

Dear Friend of ISLP:

With the new year already off at a galloping pace, we take this moment to express our gratitude for the support received from so many of you in 2009, both as volunteers and as contributors this past holiday season. You make all of ISLP's efforts possible.

We want to update you, as well, on our efforts in Haiti. We were very saddened to learn of the loss of the Executive Director of our partner *Solidarité Fanm Ayisyen/Solidarity with Haitian Women (SOFA)*. This is a great loss for women's rights in Haiti. Our other partners, thankfully, survived the earthquake's physical impact. We are now working to determine ways to expand or modify our Haiti Program to include projects of assistance to the government and civil society in rebuilding the justice system, which has suffered great material and human losses, and in addressing urgent new needs. Some projects, such as working with public defenders in the provinces, we hope to get back on track soon. New ideas will be shared as they are more fully developed. We are encouraged to have received the support of the National Endowment for Democracy through a significant grant for our Haiti Initiative. They have expressed confidence that ISLP can play a critical role in the institution building that must accompany the physical rebuilding of Haiti.

It will be quite a year - and one where we will depend on our friends more than ever.

➤ [Jump](#) to current Volunteer Opportunities

Drafting Duo Lead Tanzania Training



Participants in a break-out session of Robert Mansell and Rebecca Lennahan's legislative drafting workshop for members of the Tanzanian Ministry of Justice and Constitutional Affairs staff.

Following a very successful legislative drafting training seminar this past summer in Liberia, ISLP responded to a request for similar assistance from the Government of Tanzania by sending the team of **Rebecca Lennahan**, a retired Deputy Director of the Office of Legislative Legal Services at the Colorado General Assembly, and **Robert Mansell**, a Canadian environmental lawyer, to work with 15 staff members of the Ministry of Justice and Constitutional Affairs.

The ISLP pair led a 5-day workshop in early December on laws regulating investments in Tanzania's extractive industries and other sectors. Topics covered included an overview of the basics of legislative drafting; common drafting problems in natural resources laws; formatting of bills and amendments; essential elements in bills; penalty and enforcement provisions; statutory construction; and creating a new governmental regulatory body.

Noted Robert and Becky: "Our experience in both Liberia and Tanzania was challenging, from the standpoint of tailoring the workshop to meet the needs of the participants, but also uniquely gratifying in that we were able to provide the assistance in this highly important and rapidly developing area of investment agreements. The warmth and enthusiasm of the participants was probably the most significant factor in the success of the workshop."

ISLP Volunteer Presents Oral Arguments Before ECHR



ISLP Board member Natasha Lisman presents an oral argument before the ECHR

The European Court of Human Rights held a Grand Chamber hearing on January 20th in the case of *Saknovskiy v. Russia*, where the meaning of a fair trial is at issue. ISLP Board member and volunteer **Natasha Lisman**, a senior litigator with **Sugarman, Rogers, Barshak & Cohen, P.C.** in Boston, together with Karinna Moskalenko, a prominent Russian human rights lawyer and head of ISLP's partner organization, the International Protection Centre (IPC), were the counsels.

Natasha took on this case as pro bono counsel last October and has spent countless hours preparing a 30-page brief and then her oral arguments for the hearing. Amazingly, with her appearance in court, she became one of the few U.S. lawyers to argue before that august body.

Highlights

ISLP in the News:



Read how Columbia Law School alumni are making an impact as ISLP volunteers in developing nations around the globe. [Read Full Article](#)>

"The Globalization of Justice: My Experience as a Volunteer Public Defender in China"

By **Leslie J. Rosenberg**
[NACDL article](#)



Baker & McKenzie oil & gas partner **Ben Welmaker** confers with a member of the Sierra Leone government during an ISLP mission. The program's goal is to support positive legal reforms so that the discovery of petroleum in Sierra Leone can lead to maximum long-term development for its people. [Read the President of Sierra Leone's comments](#) about Ben's contributions to this joint initiative between ISLP, Revenue Watch Institute, the African Center for Economic Transformation and the Norwegian Government's Oil for Development Program.

Our thanks to these firms for their generous financial support:

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Background on the case and details of the hearing can be found [here](#). Watch the hearing via this webcast: http://www.echr.coe.int/ECHR/EN/Header/Press/Multimedia/Webcasts+of+public+hearings/webcastEN_media?&p_url=20100120-1/en/

Previous to her presentation before the court, Natasha was joined in Strasbourg by **Svetlana Khvalina**, a litigator with **Ropes & Gray** in New York, from October 26-31 to assist the IPC with high priority case work. Natasha then went on to Moscow as an ISLP volunteer to participate in a training seminar organized by IPC the week of November. The program trained approximately 20 Russian human rights lawyers involved with cases before the ECHR, focusing on practical training in case law research and analysis methods as well as written and oral advocacy skills. The seminar also provided the Russian lawyers a rare networking opportunity and forum for discussion on human rights litigation.

Helping Children in Sierra Leone to Play Again

ISLP volunteer **Chris Lane** of **Clifford Chance's** DC office was honored with his firm's inaugural Corporate Responsibility Award in December. Chris led a team of lawyers monitoring the war crimes trial of Liberia's former president Charles Taylor to help ensure that the people of West Africa had access to information about the proceedings. Most generously, Chris directed the award, a £1,000 donation to the charity of his choice, to **Play31**, a grassroots NGO ISLP has worked with since its inception 2 years ago. Play31 uses soccer to unite the youth of Sierra Leone – both former combatants and victims of that country's brutal civil war – to promote healing and dialogue. Since its inception, Play31 has donated hundreds of soccer balls and organized a tournament that brought together participants from over a hundred villages. Female matches - a first for these communities - have been especially powerful.



Play31's founder, Jakob Lund, was thrilled to receive Chris' generous gift:

"For a relatively small organization like Play31, it was simply amazing to receive a completely unexpected email from someone wanting to donate £1,000. In Sierra Leone, that can supply a whole village community soccer team with jerseys, sandals and soccer balls - and even a small celebratory gathering after each match. Play31 is in the business of "soccer for reconciliation" and Chris' donation helps us to fulfill that mission!"

Partners in Training: Ethiopia

Volunteers **Peter Nimkoff** and **Jim Gildersleeve** - who have more than fifty years of criminal defense experience between them - spent 8 weeks in the city of Adama, Ethiopia in October and November, helping to improve access to public defenders in the Oromia region (state) of the country. The Ethiopian Constitution guarantees such access, but the system for implementing that guarantee is severely inadequate. Oromia's 31 public defenders are inexperienced, under-trained and lack even the most basic materials, including funds to visit clients in prison and paper for note taking. They are frequently appointed at the moment of trial, giving them no opportunity to interview their clients or prepare a defense before appearing in court.

The Oromia Judicial Training Institute is committed to reversing this state of affairs, and last year reached out to ISLP for assistance in its efforts. Peter and Jim, following up on the earlier work of volunteer Andy Haas, interviewed public defenders, prosecutors, and sitting judges to understand the practical and systemic challenges facing the system. They then delivered an enthusiastically-received training program. In addition to developing a curriculum that will form a part of the ongoing training the Institute provides to defenders, Peter and Jim drew on their extensive interviews to develop the first draft of a strategic plan for building Oromia state's public defender system.

Striving to Eliminate Slavery in Mali



Pictured Center, Mohamed Ag Akératane, President of Temedt, leading a litigation strategy brainstorming session following legal training by ISLP volunteer Guillaume Marçais. Also pictured, participants in the training and, far right, Romana Cacchioli, Africa Programme Coordinator, Anti-Slavery International.

The winter of 2009-10 has seen a strengthening of ISLP's partnership with **Temedt**, a Malian organization that works to eliminate descent-based slavery - in which one's status as a slave is inherited. Basically, if your mother was a slave, you are also a slave. This system is prevalent in the northern border areas of Mali, Mauritania and Niger.

One of the principal founders and Vice President of Temedt is **Ibrahim Ag Idbaltanat**, an **Ashoka Fellow**. Mr. Ag Idbaltanat became aware of ISLP through Ashoka, and contacted us last year for help in training local lawyers and building the capacity of Temedt to engage in strategic litigation, coalition building and legislative reform. ISLP is partnering with Temedt and **Anti-Slavery International** in London on a long-

ISLP Happenings



ISLP Commercial Law training Program (CLTP) Coordinator **Keith Watson** (L) and Co-Founder and Board member **Tony Essaye** share some well-deserved recognition at the CLTP Volunteer Appreciation Dinner, held Nov. 20 in Washington, DC.

■ In 2010, the CLTP will take place in South Africa (Johannesburg, Durban and Cape Town) and Botswana (Gaborone). Programs in Zambia and Namibia are also being considered.



ISLP is honored that **Patrick Murray**, a partner in the Paris office of **Winston & Strawn**, has taken on the role of **ISLP's Volunteer Haiti Program Coordinator**. Patrick is a long-time friend of Haiti, dedicating a great amount of his time to the country as a member of the Board of Directors of the NGO **Partners in Health** and its sister organization **Zanmi Lasanté**. His involvement with the latter takes him frequently to the rural community of Cange, in the Central Plateau region. He returned from his most recent Haiti trip one day before the earthquake and is working with ISLP to develop its Haiti Initiative.



Paul Bohannon (c), a partner with Texas firm **Andrews Kurth LLP**, with participants of a symposium hosted in Ulan Bator, Mongolia by ISLP's partner, Centre for Human Rights and Development. Mr. Bohannon, our fourth volunteer with CHRD, spent 6 weeks in Mongolia helping them forge a coalition of members of civil society, government, and academia committed to the principle of public involvement in environmental decision-making related to growing mining activity in the country. He also developed a training course in public participation that was delivered primarily by CHRD staff to an audience of government representatives, members of the law and environmental sciences faculties, and representatives of mining companies.

Volunteers on the Move: Recent Comings and Goings

Fran Taylor (Administrative law judge, MD): 3-months onsite in Arusha, Tanzania with the International Criminal Tribunal for Rwanda.

David McCraw (*The New York Times*)

term capacity building and rule of law project aimed at eliminating slavery and related discrimination. In addition to two previous volunteers (Niger trial lawyer **Abdourahaman Chaïbou**, and British human rights lawyer **Michael Ellman**), ISLP most recently sent **Guillaume Marçais**, a retired French lawyer and law professor with extensive criminal trial experience – including at the International Criminal Tribunal for Rwanda – to spend 6 weeks in Mali working with Temedt in late 2009.

During this time, Maître Marçais met with the President of the Mali bar, traveled two days by jeep each way to northern regions to assess the status of active cases before the local courts and meet with a local *procureur*, and co-lead a 3-day training of young lawyers, along with a Malian magistrate, entitled “Human Rights Laws: The Elimination of Slavery and Related Discrimination in Mali.” Materials for the training, including fact patterns for a Moot Court session, were created with pro bono assistance from **Julianne Hughes-Jennett** and **Akima Paul** of **Lovells** in London. **Patrick Richen**, a retired French lawyer who served as Senior Legal Adviser to the Cameroon Ministry of Planning and Industry, also assisted with the development of Mr. Marçais' mission.

Michele O'Brien, ISLP's Consulting Director for Europe, traveled to Bamako in December 2009 to assist in delivering the training program and to participate, under the auspices of Anti-Slavery International, in the West Africa Anti-Slavery Network's annual meeting, which gathered leaders from anti-slavery organizations from Mali, Mauritania and Niger. This project is ongoing in 2010.

After Long Wait, Media Law Victory

An October 2009 decision of the European Court of Human Rights (ECHR) found in favor of three Russian journalists appealing a ruling in the Russian courts that essentially punished journalists for quoting official documents. The Primorsky region newspaper had published an article in 2002 about illegal logging, quoting the concerns of officials who said that the national court's management department in the region was contributing to the problem. The department and its director each sued the journalists for defamation and won damages. The Russian national courts upheld the trial court. The journalists applied to the European Court, arguing that their rights to freedom of expression had been infringed by what they regarded as abusive litigation.

Acting to support the journalists' position, the **Open Society Justice Initiative** and the **Moscow Media Law and Policy Institute** asked **Dick Winfield**, the head of ISLP's Media Law Working Group, for assistance in early 2005 with an amicus brief arguing that the government officials' resort to litigation seriously undermined the public's ability to hold the government accountable and was inconsistent with the letter and spirit of Article 10 of the European Convention on Human Rights. The ISLP brief was the work of **Kurt Wimmer (Covington & Burling)**, **David Bodney (Stephoe & Johnson)**, **David Heller (Media Law Resource Center)**, **Peter Krug (Univ. of Oklahoma)**, and Dick Winfield. In November 2005, the ECHR granted admissibility; in its opinion it made explicit reference to both NGOs and summarized and relied upon the arguments ISLP had raised in its brief to the Court.

When at last the ruling was handed down, the European Court found a violation of freedom of expression, saying that the defamation verdict violated Article 10 of the Convention where journalists are found liable when they accurately publish statements contained in non-confidential government documents. The judgment in Romanenko and Others v. Russia is among the most recent instances where the ECHR found that Russian courts acted in ignorance of Convention requirements.

Volunteer Spotlight: Working in Chambers at the UN Tribunal



ISLP Volunteer Cynthia Rollings with Presiding Judge Arlette Ramaroson

Many lawyers think about lending their talents to complex and deserving international cases. For ISLP volunteer **Cynthia Rollings**, a partner at **Beldock Levine & Hoffman LLP** in New York, this goal became a reality when she moved to Tanzania from September through December 2009 for an ISLP assignment assisting the International Criminal Tribunal for Rwanda (“ICTR”) in Arusha. Cynthia's experience gave her a unique perspective on the inner workings of an international tribunal, as well as a deeper appreciation of the realities of life in Africa.

Cynthia worked as a United Nations “Senior Legal Researcher” at the ICTR, an international criminal tribunal established by the UN to prosecute those most responsible for planning and carrying out the 1994 genocide of the Tutsi in Rwanda. She stepped into a fully functioning international court staffed with judges and UN personnel from all over the world, conducting trials, addressing complex legal issues and issuing lengthy – and sometimes controversial – judgements. Cynthia pointed in particular to the *Akayesu* case, for its ground-breaking definition of rape under international law and its findings that rape may be an instrument of genocide, as well as a crime against humanity.

The ICTR has three legal divisions: Chambers, the Office of the Prosecutor, and Defense. Cynthia was invited to work in Chambers on the *Hategekimana* case, in which the defendant, a lieutenant and the commander of a camp who was responsible for the murder of dozens, as well as many counts of sexual violence, was charged with genocide and crimes against humanity. As a member of Chambers, Cynthia attended trial, assisted with trial issues, participated in a site visit to Butare, Rwanda, and assisted in judgement drafting, frequently working 10 to 12 hour days. ICTR judgements are lengthy documents reflecting detailed factual and legal analysis of trial evidence presented in cases involving multi-count indictments alleging numerous events of genocide, crimes against humanity and war crimes.

Working in this role gave Cynthia not only a unique view of the Rwandan genocide but also insight into a UN

Company, NY): Media Law program in Russia
John Donnellan (Hearst, NY): Media Law speaker in India on international best practises for protecting journalists' freedom of expression

Joe Bell (Hogan & Hartson, DC) and **Eric Werker (Harvard University, MA)**: Tanzania training on large-scale investment contracts in the extractive industries
Stephen Lande (Manchester Trade, MD) and **Patrick Macrory (DC)**: Trade Negotiation Training for the Ministry of Tourism, Trade and Industry in Uganda

Jim St. Claire (WV) and **Leigh Middleditch (VA)**: Zimbabwe for Commercial Law Training Program planning meetings

Bill Hoffman (King & Spaulding, GA): Malawi assessment mission

Boris Dologonos and **Nick Flynn (Weil Gotshal, NY and London)**: Sierra Leone contract renegotiation

Joe Bell and **Liz Grennan (Hogan & Hartson, DC)**: Liberia contract negotiations

Jeff Wood (Debevoise, NY), **Stanley Dees** and **Sandy Hoe (McKenna Long & Aldridge, DC)**: Liberia legislative reform

Donate Online

All of the projects highlighted in this eUpdate were made possible through the generous support of foundations, law firms, and individuals. Every gift matters. Won't you join us?

It is now even easier to make a quick and secure tax-deductible contribution through the ISLP website!

Volunteer Opportunity (Self-Funded) in Legal Writing:

The Faculty of Law at the University of Pretoria in South Africa seeks a senior attorney to assist with its efforts to implement a comprehensive program to improve the English writing, speaking, and research skills of its students. Due in part to the historically disadvantaged background of roughly half of the school's students - for many of whom English is a second or third language - many graduates lack these core skills and are, in turn, at a competitive disadvantage in the workplace. To address this issue, the University seeks a volunteer to work with the Faculty of Law to design and deliver a legal writing module within one or more academic courses. The volunteer will be expected to work with students in groups and one-on-one, both in the classroom and in the Faculty's Language Centre, which assists students struggling with English.

The ideal candidate will be an experienced legal writer with the ability to teach legal writing fundamentals at an introductory level and the flexibility to do so in a challenging academic environment.

The assignment will last from 3-5 months, starting in July or August of 2010. The volunteer will be based in Pretoria. The working language will be English.

tribunal from the particular perspective of Chambers, of special interest to a lawyer who has devoted most of her career to litigation advocacy. She was also able to experience the interplay between civil and common law, as judges and advocates are drawn from both systems, as well as the special language and translation issues presented when testimony is given in Kinyarwanda (a Rwandan language) and then translated into French and English.

The length of Cynthia's stay enabled her to experience life in Africa as a resident, rather than a tourist. She lived for a few weeks in a small shared church guesthouse and subsequently in a small hotel, both in "downtown" Arusha, which allowed her to walk to work along Old Moshi Road to the ICTR, dodging "dalla dallas" (local buses) and other hazards daily. She participated in community events, and also experienced various insect and other bites, local medical care and traffic accidents. As she became acquainted with native Tanzanians, she learned more about the difficult realities underlying the tourist attractions in this part of Africa. In spite of the hardships they face in daily life, Cynthia found the people of Arusha to be welcoming and generous. She has indelible memories from her trip, including riding in an unexpectedly low-flying plane from Arusha to Kigali which allowed for aerial views of the Serengeti, Lake Victoria and the breathtaking topography of Rwanda, and a weekend trip over the border, arranged by permanent UN staff members, to obtain the last cranberries in Nairobi for an Arusha-style Thanksgiving dinner.

Her experience with the ICTR, enthused Cynthia, was unforgettably informative and rewarding.

A second ISLP volunteer, Fran Taylor, a former criminal defender and Administrative Law judge in Maryland, is currently at the ICTR in Arusha, building on the work of volunteer Cynthia Rollings. Fran's arrival coincided with the *Hategikimana* case's final submissions and she immediately set to work reviewing the files in order to assist with the judges' decisions. Thank you, Fran and Cynthia!

ISLP would also like to thank Judges and Judgement Coordinator Suzanne Chenault of Trial Chamber II of the ICTR for her concerted assistance, effort and generosity in making both of these volunteer opportunities possible.

We Need YOU: Lawyers with Expertise in Sexual Violence Prosecution

Volunteer Alert CAMBODIA: ISLP seeks an experienced attorney with a strong background in criminal justice for victims of sexual violence and the training and mentoring of young lawyers for a 3-month volunteer assignment with an NGO in Phnom Penh, Cambodia. The organization provides free legal aid to victims of rape, domestic violence and human trafficking. The volunteer will be based in Phnom Penh with possible travel to other parts of the country, and would focus her/his efforts on building the capacity of young law graduates to build cases before trial. The working language in Cambodia is Khmer; a translator for an English-language volunteer will be provided. Contact ISLP Volunteer Coordinator Andra Moss at amos@islp.org for more information.

Volunteer Alert CONGO: ISLP seeks an experienced litigator fluent in French for a 4-6 week assignment in Goma in the Democratic Republic of Congo to assist a local NGO in providing legal assistance to women victims of sexual violence as well as related training to local lawyers and other legal professionals on the essential elements of handling sexual violence cases. The start date is flexible early 2010. Airfare and housing for the volunteer will be provided. Contact ISLP Volunteer Coordinator Andra Moss at amos@islp.org for more information.

For information on these or any ISLP projects and volunteer opportunities, please contact the Volunteer Coordinator at 212-895-1038. Volunteers can register online at www.islp.org/volunteer.html

Please note that this is a self-funded opportunity. The volunteer will need to provide for his or her own travel and lodging expenses.

Contact Volunteer Coordinator Andra Moss at amos@islp.org for more information.

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