

On Track to Expand Our Impact in 2021

ISLP Newsletter, March 2021 Edition

Dear Friend,

With a busy start to 2021, ISLP is currently working on over 50 matters in 30 countries as well as several global projects. We are continuously seeking opportunities where ISLP can leverage pro bono legal assistance to advance just, accountable, and inclusive global economic development and the rule of law. Our pro bono clients include governments, civil society organizations, and social enterprises across the Global South, including in Latin America, Middle East and North Africa, sub-Saharan Africa, and Asia.

Read on to learn about a few current projects: support for worldwide access to the COVID-19 vaccine; support for social entrepreneurship in Malawi; and our intervention in a freedom of expression case before the European Court of Human Rights.



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Forward

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Support for Global COVID-19 Vaccine Distribution

ISLP is mobilizing our network of volunteer lawyers to support global access to the COVID-19 vaccine through the [COVAX Facility](#) -- the international initiative led by the World Health Organization, [GAVI The Global Vaccine Alliance](#), and the [Coalition for Epidemic Preparedness Innovation \(CEPI\)](#). ISLP will provide pro bono legal support to governments of low-income countries that request legal advice relating to COVAX participation and the legal requirements for receiving subsidized vaccine doses through the COVAX Facility.





Supporting Innovation and Entrepreneurship in Malawi

With generous support from [Dignitas International USA](#), ISLP has been working since early 2020 to develop an ecosystem of legal support for social enterprises in Malawi that are working to address the health impacts of climate change as well as to expand access to clean energy. We partnered with local actors such as [GrowthAfrica](#), a regional enterprise accelerator, to identify social enterprises that would benefit from ISLP's support and to structure capacity-building activities that were responsive to the local context. ISLP mobilized volunteers to provide direct legal support, produce instructional videos for Malawian social entrepreneurs as a long-term resource to address key legal considerations that affect their day-to-day activities, and develop a webinar for the Malawi Law Society geared toward building capacity to provide legal support and advice to social enterprises.

Our partner GrowthAfrica noted that “legal support is an area that is not always accessible to social enterprises. [ISLP’s] approach is inherently geared toward understanding and leveraging local context and expertise while also providing insights from a global repository. The result is a well-rounded approach that has the potential to provide long-term impact. Being able to begin the journey of bridging some of those gaps together with ISLP has been valuable for the beneficiary entrepreneurs.”

ISLP is grateful to our partner law firms that contributed to this initiative: White & Case, Hahn Loeser, Ropes & Gray, Naphambo & Co., Blake, Cassels & Graydon, and Debevoise & Plimpton.



Defending Freedom of Expression Before the European Court of Human Rights

ISLP is guided by the principle that freedom of expression is essential to the tenets of accountability and transparency which underpin inclusive development and the rule of law. Led by ISLP emeritus board member Richard (Dick) Winfield, our Media Law Working Group supports journalists and watchdog non-governmental organizations that investigate, report on, and litigate matters that threaten mechanisms for government accountability. One approach to this work is to draw from comparative and international law to intervene on consequential cases before international human rights fora -- the decisions of which may have far-reaching implications for the freedom of expression beyond their own jurisdictions.

Last summer, ISLP's Media Law Working Group learned that the European Court of Human Rights was considering a controversial case, *Van Ballaer v. Belgium*, wherein a Belgian judge had punished the author of published criticism of court policy,

notwithstanding that the judge was neither named nor identified in the criticism. Because the issue so closely resembled that decided by the U.S. Supreme Court in the famous New York Times Co. v. Sullivan case, ISLP's Media Law Working Group asked the European Court for permission to file an intervention in the form of an amicus curiae brief. The Court's permission in hand, we wrote and filed our brief in December 2020. In it, we urged the Court to adopt the reasoning of the American Court that held that the universal right to freedom of expression -- and the right to hold government accountable -- requires that critics of government be protected against punishment by public officials who are neither named nor identified in the criticism. To permit the Belgian case to stand would chill political debate and obstruct citizen participation in self-government. The cost of allowing such punishment by unnamed public officials is simply too high a price for a democratic society to pay. The Belgian case remains pending in Strasbourg.

Ways to Get Involved



About ISLP

The International Senior Lawyers Project (ISLP) is a registered 501(c)(3) non-profit and non-governmental organization founded in 2000. Our mission is to provide pro bono legal assistance to governments, civil society organizations, and social enterprises in the Global South on matters that advance just, accountable, and inclusive economic development.



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For questions about donating, reach out to Melissa Eustace: meustace@islp.org

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