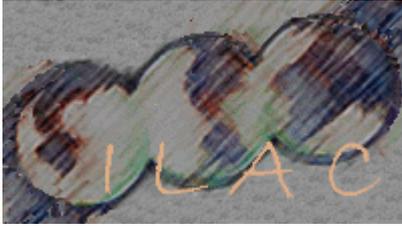


INTERNATIONAL LEGAL ASSISTANCE  
CONSORTIUM



**Rebuilding Justice in Countries Shattered by War**

Executive Director:  
Christian Åhlund

Executive Assistant:  
Agneta Johansson

**ILAC Annual Report 2003**

**Missions**

**The Balkans**

At the assignment of the Swedish government, ILAC has during the period November 2002 – February 2003 carried out assessments of the status of the judicial systems in Albania, Bosnia, Croatia, Kosovo, Macedonia, Montenegro and Serbia. These assessments have been carried out by a team consisting of lawyers from Estonia, Norway, Sweden and USA. The final report was submitted to the Swedish government in early May. The purpose of this assignment is to provide the Swedish government with a basis for decision-making on long-term legal reform assistance to the Balkans

**Angola**

During the period 11-19 April, ILAC took part in a joint mission to Angola together with the International Bar Association (IBA). One purpose of the ILAC participation was to explore the interest and need in Angola for a subsequent fully fledged ILAC assessment mission. The IBA/ILAC mission met with i.a. representatives of the Supreme Court, the Minister of Justice, the Ministry of Interior, the Attorney General, the Bar Association and

representatives of civil society. We also met with UNMA, (UN Mission in Angola), which was preparing to leave the country by 1 May. The IBA/ILAC mission was the first such mission to visit Angola after the end of the civil war.

As a follow-up to the combined IBA/ILAC mission to Angola in April 2003, the Angolan Minister of Justice, Mr Paulo Tjipilica, has in a letter to ILAC 13 November 2003 expressed his wish to establish a “continued cooperation” with ILAC and suggested that a fully-fledged ILAC assessment mission to Angola would be “a proper next step in our cooperation”. Mr Tjipilica has proposed that such a mission should visit Angola at the end of January 2004. In correspondence with Mr Tjipilica, I have welcomed a continued cooperation between the Angolan government and ILAC, but informed that an ILAC mission could not take place before March 2004.

### Afghanistan

In mid-March, you received a report from ILAC’s visit to Afghanistan, which took place 11 – 19 February at the invitation of the Special Representative of the European Union. The report identified two projects, suitable for ILAC members. The first project concerned the establishment of a bar association and the second was about a program for legal aid. The International Bar Association decided to undertake the implementation of the bar association project. The Swedish Ministry for Foreign Affairs decided in August 2003 to fund this project with a grant of USD 275 000.

Since October 2003, IBA has a representative on the ground in Kabul, who is working full time on the project, in close cooperation with the Judicial Reform Commission. ILAC and the IBA representative in Kabul have also established cooperation with the International Legal Foundation (based in New York), which runs a program for training Afghan criminal defense counsel. The IBA project is now officially recognized by the Afghan Transitional Authority and part of its National Development Budget.

### Iraq

At the invitation of the UN and the Coalition Provisional Authority, and funded by the British government, an ILAC mission visited Iraq 12 – 20 August 2003. The mission report is available on the ILAC website.

The team's project proposals were made part of the of the proposal for judicial reconstruction, put forward by the Iraqi Governing Council and the Coalition Provisional Authority at the international donors conference for Iraq in Madrid 23 -24 October.

Paul Hoddinott led a second ILAC mission to Baghdad in mid-November to work out the implementation details of the earlier identified projects with the Iraqi counterparts and the Coalition Provisional Authority.

The American Bar Association, the International Association of Prosecutors, the International Bar Association and the Bar Council of England and Wales have agreed to take responsibility for the implementation of the projects: ABA will run courses for Iraqi judges in the concept of an independent judiciary. IBA, in cooperation with IAP, will train judges, prosecutors and lawyers in international human rights law. The Bar Council will assist the Iraqi Bar Association in its process of transforming itself into a modern, professional and independent bar association.

Based on its successful experience in the Balkans, IBA will also run a training program for Iraqi jurists in international humanitarian law, in order to prepare them for upcoming war crime trials. After the capture of Saddam Hussein, this program has received particular attention.

Paul Hoddinott has kindly agreed to function as project manager for the Iraqi projects. ILAC is also grateful to IBA for agreeing to undertake the financial management and accounting aspects of these projects, in order to conform to the requirements of DFID.

The British and the Swedish governments have made generous contributions towards the ILAC Iraq programme, £ 2.3 million and SEK 4.5 million, respectively. (The British grant was made in January 2004 and therefore does not show up in the 2003 accounts.)

### Liberia

At the invitation of the UNMIL Special Representative Mr. Jacques Klein, a delegation from ILAC visited Liberia 17 November – 1 December in order to make an assessment of the judicial system and, in particular, to work out a proposal for the early establishment of a criminal court in Monrovia, which will handle “ordinary” crimes.

ILAC is grateful to the Swedish Ministry for Foreign Affairs for having provided funding for the Liberia mission. The preliminary findings and recommendations of the mission have been well received by UNMIL and the Swedish MFA. The mission report was distributed in January 2004, and played an important role in the Liberia donors’ conference in New York 5-6 February.

### Sri Lanka

After progress in the peace talks and encouraging contacts with the Norwegian mediators in the beginning of 2003, ILAC appointed an assessment team, which visited Sri Lanka for two weeks in March. The team consists of one Australian judge, one attorney from Australia and one attorney from New Zealand. The report was distributed in early August. ALRI has now proceeded to put a person on the ground in Colombo, who is working primarily on two projects, identified in the Sri Lanka report: one dealing with the training of police and the other with alternative dispute resolution in commercial litigation.

### **Core Funding**

We are very grateful to the Swedish government through its Ministry of Foreign Affairs in April granted ILAC SEK 2 000 000 (\$ 250 000) as core support for 2003.

We also want to thank the Irish government for its generous grant of € 40 000 for the same period.

### **Other Activities**

#### Contacts with the European Union

EU has established a committee (CivCom) which is tasked with developing policies and methods to deal with civilian aspects of crisis management. In order to explore possible areas of cooperation in this field, CivCom invited ILAC to its meeting in Brussels 5 February. At a subsequent course for EU legal experts in Kramfors, Sweden, in early April, ILAC was invited to lecture and stage an implementation exercise.

The Irish Presidency has recently revived these contacts and invited ILAC to further meetings with CivCom in Brussels to explore how ILAC might liaise with CivCom in establishing and planning EU rule of law missions.

#### Training of UN Police Officers

At the request of the Swedish National Police Board, ILAC gave a lecture 31 March at a training course for UN Police Officers. The purpose of the course is to prepare the participants, which come from around the world, for duty in various UN peace supporting police forces. ILAC's lecture covered humanitarian law, human rights and international police standards, as well as the importance of the rule of law and the rebuilding of justice systems in post-conflict situations.

#### UNDP Seminar

On 10-11 April, UNDP organised a seminar in Oslo on "Judicial and Security Sector Reform" in which ILAC participated together with a wide spectrum of UN agencies, IGOs, donors and NGOs involved in this field.

#### Meeting at UNHCHR regarding Congo

Prompted by the developments in the Democratic Republic of Congo, the late UN High Commissioner for Human Rights, Mr Sergio Vieira de Mello invited a small group to a brain-storming session in Geneva on 6 May on the possibilities of organising a judicial assessment mission to Congo. The participants in the session included representatives from the UNDP, the UN Department of Peace Keeping Operations and the UN Crime Prevention Center as well as MONUC (UN Mission to Congo). In addition to ILAC, the participating NGOs were the Humanitarian Dialogue Center, the International Council on Human Rights Policy and the International Center

for Transitional Justice. The session did not result in any concrete conclusions but it was agreed that the issue of an judicial assessment mission should be brought up with the Congolese government.

### World Economic Forum

ILAC was invited as a special guest to the 2004 Annual Meeting of the World Economic Forum in Davos, Switzerland, 20-25 January. The reason for ILAC's invitation was an interest of the organizers in sharing ILAC's experiences in the area of "nation-building", particularly with regard to Afghanistan and Iraq.

### Stockholm International Forum

Together with representatives from some sixty governments and a number of international organisations, ILAC was invited by Swedish Prime Minister Göran Persson to participate in the *Stockholm International Forum: Preventing Genocide; Threats and Responsibilities* that was held on 26-28 January 2004. The theme of the conference was how to prevent genocide, mass killings and ethnic cleansing

### Viking 03

At the invitation of the Swedish Armed Forces, the ILAC Chairman Paul Hoddinott and Executive Assistant Agneta Johansson participated in the multinational "war game" Viking 03 as military/legal advisors. The exercise took place in Enköping, Sweden, 2-12 December 2003 and involved the armed forces of more than twenty nations.

### **Membership**

At the end of 2003, the following organisations were members of ILAC:

American Bar Association  
Arab Lawyers Union  
Association Internationale des Jeunes Avocats  
Australian Legal Resources International  
Bar Association of India

Bar Council of England and Wales  
Canadian Bar Association  
Commonwealth Lawyers Association  
Council of Bars and Law Societies of the European Union  
Hong Kong Bar Association  
Inter-American Bar Association  
International Association of Prosecutors  
International Bar Association  
International Commission of Jurists  
International Foundation for the Independence of Lawyers and Judges  
International Human Rights Law Institute  
Law Society of Botswana  
Law Society of Scotland  
Law Society of South Africa  
Macedonian Business Lawyers Association  
National Association of Women Judges  
Nepal Lawyers Association  
Norwegian Bar Association  
Organisation of Commonwealth Caribbean Bar Associations  
Pan African Lawyers Union  
Public International Law and Policy Group  
Raoul Wallenberg Institute  
Swedish Bar Association  
Union Internationale des Avocats

Observer status:

Japan Federation of Bar Associations

The following individuals are members of ILAC:

Lord Abernethy  
Ljubica Acevska  
Giuseppe Bisconti  
Roger Chongwe  
Param Cumaraswamy  
Farouk Abu Eissa  
Mark Ellis  
Richard Goldstone

Paul Hoddinott  
Natasa Kandic  
Dianna Kempe  
Kadhim Lami  
Justice Pius Nkonzo Langa  
Suzannah Linton  
Finn Lynghjem  
Peter Maynard  
Bill Meyer  
Zoran Pajic  
Elisabeth Fura – Sandstrom  
Nicholas Stewart  
Shelby Quast

Stockholm, February 2004

Christian Åhlund