



# THE VANCE CENTER FOR INTERNATIONAL JUSTICE

# DIRECTIONS 2011



## Pro Bono Declaration for the Americas (PBDA)

The Pro Bono Declaration for the Americas, launched in 2008, has dramatically transformed the ability of poor and marginalized people in Latin America to assert their rights and protect their communities. Developed by leading law firms throughout the region and the Vance Center, the PBDA is a groundbreaking document that binds more than 400 law firms and lawyers to undertake a minimum of 20 hours of pro bono work per lawyer per year—a commitment that has exponentially expanded access to justice throughout the hemisphere.

### Rapid Expansion

In the southern cone, the Andean region and Mexico, where pro bono initiatives have been underway since early in the decade, the three-year PBDA implementation period witnessed law firms and bar associations partnering with NGOs to effectively refer pro bono matters. This resulted in increasing legal empowerment for, among others, victims of domestic violence, children in need, people with disabilities, micro-entrepreneurs and micro-finance organizations.

Pro bono has caught fire in other countries in the Americas with new signatories in Canada, Costa Rica, Panama, Paraguay, Uruguay and Venezuela, opening up the prospect for new partnerships among lawyers in the hemisphere to make access to justice a right, not a privilege.

## Access to Justice Awards

Much of the work of the Vance Center is accomplished through the pro bono efforts of lawyers whose commitment to access to justice parallels that of Cyrus Vance, in whose honor the Vance Center was founded. To recognize their work and to inspire others, the Vance Center established the Cyrus R. Vance Access to Justice Award. In 2010 the Award was presented to three recipients. Michael Cooper, retired partner and of counsel to Sullivan & Cromwell, was honored for his lifelong involvement in expanding access to justice in the U.S. and globally. His efforts while President of the New York City Bar laid the foundation for the creation of the Vance Center. David McCraw, Vice President and Assistant General Counsel of The New York Times Company, was recognized for his work to strengthen access-to-information laws and freedom of the press globally. Fundación Pro Bono Chile, which celebrates its tenth anniversary this year, was honored for galvanizing over 50 Chilean law firms and 300 volunteer attorneys to provide free legal assistance to more than 6,500 individuals and organizations, and for its aid to the victims of the recent earthquake in that country.



Left to right: Cyrus R. Vance, Jr., Manhattan District Attorney; Pablo Guerrero V., President, Fundación Pro Bono Chile; Michael A. Cooper, Of Counsel to Sullivan & Cromwell; and Samuel W. Seymour, President, New York City Bar Association.

## Conference on Access to Justice in the Americas



Pro Bono & The Legal Profession:  
**Strengthening  
ACCESS to  
JUSTICE**  
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With the initial PBDA implementation period coming to a close, the time has come to assess the accomplishments that have been achieved and to identify new efforts necessary to ensure that the legal systems throughout the Americas fairly and effectively address all legal needs.

Toward that end, the Vance Center is collaborating with Fundación Pro Bono Chile to organize a regional conference in Santiago in April, 2011. The conference will highlight ways in which NGOs, law schools, bar associations and law firms can develop creative partnerships to expand the breadth of pro bono and strengthen public confidence in the fairness of the legal system.

### Roundtables on Women in the Profession

It is well known that women face enormous obstacles to advancement in private firms in Latin America, with very few women partners in the region. The Vance Center, drawing upon the work of the New York City Bar's Women in the Profession Committee, has assisted in creating networks of women attorneys through a series of roundtables in Argentina, Brazil and Peru to break gender barriers at law firms. In 2011, similar roundtables will be held in Chile and Colombia. The Vance Center will also launch a women's initiative targeted to women lawyers whose firms have signed the PBDA. This effort will create linkages between these lawyers and women's rights organizations to help address the problems faced by women in the broader society.

## South African Visiting Lawyers Program

Despite increasing equality in the political system, the financial and legal leadership of South Africa continues to reflect the lingering effects of apartheid. It is important to a successful transformation in South Africa that black lawyers and law firms build a stronger capacity to participate meaningfully in major commercial work. Since the Program's inception in 2002, 34 lawyers have participated and returned home to become firm partners or assume important positions in government and the corporate sector. This fall we welcome three new fellows: Siphile Buthelezi will split his year between Davis, Polk & Wardwell and Morgan Stanley; Rorisang Mongoato will be at Cleary, Gottlieb, Steen & Hamilton; and Thabang Masingi at Skadden, Arps, Slate, Meagher & Flom.

## Human Rights in The Southern Hemisphere

In 2008 the Vance Center established a South-South Network to strengthen the ties between human rights advocates in Africa and Latin America to enable them to share strategies and information. Complimenting the network was the linkage of lawyers from New York and other parts of the U.S. to projects through our Clearinghouse. In order to facilitate this effort, the Vance Center held programs in New York and Washington, DC that trained over 150 U.S. lawyers. These trainings will enable us to expand our support for human rights initiatives in the coming year.

## Conference on Remedies in Public Interest Litigation

Public interest litigation is still a new phenomenon in Latin America and judges there often lack experience handling these cases and determining appropriate remedies and means of enforcement. The Vance Center therefore collaborated with Asociación por los Derechos Civiles in Buenos Aires and University Buenos Aires Law School to host a conference on designing, monitoring and enforcing remedies in public interest litigation so that judges and lawyers in Argentina could learn from their counterparts elsewhere in the world with experience in this area. The conference took place in Buenos Aires on November 4th and 5th. The panelists included Robin Dahlberg of the American Civil Liberties Union; Justice Helen Freedman of the New York State Supreme Court, Appellate Division, First Department; Moray Hathorn of Webber Wentzel in Johannesburg, South Africa; Jayna Kothari of Ashira Law in Bangalore, India; and Judge Myron Thompson from the U.S. District Court for the Middle District of Alabama. A videotape and related publication from the conference will be made available to public interest lawyers throughout Latin America and elsewhere.

## Clearinghouse Projects

Our Clearinghouse connects pro bono counsel in the United States and abroad with persons or organizations in need of assistance to address leading legal and policy challenges of our time.



**Environmental Sustainability:** The Vance Center continues to collaborate with Rainforest Alliance, Shearman & Sterling and Sive, Paget & Riesel, as well as pro bono counsel in a number of other countries, on a hemisphere-wide pro bono legal project to promote sustainable practices in the agriculture, forestry and tourism sectors. The project will advocate for legal reforms to improve sustainability incentives and assist businesses in upgrading their environmental practices.



**Private Land Conservation:** Together with The Nature Conservancy and World Wildlife Fund, the Vance Center has been working with a team of pro bono lawyers from Chile and Simpson Thacher & Bartlett in New York to develop the first law in Latin America allowing for tax incentives which will ultimately encourage private land conservation.

**Judicial Independence and Due Process:** In collaboration with Covington & Burling, the Vance Center is submitting an *amicus curiae* brief to the Inter-American Court of Human Rights in support of a Venezuelan criminal court judge who was removed from the bench without due process by the government, an act that undermines the independence of the Venezuelan judiciary.



**Disability Rights:** In collaboration with Rehabilitation International and pro bono lawyers in New York, we continue to work on behalf of people with disabilities. Our project strives to ensure that the rights contained in the United Nations Convention on the Rights of Persons with Disabilities (CRPD) are integrated into strong laws, policies and programs globally.



Left to Right: Benjamin Bass, Public Interest Fellow, Elizabeth Millard, Director, African Program, Elise Colomer, Director, Latin American Program, Antonia Stolper, Chair, Vance Center Committee, Joan Vermeulen, Executive Director, Wendy Fu, Public Interest Fellow, Caroline Walker, Director of Communications, Amy Slattery, Director of Development.

## Public Interest Fellows

Two new staff members joined the Vance Center in 2010 through law firm secondment programs. **Wendy Fu** from Weil, Gotshal & Manges, concentrated on creating new opportunities for New York lawyers to support international human rights and public interest work, particularly in Africa. **Benjamin Bass** from White & Case, will work on access to justice in Latin America.

## Fostering the Peace Process in Sudan

In January 2011, citizens of Sudan will vote in a referendum to determine whether the country should be divided into two countries: North and South Sudan. Two provinces—Blue Nile and Southern Kordofan, where much fighting, has occurred—will not participate in the referendum. Instead, leaders of civil society, aided by the Centre for Humanitarian Dialogue, will negotiate directly with the current government to determine their status. To assist in the “popular consultations” taking place, the Vance Center has arranged for Weil, Gotshal & Manges to prepare and present a document on international best practices and options for the provinces in the areas of cultural, religious and education rights.



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