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Engaging the Legal Profession

IBA Presentation at International Criminal Court (ICC) Ninth Seminar of Counsel

by

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Dear Colleagues,

- I wish to start by thanking the organisers for giving the International Bar Association (IBA) the opportunity to speak at this Ninth Seminar of Counsel. As you all know, issues relating to counsel and the International Criminal Court (ICC) are very dear to the IBA, and for this reason, we welcome the opportunity to be part of the present panel discussing modalities and opportunities for the legal profession to engage with the work of the ICC.
- I was invited to speak first of all about the collaboration between the ICC and the IBA on the 'Calling African Female Lawyers' Campaign which we launched in collaboration

with the ICC in 2010. In addition, I have been asked to contribute to the discussion on possible ways and suggestions to engage individual lawyers and the legal community at large on matters related to the ICC.

- At the outset I would like begin by emphasising that without the enthusiasm and sincere commitment of many ICC officials - including the honourable Judge Monageng and madam Registrar Arbia, who both sit in this panel - the Calling African Female Lawyers Campaign would not have been successful or even possible. We started with very little means and big ambitions: on one hand, we planned to increase the number of women on the Lists of Counsel and of Assistants to Counsel; on the other hand, we wished to increase visibility of the Lists and transparency of the application process to the Lists. Although more can be done, I believe we have been relatively successful in both respects. The results described in the report on the campaign, which has been distributed and presented today, speak for themselves.
- Let me point out that from the IBA's perspective we are pleased to note that a Manual for Applicants and several information materials, including a video and a dedicated website, have also been created and influenced positively the outcome of the campaign. We believe that those side-products of this campaign will prove to be useful beyond the scope of this campaign and we commend the Registry for these results.
- It is our hope that as a result of the increased number of applications and members to both Lists, the Registry will continue to streamline and improve existing procedures for processing applications of interested lawyers with the aim to reduce the overall time

necessary to verify if applicants possess all necessary requisites to be included on the List of Counsel.

- We are pleased to have worked with the Registry on this initiative, and particularly the Public Information and Documentation Section and the Counsel Support Section, and the IBA is keen to continue collaborating with the Court on the second phase of the campaign because of the importance we attach to a better geographical and gender representation on the Lists.
- The challenge before us now is to keep the interest alive in those like you who have joined the List, but also in those groups or bar associations who invested in this campaign.
- In 2011, the IBA plans to serve as a bridge between the Court and regional lawyers associations supporting for example events at the occasion of their annual seminars and meetings. Furthermore we are launching this evening a video on defence rights at the ICC, which we hope to use as an outreach tool to boost interest of the legal profession around the globe. Of course the IBA will also continue to monitor and report on developments at the ICC, as well as to promote debate on international justice and the ICC at IBA events throughout the year and at its annual conference (which this year will take place in Dubai between 30 October to 4 November 2011).
- This is however a modest contribution which takes us to the second part of my intervention: how to engage the legal profession. This is the real work that needs to be done.

- Lawyers from all countries are an invaluable resource for the ICC as they provide the necessary pool of expertise for the ICC to function. Furthermore when lawyers come together can make their voices heard very far.
- In relation to this second point I believe that the ICC Public Information Strategy provides us with a great opportunity to use that voice of lawyers, to spread the news about international justice. Lawyers can indeed act collectively through their bar associations to support and advocate for the ICC. Bar associations can also play a critical role in assisting governments in adopting ICC implementing legislation or to lobby governments to ratify the Rome Statute. They can also speak out in support of the ICC and demand domestic implementation of Court's orders. The public information strategy of the ICC invites lawyers to get closer and work together.
- I believe all of you first heard about the ICC because of a genuine personal interest in international criminal law and that is to say because you share the ideals and goals of international justice. Now many among you here today are considered back home to be experts or 'the' experts on international justice issues. Those of you who I know, invested a lot of time on ICC matters. I'm sure you all informally share with colleagues your perspective on the ICC. But are you interested in taking it a step further? Are you interested in working with your law firm, your chamber, your bar association to promote international justice? To be an "ambassador" for the ICC?
- We heard from the honourable Judge Monageng earlier what it takes to be a good will ambassador for the ICC: sometimes it means giving up your holidays.

- In the discussion that will follow we hope to discuss some options before us to pursue this engagement. The suggestions I would like to put on the table are mostly questions:
 1. Is the ICC List of Counsel a viable forum to promote engagement of the legal profession worldwide? How can this be achieved?
 2. Would greater professional development opportunities offered to the members of the List result in a greater engagement?
 3. Do we know of best practices back home which can be shared and applied perhaps elsewhere?
 4. Would you like an initiative such as the Female Lawyers Campaign to be launched in your country?
 5. What are the obstacles before professionals or lawyers who would like to work on ICC issues?
 6. How can counsel on the List be kept abreast of developments and also remain interested in the work of the Court?

I hope that the discussion which will follow will help us to answer some of these questions.

Thank you.