLETTER

A. OBJECTIVE

To produce a periodical on legal reform issues reflecting the challenges faced not only by the legal practitioners and proponents of law reform in the NIS, but also the complexities faced by donors attempting to cooperate with the individuals and institutions engaged in the transition of the Newly Independent States to market-based societies grounded in the Rule of Law. The ROL Newsletter provides a focal point for wide ranging discussion on the direction, implications, and consequences of law reform and political/institutional development in the Newly Independent States.

B. ELEVENTH QUARTER TARGETS

Begin work on the Summer/Fall 1996 issue of the Newsletter.

Collect outstanding articles from contributors and translate, when applicable, for the next issue of the newsletter.

C. ACHIEVEMENTS AND OUTPUTS

The Summer/Fall 1996 issue of the newsletter will be called the Summer 1996 issue.

All of the contributors for the Summer 1996 issue of the newsletter were identified and contacted. All of the contributors submitted articles. The articles were translated (when necessary), and edited.

D. TWELFTH QUARTER TARGETS

Finalize, publish, and mail the Summer 1996 newsletter.

Begin working on the next issue of the newsletter which will be the Spring 1997 issue.

FREEDOM HOUSE

A. OBJECTIVE

To promote and strengthen the relationship between an independent judiciary and free press in the NIS.

B. ELEVENTH QUARTER TARGETS

On-going monitoring of the project.

Ensure contractual compliance of the project.

Receipt of the second deliverable.

C. ACHIEVEMENTS AND OUTPUTS

Due to unforeseen circumstances, Freedom House was not able to provide a second deliverable per their contractual agreement. Some of the original authors who agreed to submit articles for the textbook backed out of the obligation. Freedom House contacted the Contractor explained the predicament and requested an extension which the Contractor granted.

D. TWELFTH QUARTER TARGETS

On-going monitoring of the contract.

USAID/ENI CONFERENCE

ROLC sponsored the USAID/ENI conference "Sustainable Legal Reform in the NIS" that took place July 30-31, 1996 in Washington, D.C. The two-day conference consisted of five panel discussions. The introduction on law reform and USAID's strategic objectives were given by Thomas Dine. Other USAID conference participants included Gerry Donnelly, Lori Mailloux, and Keith Henderson. Members of various panels included representatives of other USG agencies, the World Bank, other US ROL donors, and representatives of several West European institutions. Among those who attended was the ROLC staff from Central Asia. In addition to the USAID/ENI conference, country specific meetings were held to discuss country objectives and strategies.

Attachment III(a)

NIS COUNTRY MEETINGS
July 29, 1996
Embassy Row Hotel, Board Room
Washington, DC

UKRAINE 9:15 - 11:15

Patricia Liefert , USAID
David Black, USAID/Kyiv
Keith Henderson, USAID
Sherry Grossman, USAID
Laurier Mailloux, USAID
Carol Doerflein, USAID
Ivars Kuskevics, USAID
Tammy Peters, USAID
Jan van Olden, The Netherlands
Hans-Holger Herrnfeld, Germany
Maury Miloff, Canada
Guy Goulard, Canada
Ian Newport, World Bank
Galina Mikhlin, World Bank
Sandra Oxen, World Bank
Geoff Dubrow, World Bank
Garber Davidson, ROLC
David Bronheim, ROLC
Robert Bayer, ROLC/Kyiv

BREAK 11:15 - 11:30

CENTRAL ASIA 11:30 - 1:45

(includes lunch)

Paul Davis, USAID/Almaty
Patricia Liefert, USAID
Keith Henderson, USAID
Ilona Countryman, USAID
Laurier Mailloux, USAID
Theresa Ware, USAID
Jan van Olden, The Netherlands
Hans-Holger Herrnfeld, Germany
Gennady Pilch, World Bank
Garber Davidson, ROLC
David Bronheim, ROLC
Keith Rosten, ROLC
Brian Kemple, ROLC/Bishkek
Scott Newton, ROLC/Almaty

CAUCASUS 1:45 - 2:45

Geraldine Donnelly, USAID/Yerevan, Mission Director Designate

Keith Henderson, USAID

Patricia Leifert, USAID

Kay Harris, USAID

Melissa Schwartz, USAID/Yerevan

Laurier Mailloux, USAID

Dagnija Kreslins, USAID

Jan van Olden, The Netherlands

Hans-Holger Herrnfeld, Germany

Irina Kichigina, World Bank

Garber Davidson, ROLC

David Bronheim, ROLC

Keith Rosten, ROLC

Herman Schwartz, ROLC

BREAK 2:45 - 3:00

RUSSIA 3:00 - 5:00

Janet Ballentine, USAID/Moscow, Mission Director Designate

Keith Henderson, USAID

Patricia Leifert, USAID

Ted Priftis, USAID

Laurier Mailloux, USAID

Dianne Tsitsos, USAID

Julia Allaire MacDonald, USAID/Moscow

Matt Mosner, USAID/Moscow

Jan van Olden, The Netherlands

Hans-Holger Herrnfeld, Germany

Katarina Mathernova, World Bank

Gennady Pilch, World Bank

Irina Kichigina, World Bank

Garber Davidson, ROLC

Ronald Childress, ROLC

Attachment III(b)

USAID/ENI CONFERENCE
“SUSTAINABLE LEGAL REFORM IN THE NIS”

July 30-31, 1996

Embassy Row Hotel, Washington, D.C.

Day 1 **Tuesday, July 30th**

8:00 - 9:00AM Registration

9:15 - 9:45 Introduction: Thomas A. Dine, Assistant Administrator for the Division of Europe, USAID
Topic: Law Reform and USAID's Strategic Objectives

9:45 - 10:15 Keynote Speaker: Ambassador Richard Morningstar, Special Advisor to the President &
Secretary of State on Assistance to the NIS
Topic: Legal Reform: The Future Challenges for the International Donor Community
in the NIS

10:15 - 10:30 Break

10:30 AM Panel I Legal Reform in the Context of a European Legal Culture

10:30 - 11:30 Moderator: Geraldine Donnelly, Designate, USAID/Caucuses
Panelists: Hans-Holger Hermfeld, The German Foundation for International Legal
Cooperation, Germany
Peter Maggs, Corman Professor of Law, University of Illinois
Galina Mikhlin, Counsel for Europe and Central Asia, World Bank
Jan van Olden, Centre for International Legal Cooperation, the Netherlands

11:30 - 12:30 Discussion

12:45 - 2:15 LUNCH

Speaker: Mancur Olson, Principal Investigator & Chair, Institutional Reform and the
Informal Sector (IRIS)
Topic: Legal Reform and a Market Economy

2:30 PM Panel II Commercial Law: Its Relations to Civil and Criminal Law

2:30 - 3:30 Moderator: Laurier Mailloux, Director, Privatization & Economic Restructuring, USAID
Panelists: Charles Cadwell, Director, IRIS
Daniel Schneider, Resident Legal Advisor for the NIS, Department of Justice
Andrew Vorkink, Assistant General Council, World Bank
Jonathan Winer, Deputy Assistant Secretary, Bureau of International
Narcotics and Law Enforcement Affairs, Department of State (DOS)

3:30 - 5:00 Discussion

5:30 - 6:30 REFRESHMENTS

6:30 - 9:00 DINNER

Speaker: Eric Niehe, Acting Director General European Cooperation, Ministry of Foreign
Affairs, The Netherlands
Topic: Legal Reform in the NIS: The Netherlands Government's Approach within the
European Context

Day 2 Wednesday, July 31st

9:00 AM Panel III Legal Reform and the Democratic Process

9:00 - 10:15 Moderator: Larry Garber, Senior Policy Advisor for Democracy & Human Rights, USAID
Panelists: Kyra Buchko, Executive Director, Central and East European Law Initiative (CEELI)
Michael Butler, Harvard Institute for International Development (HIID)
Nadia McConnell, Executive President, US/Ukraine Foundation
Juliana Geran Pilon, Director of Program for Europe and Asia, International Foundation for Electoral Systems (IFES)
Keith Rosten, Senior Legal Reform Specialist, Rule of Law Consortium, ARD/Checchi Joint Venture
Malcolm Russell-Einhorn, Manger of Law and Governance Group ENI Region, Chemonics International

10:15 - 12:00 Discussion

12:15 - 1:45 LUNCH

Speaker: Ambassador Robert Gelbard, Assistant Secretary of State for Bureau of International Narcotics and Law Enforcement Affairs, DOS
Topic: Legal Reform and Organized Crime

2:00 PM Panel IV Coordination and Planning for Multi-Lateral Cooperation

2:00 - 3:15 Moderator: William Taylor, Deputy Coordinator, Democracy Programs, DOS
Panelists: Gerard C. de Boer, Ministry of Justice, The Netherlands
Hans-Holger Hermfeld, The German Foundation for International Legal Cooperation, Germany
Maury Miloff, Project Officer Democracy and Development, Canadian International Development Program
Ian Newport, Chief Council Europe and Central Asia, World Bank
Jennifer Windsor, Deputy Director, Center for Democracy and Governance, USAID

3:15 - 3:45 Discussion

3:45 - 4:00 Break (Coffee & Pastry)

4:00 PM Panel V Hard Choices and Next Steps

4:00 - 4:45 Moderator: Geraldine Donnelly, Designate, USAID/Caucuses
Panelists: Paul Davis, Director, Privatization and Economic Restructuring, USAID/Almaty
Larry Garber, Senior Policy Advisor for Democracy & Human Rights, USAID
Keith Henderson, Director, Rule of Law, Governance Division, USAID
Robert Sharlet, Chauncey Winters Professor of Political Science, Union College

4:45 - 5:00 Discussion

ARD/CHECCHI JOINT VENTURE
SUMMARY FINANCIAL ANALYSIS

REPORT DATE: 10/15/96
QUARTER ENDING: 8/31/96

CLIENT: USAID
PRIME CONTRACT ID: CCN-0007-C-00-4003-00
CONTRACT NAME: NIS RULE OF LAW - REGIONAL
PERIOD OF PERFORMANCE: 11/30/93 to 11/30/98

EST. TOTAL VALUE(BASE): \$7,843,155
EST. TOTAL VALUE(WITH OPTIONS): \$12,680,087
FUNDED VALUE: \$9,725,000

	PROJECTED EXPENDITURES QTR ENDED 31-Aug-96	INCURRED QTR ENDED 31-Aug-96	VARIANCES QTR ENDED 31-Aug-96	PROJECTED EXPENDITURES QTR ENDED 30-Nov-96	ITEMIZED BUDGET	TOTAL CONTRACT INCURRED TO DATE	REMAINING BALANCE
SALARIES	\$135,000.00	\$139,603.17	(\$4,603.17)	\$135,000.00	\$2,618,031.00	\$1,248,166.37	\$1,369,864.63
SUBCONTRACTS	\$200,000.00	\$204,433.64	(\$4,433.64)	\$20,000.00	\$1,832,500.00	\$1,484,261.02	\$348,238.98
TRAVEL & TRANSP	\$50,000.00	\$32,976.96	\$17,023.04	\$100,000.00	\$1,487,409.00	\$254,999.28	\$1,232,409.72
EQUIPMENT	\$10,000.00	\$8,923.83	\$1,076.17	\$10,000.00	\$76,000.00	\$64,772.87	\$11,227.13
ALLOWANCES	\$10,000.00	\$1,800.00	\$8,200.00	\$10,000.00	\$0.00	\$13,545.00	(\$13,545.00)
TRAINING	\$25,000.00	(\$1,938.20)	\$26,938.20	\$75,000.00	\$850,000.00	\$133,503.42	\$716,496.58
GRANTS PROGRAM	\$500,000.00	\$437,527.25	\$62,472.75	\$100,000.00	\$1,800,000.00	\$1,618,534.13	\$181,465.87
OTHER DIRECT COSTS	\$150,000.00	\$151,801.97	(\$1,801.97)	\$150,000.00	\$1,002,005.00	\$791,583.95	\$210,421.05
TOTAL OTHER DIR. COST	\$945,000.00	\$835,525.45	\$109,474.55	\$465,000.00	\$7,047,914.00	\$4,361,199.67	\$2,686,714.33
FRINGE BENEFITS	\$8,000.00	\$7,696.24	\$303.76	\$8,000.00	\$203,503.00	\$103,335.15	\$100,167.85
OVERHEAD	\$100,000.00	\$96,437.19	\$3,562.81	\$60,000.00	\$1,513,685.00	\$890,017.33	\$623,667.67
MAT HANDLING	\$15,000.00	\$12,467.21	\$2,532.79	\$2,000.00	\$80,739.00	\$109,534.71	(\$28,795.71)
GENERAL & ADMIN	\$25,000.00	\$22,663.44	\$2,336.56	\$25,000.00	\$487,367.00	\$170,866.29	\$316,500.71
TOTAL INDIRECT EXP.	\$148,000.00	\$139,264.08	\$8,735.92	\$95,000.00	\$2,285,294.00	\$1,273,753.48	\$1,011,540.52
TOTAL CONTRACT COSTS	\$1,228,000.00	\$1,114,392.70	\$113,607.30	\$695,000.00	\$11,951,239.00	\$6,883,119.52	\$5,068,119.48
FIXED FEE	\$70,000.00	\$69,008.69	\$991.31	\$40,000.00	\$728,848.00	\$433,277.24	\$295,570.76
TOTAL	\$1,298,000.00	\$1,183,401.39	\$114,598.61	\$735,000.00	\$12,680,087.00	\$7,316,396.76	\$5,363,690.24
	=====	=====	=====	=====	=====	=====	=====