

Attorney aids Liberia as it recovers from civil war

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- by Heather Draper

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War-ravaged Liberia on the west coast of Africa, under democratic rule since 2006, has been struggling since then to free itself from what's known as the "resource curse."

Attorney **Randy Shefman**, an associate at the Denver office of Hogan Lovells, is working to help ensure that Liberia doesn't fall prey to that curse.

A "resource curse" is the idea that resource-rich nations tend to have worse economic outcomes than countries with fewer natural resources because of corruption, government mismanagement of resources and volatility in revenue streams based on commodity price swings.

Shefman is working with New York-based International Senior Lawyers Project (ISLP) and a group of international lawyers from a variety of firms. He supports a Liberian government group called the Inter-Ministerial Committee on Concessions to negotiate mining development agreements with private-sector companies.

ISLP provides pro bono legal services from experienced attorneys to aid developing nations that normally couldn't afford international corporate lawyers. The volunteer attorneys work to protect human rights, rule of law and equitable economic development, according to the ISLP website, and have been active in Liberia since 2006.

Liberia endured two bloody civil wars from 1989 to 2003 that killed more than 250,000 people and displaced another 1.3 million.

After the civil wars ended in 2003, Liberia — a large exporter of iron ore and rubber — has been trying to rebuild itself, including renegotiating its natural-resource contracts with multinational companies such as Nashville, Tenn.-based Firestone Tire and Rubber Co. and ArcelorMittal in Luxembourg, to make those contracts fair and transparent.

Shefman said he's always had an interest in mineral development and its interplay with economic development. An internship at the United Nations in Geneva, Switzerland, heightened that interest and eventually led Shefman to work with ISLP.

"From my exposure at the U.N., and my personal desire to give back ... I saw this as an opportunity to take my skill set and use it in a way that doesn't necessarily translate to billable hours or revenue for the firm," he said.

The demand for iron ore has gone up substantially in recent years because of the rapid development of Brazil, China, India and other emerging markets. International mining companies are interested in making long-term investments — for 25 to 30 years — worth billions of dollars in Liberia, he said.

Shefman has been to Liberia twice in the last 13 months, and said he finds the country and his work there "absolutely fascinating."

“Liberia as a country has suffered from the decades-long civil war they went through,” he said. “It needs some serious rebuilding. Any time you’re working in the developing world, there are challenges.”

Attorney **Joseph Bell**, partner at the Washington, D.C., headquarters of Hogan Lovells, is on the board of ISLP and has been working with Shefman on the mining concessions. He said working in an extremely poor country like Liberia takes a lot of commitment.

“This is not safari Africa; there’s nothing glamorous about it,” Bell said. “The GNP [gross national product] of Liberia is less than the gross annual revenue of a major international law firm. It’s truly two different worlds.”

Bell said Liberia’s president, **Ellen Johnson Sirleaf** — the first democratically elected female president in Africa — contacted ISLP in 2006 for negotiation assistance on certain large, critical natural-resource agreements.

“We’ve been involved in assisting negotiations with respect to five or six major, billion-dollar mining agreements,” Bell said.

Bell and Shefman say they wouldn’t be able to do work in Liberia if they didn’t have the full support of Hogan Lovells.

“The firm has a strong, long-running commitment to pro bono work,” Shefman said. “There aren’t many firms that would allow someone in my position to spend the amount of time I have on this project and to travel to Liberia on a project that doesn’t bring revenue to the firm.

“It’s not only tolerated, but acknowledged and encouraged.”

A group of attorneys, primarily in Washington, D.C., who were dedicated to public service, founded ISLP about 10 years ago. One of the founders, **Robert Kapp**, ran the pro bono practice at Washington, D.C.-based Hogan & Hartson, which merged with London-based Lovells last year.

“The founders saw a growing need for their services, as more and more countries were heading to democracies and market-based economies,” said **Jean Berman**, executive director of ISLP.

“It’s incredibly rewarding work,” Berman said. “You get to work with wonderful human rights activists all over the world, who are dedicated in very difficult circumstances.”

One of the most important aspects of the ISLP’s negotiations work in developing nations’ extraction industries, she said, is helping those nations get “state-of-the-art” concessions that are transparent, have social benefits and address environmental concerns.

“I feel that the work our volunteers have been doing is really going to raise the level of contracts in the whole region and begin to address the resource curse,” Berman said.

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