

**GHELBER & GOURDON**  
**Law firm**

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**Paris Office**

**12 rue Cortambert**

**75116 PARIS**

Tel. : (33) 1 45 03 35 35 - Fax. : (33) 1 45 03 28 00

**[ghelber@wanadoo.fr](mailto:ghelber@wanadoo.fr)**

## GENERAL PRESENTATION

The Ghelber & Gourdon's Paris based Law Firm provides legal and institutional advisory services and technical assistance to public authorities or private investors in the framework of international financing (World Bank, European Commission, European Bank for Reconstruction and Development, European Investment Bank,...) or multilateral programs (European Union, UNDP, IMO, FAO, UNESCO,...).

In focusing a multidisciplinary approach or to enhance its legal and institutional expertise, the firm hires top level consultants which are experienced in transition and developing economies. More often, these advisers are University law professors, or coming from the governmental bodies (State Council, Court of Auditors, Ministry of Finance, Directors).

In addition, whenever requested, the firm associates with merchant banks, engineers, accountants, scientists, management, and information technology consultants.

The core activity of the firm is to deal with the legal and judicial components as to institutional, economic and environmental reforms.

These missions take place in the general process of public and private sector development, investments promotion and enforcement of law since the liberalisation of trade leads to the strengthening of institutional capacity and involves the setting up of regulation authorities.

### **The firm provides services whatever the stage of the project :**

- Assessing the legal and regulatory framework, scheduling reforms to be carried out, proposing actions.
- Training on local development, local finances and management for top officials and local administrators
- Drafting Terms of Reference and bidding documents
- Legal audit of private or Public Bodies.
- Final draft of agreements, laws, regulations, bye-laws, articles.
- Codifying the rules to be applied in a branch of law or to a sector of industry.
- Participating in the approximation or harmonisation of law in a Community of States.
- Relevant training for civil servants, officials or elected representatives, in the field or using the video-conference technology.

Owing to its extensive experience of the recipient country, the firm is sometimes selected as the team-leader of the project implementation as a whole.

Presently, assignments have been performed in more than 30 countries: Bulgaria, United Kingdom, Cambodia, Côte d'Ivoire, Csech Republic, Egypt, Hungary, Gabon, Georgia, Guinea Bissau, Haiti, Hungary, Mauritius, Iran, Kazakhstan, Laos, Lebanon, Lithuania, Macedonia, Madagascar, Mali, Morocco, Mauritania, Poland, Romania, Russia, Senegal, Slovenia, Slovakia, Togo, Tunisia, Vietnam.

The working languages are French and English.

**The staff provides services in the following areas :**

- Institutional development (State Departments, Region and local Administration, State-owned enterprises, public or semi-public agencies)
- Competition law and institutional support. Consumer law
- Commercial and business law
- Decentralisation, urban and municipal development
- Environment
- Justice and arbitration
- Maritime, air and ground transportation (including infrastructures)
- Taxation and public finances
- Bank and insurance
- Water supply and sewerage
- Power, mines, hydrocarbons
- Posts and telecommunications
- Fisheries, agriculture and food-industry

**SELECTED EXPERIENCES**

**Approximation and harmonisation of Law in transition and developing economies**

- *Establishment of a Special Accession Program for Agriculture and Rural Development. European Union, Romania, 2000.*
- *European Union ports and common transport policy. European Union, Romania, 1999.*
- *Various mission on Public Procurement and its approximation with UE Law (Macedonia, Ivory Coast)*
- *Long term technical assistance to the Directorate-General in charge of legal matters (Ministry of transports). European Union, PHARE, Romania, 1997-1998.*
- *Approximation of law: Reviewed the maritime safety Act. **European Union, PHARE, Romania, 1997.***
- ***Comparative studies on French and Czech civil proceedings with the view of the US federal law.** Central and Eastern Law Institute (CEELI), American Bar Association, 1995.*
- ***Joint Expert both for the World Bank and the Côte d'Ivoire Government to negotiate the liberalisation of maritime trade, Washington, 1996.***
- *Approximation of law: Merchant shipping commercial code to be adapted to a transitional economy. Steering of a national team of lawyers. **European Union, PHARE, Romania, 1994.***
- *Analysis of three uniform law drafts to become the core of the new regional and national legal framework within the multilateral Treaty on harmonisation of*

*business law (OHADA). Debt collection and enforcement of payment, claims of preference and enforcement of security, bankruptcy and liquidation proceedings. Managed a team of three law professors of Paris I Pantheon-Sorbonne University. World Bank, 1995.*

- *European Union competition law, Bulgaria, 1994.*
- *Setting-up of antifraud coordinating structures in candidates Countries. Csech Republic, Slovakia, Hungary, Romania, Slovenia (OLAF) 2002.*

### **References of associated legal experts**

- *Approximation of Polish environment legislation to that of the European Union. EU Project, Poland, 1997.*
- *Approximation of Latvian transport laws in connection with the "acquis communautaire". EU Project, Latvia, 1996 to 1997.*
- *Legal long-term assistance with the Parliament of Ukraine (Agriculture policy of Ukraine). EU Project, Ukraine, 1995 to 1996.*
- *Legal short term assistance to the Ministry of finance (SME, competition & anti-trust policy in the road transport sector). EU Project, Uzbekistan, 1995.*
- *Legal assistance. Transport policy of Ukraine, EU Project, Ukraine, 1994 to 1995.*
- *Legal Advice to the Minister of Privatisation. Assistance to the Polish Government in selling around fifty companies. Phare Program, Poland, 1992-1994.*
- *Training of executives and advice in procurement and other contracts – 1994 - Hungary, Russia, Ukraine, Kazakhstan:*
- *Competition Law and Policy. **Legal advisory services in Georgia to support the antimonopoly state department and to enhance the competition regulatory framework.. European Union, TACIS, Georgia, 1997.***
- *Agricultural sector liberalization: Conduct of a survey, designing and implementation of a regime aimed at liberalizing the agricultural sector. Monitoring of this liberalization throughout its process including gradual removal of price control and foreign trade barriers . Legal proposals to help access to ownership (private farms) and procurement. Ukraine. Tacis.*
- *Drafting of a law concerning private companies, stock and shares and bank debt securitization. Designed the framework necessary to the development of a second market in Poland. Poland: 1989 - 1991 .*

### **Training, workshops and study tours**

- *Seminar whose topic was European Union ports and common transport policy. **European Union, Lithuania and Romania, 1999.***
- ***Training for lawyers** relating to the drafting of international agreements, Paris, 1988.*
- *Chaired a workshop on privatisation, focusing on legal and statutory environment. **World Bank, Brazzaville, 1991. .***
- *Designed and performed annual seminars on local development, local finances and management for top officials and local administrators. Morocco,*

## **BIOGRAPHIES**

### **Xavier GHELBER**

Member of the Paris Bar, Xavier GHELBER is a former Senior official of a UN Agency. After a seven years practice as a Lawyer in Paris With Jeantet et ASSOCIES , He created and was the managing director of a foreign branch of JEANTET & ASSOCIES Law Firm abroad. He has extensive experience and special expertise in local administration transportation, environment, privatization, corporate restructuring, and more generally development and business law. He worked mainly as legal expert and project manager on behalf of the World Bank, but also of governmental bodies, or of the European Union. Xavier GHELBER has a B.A. of Romanian language and civilisation ( Paris-Sorbonne University)

### **Alain GOURDON**

Member of the Paris Bar, Alain GOURDON is a former Judge as Head counsellor at the Cour des Comptes (State Audit Office) from 1981 to 1996, he was detached at the following functions: Counsellor at the Morocco Supreme Court (1961-1963), General Inspector for the United Nations (GIU). He has been in charge of auditing and controlling French Public Enterprises prior to their privatization, in the Energy sector (Electricité de France, Charbonnage de France, Potasses d'Alsace, Bureau de recherches géologiques et minières et ministères) and in the Transport Sector (Ports and Aeroports belonging to Chambers of Commerce), as well as the main National Public Insurance Companies. Alain GOURDON has also led several missions in various countries concerning public finances, local development and decentralization