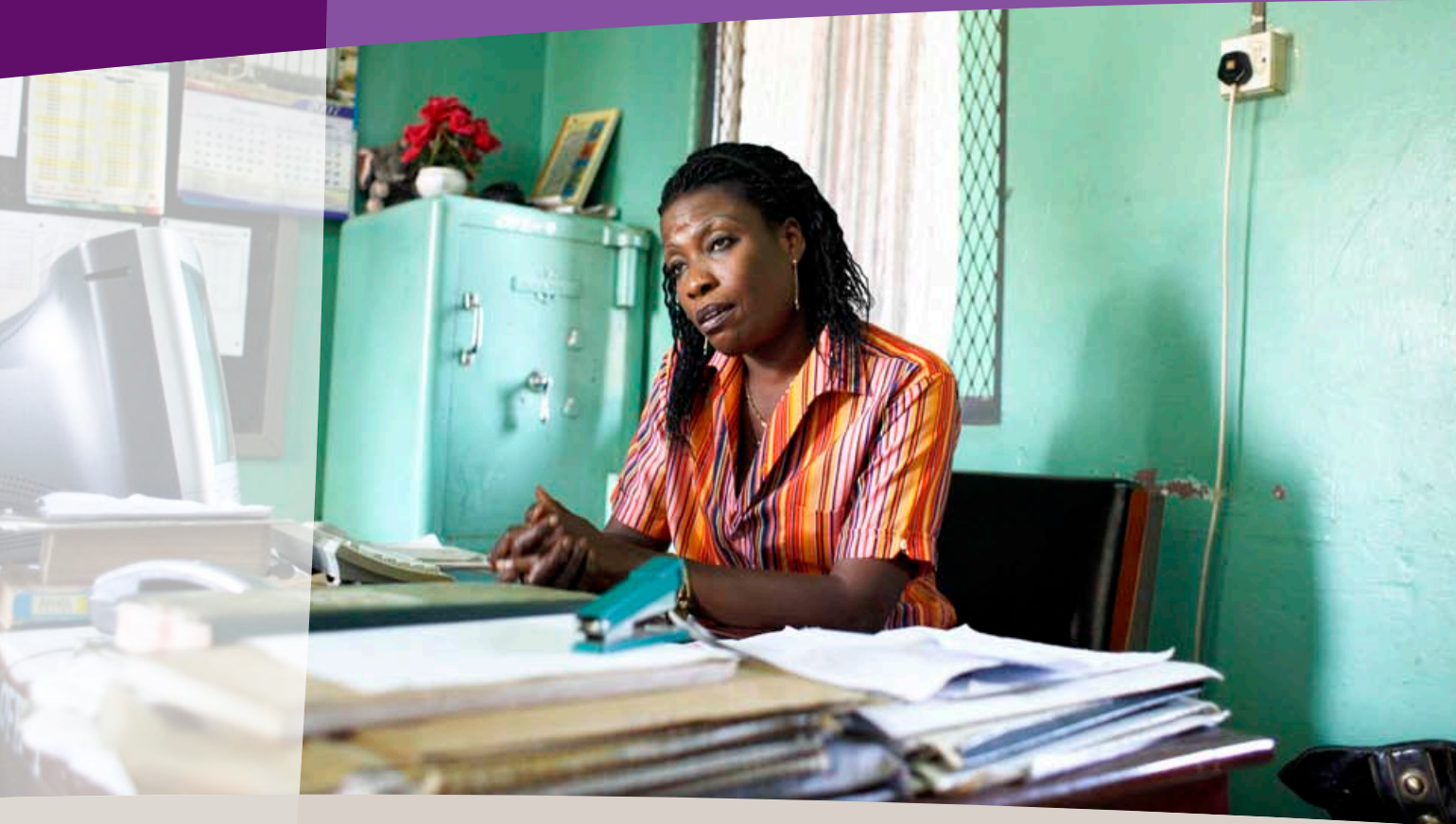


Annual Report 2009

Rebuilding Justice Systems



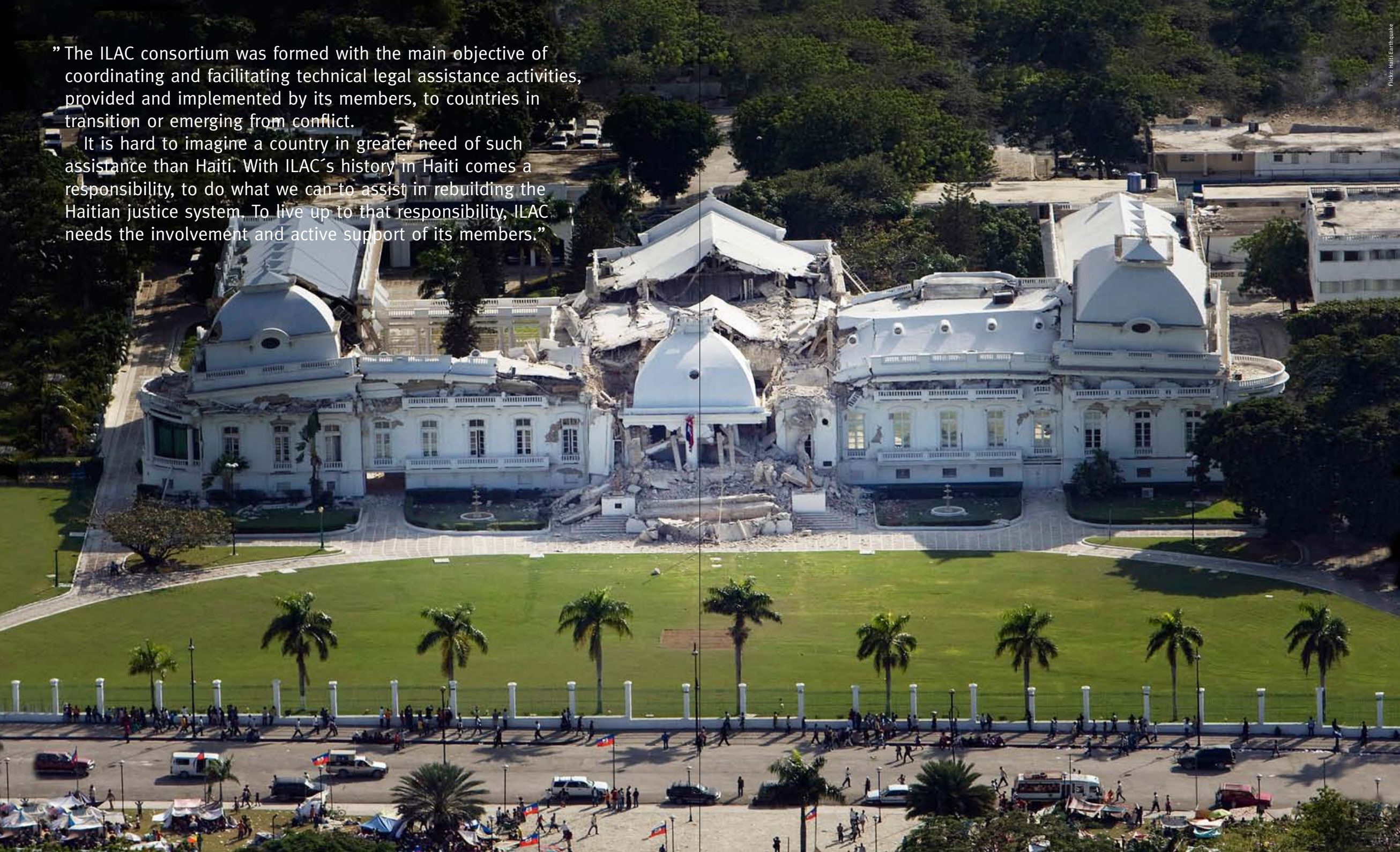
International Legal
Assistance Consortium

Annual Report 2009

Rebuilding Justice Systems

” The ILAC consortium was formed with the main objective of coordinating and facilitating technical legal assistance activities, provided and implemented by its members, to countries in transition or emerging from conflict.

It is hard to imagine a country in greater need of such assistance than Haiti. With ILAC’s history in Haiti comes a responsibility, to do what we can to assist in rebuilding the Haitian justice system. To live up to that responsibility, ILAC needs the involvement and active support of its members.”



Dear Members and Friends of ILAC

Christian Åhlund
ILAC Executive Director

The ILAC consortium has had another successful year. We have been invited into countries, where we have not been before, such as the Democratic Republic of Congo and Kenya. And we have consolidated our activities in countries where we already have a presence, such as Afghanistan, Iraq, Palestine, Liberia and Haiti. In cooperation with the International Bar Association and the Swedish Bar, we have also initiated the Stockholm Human Rights Award. You can read more about our activities in 2009 further into this report.

Women's access to justice and women's participation in the justice sector is an integral part in all ILAC's missions and programmes as one response to the disadvantages women face in accessing justice in most post-conflict environments.

In addition to applying a gender perspective to our own programmes, ILAC has been a strong supporter to the Partners for Gender Justice (PGJ) and has during 2009 provided funding for the Director to establish a secretariat which is now hosted by ILAC-USA. ILAC remains involved in the Steering Committee together with i.a. UNDP, UNIFEM and the International Association of Women Judges.

However, at the time when these introductory remarks to the ILAC 2009 Annual Report are being written it is Haiti, which is primarily on everybody's mind. Although the subject matter for these remarks should normally be what has transpired during 2009, I find it impossible not to comment on the earthquake that destroyed Haiti's capital Port-au-Prince on 12 January 2010 and claimed more than 230 000 lives, and ILAC's role in the aftermath.

The casualty figure is incomprehensible. More people died in the city of Port-au-Prince as a result of the earth-quake than the combined death-toll in all the countries, that were touched by the tsunami in South East Asia in December 2007.

Port-au-Prince has lost approximately 10% of its population. It is as if Stockholm would lose 150 000 of its inhabitants in one blow, or if 700 000 Londoners would suddenly die in one single catastrophe.

The outside world has responded in a way that we have never seen before. Search and rescue teams, earthmoving equipment and field hospitals were flown in only hours after the earthquake struck. And in almost every country around the world, people and governments are active in collecting money to provide food and medicine to the survivors. The reaction of the international community has been impressive. But it is obvious that the needs for outside assistance will go far beyond what is presently being done to provide food, shelter and medicine.

A capital and a government has been completely destroyed. Almost all government buildings in the Port-au-Prince area have collapsed. Thousands of government employees at all levels have died. As far as the legal sector is concerned, the Ministry of Justice is destroyed, but the ministry has still managed, only a few weeks after the catastrophe, to resume its activities, with a very small staff, from a container in the backyard of the collapsed ministry building. Scores of judges, court staff and lawyers have died.

This is where ILAC can be useful. We have already been present in Haiti for more than five years. Since a couple of years we are operating a successful nation-wide legal aid system, which today employs 130 local lawyers, and which is being run in cooperation with the local courts and bars, as well as with the local UN representation. We have, after some initial difficulties, developed an excellent relationship with the government and are active in assisting the executive and the parliament in various aspects of legal reform. However, until now only a couple of ILAC's 43 member organizations have been engaged in our programme in Haiti. So, it is very encouraging that in the aftermath of the catastrophe, a growing number of ILAC member organizations are expressing their determination to get involved in the rebuilding of the judicial system of Haiti, as parts of a coordinated ILAC programme.

The ILAC consortium was formed with the main objective of coordinating and facilitating technical legal assistance activities, provided and implemented by its members, to countries in transition or emerging from conflict. It is hard to imagine a country in greater need of such assistance than Haiti. With ILAC's history in Haiti comes a responsibility, to do what we can to assist in rebuilding the Haitian justice system. To live up to that responsibility, ILAC needs the involvement and active support of its members.

Programmes

Afghanistan



The project to establish an independent Afghan Bar has continued in 2009. This project was initiated by ILAC in 2003, and has since been implemented by the International Bar Association, with financial support from the Swedish government. This work has over the years resulted in the creation of the Afghan Independent Bar Association (AIBA), which today is active throughout Afghanistan and has approximately 900 members. The executive director is a woman, and the statutes of the organization stipulate a minimum quota for women in the board of directors and all committees.

The AIBA has established itself as a strong independent voice in Afghanistan, speaking out independently on controversial issues, and is working to expand its influence by creating a bar exam, as well as setting up a women's committee.

A priority for the AIBA in 2010-2011 will be to raise awareness among Afghan citizens and across the justice sector regarding the role and mandate of the AIBA and the rights and obligations of defence attorneys, in order to generate a baseline level of understanding regarding the purpose and function of the AIBA and its constituents.

Public awareness activities will target the general public, defence attorneys and other members of the justice sector. Messages will include: explanation of all AIBA procedures and services, objectives, advocacy goals; the role of defence attorneys, defence attorney rights and obligations under the Afghan Constitution and AIBA By-Laws and Code of Conduct; the rights of Afghan citizens to legal defence and attendant rights upon arrest, obligations of defence attorneys under the Code of Conduct and how to report complaints.

Haiti



ILAC

The main part of ILAC's activities in Haiti is the nation-wide legal aid programme, which at the end of 2009 employed 130 Haitian lawyers. The programme, which is coordinated by ILAC's national secretariat in Port-au-Prince, consists of 11 legal aid clinics, which are located in provincial capitals.

The programme, which has been in operation since 2007, delivers legal aid free of charge to the rural poor. One of the more spectacular effects of the programme has been the release from prison of more than 4000 individuals, either through acquittals by the courts, or by simply showing that numerous inmates are being held without any legal justification. This in turn alleviates some of the pressure on the courts and the prison system.

The programme has been officially approved by the government of Haiti, under the acronym of SYNAL (Système nationale d'assistance legale). In a letter to ILAC 23 December 2009, Prime Minister Jean-Max Bellerive expresses his government's intention to gradually include the costs of the SYNAL in the national budget, with the objective of a total take-over by 2014. SYNAL is being run in a fruitful cooperation with the local UN administration.

In Haiti, ILAC is also involved in the reform of the criminal code and the code of criminal procedure, under the leadership of the legal adviser of the President and in cooperation with the US Institute of Peace.

Funding for ILAC's activities in Haiti has been provided by Sweden.

On January 12, 2010, shortly before this report was sent to the printer, we were reached by the terrible news about the seismic catastrophe in Haiti's capital Port-au-Prince, which appears to have killed more than 230 000 people, and has destroyed large sections of the capital, including most government buildings. As a consequence, ILAC's activities in Haiti 2010 will intensify and concentrate on ways to facilitate access to justice for the population on legal issues, related to the catastrophe, such as property and inheritance issues. Another priority in 2010 will be to assist the government in formulating its requests to the international community for resources to rebuild the legal sector.

Iraq



Fotos

With financial support from the UN Democracy Fund (UNDEF) to ILAC, a week-long course for 50 Iraqi lawyers on the topics of International Human Rights and Humanitarian Law was held in Prague in March 2009. The venue of the course was the CEELI Institute, which is located in a building, donated by the City of Prague, and led by a foundation under the auspices of the American Bar Association. The course was arranged jointly by ILAC, the International Bar Association and the Japan Federation of Bar Associations. The faculty consisted of experts from Egypt, Japan, Tunisia, UK and USA.

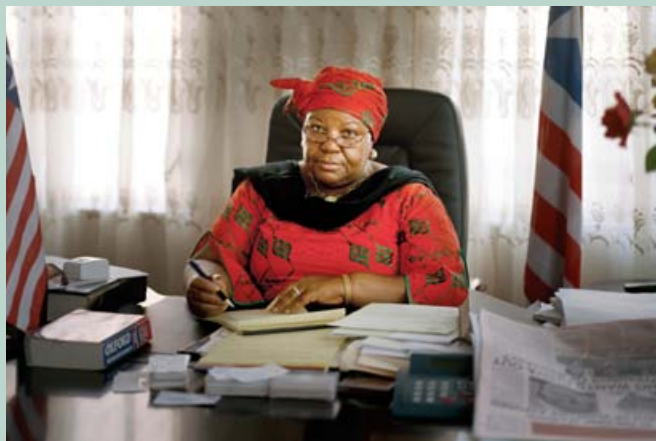
An ILAC delegation including the ILAC's Chairman and Executive Director visited Iraq in June 2009 in order to explore the possibilities of holding future courses for Iraqi jurists inside the country.

In Baghdad the delegation met with the Chief Justice and the Minister of Justice as well as with the Iraqi Bar Association and the Iraqi Jurists Association. The delegation also visited the city of Erbil, which is the capital in the Kurdish province, and met with high representatives of the provincial government and with the Kurdish Bar Association.

The visit made clear that it is only in the Kurdish province where the security

level would make such courses possible, which have until now been held in Dubai and Prague. The Kurdish provincial government offered to both make premises available and to finance all aspects of such courses, with the exception of costs for international experts, which would be met by ILAC. However, to translate the oral commitments by the provincial government into action has taken longer than expected.

Liberia



The establishment of the JAAP Judicial Institute in 2008 is maybe one of the most important achievements so far in the process of rebuilding Liberia's justice system. During 2009 the institute has more and more established itself as the leading centre for education of judges and the Steering Committee of the Institute has become the main coordinating body for all programmes within the judiciary. The Steering Committee, chaired by Justice Kabinah Ja'neh of the Supreme Court, includes local stakehold-

ers as well as members of the international community. ILAC's programme manager in Liberia is one of the members and has together with local representatives and the representative of the American Bar Association developed the curricula for a one-year Magistrates Professional Training Program starting 1 March, 2010. There are over 350 Magistrates in Liberia so the process will take several years.

The prosecutor training in the counties continues and ILAC has funded and arranged these courses on a quarterly

base for three years, in fruitful cooperation with the Carter Center and the American Bar Association. The presentations are now done almost exclusively by Liberians. This is a relatively low key and inexpensive programme but has produced very good results.

During 2009 ILAC also arranged the first continued legal education programme for public defenders together with the Liberian Bar Association. It was very successful and a continuation is already under way.

The Occupied Palestinian Territories



ILAC's programme together with IBA and the Swedish Bar for the Palestinian Bar Association has been postponed since 2008. The Israeli blockade against the Gaza Strip has so far made it impossible to continue any training programme, seminars, conferences or meetings since local participants can not leave Gaza and international participants are not allowed in. It is even more regrettable due to the fact that international presence and exchange of views might

be especially helpful in the present circumstances when the political struggle between the Palestinian National Authority and Hamas has taken its course also into the justice sector and politicized both the judiciary and the Bar Association.

The Israeli war against Gaza in the beginning of 2009 increased the desperation and difficulties among the civilian population. To continue the work for a society based on the rule of law and argue the need to uphold

international human rights standards is an almost impossible task in this environment, especially without international exchange and support.

ILAC continues a close dialogue with different actors in the justice sector, both in the West Bank and in Gaza.

ILAC is prepared to start up our programme as soon as it is possible together with our member organization Palestinian Centre for Human Rights as an implementing partner.

Assessment Missions

Democratic Republic of Congo



ILAC

During 2009, ILAC carried out two assessment missions, both in cooperation with the International Bar Association (IBA).

ILAC and IBA sent a joint team of experts to the Democratic Republic of Congo 5-18 February 2009, for an assessment of the judicial system. The mission visited the capital Kinshasa as well as

the city of Kisangani in the northeast and Lubumbashi in the south. The ILAC/IBA experts met with a wide range of representatives from the government, the military, the UN, the diplomatic community and civil society.

Funding for the mission was provided by the Swedish government and the

Open Society Institute for Southern Africa (OSISA).

The mission report, "Rebuilding Courts and Trust" is available on www.ilac.se.

Subsequent to the release of the report, OSISA has committed itself to funding the strengthening of the bar in Lubumbashi, which is one of the projects, proposed by the report.

Kenya



Famos

Another joint delegation from ILAC and the International Bar Association visited Kenya 4-11 October, in order to look into what our consortium can do to assist the Kenya judicial system in general, and in particular how to deal with the legal consequences of the post-election violence in the beginning of 2009.

These violent clashes between the different political factions claimed more than a thousand lives, and forced tens of thousands to flee their homes and villages.

The visit to Kenya was carried out at the invitation of the Law Society of Kenya, which also assisted the delegation in arranging meetings and provided

invaluable logistical support throughout the visit.

The mission report "Restoring integrity: An assessment of the needs of the justice system in the Republic of Kenya" is available on www.ilac.se

Stockholm Human Rights Award



Stämpel / SVB

Stockholm Human Rights Award

Together with the International Bar Association and the Swedish Bar Association, ILAC has in 2009 initiated the Stockholm Human Rights Award. This prize will be awarded annually to an individual or an organization which has made outstanding contributions to the rule of law and human rights.

The first Stockholm Human Rights Award was given to the South African judge Richard Goldstone, at a ceremony at the Swedish Bar Association on 3 December 2009, in the presence of an international audience of diplomats, legal experts and civil society representatives.

In his speech to Richard Goldstone at the award ceremony, ILAC Executive Director Christian Åhlund explained why the organizers had selected Richard Goldstone as the first recipient of the award:

”When Richard Goldstone accepted the assignment to analyze the legal aspects of the armed conflict in Gaza, he obviously knew that he was about to throw himself into the world’s most inflamed debate concerning international law versus power politics.

The aggressive attacks against not only the report, but also against him personally, would not have come as a surprise. Still, in the interest of international law, he accepted. Already before the Goldstone report was published, we had decided to give the Stockholm Human Rights Award to Richard Goldstone, for his unusual combination of the highest international legal expertise and his deep compassion for the individual. That motivation can now be expanded to also include his exceptional personal courage in the defense of fundamental principles of international law.”



The Swedish Bar Association

As Anne Ramberg, the Secretary General of the Swedish Bar, handed the award to Richard Goldstone she stated that *”Richard Goldstone is one of the most respected leading lawyers worldwide. He is a guarantor for responsibility and integrity, dedicated to accountability and due process as a necessary way of promoting the rule of law and human rights. He has been involved in human rights interventions and missions in almost all parts of the world and we are very proud to make him our first recipient of the Stockholm Human Rights Award.”*

Mark Ellis, the Executive Director of IBA noted that the last two decades have seen an extraordinary paradigm shift in the international community regarding the interest and the development of international law. *”And that’s the responsibility of a number of people. But a select number of those people, I believe, are the ones that really made that possible, and Richard Goldstone is one of those individuals. I think we owe him a tremendous debt of gratitude for being a part of that.”*

Members Offices

Member Organizations

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

Center for Court Innovation
www.courtinnovation.org

Commonwealth Lawyers Association
www.commonwealthlawyers.com

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

Danish Bar Association
www.advokatsamfundet.dk

Faculty of Advocates
www.advocates.org.uk

Finnish Bar Association
www.asianajajat.fi

Hong Kong Bar Association
www.hkba.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 Defense Attorneys Association
www.aiad-icdaa.org

International Foundation for the Rule of Law and the Independence of Lawyers and Judges

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

International Judicial Academy
www.ijaworld.org

International Senior Lawyers Project
www.islp.org

Japan Federation of Bar Associations
www.nichibenren.or.jp

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 Lawyers Association
www.mla.org.mk

Magna Carta – Human Rights Network International
www.magnacartainstitute.org

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

RCN Justice & Democratie
www.rcn-ong.be

Swedish Bar Association
www.advokatsamfundet.se

Union Internationale des Avocats
www.uianet.org

Individual Members

Lord Abernethy
Scotland

Ljubica Acevska
Macedonia

Giuseppe Bisconti
Italy

Rodger Chongwe
Zambia

Hans Corell
Sweden

Param Cumaraswamy
Malaysia

Farouk Abu Eissa
Sudan

Mark Ellis
USA

Alfred Fofie
Ghana

Elisabeth Fura-Sandström
Sweden

Richard Goldstone
South Africa

Barry Hancock
UK

Paul Hoddinott
UK

Kabineh Ja'neh
Liberia

Natasa Kandic
Serbia

Karim A.A.Khan
UK

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

J.Ebow Quashie
Ghana

Shelby Quast
USA

Nicholas Stewart
UK

Georgina Wood
Ghana

ILAC Offices

ILAC HEAD OFFICE
Stockholm, Sweden

Christian Åhlund
Executive Director

Agneta Johansson
Deputy Director

Annika Lindgren
Administrator

ILAC - LONDON

Paul Hoddinott
ILAC Chair

ILAC – AFRICA
Lusaka, Zambia

Rodger Chongwe
ILAC Africa Representative

ILAC – LIBERIA

Mike Enwall
Programme Manager

ILAC – HAITI

Francisco Diaz
Programme Manager

Cherese Nirva Louis
Programme Assistant

Annual Accounts

FOR THE FISCAL YEAR
1 JANUARY – 31 DECEMBER 2009
ILAC (802411-1869)

Annual Accounts

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 2009 has consisted of legal development assistance to post-conflict countries and related activities.

In Haiti ILAC's activities have primarily focused on the continued development of a national programme of legal aid to the rural poor. By the end of 2009, this programme employed 130 local lawyers, and the government of Haiti has decided to gradually include the costs for the programme in the government budget, with the objective that by 2014 the legal aid programme will be fully covered by the government budget. Haiti's recently appointed Prime Minister Max Bellerive has as recently as in a letter of 23 December 2009 reiterated his government's strong support for the project.

In Liberia, ILAC continued its existing programme of providing expert advice to the Supreme Court, support for a judicial training institute as well as participation in and financing of a continuous training programme for prosecutors, in cooperation with the Carter Center.

The support of an independent bar association in Afghanistan has continued. This support was initiated by ILAC, and is since 2004 being implemented by the International Bar Association, which is a member of ILAC. Today, the recently established Afghan Independent Bar Association has approximately 900 members all over the country.

In cooperation with the International Bar Association, ILAC has during 2009 carried out assessments of the judicial systems in the Democratic Republic of Congo and in Kenya.

In Palestine, ILAC is engaged, together with UNDP, in planning a major support

programme to the Ministry of Justice of the Palestinian Authority.

Jointly with the International Bar Association and the Swedish Bar Association, ILAC has in 2009 initiated the Stockholm Human Rights Award, which will be awarded annually to an individual or an organization, which has made outstanding contributions to the rule of law and human rights.

At the end of 2009, ILAC had offices in Stockholm, London and Lusaka, as well as field offices in Haiti and Liberia. The offices in Washington and Brussels were closed in 2009, as they were considered too costly in relation to the produced results.

By the end of 2009, the ILAC consortium consisted of 43 member organizations, which represent all five continents and more than 3 million individual members.

During the past year, ILAC has received financial support from the Swedish Ministry for Foreign Affairs, United Nations Development Programme (UNDP) and United Nations Democracy Fund (UNDEF).

The ILAC Council proposes that the economic surplus for 2009, SEK 63 366 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)	2009-01-01	2008-01-01
		2009-12-31	2008-12-31
Income			
Contributions		10 232 150	15 590 491
Membership fees		68 118	62 565
Other fees		–	–
Total income		10 300 268	15 653 056
Costs			
General external costs	(Footnote 2)	- 7 027 420	- 12 599 423
Staff costs	(Footnote 3)	- 3 556 985	- 3 407 248
Total costs		- 10 584 405	- 16 006 671
Result		- 284 137	- 353 615
Financial income and costs			
Interest income		376 652	432 625
Interest costs		- 29 149	- 19 695
Year end result		63 366	59 315

All figures in SEK

BALANCE SHEET FOR	(Footnote 1)	2009-12-31	2008-12-31
		ASSETS	
Short term assets			
Client receivables		–	–
Tax receivables		48 052	41 831
Other receivables		20 645	50 859
Pre-paid expenses		283 123	297 908
Total short term assets		351 820	390 598
Cash and bank balances		6 134 158	13 669 299
TOTAL ASSETS		6 485 978	14 059 897
EQUITY AND LIABILITIES FOR			
Equity			
Capital brought forward		166 731	107 416
Year end result		63 366	59 315
Total		230 097	166 731
Current liabilities			
Account payable		220 004	31 831
Tax liabilities		–	–
Other liabilities		163 031	159 836
Accrued expenses and deferred income		5 872 846	13 701 499
Total current liabilities		6 255 881	13 893 166
TOTAL EQUITY AND LIABILITIES		6 485 978	14 059 897

FOOTNOTES

1 Accounting principles

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

2 Other external costs	2009-12-31	2008-12-31
Balanced portion of contributions from Swedish MFA, SIDA	- 7 907 725	- 314 619
External project costs	9 448 913	9 602 456
Travel and conference costs	3 890 295	1 968 893
Office equipment	-	-
Office rent and services	589 696	517 909
Administration, marketing and communications	1 006 241	824 784
Total	7 027 420	12 599 423

3 Staff costs	2009-12-31	2008-12-31
Number of staff, gender		
Women	2,0	2,0
Men	1,0	1,0
Salaries		
Council	1 377 260	1 412 996
Other employees	1 044 276	995 600
Total	2 421 536	2 408 596
Payroll taxes	760 846	779 312
Pension premiums to Council	168 138	111 534
Pension premiums to other employees	114 521	41 910
Pension premium tax	68 573	37 225
Total	1 112 078	969 981
Total salaries and related benefits	3 533 614	3 378 577

All figures in SEK

Stockholm April 2010

Christian Åhlund
Shelby Quast

Juan Bennazar-Zegueira
Paul Hoddinott

Rodger Chongwe

My auditing report has been issued April 2010

Christer Fröjd
Authorized Public Auditor

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 2009 – 31 December 2009. 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 2009.

Stockholm, April 2010

Christer Fröjd
Authorized Public Auditor

ILAC is a worldwide consortium of NGOs providing technical legal assistance to post-conflict countries.

ILAC's 43 member organizations represent over 3 million judges, prosecutors, lawyers and academics.

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