

Srilal M. Perera, PhD.

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PROFESSIONAL EXPERIENCE

International Legal Consultant (July 2010 –Present):

Legal Advisor: Lead Attorney, **ADRIA AG**, Liechtenstein, on a multi-million-dollar Arbitration claim instituted in the International Court of Arbitration of the International Chamber of Commerce (ICC) (January 2013 – 2017) and at present advisor to Adria on the disposition of a fertilizer plant in Sudan.

Senior Associate and Counsel, AMALA Clean Energy Advisors, LLC, USA, (2020 – present).

Legal Consultant:

The World Bank, Independent Evaluation Group (IEG): Completed reviews of Implementation Completion Reports (ICRs) on Judicial Reform and Governance projects. (Nov. 2018 – 2020)

SYMX LLC, Miami, Florida. Legal advice on project finance and procurement of guarantees for lenders involved in project finance. (2017- 2018)

African Development Bank (AfDB), Senior Consultant, to assist in reviewing and establishing a guarantee program for the AfDB, under the Initiative for Risk Mitigation in Africa (IRMA). Undertook a review of the AfDB's guarantee program; identification of potential projects for guarantees, the drafting of template guarantee instruments; training of and presentations to operational staff on political risk insurance with emphasis on partial risk guarantees (October – December 2011). Also carried out Mid-term Review of IRMA (June, 2013).

Multilateral Investment Guarantee Agency (MIGA), World Bank Group (1989 -2010):

Advisor to Chief Operating Officer: Responsible for advising COO on policy; representing MIGA, in various international conferences, conventions and symposia and advising senior management of MIGA on current issues, operational guidelines, and specialized issues particularly relating to the Convention and Operational Regulations of MIGA (2008-2010).

Acting Vice President and General Counsel: Responsible for administration and operations of MIGA's Legal and Claims Department. Provided legal opinions, explanations and interpretations of and on all legal issues arising from MIGA's Convention and related legal documents before the Board of Directors and the Council of Governors. Final authority on legal advice pertaining to all MIGA's operations and

claims. Appointed by the President of the World Bank Group to the Sanctions Board Advisory Committee. Represented the Legal and Claims department at all Senior Management Meetings (April 2005 – September 2005).

Chief Counsel: Exclusively responsible for coordination and administration of all guarantee operations in the Legal and Claims Department. Managed MIGA's guarantee contracts in Asia and Africa; negotiated, reviewed and drafted contracts of guarantee for political risk insurance and overseeing mediations, claims administration, and recoveries. Operations lawyer for some of the most complex infrastructure projects in Africa and Asia. Drafted MIGA's General Conditions for Contracts of Guarantee for MIGA's guarantee operations. Responsible for the creation of, and MIGA's guarantee operations under the West Bank and Gaza, and the Afghanistan, Investment Guarantee Trust Funds. Advised authorities in developing member countries on commercial and investment laws. Carried out internal staff training on political risk insurance, and external training for officials of export credit and political risk insurance agencies, world-wide (2000 – 2010).

Senior Counsel, Counsel, Legal and Claims Department: Provided in depth legal research, advice on guarantee operations, and negotiating and drafting of Contracts of Guarantee with clients for investment projects in Asia and Anglo-phone Africa. Engaged in evaluating project finance in infrastructure and mining, finance and manufacturing sectors in Asia and Africa in relation to structuring political risk insurance. Operations Counsel for negotiating and concluding Contracts of Guarantee for some of the most complex investment projects involving project finance. Responsible for advice on MIGA's membership requirements in Africa and Asia and carried out diagnostic studies of investment laws with the Foreign Investment Advisory Service (FIAS) of the World Bank Group (1989-2000).

The Iran-United States Claims Tribunal, The Hague, Netherlands (1986-1989)

Legal Counsel: Advised and briefed the neutral Arbitrator of Chamber 2 of the Tribunal on various claims filed before the Tribunal. (Legal Counsel to the President of the Tribunal, upon his appointment as President, in 1988). Reviewed written submissions by US Claimants and the Respondent State (Iran) on oil and gas contract, expropriation, breach of contract, dual nationality claims and other investment disputes before the Tribunal and provided timely and objective briefs to the Arbitrator. Assisted in deliberation of claims, drafting awards, general legal advice on international law and attending hearings and oral arguments on claims before the Tribunal.

Marga Institute, Colombo, Sri Lanka, (1977-1978)

Legal Research Officer: Researched and authored a study on the capital market of Sri Lanka, which resulted in the ultimate establishment of an official Stock-Exchange in Sri Lanka.

Colombo Plan Bureau, Colombo, Sri Lanka. (1973 -1975)

Assistant to the Drug Advisor: Reviewed laws and policies relating drug abuse prevention in member countries of the Colombo Plan. Providing general legal advice when needed. Traveled widely in Asia and participated actively and officiated in key conferences sponsored by the Colombo Plan on Drug Abuse Prevention.

Attorney at Law, Colombo, Sri Lanka, (1975-1976, 1978-1979)

Admitted to the Sri Lanka Bar (1975)

Active in criminal and civil litigation before the courts of Sri Lanka.

*Also worked briefly as **Technical Assistance Officer, United Nations Development Program, (UNDP) Colombo, Sri Lanka (1978); Research Assistant, American Society of International Law, Washington DC, USA (Summer 1976 and Summer 1977).**

EDUCATION

- 2001** **Harvard Business School, Harvard University, Cambridge, Massachusetts.**
Completed Executive Development Program. (Certificate)
- 1980-1985 (Dec)** **PhD., Georgetown University, Washington D.C.**
Concentration on International Law and International Relations.
PhD. Thesis “**Techniques in Protecting Foreign Investments against Political Risks.**”
- 1976-1977** **MA., Johns Hopkins University, School of Advanced International Studies (SAIS) Washington D.C.**
Concentration on Public and Private International Law, International Economics and South and South East Asian studies.
- 1973-1974** **Certificate to Practice Law– (J.D. equivalent) – the Law College of Sri Lanka, Colombo, Sri Lanka.**
- 1969-1972** **LL.B, University of Sri Lanka, Colombo, Sri Lanka.**

TEACHING EXPERIENCE

- 2021 – present** **Lecturer (Adjunct Professor), University of Miami Law School, Coral Gables, Florida.**
Teaching a course on International Investment Law.

- 2000 – 2018** **Adjunct Professor of Law and International Research Scholar in Residence, Washington College of Law, American University, Washington D.C.**
Taught courses on:
“International Law of Foreign Investment.” (Every Fall semester)
“Advanced Research Seminar on International Investment Law.” (Every Spring semester)
- 1995 - 1996** **Guest Lecturer, Washington College of Law, American University, Washington D.C.**
Presented lectures on State Responsibility and Political Risk Insurance.
- 1980–1984** **Georgetown University, Government Department, Washington, D.C.**
Scholar, Teaching Fellow, Public International Law
- 1978** **Lecturer, International Law, Bandaranaike Center for Advanced International Studies, Colombo, Sri Lanka**
Taught a course on International Law.

HONORS, APPOINTMENTS AND PROFESSIONAL AFFILIATIONS

- 2018 - present** **Appointed to the Panel of Arbitrators of the Thailand Arbitration Center (THAC)**
- 2015 - present** **Fulbright Senior Specialist.**
- 2010 - present** **Appointed by the Government of Sri Lanka to the Panel of Arbitrators and Conciliators of the International Centre for the Settlement of Investment Disputes (ICSID).**
- 2009 UNCTAD International Investment Agreement, Expert.
- 1980 Pi Sigma Alpha – Political Science Honors, Georgetown University
- 1979-1985 Graduate Fellow – Georgetown University
- 1976 - 1977 Ford Foundation Fellow
- 1976-77/1980 -1985 Strauss Foundation, Scholar
- 1976-1977 Johns Hopkins University (SAIS), Scholar
- 1975 – Present Life Member, Sri Lanka Bar Association

ACADEMIC AND PROFESSIONAL PUBLICATIONS:

“The OAS and the Inter-American System: History, Law, and Diplomacy” in *“The Falklands War, Lessons for Strategy, Diplomacy and International Law.”* 1985

“Techniques in Protecting Foreign Investments against Political Risks”, Doctoral Thesis, Georgetown University, November, 1985.

The Hague Yearbook of International Law, *“The Iran United States Claims Tribunal”*, Eds. Willem Hamel, Catherine Brackenhelm, Frances Meadows, Ariaan Kroeskop, Srilal Perera and Norbert Wuhler, 1988.

The Sri Lanka Law College, Law Review, *“The International Law Commission’s Draft Articles on State Responsibility and the Responsibility of the State for Actions of State Owned Enterprises in Foreign Investment Disputes.”* 2004.

The Journal of World Investment and Trade, *“State Responsibility – Ascertaining the Liability of States in Foreign Investment Disputes”* Vol.6 No.5, August 2005. [Cited as an authority by the Government of Canada, Respondent, in its Rejoinder in the case of *United Parcel Service of America, Inc. and the Government of Canada*, 2005]

“Arbitration under the Convention Establishing the Multilateral Investment Guarantee Agency and its Mediation Services” in *“Arbitration and Mediation in ACP-EU Relations”* published by the Association for International Arbitration. (2008)

“Expropriation and the Share Pledge Dilemma: an Assessment of Individual Rights and Compensation Claims” in *“Investing with Confidence; Understanding Political Risk Management in the 21st Century”* Kevin Lu, Gero Verheyen and Srilal Perera, Eds. (2009)

The Journal of World Investment and Trade, *“Equity-Based Decision Making and the Fair and Equitable Treatment Standard: Lessons from the Argentine Investment Disputes – Part I”*, Volume 13 No.2 (2012)

The Journal of World Investment and Trade, *“Equity-Based Decision Making and the Fair and Equitable Treatment Standard: Lessons from the Argentine Investment Disputes – Part II”* Volume 13 No.3 (2012)

Kluwer Arbitration Blog, *“Revisiting the Expropriation Hydra: Constructing a More Legitimate Face – <http://kluwarbitrationblog.com/2016/08/26/revisiting-expropriation-hydra-constructing-legitimate-face>”* (2016).

“State Responsibility for Acts of State Controlled Entities in Investor State Dispute Settlement” in *“The Investor-State Dispute Settlement System: Reform, Replace or Status Quo?”* Alan Anderson and Ben Beaumont, Eds. Wolters-Kluwer (2020)

