

PROFILE

LEE MARLER

LLB (Hons) | LLM (London) | LLM (Stellenbosch) | Barrister (Call 1987)
Professor of Public Law, Stellenbosch University
Pavocat Lead Counsel & Head of Chambers

- Senior Integrity & Compliance Counsel | International Organisations Law Practitioner
- Co-Founder, Director & Chair, Africa Regional Centre of Excellence in Integrity (“AFCOE” *see*: www.rcoc-sa.org)
- Direct Access Accredited
- Completed Bar Standards Board Litigation Course
- CEDR Accredited Mediator

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SPECIALISATIONS:

International Integrity & Compliance

- Anti-Bribery & Corruption (esp., MDB & IFI Sanctions Cases)
- Compliance (all aspects, inc., ESG and Sanctions Management)
- Corporate & IGO Investigations
- Asset Identification, Tracing & Recovery
- Rule of Law & Justice System Reform
- University Accredited Integrity & Compliance Training

International Organisations:

- Employment Disputes
- Misconduct Cases
- Whistle-blower Protection
- International Commercial Arbitration & Mediation

SUMMARY:

Lee is:

- an established, recognised and highly experienced **Senior Integrity & Compliance Counsel** of over 22 years standing in the field and a true expert in:
 - Investigating, Countering and Disrupting Corruption and Fraud internationally;
 - the provision of crosscutting Integrity Advice, Guidance and Advocacy, including creating and implementing effective, versatile and robust **Integrity Compliance Programmes** for sustained use in the most challenging of jurisdictions; and
 - Leading Integrity and Compliance Teams for the benefit of clients.

- an **Expeditionary English Barrister** with a successful and long-established International Practice that focuses globally on the full panoply of Rule of Law issues, including improving justice and governance systems for client States, all with a sharp focus on integrity, ethics, anti-bribery and corruption and compliance;
- a recognised expert in and practitioner of **International Organisations Law**, and he is known internationally for his work in:
 - advancing and resisting cases within the **Sanctions Regimes** operated around the world by the **Multilateral Development Banks** (“the MDBs”), such as the African Development Bank in Abidjan, the Asian Development Bank in Manila, the European Bank for Reconstruction and Development in London and the Inter-American Development Bank and the World Bank Group in Washington DC. Lee regularly represents multinational companies and/or their executives, who are accused by the MDBs of having engaged in sanctionable practices on global and regional infrastructure projects that they have financed. He has appeared for many years before the various Sanctions Boards, Committees and Tribunals established by those institutions; and
 - **representing Staff Members of International Governmental Organisations** within the Internal Justice Systems created by those Organisations for resolving employment disputes and disciplinary matters.
- a quintessential ‘team player’ with an established record of successfully managing and leading groups of lawyers and other professionals within the integrity, investigative, prosecutorial and regulatory spheres. He is a **Persuasive Advocate** and an **Accomplished Drafter**, with his written work having been described by one international judge as being “*consistently exemplary*” and “*crafted with an eye for detail*”.

EXPERTISE:

MDB Sanctions Cases:

“A true ‘heavy weight’ in the MDB world and a highly effective attorney, whether he is prosecuting for the Banks or defending against them. He is one of the limited lawyers of choice.”

Leonard McCarthy

The World Bank Group’s Vice President, Integrity (2008-2017)

“Lawyers in private practice with talent and expertise resolving MDB sanctions cases are few and far between, but Lee Marler is one of them. He has proven himself time and again to be knowledgeable and highly effective. He is also a fine advocate, and this is why I instructed him – where necessary – to assist LACD in its efforts to curb corruption on AfDB financed projects.”

Anna Bossman

Director of AfDB’s Integrity & Anti-corruption Department (2011-2017)

Lee is known internationally for his work in advancing and resisting cases within the sanctions regimes operated around the world by the MDBs, such as the African Development Bank (“AfDB”) in Abidjan, the Asian Development Bank (“AsDB”) in Manila, the European Bank for

Reconstruction and Development (“EBRD”) in London, the Inter-American Development Bank (“IDB”) and the World Bank Group in Washington, DC. He regularly represents multinational companies and executives accused by the MDBs of having engaged in fraudulent and corrupt practices on global and regional infrastructure projects that they have financed, and he has appeared for many years before the various Sanctions Boards, Committees and Tribunals established by those institutions. Lee has in the past decade been involved in resolving some of the largest, most challenging and most significant cases to have come out of the MDB community. He has been instructed variously by the likes of Crown Agents, SNC-Lavalin, the AfDB’s P-IACD and the World Bank’s INT. His insight, expertise, innovation and depth of experience sets him aside from others in this area of legal practice.

Compliance:

“Instructing Lee to assist the Company was the best decision we made – he was just marvellous. He ensured that our Integrity Compliance Programme met the exacting standards required by the World Bank Group and the Asian Development Bank. He is a true and effective integrity advocate, and he writes in a way that puts others to shame.”

Raja Zulfiqar Bashir Ahmed
General Counsel, PAK Elektron

“Lee is an outstanding compliance professional and a natural leader who consistently gets the best from the teams he leads, and delivers the best for his clients.”

Jonathan Shapiro Esq.
Principal, Shapiro Advisers LLP & Former World Bank Integrity Compliance Officer

Lee is a genuine Compliance Expert with many years of real-world, hands-on experience in the Banking and Commercial Sectors, and his classification as a **Senior Integrity & Compliance Counsel** is well deserved. He is regularly instructed by companies globally to improve their integrity architecture by, for example, designing new or revamping existing Integrity Compliance Programmes that incorporate all aspects of ESG and Sanctions Management & Monitoring, and which meet and exceed international compliance standards. Lee’s expertise spans all of the five traditional compliance pillars of prevention, detection, investigation and remediation together with Integrity & Compliance Training delivered directly or with University accreditation via the AFCOE. Lee is engaged by companies to undertake Integrity Gap & Needs Analysis of existing programmes and to Monitor and Verify the implementation of enhanced programmes to regulators.

By way of background, Lee was for several years the Deputy Chief Compliance Officer for the European Bank for Reconstruction and Development (“EBRD”) in London and followed that appointment with a similar appointment in the World Bank Group in Washington DC. He has for the past fifteen years provided bespoke compliance services internationally from the English Bar. Most recently, in 2022/23, Lee produced from scratch the complete integrity and compliance infrastructure, inclusive of a ‘gold standard’ Integrity Compliance Programme, for an extractive company in the LAC region that will enable it to move safely into new and integrity challenged jurisdictions, and he is currently engaged as a Senior Integrity Officer to provide Emergency Integrity Services (together with a significant team of compliance professionals that he leads) to holders of an Integrity Safeguard Policy underwritten by Lloyds of London.

Corporate & International Organisations Investigations:

"We have forged a dynamic partnership in the heart of Africa, where the indefatigable Lee has proven himself to be not just an experienced barrister, but a shining beacon of integrity. Unfazed by the treacherous terrain of justice, he fearlessly pursues the truth, undeterred by the labyrinthine complexities that come his way or the relentless pressures of the pursuit. Lee epitomizes legal excellence, effortlessly transitioning between the roles of a masterful lawyer and a brilliant investigator. In his unyielding dedication to uncovering the truth, he is a force to be reckoned with."

Akere T. Muna Esq.,

President, ECOSOCC (2008-2014), President, Pan Africa Lawyers Union (2005-2016)
President, Cameroon Bar Association & AfDB Sanctions Judge

"Very few lawyers have Marler's experience of conducting high level and complex international investigations. We have worked together on several projects over the years and he has consistently impressed me not only with his intellect but with his integrity, as well as his tested and well recognised ability to write well written reports that are logically presented, evidentially balanced, and always reliable".

Sir Hugh Orde OBE, QPM

Chief Constable, PSNI (2002-2009) & President, ACPO (2009-2015)

"I have over the years partnered on investigations with many investigative attorney's and I have no hesitation in saying that Lee is one of the very best that I have encountered. His preparation and planning are both diligent and impressive, and in terms of execution he remains flexible and open minded. In short, he is impressive, always professional, and always a pleasure to work with."

Michael Kramer, JD, CFE

Independent Counter-Corruption Consultant and IACRC Faculty Member

Lee is engaged regularly to undertake integrity investigations on behalf of large corporations, companies and businesses around the world, and he is a trusted and seasoned expert in this area. He has extensive experience of constituting and leading significant investigative teams that have resolved globally the most complex of integrity situations. Lee has been instructed previously by UN Specialised Agencies and the African Development Bank to undertake on their behalf international investigations of the most sensitive and politically charged nature. His work and that of the investigative teams that he leads is always conducted discreetly and with legal and analytical rigour, such that his written findings are always evidentially sound and consistently reliable. He leads from the English Bar a team of seasoned investigators that have no equal in Europe and arguably beyond.

As of January 2024, Lee is instructed to lead a team comprised of several experienced investigators charged with discovering material in the UK that is capable of being relied upon in the defence in the US of a significant multinational telecommunications company.

Integrity Training:

"My role these past years has given me a sharp understanding of what corruption can do to a country and how it can weaken, impair and cause long-lasting damage to institutions of governance and the social fabric even in the strongest of societies. But to me the one thing that is a constant, the one thing that is an undeniable and indisputable fact, is that it is people, particularly the most vulnerable, who suffer as victims of the impact of

corruption. The people invariably pay in various ways for the avarice of corrupt public officials and private individuals involved in bribes and other forms of abuse of entrusted power for private gain. I wholeheartedly support and commend the establishment of the Africa Regional Centre of Excellence in Integrity, as established in Stellenbosch by Messrs. Marler and Quinot, and the convening of the Africa-Counter-Corruption Dialogue, because these are initiatives that I believe can and will over time make a significant contribution to defeating corruption, and to unshackling those presently constrained by its limiting and corrosive effects.”

Professor Thuli Madonsela
Public Protector of South Africa (2009-2016)
AFCOE Founding Patron

“The Africa Regional Centre of Excellence in Integrity – the AFCOE - is the brainchild of Prof Marler and I have absolutely no doubt of the need for it, as well as the tangible benefits it will bring to our collective campaign to eradicate corruption, and I and those within my Ministry are committed to ensuring its success. To begin the process of offering valuable training courses to professional students across Africa and convening [in Stellenbosch in November 2023] the Pan-Africa Counter-Corruption Assembly, as a condition precedent to the holding in 2024 of the first Africa Counter-Corruption Dialogue, the AFCOE needs to receive enhanced financing in order to operate and to fulfil its aims and objectives.”

The Hon. Ronald Lamola MP
South Africa’s Minister of Justice and Correctional Services
AFCOE Founding Patron

Lee is dedicated to fighting corruption in Africa. He is the Co-Founder and Chair of the Africa Regional Centre of Excellence in Integrity (AFCOE *see*: www.rcoc-sa.org), which is a joint Pavocat/Stellenbosch University initiative to contribute meaningfully to defeating corruption across Africa. At its core, the AFCOE is a training establishment that provides highly specialised and Stellenbosch University accredited short courses of up to three weeks in duration to African counter-corruption investigators, prosecutors and judges from across the continent. The objective of the AFCOE is to raise the capacity of African counter-corruption professionals and in so doing make them more effective and efficient in bringing the corrupt to justice.

In 2022, South Africa’s National Prosecuting Authority entered into a MOU with the AFCOE to train its investigators and prosecutors, and Lee has designed those courses for delivery in Stellenbosch. He leads the Delivery Training Team for all Integrity Courses at the AFCOE and is recognised as a Specialist Integrity Trainer.

Lee is instructed to design and to provide Integrity Training to the staff of businesses around the world, which, if desired, can be delivered via the AFCOE and thereby achieve University accreditation. He is a highly accomplished trainer of long-standing and has been successfully designing and delivering Integrity Training Courses for decades. For two years, Lee was responsible for providing the British Army with all of its Military Law, Laws of War and International Human Rights Training and as the European Bank for Reconstruction and Development’s Deputy Chief Compliance Officer, he was for several years responsible for the entirety of the Bank’s compliance training together with its training infrastructure. This was followed by the delivery of Integrity Training to elements of the United Nations, including the World Bank Group, as well as private sector companies.

In 2023, Lee was instructed and finalised the scope and structure for Integrity Training for a significant gas exploration company in the LAC Region.

Law Reform, IHL & Human Rights:

I met by chance the British lawyer Lee Marler, the United Nation's Chief of International Law based with UNRWA in the Gaza Strip. Amongst many other human rights initiatives, Lee designed and implemented the Operational Support Officer Programme, which to this day continues to operate in Gaza and the West Bank as an effective human rights verification regime. I had last met him when he was working as a military lawyer with the British Military Headquarters in East Timor. He had successfully devised an emergency Rule of Law system when no such system existed and the country risked descending into lawlessness.

Gilbert Greenall

Former UK Senior Civil Servant | Book: Combat Civilian, 2019

Another key player was Lieutenant Colonel Lee Marler of the Army Legal Corps, who was my operational lawyer. Modern Generals need to have in their back pocket not the sapper and gunner of tradition, but a media man and a lawyer. If you haven't got those cards in your deck, you're lost. The Australians soon realised that they needed to put the new country of East Timor on a legal footing but they didn't have anyone within their military with that background. I had someone in Lee Marler. In the month or so that we were in East Timor, he worked all hours to draft a new constitution. He deserves huge credit for what he did. He based it on the international laws of war and it served as a transitional structure while a new long-term constitution was drafted, which the UN did the following year. The Australians did not much like the fact that my lawyer had done it but took it on the chin, generously giving Lee many plaudits when he left. Since leaving the Army, Marler has become a successful barrister with his own chambers.

General the Lord David Richards of Herstmonceaux

Former UK Chief of the Defence Staff (2010-13)
Book: The Autobiography | Taking Command, 2014

Lee has immense expertise and decades of experience in reforming criminal, military justice and human rights systems in complex and demanding jurisdictions and environments around the world. He received, for example, a formal commendation for his work in Papua New Guinea. Lee has designed entire counter-corruption mechanisms that meet the needs of States blighted by systemic corruption, including the creation of new and improved counter-corruption architecture, judicial systems and laws.

He has worked extensively and for several years on improving the criminal justice system of a Middle Eastern State and advising other States on how to improve their counter-corruption and human rights records, so as to substantially improve their international reputations thereby attracting enhanced foreign direct investment.

As a recognised expert in International Humanitarian and Human Rights Law, Lee has advised governments and States, and trained their armed forces, gendarmerie and specialist law enforcement units, at all levels of command, on the resort to armed conflict together with the lawful application of force on operations, both nationally and internationally. He is instructed by companies operating within the Global Defence Sector to employ his International Humanitarian and Human Rights Law expertise for their benefit and that of others, and in so doing improve their respective reputations as responsible manufacturers and service providers, as well as enabling those companies to exploit international markets that might otherwise be closed to them.

International Organisations Law:

“An unparalleled blend of legal expertise in the area of International Administrative Law and an understanding of the mindset and functioning of legal departments at international intuitions.”

Zbigniew Kominek

Former Chair, EBRD Staff Council

“Lee provided me with unswerving, invaluable and discreet support during my time as Chair and thereafter. His IAL experience is vast and his depth of knowledge of the subject is hard to match. He is often involved in the ‘big cases’ of the day and it is no coincidence that he enjoys an enviable reputation for defending the interest of international civil servants around the world, many of whom turn to him directly for help in time of trouble.”

Robert Adamczyk

Former Chair, EBRD Staff Council

“In 2018, someone tried to murder me in the Philippines. I knew Lee from his time assisting the AsDB Staff Association and from his work representing Staff Members at the Bank, so I wisely turned to him for help. His knowledge of international law and the unique laws of international organisations was of immense assistance to me, not only in preserving my pension rights within the Bank, but also ensuring that my alleged murderer was extradited back to the Philippines to face justice. Lee is always supportive and entirely dependable, and he is the lawyer to have on your side if you want to achieve your aim.”

Dr Hans-Peter Wolfgang Brunner

German National & AsDB Retiree

Lee is a renowned and well-established expert in - and practitioner of - international organisations law, including International Administrative Law (“IAL”), which is the distinct employment or labour law practised by the international governmental organisations. He is a well-known, highly respected and recognised specialist of many years standing in this field. Lee founded and chaired the International Administrative Law Centre of Excellence and for several years moderated its annual conferences in London. He has appeared on numerous occasions over the years before Administrative Tribunals, Grievance Committees and Courts, and before respected IAL Judges, such as Professor Roy Lewis. He has also trained many of the lawyers now practising in this specialist area of the law.

As an adjunct to his Integrity Practice, Lee continues actively to represent international civil servants – and the Staff Associations, Councils and Unions to which they belong – in their varied concerns and disputes with their respective employers, including disciplinary matters.

Lee has operated within the following International Governmental Organisations:

- African Development Bank (Tunis & Abidjan)
- Asian Development Bank (Manila)
- European Bank for Reconstruction and Development (London)
- European Investment Bank (Luxembourg)
- International Coffee Organisation (London)

- International Maritime Organisation (London)
- Islamic Development Bank (Jeddah)
- New Development Bank (Shanghai)
- Nordic Investment Bank (Helsinki)
- Pan American Health Organisation (Washington DC)
- United Nations Relief and Works Agency (Gaza and Amman)
- World Bank Group (Washington DC)
- World Intellectual Property Organisation (Geneva)
- World Meteorological Organisation (Geneva)

As of January 2024, Lee is currently involved in four high profile IAL cases in London and Manila.

In addition, Lee is increasingly instructed to represent companies in arbitral proceedings, where the underlying cause of action is corruption or where the dispute involves a contract financed by the MDBs, such as the World Bank. He has been engaged as Lead Counsel in three significant international commercial arbitrations under the UNCITRAL Arbitration Rules emanating from disputes in Kazakhstan, Afghanistan and elsewhere. Lee's expertise in public sector procurement, MDB financed projects and counter-corruption make him the ideal choice of counsel to those companies who are being held hostage to demands of public officials operating in complex and challenging environments.

In 2019, he was voted Administrative Law Lawyer of the Year (UK) in the Finance Monthly Legal Awards.

MEMBERSHIPS & ASSOCIATIONS:

- Lincoln's Inn
- South Eastern Circuit
- International Bar Association
- British Institute of International and Comparative Law
- Centre for Effective Dispute Resolution
- Professional Association of Diving Instructors (Master Scuba Diver)

BACKGROUND:

Lee was born in Essex in England, educated predominantly in the United Kingdom, lived and studied on scholarship in Southern Africa, and, having been **called in 1987 to the Bar at Lincoln's Inn**, he spent many years working internationally as a military, UN and latterly civilian lawyer in America, Australia, Bahrain, Bosnia, East Timor, Kosovo, Palestine, Papua New Guinea, South Africa, Tokyo and Tunis. Lee is a graduate of the **University of London (Queen Mary College)** and the **University of Stellenbosch** (South Africa), where he was awarded in 1989 a coveted high 'first' for his Masters' thesis on comparative laws of evidence. Today, Lee's connection with Stellenbosch continues, as aside from his Professorship in Public Law, he proudly sponsors annually the **Marler Prizes for Anti-Corruption in Africa**.