

REBUILDING

Major [David Hammond](#) and [Paul Hoddinott](#) explain the Bar Council's involvement in ILAC

The Bar Council is one of the 44 member organisations that contributes to the running of the International Legal Assistance Consortium ("ILAC") based in Stockholm, Sweden. Charged with supervising this affiliation, the International Committee recently reviewed the Bar Council's exposure to and interaction with ILAC. This was to ensure that our relationship remains mutually beneficial and provides key opportunities for interested, qualified and currently available barristers capable of providing pertinent legal assistance to the international community whilst often operating within demanding and unique environments around the globe.

ILAC: an overview

In the last two decades the world has seen a number of internal conflicts, eg Haiti, Rwanda, Bosnia, Kosovo, Cambodia, East Timor, Liberia, Democratic Republic of Congo, where a common characteristic has been the collapse of the legal system. In order for civil and commercial life to become sustainable following hostilities, it is necessary for the rule of law to prevail, underpinned by a working justice system.

The international community has played a prominent role in assisting such nations to rebuild their judicial systems shattered by war. However, whilst some of these efforts have been successful, all too often organisations offering assistance arrive in countries uninvited,



An Afghan lawyer votes at the inaugural elections of the Afghan Bar Association

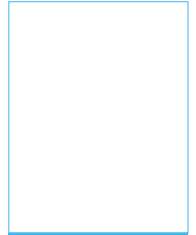


National Palace of Haiti

JUSTICE



Hammond:
rewards are clear



Hoddinott: unique
experience

ILAC: working in practice

Haiti

ILAC's biggest challenge in 2010 is presented by Haiti, where ILAC has been active since 2005, working with the Haitian government to implement the recommendations of ILAC's assessment report, made at the request of the United Nations Mission to Haiti. ILAC's activities have consisted of legal reform assistance to the government, support to the Bar in forming a national Bar association, and support to civil society by the establishment of a nation-wide legal aid programme.

The legal aid programme, official name SYNAL (*Système nationale d'assistance legale*), consists of a network of legal aid offices (*Bureaux d'assistance legale* ("BAL")) around the country. At the beginning of 2010, there were eleven BALs in operation. The goal is to have one BAL in each of the 18 provinces. The SYNAL programme is coordinated by a national office in Port-au-Prince which employs four persons. At the beginning of 2010, ILAC employed a total of 130 persons in Haiti, all of whom are Haitian nationals, with the exception of ILAC's Resident Representative.

In the aftermath of the earthquake catastrophe, a growing number of ILAC member organisations are expressing their determination to get involved. A meeting in Paris was scheduled for June 15 to co-ordinate assistance, together with representatives from the Haitian government and the United Nations. [\[is it possible to update?\]](#)

Natural disasters of the scale that hit Haiti were not imagined when the ILAC was founded some ten years ago. But it is hard to imagine a country in greater need of assistance. To live up to the responsibility of re-building the Haitian justice system, ILAC therefore needs the involvement and ongoing active support of its members.

The perspective from the International Committee

The Bar Council has been a key supporter of ILAC, but more engagement would be welcome. Following the 2003 Gulf War Christian Wisskirchen, Head of International Relations at the Bar Council, together with Stephen Mason, member of the Bar Council's IT Panel (amongst others), participated as members of the ILAC team in support of the Iraqi Bar Council. They helped to provide IT infrastructure and assistance for the running of the Iraqi Bar Council's membership database. This resulted in much needed IT systems and bespoke IT programmes being installed and integrated within the recovering Iraqi legal system. Whilst this was acknowledged as not necessarily being the perfect long-term solution, ILAC's intervention, at the request of the fledgling Iraqi government, provided the urgently needed and essential front-line support to help reconstitute a judicial system which had been isolated from international developments for 30 years and damaged by Ba'athist rule.

For more information about ILAC visit: www.ilac.se

act independently of one another and duplicate efforts and/or work at cross-purposes.

Previously, there was no international mechanism to report authoritatively on the state of a justice system and to subsequently make recommendations in order to begin the process of rehabilitation. A further weakness was that such reports, as were produced, were either not implemented, or implementation actions were uncoordinated.

ILAC is a consortium of Non Governmental Organisations ("NGOs") with experience in rebuilding justice systems, which has come together to address these shortcomings in international capability. ILAC's strength lies in its 44 member organisations, together representing more than 3 million lawyers from various parts of the world.

ILAC's objectives

ILAC's principal aims are:

- To put together a team of qualified experts to make an initial assessment of a justice system in a post conflict situation and, working with the host government, make recommendations on what is needed to rebuild that justice system. ILAC's reports reflect the resources available in-country and highlight the assistance needed from the international community.
- To promote to inter-government organisations, donor governments and ILAC members the recommendations of the initial assessment and to help the host government and UN coordinate the implementation of such recommendations.

Since its first assessment in East Timor in 2001, ILAC has been involved in some capacity in Sri Lanka, Afghanistan, Iraq, Gaza and West Bank, Algeria, Morocco, Liberia, Democratic Republic of Congo, Rwanda, Kenya and Haiti. Member organisations meantime are currently providing assistance in Afghanistan, Liberia, Democratic Republic of Congo and Haiti.

The assessment teams

ILAC assessment teams are selected to ensure relevant legal background and skills, gender balance, cultural and linguistic familiarity with the region and strict impartiality. Whenever possible, assessments are made

with the cooperation of the national government and in coordination with local organisations. English barristers have contributed to ILAC assessments in Rwanda and Kenya, and to follow-up projects in Iraq.

ILAC provides an ... opportunity to give back to society and pass on professional expertise on both a legal and altruistic basis

A unique opportunity

ILAC will undoubtedly appeal to many barristers an alternative, exciting and unique gateway to widening one's professional portfolio. It is appreciated, however, that barristers who take part need to step outside their everyday practices and to engage for potentially extended periods away from home in developing, emerging

and/or recovering countries, often operating in austere and basic conditions and on an expenses-only basis. It is therefore worth making it clear that ILAC seeks suitably qualified and highly motivated individuals who are able to place charitable commitment, as well as personal and professional satisfaction, above financial remuneration. The rewards, however, are clear. Unique international law experiences based upon practical and pragmatic support to needy judicial systems supporting and reinvigorating the rule of law can never be underestimated, either in the development of individual practices, widening networking opportunities or simply respect in the eyes of peers and colleagues alike. In sum, ILAC provides an avenue and opportunities to give back to society and pass on professional expertise on both a legal and altruistic basis.

The next step

Interested readers should contact the International Committee and specifically Christian Wisskirchen (e-mail: cwisskirchen@barcouncil.org.uk), so that he can follow up on your experience and inform you of similar opportunities in the future. The intention is that the International Committee will develop an effective database of practitioners capable of reacting at short notice to global needs assessments and subsequently, to participate in longer-term efforts in aiding reconstruction of international judicial systems. ❖

Major David Hammond, Royal Marines sits on the Bar Council's International Committee and is a practicing naval barrister, specialising in crime, international, maritime and military operational law matters. Paul Hoddinott is the Chairman of ILAC and since his retirement from the Royal Navy he has been intimately involved in worldwide legal NGO activities including Africa, Iraq and Afghanistan.

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