

UNECE Project Team on Model PPP Law

Team meeting, discussion and action items

Tuesday, 1st October 2019, Conference call session 16:00-16:30 CET

Participants	
Attendees	Christopher Clement-Davies (Team Leader), Shaimerden Chikanayev, Manuel Protásio, Irina Zapatrina
Invited	See Appendix A
Apologies	Amer Al Adhadh, Roman Churakov, Giovannella D'Andrea, Marc Frilet, Lars Wellejus
UNECE Secretariat	Claudio Meza

The Team Leader thanked everyone for participating on the conference call and asked if there were any comments on the minutes of the previous one? There being no comments or questions, the minutes were approved.

The Team Leader then gave a brief summary of progress with the draft Model PPP Law. Both the draft and the Commentary were now in nearly final form. We had had another meeting of the drafting sub-group at the end of August to discuss the latter, which had taken up the best part of a day. We had also received some 10 pages of thoughtful and helpful comments on the draft law from a distinguished UN consultant, Motoko Aizawa, from the 'People First PPP' perspective. These, too, had been discussed at length, and some further amendments were being made to the draft to reflect the conclusions reached. Another-and presumably final-meeting of the drafting sub-group was now scheduled for mid-October in France. It was hoped that we would be able to wrap up both documents then. They would then be circulated again to all the members of the wider Group for their approval and any final questions.

The Team Leader asked if there was likely to be any interest in the wider Group in scheduling a call specifically to run through all the articles of the Model Law, together with the Commentary, and discuss any questions. He said that he would be very happy to organise such a call, and reminded participants that all the members of the Group would be listed in the documents as their co-authors. The members present thought that that would probably not be regarded as necessary. The Model Law was thought to be an outstanding piece of work and most members of the Group were essentially already happy with it. Irina Zapatrina also cautioned against making the documents too complicated. It was important always to keep on mind that governments with limited resources and limited experience in this area had to be able to understand and make use of them quickly and easily. She did not think that many more changes-which might complicate the structure further-were necessary or appropriate. The Team Leader strongly agreed with her.

The Team Leader then mentioned that the task of conforming the provisions of the draft to the revised UNCITRAL legislative provisions was still to be completed. We had just been sent the latest version of these provisions by UNCITRAL (they have not yet been published), and would be using them in the near future to complete this exercise. The plan was to do this ahead of the next meeting in France, so that the relevant changes could also be approved there.

There being no other business, the meeting was concluded. The next call would be in October, after the revised drafts of the Model Law and Commentary had been circulated. Time engaged: 25 mins.

Appendix A. Members of the Team		
Title	First name	Last name
Ms.	Motoko	Aizawa
Mr.	Amer	Al Adhadh
Mr.	Wilfried	Bassale
Ms.	Ekaterina	Bespalova
Mr.	Patrick	Blanchard
Mr.	Tomas	Brizuela
Mr.	Shaimerden	Chikanayev
Mr.	Rubayet	Choudhury
Mr.	Christopher	Clement-Davies
Mr.	Anthony	Coumidis
Mr.	Predrag	Cvetkovic
Mr.	Bruno	de Cazalet
Ms.	Natalia	Diatlova
Mr.	Alexander	Dolgov
Mr.	Daniel	Escauriza
Mr.	Marc	Fornacciari
Mr.	Dominique	Gatel
Mr.	Richard	Ginks
Mr.	Bill	Halkias
Mr.	Sulaiman	Hallal
Mr.	Thomas	Hamerl
Ms.	Louise	Huson
Mr.	Rufin Serge Wilfrid	Itoba
Mr.	Tomasz	Jedwabny
Mr.	Daler	Jumaev
Ms.	Vicky	Kefalas
Mr.	Vladimir	Kilinkarov
Ms.	Tham	Lai Leng
Mr.	Shijian	Liu
Ms.	Veronica	Lupu
Ms.	Svetlana	Maslova
Mr.	Ian	McGrath
Ms.	Marija	Musec
Mr.	Jörg	Nowak
Mr.	Rafael	Pérez Feito
Mr.	Manuel	Protásio
Ms.	Olga	Revzina
Mr.	George	Smyrnioudis
Ms.	Irina Viktorovna	Taranova
Mr.	Wim	Timmermans
Mr.	David Joachim Lubbertus	van Ee
Ms.	Marianne	Viola
Prof	Don	Wallace
Mr.	Lars	Wellejus
Mr.	Parwana	Zahib-Majed
Ms.	Irina	Zapatrina
Mr.	Alexei	Zverev

APPENDIX B. DRAFTING SUB-GROUP MEMBERS

1. Christopher Clement-Davies (Team Leader/ Consultant)-C.Clement-Davies
2. Alexei Zverev (Senior Counsel, Law in Transition Team)-EBRD
3. Dr. Bruno de Cazalet (Consultant) -Cazalet Consult
4. Alexander Dolgov (Partner)/ alternate: Konstantin Makarevich (Senior Associate)-Squire Patten Boggs
5. Olga Revzina (Partner)/ alternate: Roman Churakov (Senior Associate)-Herbert Smith Freehills
6. Professor Irina Zapatrina (Chairman of the Board) Ukraine PPP Centre
7. Dr. Wim Timmermans (Partner)-Wimmermans & Simons
8. Richard Ginks (Partner)/ alternative: James Watts (Managing Associate) Linklaters
9. Vladimir Kilinkarov (Partner)/ alternate: Ian McGrath (Partner)-Dentons
10. Professor Don Wallace-International Law Institute
11. Mag. Thomas Hamerl (Partner) CMS
12. Chris Shugart (Consultant) C. Shugart
13. (Partner) -Gide Loyrette Nouel