

Bertrand Marchais

General information

Born on June 1, 1953 in Paris

Married with four children

Main Achievements

Co-designer of the Multilateral Investment Guarantee Agency (MIGA) program targeting small and medium investors. Member of the Task Force responsible for setting up a new political and commercial risk sharing mechanism between the European Union and the European Investment Bank. Author of MIGA's mediation procedural rules. MIGA lawyer for the first MIGA projects in Russia and Iran (energy and mining). Manager and co-manager of several successful mediation cases by MIGA including a telecom project in Mauritania and a solid waste management project in Senegal. Jointly responsible for setting up Breach of Contract coverage of government contracts and coverage of sub national governments by MIGA. Joint author of the Guidelines of the World Bank Group on the Treatment of Foreign Investments, and of the OECD Guidelines for Investment Legislation in the CIS. Evaluation of the investment climate and business environment, as a member of MIGA or joint World Bank Group teams, in several World Bank member countries, including Iran, Russia, Ukraine, Algeria and Tunisia. Represented MIGA Legal in interagency working groups on WBG assistance to member Governments in restructuring and renegotiating infrastructure PPP contracts. Member of the team who wrote the 2008 review report on World Bank Group guarantee activities under the auspices of the World Bank Group Independent Internal Evaluation Departments-IEG (the report was voted best IEG report for 2009).

Professional Experience

- Currently: MIGA liaison person for Europe, based in Paris, France
- August 2006 – October 2007: Based in Dakar, Senegal, and Lome, Togo. MIGA field financial expert for the implementation of a US\$ 230 million pilot Regional Infrastructure Investments Guarantee Facility in the WAEMU zone, involving MIGA's, IDA's, and the French Development Agency's (AFD) guarantee instruments, with the West African Development Bank (BOAD) as Facility Administrator.
- September 01 – July 06: Washington DC. Lead Legal Counsel, MIGA, World Bank Group. In charge of new MIGA guarantee programs and mediation activities.
- July 99- July 01: Seconded to the European Commission, Brussels, General Directorate for External Relations, then to EuropeAid Cooperation Office. Task Manager, private sector support, including infrastructure finance, in the Balkans and the Mediterranean regions.
- September 97 – July 99: Washington, DC. Senior Legal Counsel, MIGA.
- January 95 – August 97: Seconded to the European Investment Bank (EIB), Luxembourg. Advisor to the Director General for Legal Affairs.
- June 92 – January 95: Washington, DC. Counsel then Senior Legal Counsel, MIGA, World Bank Group.

- February 86 – June 92: Washington, DC. Junior Counsel then Counsel, International Centre for the Settlement of Investment Disputes (ICSID), World Bank Group, Washington, DC. Management of ongoing arbitration cases as secretary of arbitration tribunals, and of the ICSID Secretariat.
- March – October 85: Paris. Legal Advisor, Willkie Farr & Gallagher, a US law firm with offices at 16 avenue Pierre 1er de Serbie, 75116.
- February 83 – February 85: Junior Project Officer, United Nations Development Program (UNDP), Beirut Office, Lebanon, February –October 1983; Sana'a Office, Yemen, October 1983- March 1985.
- July 82 – February 83: Paris. Junior Legal Advisor. Hughes Hubbard & Reed, a US law firm with offices at 47 avenue Georges Mandel, 75116
- April 80 – August 81: Paris. Junior Legal Advisor, Coudert Frères, a US law firm with offices at 52/44 avenue des Champs-Élysées, 75008.
- November 80 – August 79: National Military Service in France.

Education

Doctorate in International Economic Law. Université Paris X, May 1985 (Mention Très bien)
 Topic: Investment Codes and Protection of Foreign Direct Investment.
 Master's degree in International and Comparative Law. George Washington University, Washington, DC, May 1982. (Diploma and PHD research)
 Diploma from Institut d'Études Politiques de Paris. Economic and financial section, June 1978.
 Master's degree in History and Art History, Université Paris X, January 1980.

List of publications

Available on request.

Other Activities and Memberships

Member of research groups on promoting and protecting foreign direct investment within the OECD, the World Bank Group, the WTO, and the University of Georgetown. Teacher, International Development Law Organization (IDLO), Rome, Italy, and IEP Rennes University, France: Investment protection, dispute resolution, risk mitigation and implementation of PPP structures in public infrastructure projects.

Former Vice President of the World Bank and IMF French Association. Former member of the association of foreign lawyers practicing in Washington, DC and of the editorial committee for the ICSID Review – Foreign Law Journal. Fulbright scholarship awardee, USA.