

# ISLP NEWS

International Senior Lawyers Project

SERVING THE WORLD COMMUNITY

Dear Friends,

As 2008 draws to a close, we celebrate with renewed faith the principles upon which our country was founded. But the recent election is not only important to citizens of the United States; it will, I believe, encourage and inspire people around the world who are struggling to achieve freedom and democracy in their countries. ISLP is grateful for the opportunity to support their efforts, and, despite the economic outlook, we look forward to the coming year with our own renewed sense of responsibility and hope.



We are well poised to meet the coming year's challenges. Our U.S. staff of five is about to complete its first full year as a team, and the results speak for themselves. The number of implemented overseas projects in the first nine months of this year, 32, is nearly double the 17 implemented overseas projects in 2007. The number of projects that law firms have been involved with is 46, compared with 22 last year. The number of volunteers who have gone abroad to conduct onsite work has grown from approximately 27 in 2007 to 55 in 2008. Overall, ISLP has implemented or substantially developed a total of approximately 75 projects this year, a 50% increase over the total for 2007.

2008 has also seen the fruition of our efforts to establish a European institutional presence, with the appointment of a European Advisory Council and the hiring of a Consulting Director for Europe, who is based in Paris.

We have ambitious plans for 2009, including the doubling of our on-site assignments with NGOs and government ministries and the expansion of our economic development work for developing countries. All this is possible only because of your generosity and support -- with your time as volunteers and with your financial donations, which help sustain our staff and fund our projects. We are most grateful for both.

Sincerely,

Jean C. Berman



Volunteer Robert Mansell attends a meeting in a traditional *ger* in Mongolia - see insert

## INSIDE THIS ISSUE

Letter from the Executive Director	... p.1
ISLP's European Initiative	... p.2
Africa's First Legal Aid Clinic for Persons with Disabilities is Born	... p.2
Microinsurance: Protecting the World's Most Vulnerable	... p.2
Law Firm Pro Bono	... p.2
Commercial Law Training Celebrates 5 Years	... p.3
Notes from the Field: China & Thailand	... p.4
Three New Directors Join ISLP Board	... p.5
Liberia Update: Volunteers Welcomed by Ministries	... p.6
Rwanda Trade Negotiation Training	... p.6
Enhanced Freedom of Information Law for Yemen	... p.7
New Team Member at ISLP	... p.7
Volunteer Spotlight: Robert Mansell	insert

## AFRICA'S FIRST LEGAL AID CLINIC FOR PERSONS WITH DISABILITIES IS BORN

Veteran ISLP volunteer Mike Haroz, a Boston lawyer with **Goulston & Storrs P.C.**, spent the month of September in Nairobi, Kenya helping to catalyze the establishment of the Kenyan Coalition for Disability Legal Action (KCDLA) -- the first legal aid clinic in Africa for persons with disabilities. The clinic is the result of unprecedented cooperation between disability rights advocates and Kenya's legal community, fostered over the course of three years by the University of Denver International Human Rights and Advocacy Center. Getting the clinic off the ground now is especially important, given that the groundbreaking International Convention on the Rights of Persons with Disabilities came into force in May of this year. Kenya is a party to that convention, and the KCDLA will be well-positioned to pioneer models for its enforcement. Those models, if successful, could extend KCDLA's impact to the rest of the world. ISLP is presently working with KCDLA as it seeks start-up funds and is planning the next stage of our support -likely to be trial advocacy training. Mike, reporting back from Kenya, jokingly referred to himself as the "midwife" in the birth of this pioneering initiative.

### MANY THANKS TO THE FOLLOWING FIRMS WHO HAVE RECENTLY UNDERTAKEN THESE ADDITIONAL ISLP PRO BONO PROJECTS:

- CLIFFORD CHANCE US LLP** for its work on a Freedom of Information draft law for a Gulf-region nation, as well as assistance to an Ethiopian NGO offering technical training to vulnerable youth in Addis Ababa
- KATTEN MUCHIN ROSENMAN LLP** for legal assistance for an organization building wells in Ghana
- MORGAN, LEWIS & BOCKIUS LLP** for legal assistance with a Guatemalan rule of law project
- PROSKAUER ROSE LLP** for providing valuable support to a leading human rights legal aid center
- SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP** for helping a Cambodian NGO working to combat sexual abuse and sex trafficking in Southeast Asia establish a US-based organization
- WEIL, GOTSHAL & MANGES LLP** for legal assistance to a developing country government in Africa that is negotiating key natural resource agreements
- WHITE & CASE LLP** for providing advice to the government of a Sub-Saharan African country with respect to policies, laws and regulations affecting their petroleum industry
- WINSTON & STRAWN LLP** for research assistance for a grassroots organization working to eliminate slavery in Mali

## MICROINSURANCE: PROTECTING THE WORLD'S MOST VULNERABLE

Former President Bill Clinton announced at September's Clinton Global Initiative annual meeting the launch of LeapFrog Investments, a "microinsurance" business that will enable low-income people around the world to take the risk of starting small businesses and dampen financial shocks that can leave their families destitute. ISLP has been involved with LeapFrog since last January, when its founder, Ashoka Fellow Dr. Andrew Kuper, asked for legal assistance with setting up the new organization. ISLP enlisted Prakash Mehta, Co-Head of Private Equity at **Akin Gump Strauss Hauer & Feld** to support LeapFrog's investment/structuring planning and **Wiley Rein** to help LeapFrog with its incorporation as well as to develop a Prospectus for potential investors. Tom Brunner, who heads Wiley Rein's insurance practice, notes that "My colleagues here at Wiley Rein and I have been thrilled to be involved in launching LeapFrog Investments. Its fund will invest in and support micro-insurance initiatives in developing countries in Africa and Asia, providing important forms of financial security to a targeted 25 million people on a sustainable basis."

## ISLP'S EUROPEAN INITIATIVE

ISLP's European Initiative, about which we have written in the past, took a giant step forward this past summer with the hiring of a Consulting Director for Europe and the establishment of our European Advisory Council ("EAC"). ISLP is most pleased to welcome Michele O'Brien, an American-trained lawyer based in Paris, who was an Assistant Counsel at the International Court of Arbitration in Paris prior to joining ISLP. We are also pleased that two ISLP Board members, Ramon Mullerat, a leading member of the Spanish Bar and former Chair of the International Bar Association's Human Rights Institute, and Zbigniew Lasocik, a law professor in Warsaw and an international human rights expert, together with Richard Vilanova, a senior partner in the Paris office of **Sullivan & Cromwell**, whose familiarity with both the French and Anglo-American legal systems and cultures has been of enormous value, became the founding members of the EAC. We plan to add four members to the EAC during its initial phase, which will focus on determining the legal structure of our European Initiative.



Michele O'Brien, ISLP Consulting Director, Europe

cont'd on page 7

# COMMERCIAL LAW TRAINING CELEBRATES 5 YEARS

This is the fifth anniversary of one of ISLP's most successful programs - the Commercial Law Training Program for historically-disadvantaged African attorneys.

In late 2003, at the request of the South Africa Black Lawyers Association and the Senior Lawyers Division of the American Bar Association, ISLP together with the South African firm **Brink Cohen LeRoux**, developed a Commercial Law Training Program (CLTP) for South African attorneys from historically-disadvantaged communities. The program's immediate objective was to enhance these attorneys' practical, real-world skills in areas where they have had little opportunity to practice. The overall goal of the program was to expand the opportunities for attorneys and their client-entrepreneurs in disadvantaged communities to participate more fully in their country's commercial and civic life.

The CLTP was first presented in July 2004 as an eight-week program in Johannesburg. It consisted of 35 hours of practical training provided by four experienced commercial law practitioners from the US serving on a pro bono basis. About 40 South African attorneys enrolled in this initial "pilot" program.

Following this initial success, the CLTP has since been presented each year and to date has trained over 300 South African attorneys in Johannesburg, Durban, and Cape Town. The South Africa program has grown to 50 hours of training over a 12-week period with instruction and interactive workshops in topics such as commercial contract drafting, commercial transaction negotiations, forms of business organization and governance, business start-up and capital-raising techniques, business acquisitions, and commercial law firm management.

For me, proof of the value of the commercial law program comes from the increasing involvement each year of the African lawyers and the ever improving quality of those who have participated. It is also demonstrated by the unstinting commitment of the BLA, ISLP and the original four of us who return year after year, together with the expanding group of instructors who have made each year's program better than the prior year's.

--ISLP Volunteer instructor Perry Irvine

Over the course of the program, ISLP has utilized 15 experienced practitioners from the US, Canada and UK as volunteer instructors-- with many enjoying the experience so much that they have returned multiple times. The ISLP attorneys are joined by South African commercial law attorneys as co-



Delegates in the July 2008 CLTP in Cape Town, South Africa



A CLTP class in Johannesburg works on a group exercise

instructors, also on a pro bono basis. Instructors also provide ongoing counseling and mentoring to interested participants. Keith Watson, an attorney with the US firm Wiley Rein manages the program in cooperation with several Johannesburg attorneys and the Black Lawyers Association's legal education center.

In 2007, ISLP presented similar commercial law training programs in Tanzania and Botswana, co-sponsored by their country's law society (akin to the Bar Association in the United States). The program was repeated in Botswana in 2008.

The CLTP continues to receive high marks from the attorneys participating in the trainings, as well as the local co-instructors and law societies. ISLP is now considering an expansion of the program to other African countries as well as additional initiatives to enhance commercial law opportunities for historically-disadvantaged African attorneys.

# THANK YOU

ISLP would like to recognize these fantastic volunteers who have blazed the CLTP trail - teaching in Africa all 5 years since the project started. THANK YOU to all, and to our amazing CLTP coordinator, **Keith Watson**. **Perry Irvine - CA** • **Kevin Salisbury - NJ** • **Steve Spronz - CA** • **Jim St. Clair - WV**

# CHINA



## NOTES FROM THE FIELD

**BY LESLIE ROSENBERG** –This September, I took a leave from my job as an assistant state public defender in the Office of the Minnesota State Public Defender to volunteer in China with ISLP's partner International Bridges to Justice. A juvenile defense lawyer with over 24 years practice experience, I was particularly interested in assisting IBJ's Juvenile Justice Project, a program that aims to improve the quality of indigent defense for children in criminal proceedings and promote improved implementation of laws designed to protect their rights.

I have found that Chinese lawyers are eager to learn and to improve their skills - I have met so many impressive, friendly, knowledgeable and brave criminal defenders who face even more difficult challenges and obstacles than we do in the United States.

Over the past month, I have learned a great deal about the needs of China's juvenile justice system. Although by law juveniles are entitled to legal aid, many go through the criminal process without ever seeing a lawyer. Those who do receive appointment of counsel frequently receive substandard legal representation. The vast majority of juvenile suspects are detained for many months before trial; almost all are convicted and frequently receive jail sentences, even for petty crimes.

Soon after I arrived in Beijing, I met with law professors working to propose new legislation relative to the defense of accused juveniles. I also visited Chongqing and met with an experienced juvenile defender from the private bar. Many of the Chinese lawyers I have met are dedicated passionately to the reform of the juvenile justice system, yet lack the skills necessary to bring about meaningful change. I have learned of the need for China's lawyers to gain practical trial skills and how great a need there is for the international community to help provide that training.

I will soon be conducting a training session for juvenile defenders in Xi'an on how to interview clients, to collect

and analyze evidence and to prepare a mitigation plan to obtain more lenient sentencing. To supplement the training, I am working with an independent group of Chinese juvenile defenders to write a training manual that will be distributed to legal aid lawyers throughout China. As a bonus, one of the private bar attorneys invited me to join her Chinese Culture Club. I am learning about Chinese etiquette, food, Confucius and the relationship of Chinese classical music to the law (!) This has been a wonderful experience and a unique opportunity to help a country choosing its direction for the future.



Leslie Rosenberg with private bar criminal defense attorneys in Xi'an, China

## ISLP SEEKS VOLUNTEERS

ISLP Seeks Volunteers with public defender, legal aid or criminal trial experience for projects in China. Projects focus on access to counsel, protecting the legal rights of children, and enhancing the advocacy skills of criminal defenders. Minimum 10 week commitment required; start dates are flexible. Chinese language not necessary. Airfare, regional travel and accommodations provided.

**Please call ISLP's Volunteer Coordinator at 212-895-1038 for more information.**

# THAILAND

## NOTES FROM THE FIELD



### BY MARK ANDREWS -

Throughout the fall of 2008 I have been an ISLP volunteer with the international not-for-profit organization Bridges Across Borders Southeast Asia (BABSEA) in the city of Chiang Mai in northern Thailand. BABSEA promotes and assists in the founding of clinical legal education (CLE) programs

throughout Southeast Asia. These programs work in a variety of ways to educate marginalized and rural communities on the law, as well as within university classrooms through CLE programs. The philosophy behind this work is that when people know the law and their rights they become more empowered to stand up for themselves.

My project helps advance access to justice by assisting in the design of a curriculum for an existing legal clinic at the Chiang Mai University Legal Clinic, BABSEA's partner on a wide array of issues. The Legal Clinic has an In-House Consultation Clinic and a Community Teaching Clinic. Significant local issues



Volunteer Mark Andrews gives an impromptu English lesson to law clinic students in Chiang Mai, Thailand

involve, for example, use permits for farmers to plant on public land and the Thai national identification card, which is required for a variety of purposes, including work and education. The Clinic is in transition, it is slated to be a fully accredited academic program by June 2009. My job is to help accomplish this - an experience that has been eye opening and exciting.

## THREE NEW DIRECTORS JOIN ISLP BOARD



The Board of Directors of the International Senior Lawyers Project elected three new members during its Annual Meeting on October 20<sup>th</sup> in Washington, DC. Joining the ISLP Board are Boris Dolgonos, Craig Owen White and Karen Wishart.

**BORIS DOLGONOS** is a partner in the New York office of Weil, Gotshal & Manges LLP, where his practice focuses on capital markets and cross border financings. Mr. Dolgonos is currently leading a Weil team in an ISLP pro bono project that is working to help a developing country government in Africa negotiate key natural resource agreements. Mr. Dolgonos received his J.D. from the University of Virginia.



**CRAIG OWEN WHITE** is a partner with the Cleveland-based law firm Hahn+Loeser LLP, where his practice focuses on publicly-traded corporations and high-growth, privately-owned concerns. Mr. White earned his J.D. from the University of Virginia and is a frequent author and speaker on the topics of Corporate Governance and Business Law. For the past two years, Mr. White has volunteered with ISLP's Commercial Law Training Program in South Africa, spending two weeks paired with African lawyers to co-teach various topics in commercial law to local lawyers who have historically been denied the opportunity to participate or grow in this practice area.



**KAREN WISHART** is Senior Vice President, General Counsel and Corporate Secretary for TV One, LLC in Silver Spring, MD. She received an MBA from Emory University's Goizueta Business School in Atlanta and a J.D. from the University of Windsor in Ontario, Canada and is originally from the Toronto area. Ms. Wishart has twice traveled to South Africa to volunteer with the Commercial Law Training Program.

## LIBERIA UPDATE: VOLUNTEERS WELCOMED BY MINISTRIES



■ ISLP continues its effort to help Liberia rebuild the rule of law and repair its shattered economy. One of the country's most serious rule-of-law issues is rape. International organizations estimate that more than 700,000 women were raped during the war and that in more than 50% of reported rapes the victims are children. Rape was not outlawed until 2005, and the government's largely untrained

lawyers have had little success enforcing the new law. To remedy that, the Ministry of Justice established a dedicated Sex Crimes Unit and invited ISLP volunteer Aparna Bhat to prepare a draft training manual for prosecutors. Aparna brought years of experience to her assignment, having developed programs in India with prosecutors, investigators and rape victims. Her draft has been accepted by the Ministry, and a revised version was recently adopted.

■ Retired **Debevoise & Plimpton** partner Jeff Wood has completed three month-long trips to Monrovia this year. Jeff - who spent his career as a dealmaker in Asia - has served as legal advisor on a range of economic projects including the regulations governing the issuance of mineral exploration licenses, the revision of the foreign investment law, and the negotiation of several concession agreements.

■ **Clifford Chance** lawyer Marye Cherry spent a three-month sabbatical as Chief of Staff to the Minister of State for Finance, Economic and Legal Affairs

■ Darrel Grinstead, of Counsel at **Hogan & Hartson**, departs soon for a month in Monrovia, where he will kick off ISLP's long-term efforts on behalf of the Ministry of Health and Social Welfare to help build a legal and regulatory regime for the health sector, and to establish the Ministry's Office of General Counsel.



Volunteer Aparna Bhat leads a training for local prosecutors in Monrovia, Liberia



Brian Fix of **Salans** and Jack Lipson, retired from **Arnold & Porter**, on an assessment trip to Tanzania

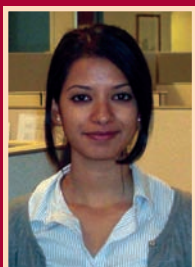
## AKIN GUMP PARTNERS WITH RWANDA ON TRADE NEGOTIATION TRAINING



As part of its ongoing work with ISLP and Rwanda, the law firm of **Akin Gump Strauss Hauer & Feld** helped prepare and present a workshop on trade negotiations skills in Gisenyi, Rwanda in June. Akin Gump lawyers, joined by two ISLP consultants, jointly taught a 3-day workshop for Rwanda trade officials and representatives of the Rwanda private sector. The trade negotiation skills addressed in the workshop aim to assist Rwandan officials with on-going negotiations, including those addressing the formation of an East Africa Customs Union.

Akin Gump partner Spencer Griffith, noting the success of the workshop, is already helping to plan a follow-up. "The program was well received and the participants indicated that the training was very valuable to them, particularly given the fact that Rwanda is involved in numerous trade negotiations at this time. It was so well-received, in fact, that some of the private sector participants have asked Akin Gump and ISLP to come back to Rwanda to present the training again for others in the private sector. We look forward to continuing to work with the wonderful and impressive people we met there."

## NEW TEAM MEMBER AT ISLP



ISLP is very pleased to welcome Madiha Zafar as Administrative Assistant in the New York office. Madiha, who graduated with a degree in political science from Queens College in New York, arrived with great non-profit experience. Her internships included a posting at the Office of the General Counsel for The Open Society

Institute, as well as a position with Amnesty International USA where she worked closely with associate researchers to help complete human rights reports. Madiha also supported the Executive Director of "Turning Point for Women and Families", a community-based organization providing assistance to victims of domestic violence. As a bonus, her language skills include Hindi and Punjabi. Since joining ISLP in August, Madiha has become an integral member of the team, valued for her skills, energy, and sunny enthusiasm.

### ISLP

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## FREEDOM OF INFORMATION LAW FOR YEMEN

In August, **Baker & McKenzie** attorneys Charles Hallab, Sigurd Sorenson, and Madeleine Schachter represented the International Research & Exchanges Board (IREX) in a matter referred by ISLP. IREX is an international nonprofit organization working to strengthen independent media and foster pluralistic civil society development. The firm's lawyers, working on a pro bono basis, analyzed a proposed freedom of information law ("FOIL") drafted by the Yemeni Parliamentarians Against Corruption ("YPAC"). The lawyers reviewed best practices for FOILs, noting that these laws enhance democratic participation by helping citizens to better understand governmental operations and reduce and deter corruption by exposing official action to public scrutiny.

Sorenson and Schachter then participated in a highly collaborative workshop in Amman, Jordan with YPAC members to revise the draft law. Features of the revised law include an explicit presumption of openness of governmental information; limited exceptions to open access; mechanisms for appeal to independent arbiters; provisions for training, and public education campaigns; and protections for the press. Said Ms. Schachter of her involvement, "It was an extraordinary experience to collaborate with members of Parliament as they worked to develop a law that would increase citizens' understanding about the workings of government, deter corruption, and promote confidence in government officials."

### CONT'D FROM PAGE 2...ISLP'S EUROPEAN INITIATIVE

With the support and guidance of the EAC, Michele will help ISLP recruit European lawyers and law firms as volunteers, develop a broader range of projects based on input from European sources, and locate sources of funding in Europe for our projects. She is already off to a great start. She has met with a number of lawyers in Paris, with both global law firms and smaller practices, who have all expressed enthusiasm for ISLP and a willingness to help us. She has, with the invaluable support of senior partner Patrick Murray, secured donated office space in the Paris office of **Winston & Strawn**. She met with volunteers in London and recruited assistance in advising ISLP on its European structure from the London office of **Fried Frank Harris Shriver & Jacobson**. And she has been of critical help in developing a project with an anti-slavery NGO in Mali, including an assessment mission to that NGO by volunteer Michael Ellman, a leading British human rights lawyer.

ISLP is excited to see an expanding enthusiasm for pro bono among European lawyers, and we look forward to playing an important role in the creation and growth of Europe's pro bono culture.

# ISLP

International Senior Lawyers Project

SERVING THE WORLD COMMUNITY

## MISSION

The International Senior Lawyers Project provides volunteer legal services by skilled and experienced attorneys to advance democracy and the rule of law, protect human rights and promote equitable economic development worldwide. Through the pro bono work of retired and active practitioners, working independently and in law firms, ISLP helps nongovernmental organizations, academic institutions and governments in developing countries implement legal reforms, undertake effective programs that advance human and economic rights and build their capacity to meet the needs of their communities.

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