Five Years of 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”
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.

Dear Members and Friends of ILAC

Christian Åhlund
ILAC Executive Director
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 the re-establishment of the rule of law in war-torn countries by 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 idea lay in experiences we’d had in post-conflict situations in Bosnia, Kosovo and Rwanda

“A priority for us is to give countries what they want but in every mission we also play an advisory role,” Christian Ahlund remarks. Many of these countries lack the experience to realize fully what they need.

ILAC members are chosen to implement projects recommended by assessment missions based on their experience. “It’s a process that does not interfere with or diminish member organizations,” Mark Ellis stresses. “Once selected, they deliver the aid. However, by collaborating at the beginning, members all understand the issues and this was a major step forward in organizing legal assistance.” Members have consistently focused on what they can do best when offering to undertake projects, Ellis confirms: “I recall no conflict among members over competition for projects. This is a real achievement of ILAC and important for its credibility.”

Funding however, became a crucial issue that ILAC had to address early in its operations. “When ILAC began, no one imagined that it would be a funder of programmes but only an initial assessment tool,” provides through its members, long term support, relates Mark Ellis. But the organization’s officers soon discovered that funding should be secured before aid was offered. “In our first project in East Timor we did a good job identifying projects needed but when we turned to the international donors, the searchlight had turned to Afghanistan, Christian Ahlund recalls.” “We had raised expectations in East Timor and we couldn’t fulfill our offers for help. It was a painful lesson.”

It was uncertain too if members would accept ILAC assuming a role they had normally undertaken themselves. But again, members appreciated what was needed and the fund raising process is now a necessary aspect of ILAC’s work”, says Christian Ahlund. “Legal organizations often don’t have the experience of contacts in the field. Fund raising is an art in itself,” he says. After East Timor, other projects soon followed — in Afghanistan, Liberia, Haiti, Palestine and Iraq — and ILAC has now secured its reputation internationally.

Chairman Paul Hodddinott remains clear about the continuing purpose of ILAC. “We are not legal missionaries,” he stresses. “We are happy to provide countries with the means by which they can put their own legal house in order. ILAC’s strength lies in our member organizations - they remain the conduit through which requests for aid are satisfied”. But all of ILAC’s officers are proud of its achievements. “It has succeeded far beyond our expectations”, says Mark Ellis. Its success, he says, demonstrates what can be done when groups with different agendas see the benefit of collaborating to more effectively serve those in need. Some of the organization’s success too can be attributed to a sea change in attitudes in the legal profession to pro bono work, Christian Ahlund believes: “We started at the right time. For many years lawyers have been accused of being concerned solely with their own interests. But in the last few years we have seen increasingly how lawyers, young and old, corporate and not - corporate, are ready to devote their services to helping others.”

More missions are on the horizon for the ILAC. It has recently been asked by Sierra Leone, which has been selected for assistance by the new UN Peacebuilding Commission, to consider how it can work in that country. Rwanda too needs help. The organization is also in the preliminary stages of considering work in Southern Sudan. “Africa is clearly a priority for us,” says Christian Ahlund. More organizations too may join its ranks. “It is a unique resource which succeeds on the considerable ability and enthusiasm of its members”, says Christian Ahlund.
The Mission
In Iraq

By Diana Bentley
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 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 Iraq Chief Justice and other lawyers and officials with the help of the Iraqi 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.”
needed by the Iraqi judiciary was also religious,' she says. The courage still tend to be more secular than overtly explanation for this is that Iraqi judges of the groups: `I think that one

There was little discord between the operation of the judicial system
`Many older judges were familiar with the administration given by

Czech courts where the Iraqi judges could observe the proceedings'.
Some judges were unfamiliar with the different aspects of religious sects 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

International humanitarian law developed space 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 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 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 ILAC was confident that the benefits 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.
France.

Institute to observe the best judicial education courses for interns. The ENM also conducts comprehensive and includes court management, admission rules and about the organization's administrative 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, 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 Selegean, 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 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
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, Lebanon, Haiti, Palestine (GFT), Morocco, Algeria, Sierra Leone; Gender Justice
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 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.

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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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 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.

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Haiti

ILAC was invited to Haiti in 2003 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 practices 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.
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.

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.

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.”
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.

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 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.

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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.
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.

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**Moving Gender Justice Forward**

Panos Pictures

ILAC
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.
ILAC Organisation  Donors, Member Organisations, Individual Members and ILAC Offices

Donors
Members
Offices
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.
Individual Members

Lord Abernethy
Scotland

George Acquah
Ghana

Ljubica Acevska
Macedonia

Giuseppe Bisconti
Italy

Rodger Chongwe
Zambia

Hans Corell
Sweden

Param Cumaraswamy
Malaysia

Farouk Abu Elisa
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 Nhanzo Langa
South Africa

Suzannah Linton
Malaysia

Finn Lynghjem
Norway

Peter Maynard
Bahamas

Bill Meyer
USA; Life Member

Zoran Pajić
Serbia; UK

Shelby Quast
USA

Nicholas Stewart
UK

ILAC HEAD OFFICE
Stockholm, Sweden

Christian Åhlund
Executive Director

Agneta Johansson
Deputy Director

Annika Lindgren
Administration

ILAC OFFICES

ILAC US
Washington D.C

Shelby R. Quast
Director General

ILAC LONDON
Paul Hoddinott
ILAC Chair

ILAC BRUSSELS
Mieille Nichols
Program Manager

ILAC AFRICA
Lusaka, Zambia

Rodger Chongwe
ILAC Africa Representative

ILAC LIBERIA
Lise Bergh
Liberia Resident Representative

Johnetta Harris
Assistant

ILAC HAITI
Francisco Díaz
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
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:
<table>
<thead>
<tr>
<th>INCOME STATEMENT FOR (Footnote 1)</th>
<th>2006-01-01</th>
<th>2005-01-01</th>
<th>2006-12-31</th>
<th>2005-12-31</th>
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<tbody>
<tr>
<td><strong>Income</strong></td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>Contributions</td>
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<td>25 234 847</td>
<td>2006-12-31</td>
<td>2005-12-31</td>
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<tr>
<td>Membership fees</td>
<td>49 656</td>
<td>57 980</td>
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<tr>
<td>Other fees</td>
<td>–</td>
<td>–</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total income</strong></td>
<td>18 231 714</td>
<td>25 292 827</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Costs</strong></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General external costs (Footnote 2)</td>
<td>- 15 077 752</td>
<td>- 22 265 284</td>
<td></td>
<td></td>
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<tr>
<td>Staff costs</td>
<td>- 3 141 339</td>
<td>- 3 040 827</td>
<td></td>
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<tr>
<td><strong>Total costs</strong></td>
<td>- 18 219 091</td>
<td>- 25 313 111</td>
<td></td>
<td></td>
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<tr>
<td><strong>Result</strong></td>
<td>12 623</td>
<td>- 20 284</td>
<td></td>
<td></td>
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<tr>
<td><strong>Financial income and costs</strong></td>
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<tr>
<td>Interest income</td>
<td>62 687</td>
<td>55 653</td>
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<tr>
<td>Interest costs</td>
<td>- 55 129</td>
<td>- 11 644</td>
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<td><strong>Year end result</strong></td>
<td>20 181</td>
<td>23 795</td>
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All figures in SEK
## FOOTNOTES

1 **Accounting principles**

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

2 **Other external costs**

<table>
<thead>
<tr>
<th></th>
<th>2006-12-31</th>
<th>2005-12-31</th>
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<tbody>
<tr>
<td>Balanced portion of contributions from Swedish MFA, DFID</td>
<td>485 691</td>
<td>7 937 078</td>
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<td>External project costs</td>
<td>10 570 950</td>
<td>11 414 999</td>
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<tr>
<td>Travel and conference costs</td>
<td>2 812 355</td>
<td>1 733 784</td>
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<tr>
<td>Office equipment</td>
<td>53 384</td>
<td>132 512</td>
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<tr>
<td>Office rent and services</td>
<td>466 592</td>
<td>458 287</td>
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<tr>
<td>Administration, marketing and communications</td>
<td>688 800</td>
<td>586 704</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>15 077 752</strong></td>
<td><strong>22 263 284</strong></td>
</tr>
</tbody>
</table>

3 **Staff costs**

<table>
<thead>
<tr>
<th></th>
<th>2006-12-31</th>
<th>2005-12-31</th>
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<tbody>
<tr>
<td>Number of staff, gender</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Women</td>
<td>Men</td>
<td></td>
</tr>
<tr>
<td>2.0</td>
<td>1.0</td>
<td></td>
</tr>
<tr>
<td>2.0</td>
<td>1.0</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>3.0</strong></td>
<td><strong>3.0</strong></td>
</tr>
<tr>
<td>Salaries and related benefits:</td>
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<td></td>
</tr>
<tr>
<td>Council</td>
<td>1 333 244</td>
<td>1 257 656</td>
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<tr>
<td>Other employees</td>
<td>804 370</td>
<td>713 930</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2 137 614</strong></td>
<td><strong>1 971 586</strong></td>
</tr>
<tr>
<td>Payroll taxes</td>
<td>652 938</td>
<td>607 424</td>
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<tr>
<td>Pension premiums to Council</td>
<td>124 836</td>
<td>128 256</td>
</tr>
<tr>
<td>Pension premiums to other employees</td>
<td>44 528</td>
<td>24 000</td>
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<tr>
<td>Pension premium tax</td>
<td>41 627</td>
<td>36 397</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>863 929</strong></td>
<td><strong>796 077</strong></td>
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<tr>
<td><strong>Total salaries and related benefits</strong></td>
<td><strong>3 001 543</strong></td>
<td><strong>2 766 923</strong></td>
</tr>
</tbody>
</table>

All figures in SEK