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Five Years of Rebuilding Justice Systems

International Legal Assistance Consortium Annual Report 2006

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Annual Report 2006



International Legal  
Assistance Consortium

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Rebuilding  
Justice  
Systems**

“ The resources of ILAC do not lie in a big office with a large staff and an expensive administration, but in the constant enthusiastic support from our members and in the power of being the world’s largest consortium of legal organizations ”



# Dear Members and Friends of ILAC

Christian Åhlund  
ILAC Executive Director

**The year 2007 represents an important milestone for ILAC. It is now five years since we set up our office in Stockholm and began our activities. During these five years we have accumulated a huge debt of gratitude to our members and to our donors. The resources of ILAC do not lie in a big office with a large staff and an expensive administration, but in the constant enthusiastic support from our members and in the power of being the world's largest consortium of legal organizations.**

Over these five years, every time we have sent out a "call for candidates" for an upcoming assessment mission, we have been met with an overwhelmingly positive response from our member organizations around the world. If there used to be a time, when the legal profession was seen as primarily driven by materialistic self-interest, the perspective from the ILAC secretariat indicates that we have now entered a new era. The concept of ILAC is based on the readiness of the legal profession around the world to provide their services "pro bono", free of charge, for the benefit of countries that are struggling to get back on their feet. The fact that thirty-seven organizations of judges, lawyers, prosecutors and academics around the world, representing more than three million individuals, have come together to support this concept, speaks for itself. And the experience over the past five years clearly shows that, in the name of international solidarity, the established international legal profession today is eager to share its expertise and experience, without any other compensation than the satisfaction of the work itself.

Equally encouraging has been the response that this concept has met with donor governments and international organizations. The generous support by primarily the governments of Sweden and the UK have enabled ILAC and its member organizations to initiate legal reform activities in Algeria, Afghanistan, Haiti, Iraq, Liberia, Morocco and Palestine. These activities are being implemented in close and fruitful cooperation with various branches of the UN, primarily its Department for Peace-Keeping Operations, its gender agency UNIFEM and with the UN Office of Drugs and Crimes in Vienna. In Liberia, ILAC is also embarking on a promising cooperation with the World Bank.

As is the practice with Annual Reports, you will find in the following pages accounts of ILAC's economy and of our activities during the last year. But since we have now been in operation for five years, we thought that we should also try to present ILAC's history, and - as an example of how the consortium operates, our Iraqi project - from a journalist's point of view. We hope you will enjoy the reading, and become as impressed as we in the Secretariat are, by this very concrete example of international cooperation against a particularly troublesome background.

Since the 2007 Annual General Meeting also serves as ILAC's five year anniversary, we are pleased to be able to organize this event in Stockholm. We are also particularly pleased that all indications are that the 2007 AGM will bring together a record attendance of members, friends and donors. We are hoping that the 2007 AGM and its surrounding activities will in a modest way demonstrate our appreciation to our members and donors of the constant encouragement and support over the last five years.

Birth of an Ideal | By Diana Bentley

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# Birth of an Ideal

# Birth of an Ideal

By Diana Bentley

ILAC was born out of a recognition that the re-establishment of the rule of law in war-torn countries by legal assistance organizations needed better management to be more effective. Experience in countries in Central and Eastern Europe emerging from totalitarian rule in the last two decades demonstrated clearly how legal reform was central to promoting social growth and development. In that time too many war - torn countries had suffered a significant breakdown of the rule of law. But despite a plethora of international aid for such countries, there was still little support for rehabilitating their judicial systems and, when available, its delivery was haphazard.

In the late 1990s several lawyers, foremost among them Mark S. Ellis, today Executive Director of the International Bar Association (IBA), and Bill Meyer of the American Bar Association, began to discuss the possibility of better marshalling legal

development assistance to countries in need. 'The idea lay in experiences we'd had in post- conflict situations in Bosnia, Kosovo and Rwanda', explains Ellis. 'The focus on rebuilding legal systems was often an afterthought and we felt strongly that the international and domestic legal communities should concentrate on the legal system at the very start of the reconstruction process. Duplication was also a problem. 'When an organization eventually focused on legal restructuring its report would be left to languish. Then a new group would become involved, funded by a new government or foundation, who would cover the same ground.'

The efforts of legal aid entities would be more effective if they were coordinated by one organization, he believed. 'We thought that a form of umbrella organization could help put legal restructuring at the forefront of structuring plans and, at least in the initial stage, secure collaboration on providing blueprints for reform and the

way help was provided. 'The focus on the organization, he felt, should be on countries in post- conflict situations. Usually suffering from the breakdown of the rule of law, they commonly lacked an educated, independent judiciary, lawyers who could serve as drafters of legislation and legal administrators and legal education to create new generations of scholars and practitioners. While the need for legal rehabilitation in post communist countries had become well understood, says Ellis: 'The period following a conflict in a country is so chaotic that there is often no focus on legal restructuring.'

With his urging, the US based Stanley Foundation sponsored several preliminary workshops and conferences held in the US from 1997 to 2000 in which international jurists explored the idea. The Swedish and Irish governments and the IBA too provided crucial preliminary funding. Among the early supporters of the idea was ILAC Executive Director, Christian Ahlund. 'I thought that the idea was brilliant but I believed that the body must be completely international in character to be viable, he recalls. Initially, the champions of the idea were unsure of how legal assistance organizations would react to the proposal. But support was forthcoming and ILAC Chairman Paul Hoddinott pays tribute to the international legal fraternity for their foresight: 'Organizations providing legal assistance guard their independence and it does the legal profession great credit that they were able to collaborate'. Enthusiasm for the idea was such that

in Saltsjobaden, Sweden in December 2000, in a conference supported by the Swedish government and attended by 40 organizations from around the world, ILAC was born. Almost a year later, in November, 2001 it became a non - governmental organization (NGO) under Swedish law.

ILAC then needed a home. Ideas to base it in London became mired in tax issues but Sweden's fiscal regime proved favourable for an NGO and the Swedish government was enthusiastic about the organization and offered crucial funding. Sweden's history of neutrality and its international reputation for humanitarian work also made it an ideal home for ILAC. On the 1st September, 2002 ILAC opened its doors in Stockholm under the stewardship of Christian Ahlund. A former senior partner of a Swedish law firm, Ahlund's experience included many international

assignments in the field of human rights - particularly in Bosnia - Hercegovina where he served as a Director General for Human Rights for the Organization of Security and Cooperation in Europe (OSCE). Founding Chairman Paul Hoddinott, had followed a distinguished career in the Royal Navy with a 6 year term as the Executive Director of the IBA and appointments with NATO and the UN and the British Embassy in Washington. With 3 staff in Stockholm, ILAC also now has officers stationed in Brussels, Washington, Zambia and Liberia and 37 members representing more than 3 million lawyers worldwide. ILAC's methodology soon was proven. Assessments of the need for legal reform in a country are conducted by ILAC on request. Typically these come from the UN and Christian Ahlund has worked hard to form partnerships

with the organization. 'To be viable we must have 'buy-in' from the government or interim authority or UN peacekeeping operations in a country. We've made a point of getting to know the dedicated people in the UN and we must nurture our contacts there', he says. Assessment teams are selected by ILAC's Council based on the skills and languages required for a project and to be able to consult with politicians, leaders of the judiciary and the wider legal community on appraisal missions. Often countries understand what legal assistance they require but ILAC assessment teams also reach their own conclusions of what aid is needed.





The mission in Iraq By Diana Bentley

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# The Mission In Iraq



# The Mission in Iraq

By Diana Bentley

Many societies and their legal systems take time to recover from the effects of severe political oppression and the shattering experiences of war. The Republic of Iraq was suffering from both when the ILAC was asked to send an assessment mission to the country and this began one of its most challenging but rewarding projects. The US - led coalition invasion of Iraq in March 2003 succeeded in ending 35 years of the rule of the Arab Socialist Renaissance Party (the Ba'ath Party) in Iraq, the last 24 of which had been under the dictatorial rule of Saddam Hussein. But the regime had left a society in great need in its wake.

With a estimated population of 26 million Iraq has a legal fraternity of some 25,000 practicing lawyers. The country's legal heritage is long standing and impressive. 'Iraq is proud to be one of the first countries to develop a legal system which dates back to the time of the Babylonian kings and beyond', says the Chief Justice of Iraq,

Madhat Al - Mahmood. Its legislative and judicial development passed through dark periods and enlightened times including a period of being part of the Ottoman Empire and British occupation after World War 1 under a League of Nations mandate. But it passed into a new phase when, in 1932, Iraq gained its independence. 'When the national government began to rule the country, the Iraqi judiciary began to recover and take its rightful and outstanding place in society', says the Chief Justice. Despite having a sound foundation of modern law, including its Civil Law Code of 1951, however, Iraq faced considerable challenges to re- establishing a properly functioning legal system at the end of the rule of Saddam Hussein. 'One of the most difficult issues that faced the legal and judicial community was the struggle against the subordination of the judicial authority to the executive branch of government', the Chief Justice remarks. 'Simultaneously, there is a burdensome

legacy of individual pieces of legislation which served the former ruling power'. In August, 2003, at the invitation of the UN and the Coalition Provisional Authority of Iraq, (CPA) and with funding provided by the British government, the country was visited by the ILAC's assessment team - Executive Director Christian Ahlund, Norwegian judge Finn Lynghjem, Los Angeles based Judge Judith C. Chirlin and Dr. Kadhim Lami, an internationally known Iraqi jurist and a member of the IBA's Human Rights Institute Council - who met with the Chief Justice and many members of other ranks of the Iraqi legal community. The team's mission was not without drama nor danger. Shortly after its visit to the UN's Iraqi headquarters, the building suffered an insurgent attack, resulting in the deaths of the UN Special Representative Mr. Sergio de Mello and 21 other staff members. 'This was a terrible incident that shook us all badly', says Christian Ahlund. 'We had dealt with Sergio de Mello in East Timor and he was a real supporter of ours'. Leaving Iraq, the team endured a 10 hour car journey to reach the safety of the Jordanian capital of Amman.

The assessment team's report led to a three year support programme for Iraq's legal community. Training was undertaken from Prague to Bordeaux, London and, most importantly Dubai, where many courses in humanitarian and human rights law were held. 'If it were not for the administration in Dubai, this may not have happened - it was enormously open and supportive', says the IBA's Mark Ellis, paying tribute to Dubai's contribution to the ILAC's

Iraqi project and its hosting of many international trainers and some 750 Iraqi lawyers. Judges joining training programmes were selected by the Iraqi Chief Justice and other lawyers and officials with the help of the Iraq Bar Council. The participants, some of whom had been victims of Saddam Hussein's regime, were drawn from all parts of the country, all sections of the judicial hierarchy and from major religious and ethnic groups including the Shi'a, Sunni and Kurd communities. Five main areas of support and training delivered a wide range of legal education for the judiciary and practicing lawyers and officials, helping them discover new developments in international law and new methods of judicial and professional management.

## International Human Rights Law

During the regime of Saddam Hussein there were significant human rights

abuses in Iraq and the area of human rights law critically needed attention: practitioners had been isolated from international developments in the field and the regime had left a legacy of unsavory legislation. 'There were exceptional laws or amendments to the penal code which were issued by the previous regime all of which require re-examination for the purpose of eliminating some provisions that are incompatible with human rights', says the Iraqi Chief Justice, Madhat Al - Mahmood.

One of the areas in which the Iraqis had requested support therefore was training for judges, prosecutors and lawyers in international human rights law. Drawing on the extensive experience of its Human Rights Institute (HRI), the IBA undertook the project, funded by the UK's Department for International Development (DFID). Founded in 1995 under the Honorary Presidency of Nelson Mandela, the HRI had

pioneered a training programme on human rights which has gained international renown. With the help of the IBA's Samir Jabal, IBA consultant, Nick Olley, a specialist legal educator and a former International Director of the College of Law in England, planned and oversaw the programme.

Over 2004 and 2005, nine, 5 day training courses were held in Dubai, attended by 490 lawyers drawn from all branches of the profession. Special courses were given too in 2004, 2005 and early 2006, for 11 Iraqi lawyers who would themselves return to Iraq to be trainers in international human rights.

Human rights experts from around the world served as trainers. 'Our training teams had a balance of prosecutors, defence lawyers, judges and academics to provide as varied a perspective on the subject as possible', says Nick Olley. Members of each course panel were drawn from different jurisdictions which helped promote a sense of trust with an initially skeptical

“ Iraqi lawyers face many difficulties and this training proved to be very helpful in terms of reintegrating Iraqi lawyers into the world after a long absence,’ says Wafaa Sabah, an Iraqi lawyer who attended human rights training ”

audience, he says’. ‘When your country has just been invaded there is a natural suspicion that this may simply be an exercise in force - feeding ‘Western’ values’, says Olley. ‘Emphasis on the universality of international human rights and the region’s contribution to its evolution was vital to the credibility of the programme. Having teams of practitioners from Egypt, Pakistan, Tunisia, the US and Britain, certainly helped’.

Training concentrated on the framework of international human rights law and practice, all aspects of criminal justice, women’s rights and the freedom of speech. Some concepts - such as the right to silence - were somewhat foreign to the Iraqi lawyers, Olley recalls. ‘The principle of a person being innocent until proven guilty has been an accepted tenet of Iraqi law for some time but the concept of a person’s right to remain silent was, as it is in a number of jurisdictions, a far more contentious issue. Many of our Iraqi colleagues were quick to advocate that,

for the protection of the public, the onus should be on the accused to explain himself. This raised the question of police training and how they view and carry out their role which led to some lively discussions’.

IBA trainers found that often it was not so much a deficit in the law that caused problems in engendering the rule of law, but the matter of application, Olley notes. ‘The Iraqis’ own legal system is well established but implementation has been problematical at times’, he says. ‘Iraqi judges and lawyers have, over the years, witnessed countless instances of the arbitrary exercise of power. They provided many examples, past and present, of the difficulties in giving effect to existing legislation. Even some of the most basic rights, such as the right for an accused person to have access to a lawyer, suffered from a wide divergence between theory and practice’.

With the help of the UK’s Foreign and Commonwealth Office, the Iraqi trainers also visited the UK on a study

tour in March 2006. Olley recalls one memorable moment: ‘One group visited Belfast in Northern Ireland and had a tour of those areas which had witnessed the worst sectarian violence over the last few decades. The tours were run by ex - prisoners from both sides - the IRA and the Loyalists. One Iraqi lawyer was intrigued that the Loyalist tour guide had previously been arrested and imprisoned by the British authorities for attempting to kill an IRA opponent. If the Loyalist cause was for Northern Ireland to remain part of the UK why had the British authorities tried and convicted him, he asked? We gave him an explanation and perhaps the workings of the rule of law in my mind have never been better illustrated’.

The trainers still hear from the Iraqi trainers. Despite the great challenges they face back home in Iraq’, says Olley. ‘A number of them still work on to promote the cause of human rights’.

#### **Judicial Independence**

Whatever the human rights excesses and democratic deficiencies of the regime of Saddam, Iraq had a respected legal tradition and Iraqi lawyers were proud of their legal system -a combination of the French civil law and Islamic law. During the era of Saddam Hussein, however, the Iraqi judiciary was forced to operate under close political supervision. Judges suffered oppression and harassment by the authorities and were retired or imprisoned for exercising their judicial discretion in ways that offended the regime. This resulted in many judges leaving the judiciary - and indeed the

country - and allowed poorly qualified people to enter its ranks. Arbitrary and inconsistent decisions also caused hardship for the community and were difficult to follow and enforce.

In Iraq the ILAC assessment team quickly learned that training in the independence of the judiciary and how that would affect judge’s daily work would be welcomed and helpful. The Central European and Eurasian Law Institute (CEELI) based in Prague in the Czech Republic was particularly well suited to delivering training in the area. Dating back to 1990, it had been established by the American Bar Association (ABA) to help post - communist governments in Central and Eastern Europe and the former Soviet Union reform and develop their judicial systems through skills - based and practical training. In the course of

its work, CEELI had developed its ‘Judging in a Democratic Society’ course which it had taught to judges in over 20 countries.

Based on its impressive record, and with funding provided by the British Government’s DFID and the Czech government, CEELI was selected to provide training on the independence of the judiciary for over 200 Iraqi judges. CEELI’s ‘Judging in a Democratic Society’ was specially fashioned into a two week course for Iraqi judges and taught by 5 eminent jurists who devoted their time to the project - team leader Justice Robert F. Utter, a retired Chief Justice of the Supreme Court of the State of Washington, Munter al Fadhal, an exiled Iraqi lawyer and human rights specialist now living in Sweden, Justice Ernst Markel, an Austrian Supreme

Court justice, Dr. Markus Zimmer, a federal court administrator from Utah in the United States and Judge Judith C. Chirlin from the Los Angeles County Superior Court who had also been a member of the original Iraqi assessment team.

‘Many things have to exist in the political and judicial system for judicial independence to be a reality and we addressed many of them in the course,’ says Judge Chirlin. ‘You need a system to select judges on merit and a code of ethics that applies to them. There must be a disciplinary system for judges who breach ethical standards and a system that will ensure that judges are not chastised or removed because they have made a decision regulators dislike. You also need an educated population who understands the need for skilled, independent judges as

well as educated media who can see if courts are operating efficiently'. The course also emphasized the need for judges to remain abreast of new legal developments and have an efficient means of case management. 'All of these things are needed to secure public confidence in a judicial system,' Judge Chirlin confirms.

Groups of 40 to 50 judges undertook the programmes and in December 2004, the Chief Justice himself attended several days of a course. Many of the Iraqi judges had personal experience of the brutal excesses of the former regime. 'Our teaching style was predominantly interactive - although we used interpreters', says Judge Chirlin. 'Lectures, or what we called 'presentations', rarely lasted over 30 minutes and we followed these with discussions and exercises. Smaller groups were given hypothetical situations to debate - like the admissibility of evidence given by a suspect who had been mistreated in questioning - and we made visits to Czech courts where the Iraqi judges could observe the proceedings'.

Some judges were unfamiliar with several of the principles being taught, though often they were the younger group members, Judge Chirlin remarks: 'Many older judges were familiar with the operation of the judicial system before the regime of Saddam Hussein'. There was little discord between the different ethnic and religious sectors of the groups: 'I think that one explanation for this is that Iraqi judges tend to be more secular than overtly religious,' she says. The courage still needed by the Iraqi judiciary was also

sadly highlighted during the time as Judge Qaiss Hahim al - Shammari, Chief Administrator of the Iraq Counsel of Judges, who had attended one of the courses, was assassinated in Bagdad on 25 January, 2005.

#### **International Humanitarian Law**

International humanitarian law developed apace during the regime of Saddam Hussein although the Iraqi legal community had not been exposed to it. The IBA had delivered courses on humanitarian law in the Balkans and from 2004 to 2006, with funding from the Swedish government, it ran 5, one week courses for 250 Iraqi judges, prosecutors and lawyers. London based barrister and IBA consultant on international humanitarian law, Stuart Alford, oversaw the programme. 'We drew on our IBA 'pool' of experts in international humanitarian law for the courses but a common requirement for all our 19 trainers was that they must have had experience in the special tribunals in Yugoslavia, Rwanda, Sierra Leone and East Timor as judges, prosecutors or defence counsel', he explains.

The courses provided a basic introduction to international humanitarian law including the offences of genocide, crimes against humanity and war crimes. 'It allowed Iraqi lawyers to see and discuss how international humanitarian law had developed during the time of Saddam Hussein. This area of law has really only arisen since 1994 when the first tribunal was established to handle cases in Yugoslavia, and methods of dealing

with these crimes against humanity have evolved considerably since then', Alford comments.

Initially there was some resistance to the courses, he says. 'The Iraqis were proud of their legal system but were not so aware of international humanitarian law and what it had to offer. In early 2004, it was also not clear how the Iraqi Special Tribunal, established to try Saddam Hussein and others, would operate and crimes of the type committed during this regime would be extremely unusual for local courts'. The trial of Hussein, which began after the programmes started, affected the attitudes of the course participants and they changed as it progressed Alford says. 'The trial was a background against which participants became more personally involved with

international criminal law. Hussein could have been charged with murder or treason but the participants could see international criminal law provided a valuable basis for justice and is an appropriate way of dealing with crimes of the sort committed by his regime'.

The Iraqi lawyers also began to see that there was a body of practitioners working in a new and dynamic field and that the wider international legal community had been making great strides in developing the principles of fair trials, standards of best practice and categories of crimes and that a new forum - the International Criminal Court - had been established. Some later showed concern about the political interference in the trial of Saddam Hussein and discussions also touched on some prosecutions against coalition

servicemen. But, Alford comments: 'We've definitely seen them develop more openness to the principles of international humanitarian law and an appreciation of international standards'.

The IBA and its trainers were realistic about the possible application of the training, he says. 'We weren't expecting a local court in Basra to handle a charge of genocide. But the point of the training was to provide a general introduction to how international humanitarian law has developed'. Early on it was decided that because of the specialized nature of this field there would be no programmes for trainers. But the ILAC was confident that benefit of the courses would be widespread.

'The training ensures that there is an understanding at every level, in all communities, about what has been happening in the Special Tribunal as more trials unfold. This is very valuable and is rather like an outreach programme - the word will be spread', says Alford.

**A tour by the Iraqi Judicial Training Institute to observe the best judicial practice in France.**

In Bagdad the Judicial Training Institute (JTI) provides training for the Iraqi judiciary. In December 2005, the ABA sponsored a DFID funded visit by a group of 7 Iraqis - including the JTI's Director General, several other faculty members and some high - ranking judges - to the Ecole Nationale de la Magistrature (ENM) in France to experience, first hand, its approaches to judicial education. Founded in 1958 by the French Ministry of Justice, the ENM provides initial and continuous legal education for the French judiciary in its main base in Bordeaux and in its branch in Paris. 'Iraqi law is based partly on French law and the ENM has an international reputation so it was a very good place for the Iraqi lawyers to consider how the JTI could be reformed and developed', remarks Clara Mathieu, ABA CEELI Programme Manager, Middle East who, with Neffertiti Tosson, an ABA Iraq Judicial Advisor, accompanied the group to France.

In the ENM's Bordeaux and Parisian facilities the group learned about the organization's administrative management, admission rules and procedures, its range and methods of training and examining. Trainee French judges and prosecutors undergo 31 months of instruction and their classroom studies cover a wide range of subjects. But practical training too - which the JTI then lacked - is comprehensive and includes court room simulations and external internships. The ENM also conducts continuing education courses for



French judges and prosecutors and offers wide - ranging regional and national courses.

The ENM is particularly adept at multi - disciplinary training and in a lecture and workshop on bio - ethics and the law the Iraqi group saw how all aspects of a subject are considered. Scientists who work as expert witnesses in the field, professors of philosophy and a judge experienced in the area, all contributed to the class. 'This was a very good experience for the Iraqi group and they were very enthusiastic about it', says Clara Mathieu. The group was also able to discuss the educational and professional background of trainers and how they were prepared for their work. The ENM's operation and management - including financial management and use of human resources - was explained by the ENM's Secretary General.

In the daily debriefing sessions, the Iraqi group raised various subjects that concerned them like the status of judges, issues of corruption and ethics and the conflicts of interest judges confront in their work and the way French judges were assigned to courts, evaluated and promoted. 'We also visited the Bordeaux First Instance Tribunal and the Iraqis were impressed by the respect displayed for the judges they witnessed there', says Clara Mathieu. 'In France too, judge's salaries are commensurate with the salaries of other government officials which was not the case in Iraq they said'.

During their time at the ENM, the Iraqi lawyers decided that the JTI needed to modernize in several areas. Their syllabus, they thought, needed to be developed to keep abreast of new developments in fields like forensic medicine and commercial law,

" The Chief Justice pays special tribute to Dubai for hosting the training of hundreds of Iraqi lawyers "

intellectual property rights and direct foreign investment and they needed to introduce multi - disciplinary training. About 75% of ENM's students are women and there are high numbers of them in the French judiciary. 'This made a big impact on them,' says Clara Mathieu. 'They said that there were then few women judges in Iraq but that more women were entering the JTI for training. 'Court housing, computer hardware and software was all needed, along with computer and language training and the JTI library', the group said, needed expanding to include a better range of material and internet links to international libraries. Michai Selegan, Director of the Romanian Training Institute also addressed the group about his experience of establishing the Romanian Institute in 1992. 'The Iraqis felt they could really relate to that. But the whole experience

was a good one for them and for the French too', says Clara Mathieu.

**Assistance to the Iraqi Bar Council**

'As well as training in various fields, the Iraqi legal community wanted advice on upgrading its management of the profession. Meetings with the leadership of the Iraqi Bar Council in 2004 revealed that it needed help in organizing its records and communication with its members. With funding from DFID, the IBA and the Bar Council of England and Wales - both experts in running professional associations - helped the Council create a website and improve its database of members.

The Iraqi Bar Association's 25,000 members are spread around a vast country and the lack of a website hindered communication and carrying

out basic tasks. Members had to travel to Bagdad each year to renew their memberships. For the Council this was an administrative problem, for members, it was an inconvenience and, in time, also proved dangerous. Over the next year, from 2004 to 2005, the IBA helped the Iraqi Bar Council construct a website in Arabic and English. Two IT specialists from the Association visited London to work on its design and later, received training on how it could be updated and managed.

Meanwhile, while the Association had a database of members, it needed improvement and its upgrading was managed with the help of the Bar Council of England and Wales. Christian Wisskirchen, International Relations Manager of the Bar Council of England and Wales, says: 'Before we delivered the database the Iraqi Bar Council couldn't communicate

“ The Iraqi process was without doubt one of the most challenging we’ve undertaken and also one of the most fulfilling, says IBA’s Mark Ellis ”

effectively with its members - their database didn’t contain all the relevant information and didn’t function correctly. So the vital responsibilities of the Bar Council, like administering practice fee income and its social responsibility and pensions scheme, could not be performed adequately. Their PCs and printers were also out of date or not functional. ‘The upgraded database was installed in December 2005 along with several much - needed new computers and printers. At first it was imagined that more support could be given in helping develop professional standards and discipline and systems for professional training. But the regulatory reform proposals faced organizational obstacles within the Iraqi Bar Council and the aid for the database and website proved to be not only useful but less problematical to realize.

Iraq is now governed by the first constitutional government in nearly half a century. Sadly sectarian violence continues and the security situation in some places remains fraught. However, the ILAC officers believe that the rationale of the organization has been well borne out by the Iraqi experience. ILAC’s swift response to a call for legal assistance provided crucial, well - coordinated training which will help bolster the Iraqi legal community’s continuing efforts to develop.

‘Significant efforts have now been made to re-establish the independence of the judiciary, the separation of powers and to regain the prestige of the judiciary as an independent authority,’ reports Chief Justice, Madhat Al - Mahmood. ‘The Judicial Council is

working to enrich the Iraqi judiciary with new judges under established criteria, according to national and international standards. Work is also under way for the material and moral support of judges because of the difficult nature of judicial work in Iraq. There is also now an initiative to establish new legislation which aims to serve the Iraqi citizenry without exception and discrimination’, he says.

‘The Iraqi process was without doubt one of the most challenging we’ve undertaken and also one of the most fulfilling’, says the IBA’s Mark Ellis. ‘The problems faced in the Iraqi legal community were considerable and it was very uplifting experience for us.

‘The worth of the training programmes too did not lay solely in their educational content. ‘Iraqi lawyers face many difficulties and this training proved to be very helpful in terms of reintegrating Iraqi lawyers into the world after a long absence’, says Wafaa Sabah, an Iraqi lawyer who attended human rights training. The Chief Justice pays special tribute to Dubai for hosting the training of hundreds of Iraqi lawyers. ‘The fact that it is an Arab country made it easy for our lawyers to communicate with the people there and enabled them to see what progress Dubai had made in the legal field. This provided a very useful model from which they gained much benefit.’

All of the ILAC promoted programmes however were a boon. ‘They were very well organized and successful. They facilitated contact between the Iraqi judiciary and members of the international legal community and initiated discussion over new ideas that are in the interests of justice’, says the Chief Justice. For many Iraqi lawyers, they provided the first chance to travel outside Iraq to other countries where the rule of law prevailed, to meet colleagues from other jurisdictions and see how their practices had developed, to see too that they were part of a wider legal fraternity which shared common goals. This too forms part of the ongoing work and the vision of the ILAC and its members.



Programmes Afghanistan, Iraq, Liberia, Haiti, Palestine (OPT), Morocco, Algeria, Sierra Leone, Gender Justice

# Programmes

# Afghanistan

The principal recommendation of the ILAC mission to Afghanistan in February 2003 was the establishment of an independent bar association. This project was taken up by the International Bar Association (IBA), and in August 2003, the Swedish Ministry for Foreign Affairs made a grant of SEK two million to ILAC and IBA with the purpose of establishing an independent bar and provide the expertise needed to assist in drafting relevant laws and regulations. Further funding was made available by the Swedish government in 2006.

In 2004, a first draft law to establish the bar was developed by the IBA legal specialist, translated into Dari, approved by the Judicial Reform Commission and transmitted to the Afghan Ministry of Justice. In November 2005, a conference for Afghan lawyers on the need for an independent bar association in Afghanistan was held in Kabul.

Based on the recommendations of this meeting, an IBA Position Paper was written, containing a suggested legislative model suitable for Afghanistan and supported by the consensus of the conference. This paper was transmitted to the Ministry of Justice and major stakeholders. As a result of the conference and the Position Paper, the Ministry of Justice sought continued IBA assistance to design a conceptual mapping for the profession as well as development of a government policy on the bar association. To this end, in 2006 the IBA legal specialist has been working closely with the Minister's Office and the Italian Justice Project Office to organise stakeholders' round tables on the bar association to further develop a draft Advocates Law. A first round table took place in April and a second in July. These meetings have led to a revised draft Advocates Law, which has then been finalized

by the legislative department of the Ministry of Justice, with the assistance of the IBA legal specialist and sent before the legislative assembly, the Wolesi Jirga,

The Ministry of Justice has decided that it will establish a Committee of Legal Experts to develop the bar association's by-laws and guide it to the first elections for its Executive Committee. The IBA has been asked by the Ministry to be the secretariat to this Committee and to advise on the implementation strategy.

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Magnum Photos

# Iraq

The ILAC initiated Iraq program continued in 2006, but on a smaller scale due to the three year funding from the British government coming to an end in the beginning of the year. Continued funding from the Swedish government enabled IBA to organise one further course in Dubai for Iraqi judges on international humanitarian law and three more are planned for 2007.

In addition, IBA and ILAC, together with the UN Office on Drugs and Crimes - which also provided the funding - organized a one-week workshop in December for Iraqi judges and government officials, on the topic of the international legal anti-terrorism framework. This workshop also took place in Dubai, and met with a very positive response from all involved. The Iraqi Chief Justice has requested a continuation of this cooperation. ILAC, IBA, UNODC and the Chief

Justice are now planning for follow-up work-shops, which will focus on the investigation of serious crimes such as kidnapping, drug trafficking, money-laundering and terrorism.

The deteriorating security situation within Iraq continues to make itself felt within the ILAC programme. The number of no-shows has increased, Iraqi participants are wary initially of other Iraqi participants who are not known to them (delegates come from all parts of Iraq), several judges have been murdered or their families have been targeted; the Chief Justice's son was assassinated in May. Against this background, a week at an ILAC course in the peace and law-abiding prosperity of Dubai is hugely appreciated by the Iraqi participants, as much for the chance to leave Iraq for a short while as for the knowledge that they absorb and the chance to mix with top quality international faculty.

For a journalist's account of the ILAC-initiated activities in Iraq since 2003, see Diana Bentley's article on pp 14-23.

IBA and ILAC, together with the UN Office on Drugs and Crimes - which also provided the funding - organized a one-week workshop in December for Iraqi judges and government officials, on the topic of the international legal anti-terrorism framework.

Magnum Photos

# Liberia

The inauguration in January 2006 of the new, democratically elected President Ellen Johnson Sirleaf has opened up new possibilities for the cooperation between ILAC and the Liberian government.

In order to identify domestic NGOs working in the field of access to justice, ILAC and consultants engaged by the Swedish Section of the International Commission of Jurists undertook a mission to Liberia in November 2006. Following this mission ILAC organized a delegation from Liberia, comprising representatives from national NGOs and the Liberian Bar Association, to South Africa in order to study the organization and training of paralegals (“bare-foot lawyers”) in that country.

The experiences from the South Africa visit has led to consultations in

Liberia, involving the Supreme Court, the Bar, ILAC and domestic NGOs on how best to promote access to justice through paralegals and the modalities for their training to ensure uniformity in the training and coordination in the funding.

Another project under way in Liberia is a twinning project between the Liberian Bar Association and the Norwegian Bar Association. Associated with this twinning project is the establishment of a legal aid clinic for the Bar which will be run in association with the Louis Arthur Grimes Law School. The intention is that the Norwegian Bar and ILAC will collaborate with the Liberian Bar, the Law School and ABA/Africa to integrate and harmonize the legal aid clinic projects.

ILAC is also assisting the ministries of Justice and Gender and Development, through its representative in Monrovia, with practical advice on the implementation of the ministries’ plans to curb gender-based violence and the development of a Gender Justice Plan of Action, as well as in the implementation of a strategy in Gender Mainstreaming.

During the period November 2006 – February 2007 ILAC assisted the Supreme Court, the Ministry of Justice, the Law School and the Bar Association in preparing priority packages, reflecting the needs identified within the interim Poverty Reduction Strategy Paper, which were presented at the donors conference in Washington in February 2007. ILAC also assisted with preparation of a paper on the judicial

sector’s immediate priorities for implementation of the national plan of action for the prevention and management of gender based violence in Liberia, also presented at the donors conference.

On 9 – 10 October 2006, the Partners for Gender Justice in Conflict-Affected Societies, chaired by South Africa and Sweden in cooperation with ILAC and the United Nations Fund for Women (UNIFEM), collaborated with the Liberian Ministry of Justice and Ministry of Gender and Development in hosting a High Level Meeting in Monrovia with the theme Gender Justice in Liberia: the Way Forward. The report from the meeting has been published as UN document: A/61/541 – S/2006/848.

The Norwegian Bar and ILAC will collaborate with the Liberian Bar, the Law School and ABA/Africa to integrate and harmonize the legal aid clinic projects.



# Haiti

ILAC was invited to Haiti in 2005 by MINUSTAH, the local UN administration. But not until the arrival of the new democratically elected government during mid 2006 has it been possible to establish a working relationship with the Ministry of Justice and Public Security, based on trust and confidence. One important factor to foster such a relationship has been the fact that ILAC in July 2006 provided a three-person legal team to the Ministry of Justice, in order to assist the ministry in preparing “wish lists” for the donor conferences in Port-au-Prince and Madrid. The team did a very good job and the Minister has officially expressed his strong appreciation to ILAC for its work.

One fundamental problem in Haiti is the lack of confidence between civil society and the legal establishment. In order to address this issue, ILAC, UNDP and key organisations within the Haitian civil society organized a two day hearing in Port-au-Prince 16-17 November, with financing from Swedish Sida. Close to a hundred representatives from civil society attended the hearing, in addition to the Prime Minister, the Minister of Justice and several other cabinet members as well as a number of top judicial officials.

In August 2006, ILAC sponsored the first meeting of the Federation of Haitian Bar Associations, in order to help the 15 local bar associations to consolidate into one national bar association.



ILAC will continue to assist in the consolidation of the Haitian legal profession, with IABA and OCCBA assuming increasingly important roles in this process.

In support of the Haitian Ministry of Gender and Women's Affairs, the Raoul Wallenberg Institute continued to develop its compilation of international best practises in four key gender related legal areas: customary unions, abortion, paternity determination and violence against women (with a focus on domestic violence and rape). A preliminary report of this work was presented by RWI at the Gender Justice High Level Meeting in Cape Town 21-23 March 2007. The final report will be presented at a workshop in Haiti 21-22 May 2007.

ILAC will continue to assist in the consolidation of the Haitian legal profession, with IABA and OCCBA assuming increasingly important roles in this process.

# The Occupied Palestinian Territories (OPT)

In December 2005, the Secretary General of the Swedish Bar Association Anne Ramberg, IBA's Programme Lawyer, Phillip Tahmindjis and ILAC Deputy Director, Agneta Johansson, visited the OPT and started the discussions with the Palestinian Bar Association about the needs of the legal profession and the bar in Palestine.

The team also met with the Chief Justice, the Institute of Law at Bir Zeit University, Palestinian Human Rights organisations like Al Haq and the Palestinian Centre for Human Rights – also an ILAC member organisation, and the Israeli HR-organisations B'tselem and Hamoked.

Discussions continued with the Bar during 2006 and a training course - "Human Rights in the Administration of Justice"- for Bar members in the West Bank was planned to take place in

Ramallah, and one course for lawyers from the Gaza Strip was planned to take place in Gaza City, during spring 2006. Both these courses had to be delayed because of continuing armed hostilities in the area. Later in 2006, with the Israeli bombing in Lebanon, the Palestinian Bar asked that the training be indefinitely postponed.

It was finally decided that it would be advisable to move the training out of Palestine altogether and hold the training for the West Bank Lawyers in Amman, Jordan, and the training for the Gazan lawyers in Egypt. As this involved a substantial change to the expenses permission was sought from the funder, the Swedish Minister of Foreign Affairs, to make this alteration. Permission was granted and the training in Amman took place in January 2007.

## The objectives of the training were:

- to provide an overview of the international and regional human rights rules and principles applicable to Palestine,
- to facilitate skills in research (particularly online research) into human rights,
- to encourage active consideration of the application of human rights in the decisions of the Courts of Palestine,
- to consider briefly the principles of International Humanitarian Law and their application,
- to consider the minimum international standards for legal practice, the core values of the legal profession and the role of the Bar Association in Palestine.

A total of 50 lawyers attended the course and the feedback from all the participants were that the training program met or exceeded their expectations.

Part of the grant from the Swedish MFA was to fund an update of the UN/IBA training manual. This was done during 2006 with a first draft done by the Law Faculty at Florida State University, and after comments from several international scholars, the final compilation was done by Phillip Tahmindjis, IBA. The final draft was then sent to the UN High Commissioner for Human Rights for approval. The updated Manual is being translated into Arabic, Spanish, Japanese and Portuguese.

It is now proposed to conduct a second training for Palestinian lawyers from Gaza and to arrange such a course in Egypt. Due to the increased costs of arranging the courses outside Palestine, additional funding is however necessary.

The training was based on the Arabic edition of the UN/IBA publication 'Human Rights in the Administration of Justice: A Manual on Human Rights for Judges, Prosecutors and Lawyers.'

# Morocco and Algeria

The Committee against Terrorism within the European Union (COTER) and the Swedish government have engaged ILAC to train the judiciary in Morocco and Algeria in the components of the international legal anti-terrorism framework and how to reconcile the requirement of a strong judicial reaction to acts of terrorism with the fundamental principles of due process and fair trial. Assessment visits in both countries were carried out in 2006. Union Internationale des Avocats took part and played an important role in these assessments.

Informal agreements have been reached with the governments of Morocco and Algeria on the main elements of a training program for each country.

The new ILAC member Human Rights Network International, based within the Faculty of Law at the Free University of Brussels, has undertaken the implementation of these programs, which are conducted in cooperation with the UN Office on Drugs and Crimes –Terrorism Prevention Branch. The first seminars in the program were carried out in Morocco in March 2007 and addressed some 30 judges. The next step will be a work-shop in Brussels in May 2007 which will bring together Moroccan and European judges together in order to discuss problems in connection with extradition requests.

The new ILAC member Human Rights Network International, based within the Faculty of Law at the Free University of Brussels, has undertaken the implementation of these programs, which are conducted in cooperation with the UN Office on Drugs and Crimes –Terrorism Prevention Branch.

Magnum Photos

# Sierra Leone

The newly formed UN Peace Building Commission decided in its first meeting in June 2006 that Sierra Leone and Burundi should be the first two countries to get support from the Peace-Building Fund. After a meeting with Sierra Leone's Ambassador to the UN in October, ILAC was invited by the government and a delegation visited Freetown 3-6 December 2006. Meetings were held with the ministers of foreign affairs and justice, the Chief Justice and the Attorney General as well as with

the Bar and with international organizations and donors. As a result of this visit, ILAC attended, at the invitation of the Government of Sierra Leone, the meeting of the Peace Building Commission in New York on 13 December 2006, where assistance to Sierra Leone was further discussed.

It is expected that ILAC will get an invitation from the government of Sierra Leone to undertake a formal assessment mission during the first part of 2007.

ILAC attended, at the invitation of the Government of Sierra Leone, the meeting of the Peace Building Commission in New York on 13 December 2006, where assistance to Sierra Leone was further discussed.

Pano Pictures

# Moving Gender Justice Forward

Gender justice is acknowledged by many as critical to sustainable peace-building and development of rule of law in conflict-affected countries.

Recognizing the importance of UN Security Council Resolution 1325 (2000) and gender equality, ILAC continues its commitment to support and facilitate the gender justice agenda in post-conflict countries. Building on the needs, challenges and best practices identified at the 2004 Conference on Gender Justice in Post Conflict Situations in New York, organized by United Nations Fund for Women (UNIFEM) and ILAC that were further prioritized at the 2005 High Level Meeting on Building Partnerships for Promoting Gender Justice in Post-conflict Societies in Stockholm, organized by the Swedish Ministry of Foreign Affairs, in cooperation with UNIFEM and ILAC, the Partners for Gender Justice was established.

Reports of the meetings are issued as UN documents S/2004/862 and A/60/444, S/2005/669 and are available on the ILAC website.

## Partners for Gender Justice

The Partners for Gender Justice Initiative was launched at the New York Conference; it was further agreed at the Stockholm Meeting that the partners for Gender Justice Initiative would initially be chaired by Sweden and South Africa, with support from UNIFEM and ILAC. The Partners for Gender Justice was created to form a more coordinated and integrated system of collaboration to assist national stakeholders in achieving gender justice in post-conflict settings.

While the Partners recognize the broad meaning of the concept “gender justice” and the importance of a broad overall approach to areas that fall

under the concept, particular attention is given to empowering women to participate in, and have access to, the justice sector.

One of the key goals of the Partners for Gender Justice is to contribute to the understanding of how the international community can best respect and support local ownership of any plan of action to promote gender justice reforms in post-conflict settings.

## Joining Gender and Justice: Liberia 2006

In 2006, the Partners for Gender Justice supported the Liberian Ministry of Justice and Ministry of Gender and Development in hosting a High Level Meeting in Monrovia: Gender Justice in Liberia: The Way Forward. This meeting brought together high ranking government officials from the region, donors, NGOs, civil society, and the

United Nations Mission in Liberia with the Liberian Ministers of Justice and Gender and Development. At this meeting the Minister of Justice and Minister of Gender and Development agreed to work together with renewed commitment to create a strategic plan of action to combat gender based violence in Liberia. A significant result of the conference was Ministers’ dedication to continued collaboration to ensure close cooperation between their Ministries and complimentary programs that support the strategic action plan. A National Plan of Action for the Prevention and Management of Gender Based Violence in Liberia has since been officially adopted by the Government in Liberia. As a result of the Meeting, ILAC has a dedicated representative in Liberia assisting the Ministries of Justice and Gender and Development with a program for implementing this Plan of Action

in the judicial sector. The Report of the Meeting is available on the ILAC website as UN document A/61/541; S/2006/548.

## Strengthening Regional Cooperation

One of the priorities identified at the Stockholm Meeting was the need for regional cooperation. There are important lessons to be learned from women in countries that have gone through, or are currently going through transition. Key stakeholders from different conflict countries and regions need to discuss strategies and exchange best practices as well as obstacles and failures encountered in areas that impact on achieving gender justice in transitional and peace processes. There is a need to facilitate such dialogue and exchange of information, and strengthen regional cooperation.



### Identifying Best Practices

Another of the priorities identified at the Stockholm Meeting was best practices. Taking notice of the “best practices” that had emerged in the various conflict-affected countries and were identified at the NY Conference, there was widespread support for a mechanism to enable shared learning and exchange of best practices in the gender area.

ILAC agreed to draw on the expertise of its worldwide membership. One ILAC member, the Raoul Wallenberg Institute, undertook in cooperation with Haiti’s Ministry of Women’s Affairs, to facilitate a compilation of “best practices” from around the

world relating to legislation and legal mechanisms to combat sexual discrimination and sexual violence. This comprehensive study is nearly complete and will be presented at a seminar in Haiti in May 2007; it is as a pilot project for the exchange of best practices on various other gender justice related issues for use in conflict-affected countries.

### Cape Town, South Africa 2007

On 21-23 March 2007 in Cape Town a High Level Meeting was organized by the Ministry of Justice and Constitutional Development in cooperation with the Partners for Gender Justice.

This meeting focused on the three critical priorities identified above: joining gender and justice, strengthening regional cooperation and identifying best practices. The conference brought together ministers of justice and ministers of gender from 12 conflict-affected African countries. The ministers and high-level government representatives shared experiences and identified gaps, challenges and opportunities to further promote Gender Justice within their judicial systems and the region. This dynamic meeting produced several concrete outcomes that take the gender justice agenda to the next level, including: the need for the United

Nations to have a thematic debate on gender justice; including men, at all levels, as part of the solution; identifying and exploiting regional tools within Africa; facilitating the exchange of expertise and functioning models within Africa; promoting law reform that conforms with international standards and advancing women’s understanding of not only of the laws but how to access their rights; and how to mainstream gender justice within the various legal systems. The participants also set a firm foundation for continuing cooperation on both regional and international levels, strengthening solidarity within and among countries in Africa.

One ILAC member, the Raoul Wallenberg Institute, undertook in cooperation with Haiti’s Ministry of Women’s Affairs, to facilitate a compilation of “best practices” from around the world relating to legislation and legal mechanisms to combat sexual discrimination and sexual violence.

# Donors Members Offices

## Donors

ILAC wishes to express its thanks for the project funding during the period 2002-2007 from the governments of the Czech Republic, Ireland, Norway, Switzerland and the United Kingdom as well as from the UN Office of Drugs and Crimes and the World Bank.

ILAC particularly wishes to thank the government of Sweden for its generous core and project funding during the same period.

## Member Organisations

**American Bar Association**  
www.abanet.org

**American Judicature Society**  
www.ajs.org

**Arab Lawyers Union**

**Association Internationale des Jeunes Avocats**  
www.aija.org

**Bar Association of India**

**Bar Council of England and Wales**  
www.barcouncil.org.uk

**Canadian Bar Association**  
www.cba.org

**Commonwealth Lawyers Association**  
www.commonwealthlawyers.com

**Council of Bars and Law Societies of the EU**  
www.ccbe.org

**Faculty of Advocates**  
www.advocates.org.uk

**Finnish Bar Association**  
www.asianajajat.fi

**Hong Kong Bar Association**  
www.hkba.org

**Human Rights Network International**  
www.hrni.org

**ILAC-USA**

**Inter-American Bar Association**  
www.iaba.org

**International Association of Prosecutors**  
www.iap.nl.com

**International Association of Women Judges**  
www.iawj.org

**International Bar Association**  
www.ibanet.org

**International Commission of Jurists**  
www.icj.org

**International Criminal Law Services**  
www.icls-foundation.org

**International Foundation for the Independence of Lawyers and Judges**

**International Human Rights Law Institute**  
www.law.depaul.edu

**Law Society of Botswana**

**Law Society of England and Wales**  
www.lawsociety.org.uk

**Law Society of Scotland**  
www.lawscot.org.uk

**Laws Society of South Africa**  
www.lssa.org.za

**Macedonian Business Lawyers Association**  
www.mbla.org.mk

**National Association of Women Judges**  
www.nawj.org

**Nepal Bar Association**  
www.nepalbar.org

**Norwegian Bar Association**  
www.jus.no

**Organization of Commonwealth Caribbean Bar Associations**

**Pan African Lawyers Union**

**Palestinian Centre for Human Rights**  
www.pchrgaza.org

**Public International Law and Policy Group**  
www.pilpg.org

**Raoul Wallenberg Institute**  
www.rwi.lu.se

**Swedish Bar Association**  
www.advokatsamfundet.se

**Union Internationale des Avocats**  
www.uianet.org

# Individual Members

**Lord Abernethy**  
Scotland

**George Acquah**  
Ghana

**Ljubica Acevska**  
Macedonia

**Giuseppe Bisconti**  
Italy

**Rodger Chongwe**  
Zambia

**Hans Corell**  
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**Param Cumaraswamy**  
Malaysia

**Farouk Abu Eissa**  
Sudan

**Mark Ellis**  
USA

**Elisabeth Fura-Sandström**  
Sweden

**Richard Goldstone**  
South Africa

**Paul Hoddinott**  
UK

**Natasa Kandic**  
Serbia

**Dianna Kempe**  
Bermudas

**Kadhim Lami**  
Iraq; UK

**Pius Nkonzo Langa**  
South Africa

**Suzannah Linton**  
Malaysia

**Finn Lynghjem**  
Norway

**Peter Maynard**  
Bahamas

**Bill Meyer**  
USA; Life Member

**Zoran Pajic**  
Serbia; UK

**Shelby Quast**  
USA

**Nicholas Stewart**  
UK

# ILAC Offices

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**Francisco Diaz**  
Program Manager

**Cherese Nirva Louis**  
Assistant



# Annual Accounts 2006

# Audit Report

## To the Annual General Meeting of International Legal Assistance Consortium (ILAC), Corporate Identity Number 802411-1869

I have audited the annual accounts, the accounting records and the administration of the ILAC Council for the year 1 January 2006 – 31 December 2006. These accounts and the administration of ILAC are the responsibility of the Council. My responsibility is to express an opinion on the annual accounts and the administration, based on my audit.

I have conducted my audit in accordance with generally accepted auditing standards in Sweden. Those standards require that I plan and perform the audit to obtain reasonable assurance that the annual accounts are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the accounts. An audit also includes assessing the accounting principles used and their application by the Council, as well as evaluating the overall presentation of information in the annual accounts. As a basis for my opinion concerning discharge from liability, I have examined significant decisions, actions taken and circumstances in ILAC in order to detect any contraventions of the ILAC By-Laws.

I believe that my audit provides a reasonable basis for my opinion set out below.

The annual accounts have been prepared in accordance with the Annual Accounts Act and thereby give a true and fair view of ILAC's financial position and results of operations in accordance with generally accepted accounting principles in Sweden. The management report is compatible with other parts of the annual report.

In my opinion, the members of the Council have not acted in contravention of the ILAC By-Laws. I recommend to the Annual General Meeting that the members of the Council be discharged from financial liability for the year 2006.

Stockholm May 2007

**Christer Fröjd**  
Authorized Public Auditor

FOR THE FISCAL YEAR  
1 JANUARY – 31 DECEMBER 2006  
ILAC (802411-1869)

# Annual Accounts 2006

International Legal Assistance Consortium

ILAC was formally registered as a non-profit association under Swedish law on 29 December 2001. ILAC began its operations, with office and staff, on 1 September 2002.

ILAC's work during 2006 has consisted of legal development assistance to post-conflict countries and related activities.

Regarding Iraq, the International Bar Association and the International Association of Prosecutors have continued to run courses for Iraqi judges in international criminal law and international human rights law. In addition, in cooperation with the UN Office on Drugs and Crimes – Terrorism Prevention Branch, IBA/ILAC have trained Iraqi judges and judicial officials in the international anti-terrorism legal framework. For security reasons, all these activities have been carried out in the United Arab Emirates. In Haiti and Liberia,

ILAC has mainly focused on assisting these newly elected governments to prepare plans for legal reform, to prepare for donors conferences and to open up a dialogue between the legal establishment and civil society. Support for building a modern bar association has also been a priority.

ILAC has also engaged itself in Sierra Leone, as a consequence of the decision by the newly established UN Peace Building Commission to prioritize that country and its need for legal reform. A delegation from ILAC visited Freetown in December 2006 for discussions with the government and the judiciary. Subsequently, ILAC was invited by Sierra Leone to be part of its delegation in the 13 December PBC meeting in New York.

In addition to these country-based activities, ILAC has also arranged and participated in international conferences and other contact building

activities within its field of expertise. For example, in October 2006, ILAC together with the governments of Sweden and South Africa, as well as with UNIFEM, arranged a high level meeting in Monrovia as a follow up to the conferences in New York in 2004 and Stockholm 2005, regarding gender justice in post-conflict countries.

Besides the ILAC Head Office in Stockholm, ILAC had at the end of 2006 branch offices also in Washington, London, Brussels and Lusaka. ILAC also had temporary representation in Haiti and Liberia.

At the end of 2006, the consortium consisted of 37 member organizations, representing more than 3 million individual members.

Council proposes that the economic surplus for 2006, SEK 20 181, is carried over into a new balance sheet. Regarding the financial status and result, please refer to the following accounts:

INCOME STATEMENT FOR	(Footnote 1)	2006-01-01 2006-12-31	2005-01-01 2005-12-31
<b>Income</b>			
Contributions		18 182 058	25 234 847
Membership fees		49 656	57 980
Other fees		-	-
<b>Total income</b>		<b>18 231 714</b>	<b>25 292 827</b>
<b>Costs</b>			
General external costs	(Footnote 2)	- 15 077 752	- 22 263 284
Staff costs	(Footnote 3)	- 3 141 339	- 3 049 827
<b>Total costs</b>		<b>- 18 219 091</b>	<b>- 25 313 111</b>
<b>Result</b>		<b>12 623</b>	<b>- 20 284</b>
<b>Financial income and costs</b>			
Interest income		62 687	55 633
Interest costs		- 55 129	- 11 644
<b>Year end result</b>		<b>20 181</b>	<b>23 705</b>

All figures in SEK

BALANCE SHEET FOR	(Footnote 1)	2006-12-31	2005-12-31
<b>ASSETS</b>			
<b>Short term assets</b>			
Client receivables		-	-
Tax receivables		38 285	2 407
Other receivables		88 585	4 786
Pre-paid expenses		201 924	102 850
<b>Total short term assets</b>		<b>328 794</b>	<b>110 043</b>
<b>Cash and bank balances</b>		<b>16 987 123</b>	<b>16 970 504</b>
<b>TOTAL ASSETS</b>		<b>17 315 917</b>	<b>17 080 547</b>
<b>EQUITY AND LIABILITIES FOR</b>			
<b>Equity</b>			
Capital brought forward		57 351	33 646
Year end result		20 181	23 705
<b>Total</b>		<b>77 532</b>	<b>57 351</b>
<b>Current liabilities</b>			
Account payable		51 999	106 898
Tax liabilities		-	-
Other liabilities		90 780	106 668
Accrued expenses and deferred income		17 095 606	16 809 630
<b>Total current liabilities</b>		<b>17 238 385</b>	<b>17 023 196</b>
<b>TOTAL EQUITY AND LIABILITIES</b>		<b>17 315 917</b>	<b>17 080 547</b>

## FOOTNOTES

## 1 Accounting principles

Applied accounting principles are in accordance with Swedish law and approved best practices

2 Other external costs	2006-12-31	2005-12-31
Balanced portion of contributions from Swedish MFA, DFID	485 691	7 937 078
External project costs	10 570 950	11 414 919
Travel and conference costs	2 812 355	1 733 784
Office equipment	53 364	132 512
Office rent and services	466 592	458 287
Administration, marketing and communications	688 800	586 704
<b>Total</b>	<b>15 077 752</b>	<b>22 263 284</b>

3 Staff costs	2006-12-31	2005-12-31
Number of staff, gender	<b>Women</b>	<b>Men</b>
	2,0	1,0
	2,0	1,0
<b>Total</b>	<b>3,0</b>	<b>3,0</b>
Salaries and related benefits:		
Council	1 333 244	1 257 656
Other employees	804 370	713 190
<b>Total</b>	<b>2 137 614</b>	<b>1 970 846</b>
Payroll taxes	652 938	607 424
Pension premiums to Council	124 836	128 256
Pension premiums to other employees	44 528	24 000
Pension premium tax	41 627	36 397
<b>Total</b>	<b>863 929</b>	<b>796 077</b>
<b>Total salaries and related benefits</b>	<b>3 001 543</b>	<b>2 766 923</b>

All figures in SEK

## Stockholm May 2007

Christian Åhlund	Sandy D'Alemberte	Rodger Chongwe
Shelby Quast	Paul Hoddinott	

## My auditing report has been issued May 2007

Christer Fröjd  
Authorized Public Auditor

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