



**Public Interest
Law Institute**

Edwin Rekosh

**Presentation for the “Overcoming the Barriers to International Pro Bono” program,
Annual Meeting of International Bar Association
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“We’re Not in Kansas Anymore: Cultural Impediments to Cross-Border Pro Bono Work”

Abstract:

Pro bono work across borders is closely associated, in the United States, with global issues such as human rights and the development of the rule of law, both of them concepts with universal purchase. Likewise, the notion that the legal profession has a special obligation to provide assistance to the most vulnerable parts of society has deep roots in many cultures. Despite the universality of these concepts and values, there are a number of cultural barriers that impede the effectiveness of pro bono practice across borders, ranging from misunderstanding about the motivations of pro bono lawyers to missed nuances of how law actually operates in a given society to differing perceptions about the nature of law itself.

Outline:

I. The Universals

- a. Human Rights
- b. Rule of Law
- c. Charitable Impulse
- d. Professional Responsibility Impulse

II. Differences

- a. The role of the state vs. private actors in providing access to justice

- b. The politics of the private bar and of the civil society
- c. The predictability of the legal system
- d. The reliability of judicial enforcement
- e. The degree of public trust in the legal system.

III. Avoiding the Usual Traps

- a. Find good partners and listen to them
- b. Build long-term relationships
- c. Get beyond cut and paste; it's all about implementation.
- d. Who's the client?

IV. Pro Bono Everywhere: the Public Interest Law Institute's vision

- a. Does it make a difference where the pro bono lawyers come from?
- b. What are the limits?

Leadership

EDWIN REKOSH is PILI's founder and Executive Director. He also teaches Human Rights, Law and Development at Columbia University School of Law and has been a visiting professor at Central European University. Prior to founding PILI, Rekosh consulted for the Ford Foundation, worked for the International Human Rights Law Group (now Global Rights) in Romania and co-founded the Human Rights Watch Film Festival.



BARBARA SCHATZ is the President of PILI's Board of Directors. She is a Clinical Professor of Law at Columbia University School of Law and has worked with universities around the world to build clinical legal education programs. Prior to joining the Columbia faculty, she served as executive director of the organization now known as Lawyers Alliance for New York, New York City's leading provider of pro bono legal services to non-profit organizations. In that capacity, she co-founded the Lawyers Committee for Human Rights (now Human Rights First) and continues to serve on its board.



“The PILI fellowship changed my life. Through PILI, I found people from all over the world who think like I do, and it inspired me to become more actively involved in positive change for China.”

—Zhang Jingjing
PILI Fellow

Network

PILI works across constituencies and continents, connecting diverse actors who share the goal of using law as an instrument for advancing human rights. These connections foster information-sharing, innovative thinking and new alliances. Our network of partners includes:

NGOs

PILI builds the capacity of NGOs to advocate strategically on issues ranging from discrimination to environmental justice.

Example: PILI provided technical assistance to a Serbian environmental advocacy organization litigating to prevent the flooding of a major lake and the exploitation of its natural resources by a private corporation.

Law Firms

PILI collaborates with international and local law firms to bring pro bono legal assistance to NGOs.

Example: Through PILI's pro bono clearinghouse, a global law firm is representing the Roma clients of a Hungarian NGO in seeking compensation for the harm caused by the segregation of Roma children in public schools.

Law Schools

PILI works with law school professors and deans to make legal education more practice-oriented and socially relevant.

Example: PILI guided the creation of the Legal Clinics Foundation in Warsaw, which is supporting clinical legal education programs in all major law schools in Poland.

Government Officials

PILI engages government officials around issues of legal aid reform.

Example: Working in collaboration with civil society organizations, PILI provided technical assistance to the State Ministry of Justice of Bosnia and Herzegovina in developing legislative proposals for government-funded legal aid to the poor.

Public Interest Leaders

PILI advances the professional development of tomorrow's brightest leaders by providing fellowships designed to build the capacity of young lawyers for public interest work.

Fellows

PILI's Fellowship Program provides young lawyers from around the world with opportunities to study human rights and law, intern at an NGO and collaboratively design a public interest project for implementation in the fellow's home country. The Fellowship program builds the capacity of a new generation of public interest advocates and organizations while developing lasting relationships for future collaboration. Representative fellows include:

■ Balázs Dénes

2003-04 PILI Fellow from Hungary
Now Executive Director of the Hungarian Civil Liberties Union, Dénes has conducted pioneering litigation in Hungary on access to information. Dénes serves as a Trustee of the PILI Foundation in Hungary and as an expert for PILI trainings on strategic litigation.

■ Olga Shepeleva

PILI Legal Officer and 2000-01 PILI Fellow from Russia
After completing the Fellowship Program, Shepeleva worked with the Nizhny Novgorod Committee Against Torture and the Demos Center, focusing on the implementation of judgments against Russia by the European Court of Human Rights. Shepeleva is currently a PILI staff member in the Moscow office, lending her expertise to its work on legal aid reform and public interest advocacy.

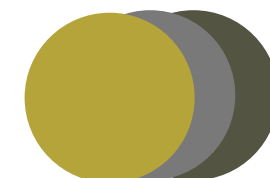
■ Zhang Jingjing

2005-06 PILI Fellow from China
Zhang is Director of Litigation at China's preeminent source for environmental legal aid, the Center for Legal Assistance to Pollution Victims. She became known as the "Erin Brockovich of China" after winning compensation for over 1,700 villagers in a collective lawsuit against a heavily-polluting chemical plant.

Public Interest Law Institute

1061 Budapest 333 Seventh Avenue, 14th Floor
Paulay Ede u. 50 New York, NY 10001
Hungary USA
+36 1 461-5700 +1 212-803-5380

For more information or to get involved, visit www.pili.org.



Promoting
public interest
advocacy around
the world

The Public Interest Law Institute (PILI) is an international organization that advances human rights around the world by stimulating public interest advocacy and developing the institutions necessary to sustain it. It was founded in 1997 at Columbia University with seed funding from the Ford Foundation and became an independent non-profit organization in 2007.

Our Story

PILI was created after the fall of the Berlin Wall, when the countries of Central and Eastern Europe were re-inventing themselves. At that time, the law was still seen by many as a means of state control rather than an instrument for the common good.

PILI was established to promote the use of law as a tool to serve the interests of the whole of society rather than the interests of a powerful few.

Unlike most international human rights organizations, PILI works at the local level to develop the institutions and leadership that will protect human rights over the long term. Working in collaboration with the legal community, universities, civil society groups and public officials, PILI builds rights-respecting societies from the ground up.

As a result, vulnerable people have greater access to justice, democracies govern in a manner closer to their ideals and more private lawyers use their expertise to help those in need.



“PILI’s role in inspiring and guiding the development of public interest legal advocacy in many countries has been critical in strengthening human rights worldwide.”

—Aryeh Neier
President of the Open Society Institute

Global Presence

Building on its initial successes in Central and Eastern Europe, PILI continues to expand its programming around the globe.

OFFICES

New York, Budapest, Moscow, Belgrade, Beijing

SIGNIFICANT PROJECTS

Armenia, Bosnia-Herzegovina, China (Beijing, Chengdu, Kunming, Shanghai, Wuhan) Georgia, Hungary, Kyrgyzstan, Moldova, Poland, Russia, Serbia, Ukraine

FELLOWS PAST & PRESENT

Albania, Armenia, Brazil, Bulgaria, China, Croatia, Czech Republic, Estonia, Georgia, Hungary, Israel, Kazakhstan, Kyrgyzstan, Lithuania, Moldova, Mongolia, Nepal, Nigeria, Poland, Romania, Russia, Serbia, Slovakia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan

Achievements

PILI has figured prominently in efforts to promote human rights and the rule of law in many disparate societies.

- Introducing organized pro bono practice in Central Europe
- Helping to put legal aid reform on the EU agenda
- Providing 60+ transformative fellowships to public interest lawyers from 27 countries
- Helping build a network of 75+ university-based legal assistance clinics across Central and Eastern Europe and the former Soviet Union
- Delivering 20+ advocacy trainings to over 200 NGOs
- Supporting the development of groundbreaking forms of public interest advocacy in China

Pro Bono Program

The Public Interest Law Institute (PILI) is an international nongovernmental organization that advances human rights around the world by stimulating public interest advocacy and developing the institutions necessary to sustain it.

PILI is a leading advocate for institutionalizing pro bono practice (volunteer legal assistance) in Europe and beyond. By promoting and providing technical assistance for organized pro bono, PILI helps ensure that more disadvantaged and vulnerable groups have access to the legal resources they need. PILI helps bridge the gap between lawyers who seek to take on pro bono matters and NGOs that often lack the resources to find and secure professional legal representation.

● Pro Bono Clearinghouses

PILI operates four clearinghouses that match lawyers willing to volunteer their services to NGOs that need legal assistance on a variety of issues, such as registration, labor contracts, comparative research and human rights litigation. In 2008, over 160 matters were placed through PILI's Global, Russian and Hungarian clearinghouses. PILI's Chinese Clearinghouse was launched in December 2008. Pro bono opportunities are regularly distributed via email updates; contact the relevant PILI staff to sign up or to submit a legal question.

● European Pro Bono Forum

November 5–6, 2009, Budapest

To register, visit www.probonolawyer.eu.

PILI hosts a major international annual conference, the European Pro Bono Forum, providing a dynamic, multi-national platform for exchange of information, skills transfer and networking related to pro bono activities in continental Europe.

● Training and Technical Assistance

PILI replicates its clearinghouse model by providing technical assistance, know-how exchange and other types of coordination to lawyers and partners who are developing clearinghouses in Poland, the Czech Republic and Slovenia. PILI is collaborating with lawyers and partners in Romania, Serbia and Bulgaria, paving the way for future clearinghouses in these countries.

Global Pro Bono Link

Our quarterly e-newsletter tracks developments in pro bono efforts around the world and brings you the latest news about PILI's efforts.

Sign up at www.pili.org.

To contact us, please see the back of this sheet.

Get Involved in Pro Bono!

Are you a lawyer seeking pro bono opportunities?

Are you a representative of an NGO that needs professional legal assistance?

Global Clearinghouse

Atanas Politov (apolitov@pili.org)
Paulay Ede u. 50
1061 Budapest, Hungary
+36 1 461-5700

Chinese Clearinghouse

Robert Precht (rprecht@pili.org)
CITIC Building
Suite 10-C
19 Jianguomenwai Dajie
Beijing 100004, China

Russian Clearinghouse

Alexander Lapidus (alapidus@pili.org)
Maroseyka str. 9/2 bld. 8
Office 34
101000 Moscow, Russia
+7 495 628-00-20

Hungarian Clearinghouse

Tamas Barabas (tbarabas@pili.org)
www.probonougyved.hu
Paulay Ede u. 50
1061 Budapest, Hungary
+36 1 461-5700

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Tomasz Wardynski, Founding Partner, Wardynski & Partners



For more information
about PILI
visit www.pili.org.