

## Vance Center eNotes

**Vance Center and Rainforest Alliance Team Up to Survey Incentives in Latin American Legal Frameworks That Encourage Sustainability**Volume 1, Issue 2  
July 2009

In collaboration with the [Rainforest Alliance](#), the Vance Center has facilitated a hemisphere-wide pro bono legal project to promote sustainable practices in the agriculture, forestry and tourism sectors by helping small and medium-sized companies access green incentives. The project team consists of U.S. lawyers from Shearman & Sterling and Sive, Paget & Riesel, and attorneys from numerous firms located throughout Latin America including: Marval, O'Farrell & Mairal in Buenos Aires; Machado, Meyer, Sendacz e Opice Advogados in São Paulo; Guerrero, Olivos Novoa & Errázuriz Ltda. in Santiago; Macías Gomez & Asociados in Bogota; BLP Abogados in San Jose; Ritch Mueller, P.C. in Mexico City; and Estudio Miranda y Amada Abogados in Lima.

*(Continued on page 2)***In this issue:****Conference on Women in the Legal Profession in Brazil****Vance Center Teams with Ashoka Fellows to Assist Juvenile Cancer Patients****South African Freedom Day Celebration**

*Fellows of the South Africa Visiting Lawyer Program 2009 and Vance Center staff*

On April 27, the Vance Center and the City Bar's African Affairs Committee co-hosted a celebration commemorating 15 years of democracy in South Africa. April 27, 1994 was the date of the first election in South Africa that was open to all citizens of age, regardless of race, and marks the end of the apartheid era. At that election, Nelson Mandela's African National Congress Party won 252 seats with 62.65% of the vote. The 27<sup>th</sup> of April is now a public holiday in South Africa known as Freedom Day.

The City Bar's celebration of South African Freedom Day began with a welcome by Megan Moloney, Chair of the African Affairs Committee. Further opening remarks were then delivered by the Honorable George Daniels, US District Judge for the Southern District and member of the Vance Center Committee. Judge Daniels exhorted the attendees to remember that "democracy grows from within" and praised South Africa's success in the struggle for freedom which he said should continue to inspire us all.

Personal perspectives on the meaning of Freedom Day were then provided by two visiting South African lawyers, who are currently working in New York as part of a fellowship program, the South Africa Visiting Lawyer Program, organized by the Vance Center. Siviwe Anthony, who is at Kirkland & Ellis this year, gave a moving speech recounting her personal memories of the historic elections of 1994. She described the harsh realities of life under the apartheid system and discussed the way in which the homeland system deprived many of South African citizenship. She then reflected on the progress that has been made in the last 15 years, highlighting the fact that her citizenship has now been restored and she is now able to live under a constitution that guarantees that she will be treated with dignity. Lindiwe Vundla, at Weil, Gotshal & Manges,

*(Continued on page 2)*

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## Vance Center and Rainforest Alliance team up

*(Continued from page 1)*

The project team will issue a study of financial incentives utilized by Latin American countries to promote green practices, assess which practices have been most successful, and identify how existing laws and regulations can be streamlined for future success. Incentives being examined include tax breaks, loans and grants, subsidies, streamlined regulatory approvals, payments for ecosystem services, regulatory relief in exchange for environmental performance and other market-based mechanisms. The end product will be used in law reform efforts designed to promote voluntary certification to higher environmental and sustainability standards.

“Across the planet, people from small producers to multinational CEOs are working hard to make their activities more sustainable—from reducing energy and water use to protecting biodiversity to improving conditions for workers. In some cases, and especially in the case of small and medium-sized businesses, they would be able to move much faster if they were aided with incentives for sustainable production and

development, in the same way governments assist other forms of production,” states the President of the Rainforest Alliance, Tensie Whelan.



According to Jeff Gracer, an environmental lawyer at Sive, Paget & Riesel and a member of the Vance Center Committee, “The Vance Center’s groundbreaking work has enabled us to assemble a formidable team of local environmental law experts. These firms are working with the Rainforest Alliance to promote implementation of laws that will encourage certification to higher environmental standards. This is a perfect example of pro bono infrastructure at its best – building bridges between small and medium sized businesses, environmental organizations, and multinational corporations – all in the service of environmentally sound business practices.”

## South Africa Freedom Day...

*(Continued from page 1)*



*Honorable George Daniels at SA Freedom Day*

provided another perspective, that of an exile. Because her father was an anti-apartheid activist, her family emigrated to Kenya. She watched the elections of 1994 from Nairobi, and subsequently returned to South Africa and reclaimed her citizenship. Her interest in the legal profession stems from her experience of apartheid and she described the powerful attraction of the law to those who have been deprived of basic rights for 300 years.

Closing remarks were made by Loretta Lynch, a partner at Hogan & Hartson and member of the Vance Center Committee, who drew connections between the struggle for civil rights in the United States and the struggle for freedom in South Africa

## Vance Center Teams with Ashoka Fellows to Assist Juvenile Cancer Patients

The Vance Center and the Ashoka Law for All Initiative have teamed together to match Ashoka Fellows in Latin America with law firms providing pro bono legal assistance to serve children with cancer. Having launched the Pro Bono Declaration for the Americas in January of 2008, the Vance Center has contacts with hundreds of law firms seeking worthy projects to handle in conjunction with their commitment to provide a minimum of 20 hours of pro bono assistance per lawyer per year. “I can think of no more noble cause for lawyers to work on than helping develop adequate legal frameworks and public policies to guarantee that children diagnosed with cancer receive access to quality health care,” stated Elise Colomer, Director of the Latin America Program at the Vance Center.



*(Continued on page 3)*

## Vance Center Teams with Ashoka Fellows...

*(Continued from page 2)*

Edith Grynspancholz, an Ashoka Fellow in Argentina, is the president of Fundación Natali Daphne Flexer, which provides services to children with cancer and also educates and advocates on their behalf. The Fundación is developing a coalition of non-governmental organizations in key countries in Latin America to conduct a regional research project analyzing laws that affect the type and quality of care that children with cancer receive. Other members of the coalition include Fundación Opnicer of Colombia and Fundación Esperantra in Peru.



The coalition is undertaking a legal research project to survey legislation affecting delivery of medical and social services to juvenile cancer patients within each country and also to conduct a comparative analysis to identify best practices. The Vance Center matched members of the coalition with local law firms interested in working pro bono on the project. In Argentina Marval O'Farrell & Mairal has assisted with the developing the survey. Brigard & Urrutia of Colombia and Del Mar Ugarte of Peru are also working on the project. Initial survey results have been synthesized and the project is now entering its comparative analysis phase. A first regional working meeting took place in April 2009. Already the working group has identified a series of actions that can be taken to address inefficiencies in the legal frameworks in the initial three countries that affect, on a practical level, the care that juvenile cancer patients receive. Eventually, the scope of the project will be expanded to include other countries. Finally, a publication of the findings will be disseminated throughout Latin America to assist in the development of public policies that promote adequate care to children with cancer and their families.

## Conference on Women in the Legal Profession in Brazil

The Vance Center helped facilitate a conference held at the offices of Pinheiro Neto Advogados in São Paulo Brazil in April 2009 to focus on the challenges facing women in the legal profession. More than 150 attendees, comprising many prominent female lawyers, were present at the event, which was jointly sponsored by the Vance Center and several law firms including Simpson, Thacher & Bartlett LLP, Pinheiro Neto Advogados, Machado, Meyer, Sendacz e Opice Advogados, Mattos Filho, Veiga Filho, Marrey Jr e Quiroga Advogados, Tozzini Freire Advogados and Demarest & Almeida Abogados.



*Daniela Pellegrino Anversa, Marissa Wesely, Carrie Cohen, Cristianne Zarzur*

Carrie H. Cohen, Assistant United States Attorney for the Southern District of New York, a member of the Vance Center Committee and the former chair of the Women in Profession Committee of the New York City Bar, helped organize the event and participated in the panel discussion. Ms. Cohen spoke about the New York City Bar's Report "Best Practices for the Hiring, Training, Retention, and Advancement of Women Attorneys," which was prepared by the Committee and provides practical tools to help address inequities in the profession. Simpson Thacher partner Marissa Wesely spoke as a panelist along with Ms. Cohen and explained how her firm had implemented certain recommendations in the Report. Ms. Wesely also discussed strategies to combat inequality and increase retention of women attorneys, including mentoring by senior attorneys and the importance of programs that facilitate networking and professional

*(Continued on page 4)*

## Conference on Women in the Legal Profession in Brazil

(Continued from page 2)

development. The Report was provided to the attendees in English and Portuguese, courtesy of JURISCRIBE and its Executive Director and Vance Center Committee member Steven Kahaner.

During the second part of the program, Machado Meyer partner Raquel Cristina Ribeiro Novais, Tozzini Freire partner Moira Huggard-Caine, and Mattos Filho partner Glaucia Maria Lauletta Frascino discussed what companies look for when hiring female professionals, what female professionals expect when they are hired, and the challenges firms encounter for retaining women.



Pinheiro Neto partner and event organizer Daniela P. Anversa Sampaio Doria commented that the event was a great way to kick off discussions about issues that many women lawyers silently question, saying, "It is always good to hear and learn from our colleagues in other countries about how they have been dealing with these issues." Pinheiro Neto partner Esther Donio B. Nunes, who chaired part of the discussion, stated "I am thrilled with the outcome of this event, not only the number of people that showed up, but also the positions they represent in the Brazilian legal market. It is evident that although the discussions we had here today are extremely relevant, we have a long road ahead of us."



The program in Brazil was part of the Vance Center's continued introduction of the Best Practices Report to Latin America. The Vance Center previously organized similar events in Buenos Aires hosted by Marval, O'Farrell & Mairal and in Lima hosted by Estudio Echeopar. The attendees at both events have since formed a network to promote the role of women in the legal profession and have been meeting on a regular basis. Like their counterparts in Buenos Aires and Lima, the group in Sao Paulo hopes to form a networking group to continue the discussion.

The Vance Center has created a group on VanceNet ([www.VanceNet.org](http://www.VanceNet.org)) to allow cross-border collaboration on the topic and to promote the network and initiative among women attorneys from throughout the continent. "The interest locally and abroad in the Best Practices is a tribute to the progress women attorneys have made and continue to make and I look forward to working with the Vance Center to share experiences and strategies with our counterparts in Latin America," said Ms. Cohen.



Look out for the launch of Vance Net