

October 2009

1 Introduction

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In 2009 the ILBF has gone from strength to strength. This newsletter outlines the completion of a number of shipments and includes feedback and photos we've received from partner organisations in both Asia and Africa. There is an interview with Francis Neate, former President of the International Bar Association and an ILBF Trustee, on the importance of the rule of law. It also includes discussion of a new ILBF partnership and a map showing the many countries to which the ILBF has shipped books.

2 Shipment overview

So far 2009 has seen the completion of a number of shipments. A consignment sent to Sudan in 2008 was received by the judiciary in Juba in March this year and books sent to the Supreme Court in Rwanda in late 2008 have now also been received.

The shipment sent to Bangladesh in March has now been received at the Asia Foundation office in Dhaka. This consignment, which was the first to be sent under the recently developed partnership between the ILBF and the Asia Foundation, was sent via the United States offices of the Asia Foundation and will be distributed to organisations including the Bangladesh Bar Council, the Save the Children charity, the Bangladesh National Woman Lawyers' Association and the Law School at the University of Dhaka.



Sukla Dey, Asia Foundation representative, with a representative of the Bangladesh Bar Council.

In April 2009, books were sent to Zambia and received enthusiastically by the recipients: the Zambia AIDS Law Research and Advocacy Network; the Legal Resources Foundation and the Catholic Diocese of Ndola—Paralegal Programme. A shipment of 48 boxes sent to Sudan during the same month has also arrived in Port Sudan. These books will be distributed to five partner organisations: the United Nations Mission in Sudan (on behalf of the Prisons Service of Southern Sudan); the United Nations Development Programme (on behalf of the Police Service of Southern Sudan and on behalf of the Justice and Confidence Centres in Southern Sudan); the Southern Sudan Legislative Assembly; and the Ministry of Legal Affairs and Constitutional Development.

More recently, in September 2009 a shipment of books was sent to the Commonwealth of Dominica. The shipment, which comprised of 63 boxes of books, was sent to the Ministry of Tourism and Legal Affairs, where it will be of particular assistance in relation to their legal aid work; and to the Integrity Commission. The recipients will receive about half of the books each, although their close physical proximity will also enable them to share the resources.

Further shipments are being planned for Azerbaijan, to a number of states in Africa and to South America in late 2009 and early 2010.

3 Francis Neate, Trustee of the ILBF, discusses the International Bar Association and the Rule of Law

The recent International Bar Association conference in Madrid was the setting for the fourth Rule of Law Symposium, initiated in 2006 by Francis Neate following the IBA's resolution in 2005 under Francis's Presidency of the IBA. The evolution of the Symposia and the role they play at the IBA conference underline how important the concept of the Rule of Law is to the practice of law and access to justice. Katrina Crossley took the opportunity of meeting Francis in Madrid to ask him about the Rule of Law.

KC: What prompted you to initiate the Rule of Law Symposia at the IBA?

FN: I first began thinking seriously about the Rule of Law just as I was on the point of becoming President of the IBA (I was President for two years, 2005 and 2006). This was initiated by increasing concern over the behaviour of the US and UK Governments in relation to Guantanamo Bay and Belmarsh Prison. It seemed to me that it must be in contradiction of the basic principles of the Rule of Law and I began to think about what those principles were and how the IBA could react to this. I drafted a resolution for the IBA Council with the help of others in the IBA hierarchy and it was passed unanimously by the Council at the IBA Conference in Prague in September 2005.

The next annual conference was to be in Chicago in September 2006 and we agreed with the American Bar Association to organise a joint "Symposium" on the Rule of Law. This was very well attended and addressed by a number of distinguished speakers, in particular, Mary Robinson and Lord Peter Goldsmith. This stirred the interest of a Russian colleague, Petr Barenboim, who decided to organise a similar Symposium in Moscow, and we decided to institutionalise the IBA Symposium by holding it on the last day of the annual conference in Singapore in 2007 and in Buenos Aires in 2008. We held it again a couple of weeks ago in Madrid.

KC: What gave you the idea for the book, 'The Rule of Law'?

FN: I had decided to publish a book containing the texts of the principal speeches at these Symposia in the course of 2008 and we managed to add some of the speeches from the Buenos Aires Symposium at the last minute. This meant that we had speakers from Europe, the US, Asia and Latin America, so I also sought contributions from Africa. I added a short history of the development of the concept of the Rule of Law, in which I was greatly assisted by some trainees with Allen & Overy, and I also included the IBA Council's resolution and a commentary. Finally, I added the text of Lord Bingham's Sir David Williams Lecture, because I thought it was so excellent, and then a short concluding chapter by me.

I was surprised by the interest shown in the book at the recent IBA conference in Madrid and delighted that so many copies were sold.

KC: Why do you think that there is such interest in the Rule of Law?

FN: I had previously been aware of the concept of the Rule of Law - as a student I was told about it and I knew that Professor A.V. Dicey had written about it towards the end of the nineteenth century. However, it had had no relevance to my subsequent practice as a lawyer, so I had given it no further thought. I would guess that this has been the experience of most practising lawyers.

'(T)he wider the spread of legal knowhow, the greater the support for the Rule of Law.'

*Francis Neate,
ILBF Trustee*



ILBF books arrive at the Asia Foundation in Bangladesh.

Interview with Francis Neate (cont) ...

FN: However, I came to realise that it was time that the legal profession started to think more deeply about the meaning and importance of the Rule of Law and it was about the same time that other members of the legal profession were doing the same, prompted mainly, I believe, by the same attitudes as mine, namely concern about how the "War on Terror" was being waged. There does seem to have been considerable interest in the subject around the world from about 2003/2004 and my guess is that the reason why others have become interested are the same as mine.

KC: What has changed since the Rule of Law Symposia started?

FN: If you read the concluding chapter in the book, you will see that the Rule of Law has gained prominence in various ways in different countries, perhaps most notably in being declared a "constitutional principle" in the UK notwithstanding that we pride ourselves in not having a constitution, or at least not a written constitution.

KC: What are your reflections on the future of the Rule of Law and the part played by the Symposia at the IBA?

FN: As to the future, I believe that there is a huge amount of work still to be done to alert the legal profession around the world to the importance of the Rule of Law and to their obligations to uphold it. In many countries, including the US and the UK, I believe this obligation goes much further than merely to carry on one's professional practice in accordance with the relevant codes of ethics. We need to develop our thinking about the moral foundations of the Rule of Law, educate not only the legal profession but also the public at large about its meaning and importance and organise a much more effective defence of the Rule of Law in those countries in which it is under attack. I hope the IBA will continue to take the lead in this effort. The Rule of Law is the basic underpinning for human rights, democracy, freedom, justice, all values which most human beings hold dear but few actually enjoy.

KC: As a trustee of the ILBF, how do you see the work of the ILBF in helping the Rule of Law?

FN: I have been a trustee of the IBA's own Charitable Trust for some years during which we have regularly supported Book Aid, so I have long thought that the legal profession could contribute a lot in this area. I was therefore delighted when it was mooted to set up ILBF and encouraged the IBA to support it. The legal profession has unique resources to make a major contribution in this way. Obviously the wider the spread of legal knowhow, the greater the support for the Rule of Law.

KC: Thank you Francis for those fascinating insights. I think it is a fitting testament to the interest in the Rule of Law that your book actually sold out at the IBA in Madrid.

'(T)here is a huge amount of work still to be done to alert the legal profession around the world to the importance of the Rule of Law and to their obligations to uphold it. In many countries, including the US and the UK, I believe this obligation goes much further than merely to carry on one's professional practice in accordance with the relevant codes of ethics.'

*Francis Neate,
ILBF Trustee*

¹ Francis Neate, 'The Rule of Law' (LexisNexis, 2009)

4 A Second Alliance for 2009: The ILBF enters into a Development Partnership with Advocates for International Aid

Earlier this year, the ILBF formed a significant partnership with the Books for Asia programme of the prominent United States Non Governmental Organisation, The Asia Foundation ("TAF") – see our May 2009 Newsletter. This alliance has proved a great success. The first shipment of 36 boxes of ILBF books to TAF in San Francisco has already arrived in Bangladesh and, at the time of writing, is being transported to the the Bangladesh Bar Council, the Save the Children charity, the Bangladesh National Woman Lawyers' Association and the Law School at the University of Dhaka. Feedback from the Bangladesh shipment and photos are included on page 5 of this newsletter.

Building on this positive experience, over the summer of 2009 the ILBF has entered into a Development Partnership with the highly respected UK-based legal charity, Advocates for International Development (www.a4id.org).

A4ID draws together the skills and expertise of the legal profession to combat poverty and inequality of opportunity worldwide. It has three major aims, designed to help achieve promote and achieve the UN Millenium Development Goals (see www.un.org/millenniumgoals). These aims are:

- * to facilitate free legal assistance to civil society, developing country governments, social enterprise and bar associations;
- * to work with law firms, barristers, legal academics and members of the judiciary willing and able to share pro bono expertise; and
- * to involve individual lawyers and development professionals in projects and working groups

Elizabeth Baraka, A4ID's Projects Officer said: 'A4ID is pleased to welcome the International Law Book Facility as one of its Development Partners. This partnership will help to facilitate greater awareness of the services of each organisation which provide complementary support from the legal community to those in the developing world ...'

Paul Lowenstein QC, Chairman of the ILBF Operating Committee agreed, adding that the ILBF was excited at the prospect of benefitting from the experience of A4ID, particularly in the identification of partners for the receipt of ILBF books in those parts of the developing world in which A4ID has an active presence.

'This partnership will help to facilitate greater awareness of the services of each organisation which provide complementary support from the legal community to those in the developing world ...'

*Elizabeth Baraka,
Project Officer, A4ID*

5 Recent feedback

In 2009 the ILBF has received valuable feedback from partner organisations who have received an ILBF shipment of books.

From Books for Asia, the Asia Foundation, Dhaka:

"I would like to thank you very much for donating such excellent law books for Bangladesh. It will be a great support for our recipients." Dr Sumaiya Kahir, Chairman of Law department, Dhaka University (the largest public University in Bangladesh) expressed her deepest gratitude to the ILBF and to the Foundation for giving such resourceful books. She is also very excited to receive the books.

Books on Law are not available in the Bangladesh market to buy, if there are some, they are very difficult to buy for those organizations who use Law books because of the expense. If they want to buy books they also need to go abroad, which costs a lot. "Books from your organization will be a big help for our recipients and their students will be very much benefited. I would like to thank you and ILBF for your generous support for my country."



Books arrive at the Asia Foundation in Bangladesh.

"This wide range of literature donated today will greatly make an effective contribution to the emancipation of mental, cultural and social slavery of many beneficiaries both direct and indirect."



Books are stamped at the Asia Foundation offices before being distributed.



Dr Samaiya Khair, Head of the Dhaka University Law Department, receives books from the ILBF shipment.

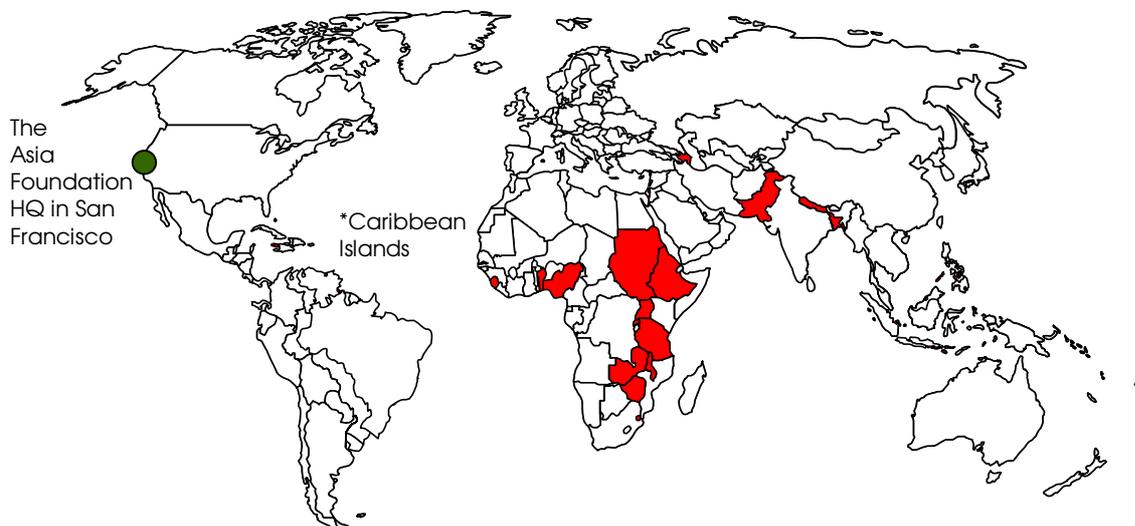
From the Paralegal Programme, Zambia:

"The Paralegal Programme wishes to profoundly pass its gratitude for the enormous contribution towards this noble service of providing free legal aid/advice to the vulnerable in society ... This donation provides a readily available source of legal information to meet the overwhelming demand from direct beneficiaries most of whom are women, school leavers, school going pupils, students from Colleges and Universities, the working class (both men and women), enhancement of Human Rights Clubs in schools to mention but a few ... Other beneficiaries include: the legal fraternity; Paralegal Advisors; State organs such as the Police; the Judiciary; the teachers; Government Ministries and Departments; Civil Society Organisations; the Clergy; Traditional leaders etc. District Paralegal Offices will be the focal points for all beneficiaries to do their legal capacity building and legal research ... On behalf of the Management of the Paralegal Programme, direct and indirect beneficiaries and indeed on my own behalf, I wish to sincerely express this honour given to us by the International Law Book Facility (ILBF) for this enormous donation."

AARON CHINYIMBA

6 Countries in which the ILBF has Partner Organisations

The map below shows the countries the ILBF has shipped to and plans to ship to in the future. The charity often has various recipients in one country, meaning that the books are received by numerous organisations. For example, in April, 48 boxes of books were sent in a shipment to five recipients in Sudan. The ILBF is confident that the partnership with the Asia Foundation will mean that more shipments can be made to countries in Asia.



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|----------|--------------|-----------|----------|------------|
| Benin | Nigeria | Sudan | Uganda | Azerbaijan |
| Ethiopia | Rwanda | Swaziland | Zambia | Bangladesh |
| Malawi | Sierra Leone | Tanzania | Zimbabwe | Nepal |
| | | | | Pakistan |

- | | | |
|----------------------|----------|------------------------------|
| * Caribbean islands: | Barbados | St Vincent |
| | Dominica | St Lucia, St Kitts, St Nevis |
| | Grenada | Trinidad & Tobago |

7 Response to Appeal for Books

After a large number of donations in response to our appeal for books earlier in the year, **the ILBF book storage facility is full!**

Please do not send any donations larger than two boxes of books without contacting the ILBF first to ascertain whether we have storage space.

Given that the ILBF has a number of major shipments planned for late 2009-early 2010, we expect that we will be renewing our call for books soon.



8 ILBF's Current Donors

The ILBF is delighted to be supported by the following major donors:

Allen & Overy

Alma and Leslie Wolfson Charitable Trust

Blackstone Chambers

CA Purnell

Cadwalader Wickersham & Taff

CAF (anonymous donor)

CAF-REMAD

Charities Aid Foundation (CAF)

Charity Choice

City of London Solicitors' Company

D Simpson & K Doytchinou

Ernest Shenton

Forster Charitable Trust

Fountain Court

GC Vos

Ince & Co

International Bar Association

Keating Chambers

LexisNexis

Linklaters

Lovells

Mills & Reeve

One Essex Court

RD Arnold

Reed Elsevier

Russell Cooke

Slaughter and May

Sweet & Maxwell (Thomson Reuters)

The Sylvia Adams Charitable Trust

White & Case

9 Administration of the ILBF

The ILBF is run by an Operating Committee comprised of volunteers from the following organisations and firms, whose support and assistance is gratefully acknowledged:

1 Brick Court

3 Verulam Buildings

Clifford Chance

College of Law

Finers Stephens Innocent

International Bar Association

LexisNexis

Linklaters

Sweet and Maxwell

The Bar Council

The Law Society

The ILBF would especially like to thank 3 Verulam Buildings for its provision of administrative and office space for the ILBF, and Clifford Chance for its provision of storage space for ILBF books.

To contact the ILBF, please email: info@ILBF.org.uk

The International Law Book Facility is administered on a voluntary basis: please be patient when waiting for a response.