



British Institute of
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Conference on the Role of Legal Advisers in International Law

On 26 February, the British Institute of International and Comparative Law (BIICL), in cooperation with the Foreign & Commonwealth Office, held a conference on the role, position, and influence of Legal Advisers in the domain of international law. The conference was part of a broader BIICL project, in collaboration with *BRILL Publishers*, examining British influences in international law from 1915 to the present day.

The conference brought together more than 25 current and former Legal Advisers, from a diverse range of legal, political and administrative systems. The panels included Legal Advisers from various countries including the United Kingdom, France, Ireland, Canada, the United States, Singapore, Sweden, Australia, from international organisations including the World Trade Organization, the European Commission and the United Nations and from the international non-governmental organisations, such as Amnesty International.

Participants discussed issues critical to the role of a Legal Adviser, including: the functions of Legal Advisers; their position in political and diplomatic decision-making processes; the ethics of providing advice; the relationship between legal advice and legal advocacy; the influence of various legal traditions on Legal Advisers' work; the contributions of Legal Advisers to the development of the international legal system through public outreach and scholarship; and contacts among Legal Advisers. The conference also included a roundtable on the position of Legal Advisers between law and politics.

Key points from the discussions include:

- the need for government lawyers to uphold principles in the face of political pressure, maintaining a non-political role within a very political environment;
- the role the Legal Adviser plays in ensuring adherence to international obligations including when pursuing policy objectives;
- the benefits of maintaining proximity between the Legal Adviser and the political decision-maker, while maintaining professional independence and integrity;
- the need to give timely and contextualised advice;
- the need for legal advice to be confidential in certain phases, with a quality to meet public and professional scrutiny in posterior phases;

- the utility of informal contacts and cross-jurisdictional partnerships and
- the need for public outreach and transparency in presenting legal advice and the process that led to it to the public.

The conference was unique in that Legal Advisers do not often have opportunities to engage with these discussions. It offered a space for mutual learning and exchange of ideas as well as the development of further contacts between Legal Advisers from very diverse backgrounds.

A detailed report of the conference proceedings will be published shortly by BIICL and the Foreign & Commonwealth Office, and an edited volume, incorporating points and issues raised during the conference, will be published by BRILL in early 2016.

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FOR MORE INFORMATION PLEASE CONTACT:

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NOTES TO EDITOR:

1. **The British Institute of International and Comparative Law (BIICL)** provides informed, independent and practical legal ideas for a global community. Its high quality and respected work involves analysis and debate about contemporary issues on every continent, from its base in the heart of London's energetic and multicultural legal network. BIICL receives no substantial on-going core funding from any government or private body and welcomes both members and non-members. BIICL undertakes 5 key activities:
 - Applied legal research;
 - Informed and diverse events and discussions;
 - Effective and capacity-building training;
 - World leading publications;
 - Fostering a diverse community of scholars and practitioners through its membership offer.

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