

 PILnet

10TH ANNUAL EUROPEAN PRO BONO FORUM

AMSTERDAM | 16-18 November 2016



Conference Report



PILnet should continue to foster an environment in which Pro Bono is heralded and provides a channel for committed people to effect the beneficial change they, their clients, and collaborators want to see.

- Comment from a forum participant

Introduction

The 2016 European Pro Bono Forum took place in a year of growing inequality and decreasing social cohesion. In this context, the Forum, our global network, and this community are more critical than ever. The focus of the event—how to use law in creative ways to make our world a better, more equal, more just place—had added urgency, and the partnerships that we build during each annual Forum took on an added significance. Quite fitting then, that our discussions took place this year in the Netherlands, a country known as a *gidsland*: a small, progressive country that historically has led by example.

Participants joined with a sense of purpose; to not only learn and share pro bono expertise, but to build the kind of social capital that can help to mend what is broken in our societies. The kind that bridges divisions within society, that builds ties and friendships with people of a different nationality, religion or race, with a different economic class, occupation or age. In other words, making the effort to connect with and trust others outside your immediate circle. When our governments are intent on building walls rather bridges, events like the Forum are a critical opportunity to build and harness our own social capital.

The 2016 European Pro Bono Forum in Numbers

- **329** participants
- **33** countries around the world represented
- **1/3** of the participants came from an NGO, almost **1/2** from a law firm and the remainder came from a mixture of universities, bar associations, corporations, and government or press institutions
- **106** speakers
- **24** workshops
- **3** Spark Talks
- **1** Global Meeting of Pro Bono Clearinghouses
- **1** Global Meeting of Law Firm Pro Bono Professionals
- **3** pro bono awards bestowed

Keynote Speakers



With the growth of international law, our profession does not stop at state lines or boundaries. We should be as one in our commitment to public service as lawyers.

- Judge Jonathan Lippman

Pro bono is a tax on success. All successful practitioners owe it to themselves and to others.

- Judge Ian Forrester



During this year's keynote speeches we heard from Judge Jonathan Lippman, formerly of the New York Court of Appeals and current of counsel at Latham & Watkins, and Judge Ian Forrester, of the General Court of the European Union. In their speeches, both called for a renewed focus on social justice as a primary focus and responsibility of lawyers today. Judge Lippman spoke of an urgent need to close the justice gap that exists between legal aid and its beneficiaries, while Judge Forrester urged the legal profession to embrace pro bono as an integral part of their job.

Launch of PILnet Report on the Growth of Pro Bono in Europe



After the morning's keynote speeches, PILnet President Garth Meintjes and Lamin Khadar, of DLA Piper, launched PILnet's report on the growth of pro bono in Europe. The report highlights PILnet's achievements over the years, both in its support to local clearinghouses and its initiatives in creating a collaborative effort to strengthen pro bono culture in Europe. It also maps the origins, growth and trends of pro bono across the continent.

Panel Discussion: Creating a Culture of Pro Bono from the Top



It was especially interesting hearing from the senior partners of illustrious firms such as Akin Gump, Ashurst, and DLA. Understanding the level of engagement of senior partners, who travel $\frac{3}{4}$ of the year and still make time to prioritize a pro bono event is inspirational—if they're so committed to pro bono, everyone in our respective firms should make time to do so.

- Comment from a Forum participant

In a Forum first, we had leaders from three of the world's top law firms sit down together to talk about how and why they are using their positions to drive pro bono within their firms. According to Simon Levine, DLA Piper's Global Co-Chair, "Pro bono is often the glue that holds a law firm together." Ben Tidswell, Ashurst's Chairman, described how demand from new associates and the professionalization of pro bono practice are helping to entrench pro bono deeply within firms. Kim Koopersmith, Akin Gump's Chairperson, talked of the need for firm's to be bold in their pro bono practice, saying, "We don't shy away from issues that are controversial. Whether marriage equality or Guantanamo Bay, [there are] an endless list of issues that are significant. We need to continue to challenge ourselves to do that. In the environment that we live in, that commitment has to be even stronger."

The consensus among these leaders is that pro bono is vital to law firms becoming socially responsible businesses and that it can deliver significant business advantages; the two are not mutually exclusive.

Increasingly the legal profession is itself coming under threat. How do you continue to add value in a world that's turning digital? Pro bono is also about self-interest. Self-interest can exist in parallel with social good.

- Ian McDougall, Lexis Nexis

Highlights

Closing Space for Civil Society

Two workshops at the Forum were dedicated to exploring the global trend of governments abusing regulation to suppress civil society and the voices of human rights defenders. Speakers from leading NGOs in the field, academia, government and business agreed on the need for businesses—particularly law firms—to support civil society as important defenders of the rule of law, but also as the hallmark of stable and open democracies.



We see more and more interest from business in 'civil space' because this is actually the same space where business operates.

- Cornelius Hacking, Dutch Ministry of

Protecting the Rights of Refugees and Undocumented Migrants

Two workshops were dedicated to the refugee crisis and migrant issues in Europe. The first focused on the difficulties that refugees and undocumented migrants face in accessing healthcare, particularly reproductive care. The second explored the range of ways in which pro bono lawyers can use their legal skills to protect the rights of refugees in Europe. At a special lunch talk, Federico Baradello, an associate at Kirkland & Ellis, introduced TENT: an alliance of businesses taking action to assist refugees worldwide.



You have international law, and all the EU countries have ratified the relevant treaties. But you also have medical ethics, and doctors are refusing to screen for undocumented patients - they are saying 'We can't do this.'

- Alyna Smith, PICUM

Doing Pro Bono Better

A range of workshops focused on how pro bono lawyers, manager, brokers and clients can improve their own performance, but also work better together. In the *Collaborating for Impact* workshop, NGO and law firm representatives explored best practices and lessons learned in the effort to instill more effective partnerships.

In *One Decade: One Project*, White & Case lawyers described how working continuously with an organization over the course of ten years led to a deep relationship that was fulfilling and effective for both the NGO and the firm.



The Holocaust is more than history; it has to become a tool for prevention. I was fascinated by [AIPR]'s idea that if we approach genocide incrementally and institutionally, we can invoke change. . . I wanted to help them do their work I wanted to find out if there's something they haven't thought of, and started bringing projects to them. I really 'attacked' them as a fee paying client. Then, I wanted to bring in others in the firm. It's the first time I did this in pro bono, and it turned out to be so much more fun.

- Owen Pell, White & Case

Another workshop, *Developing Legal Clinics for Individuals*, offered practical tips, advice, and lessons learned from the experience of law firms and NGOs establishing legal clinics in the UK.

Not the Business Case for Pro Bono argued against over-reliance on metrics, data, rankings and business interests in trying to create a culture of pro bono within law firms.

Focusing on the numbers distracts from the fact that we're helping people.

-Jackie Mulryne, Arnold & Porter

From an NGO side, I would recommend thinking about legal partners as a resource that goes beyond small little things. I've learned how creative and resourceful our legal partner can be, and the new ideas they bring in.

Second, the networks we each have are resources for each other that would otherwise take years to build.

Third, the legal partner is both an inside voice, and outside voice. Our work could be insular - we only deal with the same actors. It's very useful to speak about our work to someone who understands our work, but who is on the outside.

-Tibi Galis, Auschwitz Institute for Peace and Reconciliation

Inspiring Others by Example

Spark talks were the highlight of the Forum for many, offering a fresh and inspiring perspective and a reminder that, using the right tools, anyone can truly impact their environment.

Bright Richards is a Liberian refugee who came to the Netherlands looking for safety, leaving behind a career as a famous TV star. The founder and executive director of New Dutch Connections, Richards gave an empowering speech on his own experience coming to Europe. After working through the many difficulties of being an undocumented migrant in an unknown country, he turned to theater and set out to empower other, younger, refugees through the magic of music and acting.



Sometimes you have to help the authorities think outside of the box!

- Bright Richards, New Dutch Connections

Wolfgang Kaleck is the founder of the European Centre for Constitutional and Human Rights. On 18 November, he offered insights on the importance of advocating for unpopular causes.

He spoke of the challenges that lawyers in these situations face, and how they are demonized in their society simply for helping to ensure equal access to justice for all.



Legal work has to be embedded in a broader social and political context - law as a social process.

- Wolfgang Kaleck, European Centre for Constitutional and Human Rights

Kelly Matheson, of Our Children's Trust, gave an inspiring lecture on the importance to use the power of the law to fight for climate justice. She focused her lecture on one example of such a fight - a non-traditional case led entirely by children in the U.S. "Climate 21: 21 Kids fighting for Climate Recovery by 2100" was intended to embody the urgency of the matter at stake, and the need for lawyers to put their best foot forward to ensure a better future for all



Celebrating Pro Bono Excellence

On November 17, PILnet announced the recipients of this year's **European Pro Bono Awards**.



Reed Smith and Greek NGO METAdrasi received the Exemplary Partnership in the Public Interest Award for their exceptional response with to one of the worst refugee crises in modern history. Together, they have been instrumental in developing systems to provide access to legal counsel, by working with local authorities to implement a working system for international lawyers to provide support to refugees during proceedings. In helping to

provide legal aid to refugees on the Greek islands of Lesbos and Chios, the collaboration proved its dedication to ensuring universal access to legal aid, even for those who have no official documentation.

Partnering with four law firms and fifty pro bono lawyers, ACTEDO's Pro Bono Network for Human Rights provided legal assistance to NGOs across Romania on various issues, including discrimination, gender violence, rights of people with disabilities, and hate speech. It has also worked to promote legislation regarding human rights and raise awareness on the vulnerability of certain groups. With an aim to reconfigure the legal profession as a "consolidated democracy," ACTEDO proved successful in helping make legal aid more accessible, and has created a model it hopes will be replicated in other political contexts. Their initiative and dedication makes them well-deserving of PILnet's European Pro Bono Award for Local Impact.





The European Publico Award recognizes extraordinary legal professionals who are committed to represent the public interest in the utmost terms, and who have done so for decades, with little or no significant reward. Intigam Aliyev is a prominent human rights lawyer and defender in Azerbaijan, and entirely represents the spirit of this award. In addition to his contributions to Azerbaijani pro bono culture, he has been particularly successful in the European Court of Human Rights (ECtHR), guiding cases involving freedom of assembly, freedom of speech, and the right to a fair trial. His arrest in 2014 speaks to our collective need to fight the closing space for civil society, and underscores the sacrifices that the especially vigilant and brave among us make on behalf of access to justice

Next Steps

Join us in Budapest in October 2017 to celebrate PILnet's 20th anniversary! To mark the occasion we will hold a special one-off gathering of our global network.

PILnet Global Forum

A Global Conference on Pro Bono and Public Interest Law

16-19 October 2017

Budapest, Hungary