

# International Senior Lawyers Project

*Serving the World Community*

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## **ISLP VOLUNTEER CELEBRATES COURT VICTORY IN MONGOLIAN ENVIRONMENTAL CASE**

Toronto attorney Robert Mansell, currently in the midst of a 12-week pro bono assignment in Ulaanbaatar, Mongolia, celebrated with colleagues at the offices of ISLP's partner, the Centre for Human Rights and Development (CHRD) over the group's first environmental victory in court. Mr. Mansell, a retired partner from Torys LLP and currently a sole practitioner specializing in Environmental Health and Safety, is providing litigation support to the organization and helping to draft a model Community Benefit Agreement to be used in negotiations with small mining companies to ensure that the local people benefit from operations in their community. In the case, CHRD represented a client in the northeast of the country against a local Mongolian company that finished mining in 2004 but has done no rehabilitation of the site. They sought US\$140,000 for environmental clean-up against the nearly \$5 million in gold that the mining company removed that year. While the facts seemed strongly in their client's favor, a history of corruption of judges and officials had CHRD worried about the outcome.

To help CHRD's sole environmental attorney - a lawyer just 4 years out of school - prepare, Mr. Mansell set up a trial advocacy training program for her: "...on Tuesday night we hosted a group of local Mongolian public interest lawyers in the CHRD boardroom which we set up as a courtroom. One of the lawyers acted as a very cantankerous judge, one as the wily defendant's counsel, two as lawyers for the co-defendants and the rest of us were jury and critics. We videotaped the performances and then gave constructive criticism both as to substance and presentation. (I had a translator as usual). Nobody had done this before but everyone seemed to enjoy the process and said it was very successful."

CHRD's preparation and persuasion eventually won the day, and Mr. Mansell happily reported this week that the court had found in their client's favor and ordered the mining company to remediate the site. Looking ahead, Mr. Mansell is impressed with the organization's thoughtfulness about their country's future: "[The staff and I]...have great brainstorming sessions about law reform that include much joking and laughing. We also talk philosophy and politics a lot, wrestling with what development means for Mongolia, and how to ensure that it is positive. They don't aspire to be either America or China, and fear that is what development actually promises. They worry that development means Mongolia will stop being Mongolian."

## **350 LAWYERS TRAINED IN 5 YEARS OF COMMERCIAL LAW PROGRAM IN AFRICA**

Eleven North American lawyers - from Toronto to Cleveland and L.A. to D.C. - have recently returned home from the 2008 Commercial Law Training Program (CLTP) in South Africa (Johannesburg and Cape Town) and Botswana (Francistown and Gaborone) filled with enthusiasm and praise for the 80 delegates who completed this year's program. The ISLP volunteers were paired with 46 African lawyers to co-teach various topics in commercial law to lawyers who have historically been denied the opportunity to participate or grow in this practice area. In the five years since ISLP began the CLTP, 350 lawyers have received training in six cities in three African countries.

## **TRADE NEGOTIATION LUNCHEON DRAWS INTEREST FROM TOP DC FIRMS**

ISLP trade negotiation program coordinator Patrick Macrory and board member Bob Herzstein invited trade attorneys from several DC firms to a luncheon on September 16th, held at the offices of **Hogan & Hartson LLP**, to introduce this expanding initiative. The program was launched in 2006 in partnership with the African Centre for the Constructive Resolution of Disputes (ACCORD) to enhance the capabilities of African trade negotiators and thereby assist them in contributing to the economic and social advancement of their countries. Workshops, funded through the generosity of the William and Flora Hewlett Foundation, have since been conducted in Botswana, Rwanda and Zambia. Based on very positive responses from participants and the country governments involved, ISLP intends to expand the project, and is reaching out to experienced international trade attorneys and their firms that would like to become involved in this important work.

Spencer Griffith, a partner at **Akin Gump Strauss Hauer & Feld LLP**, gave examples at the lunch of the benefits of firm involvement. After participating in the initial Rwanda seminar, Akin committed to provide ongoing pro bono assistance to the Rwandan government on trade matters. "Our firm was very receptive to the idea. Steve Schulman, our pro bono coordinator, agreed that this is a great way for us to help out a very worthwhile entity and have very interesting projects to work on. We are planning a follow-up seminar and are answering related trade questions as they come up. We're hoping to expand this work with Rwanda to other areas of trade work for them." If you or your firm are interested in more information about ISLP's trade negotiation training, please contact us at 212-895-1038.

## **BAKER & MCKENZIE LEADS REVIEW OF DRAFT ACCESS TO INFORMATION LAW FOR YEMEN**

ISLP sent volunteers Madeleine Schachter and Sigurd Sorenson of the NYC office of **Baker & McKenzie** to a 4-day workshop organized by the International Research & Exchanges Board (IREX) in Amman, Jordan for members of the Parliament Media and Culture Committee and the Yemeni Parliamentarians Against Corruption. Led by the Baker team, the group conducted a thorough review of a draft Access to Information Law for Yemen. Charles Hallab of Baker's Chicago office also provided great assistance with review/drafting and several associates contributed to preparatory research. Matthew Shelly, Project Director for IREX, noted that it "was universally recognized by all participants [that] the tenor of the workshop was extraordinary. Disparate views were acknowledged and accommodated, as the group worked in a highly collaborative fashion to forge a consensus about a new version of the draft law." Proponents see the law as a very important step in Yemen's efforts to curb corruption and expose official action to public scrutiny.

## **CLIFFORD CHANCE SUPPORTS LIBERIAN MINISTRY OF HEALTH**

Wendy Weyson, a partner in the DC office of **Clifford Chance US LLP** has been leading a review of proposed agreements between the Liberian Ministry of Health and NGO health providers to define their roles and responsibilities. Associates Jennifer Maki, Natalie Marks, Ose Asemota, Jessica Haber, Joan Mazur, Daryl Fairburn, Allison Menkes, Vivian Chen, Jennifer Park, and Siham Nurhusein contributed significantly to this project. Additionally, ISLP plans to send a volunteer to Monrovia this November to support the establishment of an Office of General Counsel for the Ministry and to help jumpstart Liberia's efforts to establish a regulatory structure for the delivery of health services in Liberia.

## **VOLUNTEERS DEPART FOR CHINA, THAILAND, LIBERIA, THE GAMBIA**

Several ISLP volunteers are en route or will soon be leaving for assignments around the globe. Mark Andrews of Alaska and Scott Neilson of Washington State recently left for Thailand and Cambodia for work developing clinical legal services programs, and Minnesota public defender Leslie Rosenberg is spending 3 months in China working with local public defenders on a juvenile justice project. UK attorney Michael Ellman departs soon for The Gambia to help local NGOs develop human rights cases to be brought before the African Commission on Human and Peoples Rights; Bob Hillman of California travels to Liberia to assist with concession agreements; and Boston lawyer Mike Haroz is in Kenya supporting the development of the first disability-rights legal clinic in Africa. Watch for updates in the next ISLP newsletter!

## **VOLUNTEER NEEDED**

**ISLP seeks a volunteer 2 days per week to monitor the Charles Taylor trial in The Hague.** We're looking for a lawyer with litigation, and preferably human rights experience who lives or will be in or near The Hague to attend and write legal analysis on the Taylor trial for the ISLP/OSJI blog [charlestaylortrial.org](http://charlestaylortrial.org) for at least 1 month. Mr. Taylor, President of Liberia from 1997-2003, is charged with crimes against humanity, including murder, sexual slavery and violence, and enslavement related to the decade-long Sierra Leone civil war. The trial is being conducted by the UN-backed Special Court for Sierra Leone and is taking place in The Hague at the special request of the President of Liberia. This is a wonderful opportunity to witness international criminal justice in the making and help inform the citizens of Sierra Leone and Liberia of the case's progress. Interested? Email ISLP's [Volunteer Coordinator](#).

## **LAW FIRM PRO BONO**

Many thanks to the following firms who have recently undertaken these additional ISLP pro bono

projects:

**Akin Gump Strauss Hauer & Feld LLP** - preparation of memoranda for the office of President Sirleaf of Liberia

**Arnold & Porter LLP** - Capacity development for negotiating and regulating investment contracts in Tanzania

**Clifford Chance US LLP** - assistance to the Yemeni Journalists Syndicate on the Press and Publications law

**Covington & Burling LLP** - assistance for an organization offering quality education to disadvantaged children, especially girls, in rural Pakistan

**Hogan & Hartson LLP** - assistance with Liberian renewable energy project

**Katten Muchin Rosenman LLP** - organizational assistance for a women's cooperative in the Gushi/Tamale area of Ghana, West Africa; for a foundation to support health initiatives on the islands of St. Kitts & Nevis; and for a UK group working to improve access to justice in China

**Weil, Gotshal & Manges LLP** - Mining agreement review and negotiation in Sierra Leone; also organizational support for Danish NGO bringing soccer balls to children in war scarred Sierra Leone

**White & Case** - assist Madagascar's national program with a review their petroleum policy and related regulatory framework

*Read the latest news updates and see photos of volunteers in action on our website: [www.islp.org](http://www.islp.org)*

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*Many thanks to the generous donors who have made supporting gifts to ISLP. It is now even easier to make a quick and secure tax-deductible contribution through the ISLP website!*

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