

Annual Report 2007

Rebuilding Justice Systems



International Legal
Assistance Consortium

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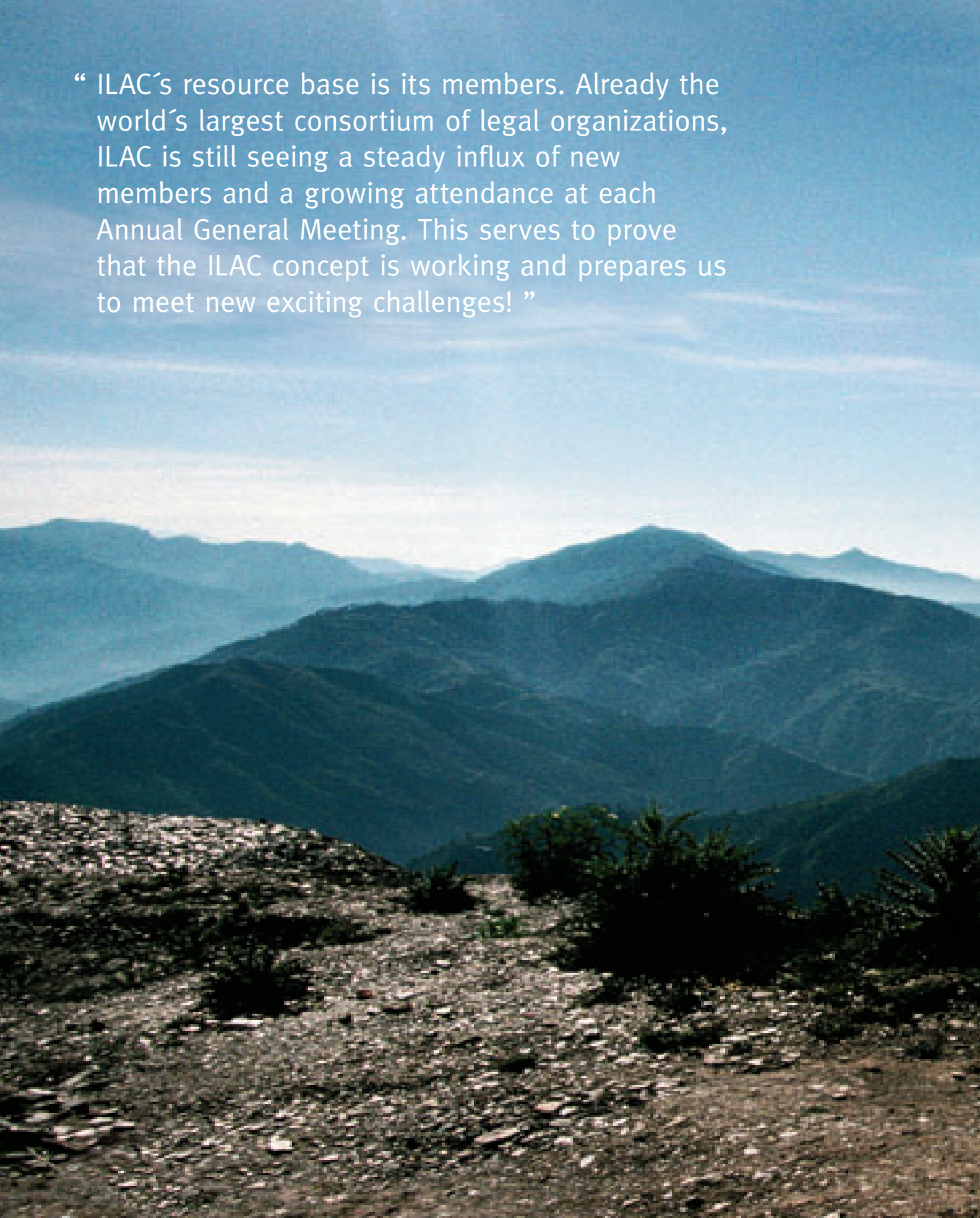
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Annual Report 2007

Rebuilding Justice Systems

“ ILAC’s resource base is its members. Already the world’s largest consortium of legal organizations, ILAC is still seeing a steady influx of new members and a growing attendance at each Annual General Meeting. This serves to prove that the ILAC concept is working and prepares us to meet new exciting challenges! ”



Dear Members and Friends of ILAC

Christian Åhlund
ILAC Executive Director

The year of 2007 was another good year for ILAC. The consortium kept growing, as ILAC had the privilege of welcoming several important new member organizations: Danish Bar Association, International Criminal Defense Attorneys Association, Japan Federation of Bar Associations and International Senior Lawyers Project, thereby adding tens of thousands of new individual lawyers to ILAC's resource base.

In 2007, ILAC continued the activities that we had previously initiated in Afghanistan, Iraq, Palestine, Morocco, Algeria, Liberia and Haiti as well as our thematic project on gender justice. You will be able to read more about these activities under the heading "Programmes" in this report.

However, it can not always be expected that ILAC's assessment missions will result in successful follow-up programmes. In August/September 2007, at the request of the Prosecutor General of Rwanda and with the support of the UN Criminal Tribunal for Rwanda (ICTR), ILAC carried out an assessment of the judicial system in that country. The ICTR will close down in a couple of years and there is a need to find other acceptable jurisdictions for the remaining cases. Rwanda wants to take over these cases, but will only be allowed to do so if the ICTR is satisfied that each defendant will receive a fair trial, in accordance with the ICTR's rules of procedure and evidence.

ILAC's report, which was released in December 2007, suggests various ways of bringing the Rwandan judicial system into harmony with this requirement and offers assistance in the implementation of these suggestions.

However, despite an immediate, very positive reaction from the Prosecutor General, there has been no further contact by the Rwandan government, despite repeated contact attempts by ILAC; it may be that ILAC's findings have not been to the liking of all parts of the Rwandan government. This impasse is all the more regrettable since our report was the result of the team-work of an unusually qualified assessment delegation, composed of Mr Rodger Chongwe, former Minister of Justice of Zambia, Ms Mary Davis, former Justice of the Supreme Court of New York, Ms Unity Dow, Justice of the High Court of Botswana, and Ms Joaquine de Mello, President of the Bar Association of Tanzania. I want to take this opportunity to thank the members of the ILAC Mission to Rwanda for their excellent work and can only express regret if the government of Rwanda has chosen to ignore the advice by this group of outstanding regional and international rule-of-law experts.

The successful activities of ILAC and its members would not have been possible without the continued generous support from our donors. In 2007 financial assistance has again been provided by, first and foremost, the Swedish Ministry for Foreign Affairs, but also by Swedish Sida, UNODC, Humanity United and the Folke Bernadotte Academy. Another important prerequisite for our work has been the close and fruitful cooperation with various branches and country missions of the UN.

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Programmes

Afghanistan



Panos

Significant progress has been made in 2007 in the project, which ILAC initiated in 2003, with the purpose of establishing an independent bar. The International Bar Association has from the beginning been the implementer of this project, with economic support from the Swedish Government.

In the autumn of 2007, the Afghan parliament approved the law on the establishment of an independent bar, which IBA's experts have drafted in cooperation with the Afghan Ministry of Justice, after thorough consultations with the Afghan legal community.

As a result of the new Advocates Law, which was signed by President Karzai in December 2007, over 400 attorneys have already registered as members of the new bar association.

The Afghan Constitution obliges the government to have the bar association in operation in June 2008, and the IBA/ILAC work now concentrates on getting the bar physically set up by that time. The bar associations in India, France and the Netherlands have offered to assist IBA in the continued building of an Afghan bar.

In his report 6 March 2008 to the Security Council, the United Nations Secretary General mentions the Advocates Law (paragraph 26) as one of few positive developments in legal reform activities in Afghanistan.

The law is also highlighted by the UN High Commissioner on Human Rights in her Annual Report on Afghanistan to the Human Rights Council on 21 February 2008 (paragraph 59).

Haiti



Magnum Photos

ILAC's activities in Haiti have undergone important development during 2007, mainly due to increased funding from Swedish Sida. ILAC's relations with the Haitian government have improved considerably under President René Preval. ILAC works closely with the local UN administration, MINUSTAH. ILAC has continued to provide much appreciated advice and expertise to both the Ministry of Justice and the Ministry for Co-operation between the Executive and the Legislature. This work has included training in the drafting of laws for employees of the Ministry of Justice, as well as training for members of the legislature in legislative procedure.

In September 2007, at a seminar in Port-au-Prince, the Raoul Wallenberg Institute in cooperation with the Haitian Ministry of Gender and Women's Affairs and ILAC, presented a study of international best practices in four gender related legal areas: customary unions, abortion, paternity determination and gender-based violence. The study is available in English and French on www.ilac.se

An important new aspect of the ILAC work in Haiti has been to improve access to justice for the poor. This urgent need has been further emphasized since the government and MINUSTAH managed to gain control over Cité Soleil, a vast slum area in the capital Port-au-Prince, which had previously been entirely dominated by criminal gangs.

As the result of a fruitful cooperation between ILAC, MINUSTAH, US-based National Center for State Courts and the local bar, a legal aid clinic has been opened in Cité Soleil. For the first time, people in this area are now enjoying the possibility of a defense lawyer in court or assistance in regulating legal aspects of family matters.

ILAC and MINUSTAH are currently working on the establishment of a number of additional such legal aid clinics in the Haitian country-side.

ILAC's activities in Haiti are recognized in various parts of the UN Secretary General's report on Haiti to the Security Council on 26 March 2008.

Iraq



Magnum Photos

IBA/ILAC have continued the series of courses in international humanitarian law which was initiated by ILAC back in 2004, and which has continuously been funded by the Swedish government. In 2007, three courses have been held, one in each of the months of April, May and June. Each course lasted five days, covering the major sources of international law with the emphasis on international criminal law in national jurisdictions. The faculty members are all recognized experts in their field, coming from Egypt, Spain, Poland, France, Lesotho, Canada, UK and USA. The participants received key documents in Arabic on all topics covered, both on CD-Rom and in printed form. The Iraqi Chief Justice has remained highly supportive of these courses.

He has selected the participants for each course, ensuring that each group of about 25 individuals includes judges and prosecutors from all sections of Iraq, including Kurdistan.

The cooperation between ILAC, IBA and United Nations Office on Drugs and Crime (UNODC) has continued, in the form of a jointly organized five-day course in November 2007 for a group of 38 investigative judges, judicial investigators and police officers, in techniques for investigating organized crime and terrorism-related offenses.

The training was funded by UNODC. The faculty was recruited through each of IBA, ILAC and UNODC.

The Iraqi Chief Justice attended four of the five days. In a subsequent letter to ILAC, he wrote:

“I would like to convey to you that, according to the opinions of the participants, the course was totally successful and beneficial. It reflects your sincere efforts and the efforts of other organizers.”

The security situation in Iraq continued to make it necessary to hold the training courses outside the country in 2007. The government of United Arab Emirates has been continuously forthcoming in providing excellent premises and security arrangements in Dubai.

Liberia



Panos

In the beginning of 2007, ILAC appointed a Resident Representative in Liberia, in order to consolidate its national programme. One of ILAC's main activities during the year centered on capacity support to the ministries of justice and gender. ILAC was also instrumental in the formulation of a national plan of action to suppress sexually based violence, as well as in the implementation of a strategy in "gender mainstreaming".

ILAC worked closely with the Solicitor General in arranging a series of training sessions for prosecutors, in collaboration with i.a. the U.S.-based Carter Center and with co-funding from USAID. As part of ILAC's engagement in the Partners for Gender Justice, ILAC sponsored the participation of the Liberian ministers of justice and gender in the Regional Conference "Advancing Gender Justice in Conflict Affected Countries", which took place in South Africa in March, 2007 (see below under "Gender Justice").

In October 2007, the Chief Justice of the Supreme Court of Liberia appointed ILAC to be part of an advisory committee to guide the establishment of a Judicial Training Institute for continued legal education of judges, prosecutors and lawyers. ILAC has been actively involved in formulating the blue-print for this institution, which will be officially inaugurated in June 2008, with a first pilot course for circuit court judges, sponsored by ILAC.

Morocco and Algeria



Panos

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. ILAC has engaged its member Magna Carta-HRNI, which has its base in the Faculty of Law at the Free University of Brussels, to implement this program.

In March 2007, Magna Carta-HRNI organized two seminars on this theme in the Moroccan capital Rabat, with the title “Human Rights and The Fight against Terrorism”, for Moroccan judges, prosecutors and judicial officials. As a follow-up to the seminars, a workshop, which brought together European and Moroccan judges, was held in Brussels in June 2007.

The purpose of the work-shop was to promote discussions and solutions to improve a sometimes problematic climate of cooperation between judicial authorities in the EU and Morocco, on e.g. the handling of extradition requests and other terrorism-related legal issues.

The seminars and the workshop were very well received by the participants and the Moroccan government. The evaluations submitted by the participants indicated a strong desire for more training and exchanges along the same lines.

A similar but extended programme, addressing the Algerian judiciary, will be launched in June 2008 in Alger.



The Occupied Palestinian Territories (OPT)

The purpose of ILAC's program in the Occupied Palestinian Territories is mainly to support the Palestinian Bar Association. After several postponements of a planned training session in the West Bank, due to the security situation, it was agreed to move the course to Jordan.

The first training course - organized and implemented by the International Bar Association, with funding from the Swedish Ministry for Foreign Affairs - took place in Amman in January 2007.

The objectives of the training were:

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

legal practice, the core values of the legal profession and the role of the Bar Association in Palestine.

A total of 50 lawyers attended the course and the feedback from all the participants were that the training met or exceeded their expectations. A second course for lawyers from Gaza has been planned but has not been possible to implement so far. Discussions on how to proceed are going on with ILAC's member Palestinian Centre for Human Rights, based in Gaza City.

Gender Justice



Panos

General Gender Perspective:

ILAC's Bylaws, article 4.4 states: ILAC is firmly committed to applying a gender perspective in ILAC assessment missions, reports and recommendations.

The ILAC assessment mission to Rwanda ensconced this principle. Not only did the assessment report and recommendations address gender issues specific to the Rwandan judicial system, but three of the five team members were women, nominated by ILAC member organisations: the International Association of Women Judges, the International Commission of Jurists and the International Bar Association.

Toolkit for Justice Reform and Gender

At the joint request of the United Nations International Research and Training Institute for the Advancement of Women (UN-INSTRW), the Geneva Centre for the Democratic Control of Armed Forces (DCAF) and the Organization for Security and Cooperation in Europe - Office for Democratic Institutions and Human Rights (OSCE/ODIHR), ILAC was contacted to write a tool on Justice Reform and Gender as part of a larger toolkit on Gender and Security Sector Reform. The Toolkit is available at <http://www.un-instraw.org/en/gps/security-toolkit/introduction.html>.

Partners for Gender Justice

Launched in 2004, through the efforts of UNIFEM and ILAC, with support from Sweden and South Africa, the Partners for Gender Justice held its second Africa regional conference in Cape Town, South Africa. The High Level Meeting was organized by the



Ministry of Justice and Constitutional Development, in cooperation with the Partners for Gender Justice.

The Meeting brought together ministries of justice with ministries of gender from 12 conflict-affected African countries. The Partners for Gender Justice South Africa Report was issued to the UN Security Council on 31 October, the anniversary of SC resolution 1325, and is available as UN document 2/2007/607.

A Partners for Gender Justice meeting was held at the UN on the same day to present the report and recommendations from the Cape Town Meeting. The meeting provided an appropriate opportunity to thank Sweden and South Africa, which were co-chairs for the start-up phase of the Partners for Gender Justice, for their committed and generous support as the Partners for Gender Justice got off the ground.

At the meeting, it was decided that the Partners for Gender Justice should have an interactive website that could highlight not only the laws but the various domestic, regional and international tools, programs and expertise addressing gender justice, available to actors within the judicial sector. ILAC has agreed to facilitate and seek funding for development of the Partners for Gender Justice website over 2008. The Swedish Ministry of Foreign Affairs has generously provided funding for this effort. Development of the website is underway.

UNDP Bureau of Crisis Prevention and Recovery has joined the Partners for Gender Justice. UNDP BCRP and ILAC's member International Association of Women Judges, among others, are working to facilitate the next PGJ conference: the Role of the Judiciary in Promoting Gender Justice in Conflict Affected Africa. The conference is planned to take place in Sierra Leone in August 2008.

Members Offices

Member Organisations

American Bar Association
www.abanet.org

American Judicature Society
www.ajs.org

Arab Lawyers Union

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

Bar Association of India

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

Canadian Bar Association
www.cba.org

Commonwealth Lawyers Association
www.commonwealthlawyers.com

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

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

**Human Rights Network
International – Magna Carta**
www.hrni.org

ILAC-USA

Inter-American Bar Association
www.iaba.org

International Association of Prosecutors
www.iap.nl.com

International Association of Women Judges
www.iawj.org

International Bar Association
www.ibanet.org

International Commission of Jurists
www.icj.org

International Criminal Law Services
www.icls-foundation.org

**International 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 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

National Association of Women Judges
www.nawj.org

Nepal Bar Association
www.nepalbar.org

Norwegian Bar Association
www.jus.no

**Organization of Commonwealth
Caribbean Bar Associations**

Pan African Lawyers Union

Palestinian Centre for Human Rights
www.pchrgaza.org

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

Raoul Wallenberg Institute
www.rwi.lu.se

Swedish Bar Association
www.advokatsamfundet.se

Union Internationale des Avocats
www.uianet.org

Individual Members

Lord Abernethy
Scotland

Ljubica Acevska
Macedonia

Giuseppe Bisconti
Italy

Rodger Chongwe
Zambia

Hans Corell
Sweden

Param Kumaraswamy
Malaysia

Farouk Abu Eissa
Sudan

Mark Ellis
USA

Alfred Fofie
Ghana

Elisabeth Fura-Sandström
Sweden

Richard Goldstone
South Africa

Paul Hoddinott
UK

Natasa Kandic
Serbia

Dianna Kempe
Bermudas

Kadhim Lami
Iraq; UK

Pius Nkondo Langa
South Africa

Suzannah Linton
Malaysia

Finn Lynghjem
Norway

Peter Maynard
Bahamas

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USA; Life Member

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Annual Accounts 2007

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 2007 – 31 December 2007. 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 2007.

Stockholm, May 2008

Christer Fröjd
Authorized Public Auditor

FOR THE FISCAL YEAR
1 JANUARY – 31 DECEMBER 2007
ILAC (802411-1869)

Annual Accounts 2007

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 2007 has consisted of legal development assistance to post-conflict countries and related activities. Most of the ILAC-initiated work has been related to Iraq, Haiti and Liberia.

During the autumn of 2007, ILAC has also – at the invitation from the government of Rwanda and the UN International Criminal Tribunal for Rwanda (ICTR) – performed an assessment of the judicial system of Rwanda. The purpose of this assessment was to identify where the system needs assistance in order to enable domestic courts to handle cases from the ICTR, which is preparing to close down its operations within a few years.

Regarding Iraq, the International Bar Association (IBA) has continued to run courses for Iraqi jurists in international criminal law and international humanitarian 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 continued assistance to these newly elected governments to proceed with plans for legal reform and to improve access to justice for the poor.

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 March 2007 ILAC arranged a conference on gender justice in Cape Town, in cooperation with the South African Ministry of Justice and UNIFEM, the UN gender agency. The conference brought together ministers of justice and gender from 12 post-conflict African countries.

Besides the ILAC Head Office in Stockholm, ILAC had at the end of 2007 branch offices also in London, Washington, Brussels and Lusaka. ILAC also had temporary presentation in Haiti and Liberia.

At the end of 2007, the consortium consisted of 40 member organisations, representing all five continents and more than 3 million individual members.

Council proposes that the economic surplus for 2007, SEK 29 884, 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)	2007-01-01 2007-12-31	2006-01-01 2006-12-31
Income				
Contributions			19 416 325	18 182 058
Membership fees			62 625	49 656
Other fees			—	—
Total income			19 478 950	18 231 714
Costs				
General external costs		(Footnote 2)	- 15 931 107	- 15 077 752
Staff costs		(Footnote 3)	- 3 602 498	- 3 141 339
Total costs			- 19 533 605	- 18 219 091
Result			- 54 655	12 623
Financial income and costs				
Interest income			168 863	62 687
Interest costs			- 84 324	- 55 129
Year end result			29 884	20 181

All figures in SEK

BALANCE SHEET FOR	(Footnote 1)	2007-12-31	2006-12-31
ASSETS			
Short term assets			
Client receivables		–	–
Tax receivables		37 864	38 285
Other receivables		68 671	88 585
Pre-paid expenses		258 074	201 924
Total short term assets		364 609	328 794
Cash and bank balances		13 860 557	16 987 123
TOTAL ASSETS		14 225 166	17 315 917
EQUITY AND LIABILITIES FOR			
Equity			
Capital brought forward		77 532	57 351
Year end result		29 884	20 181
Total		107 416	77 532
Current liabilities			
Account payable		135 812	51 999
Tax liabilities		–	–
Other liabilities		76 975	90 780
Accrued expenses and deferred income		13 904 963	17 095 606
Total current liabilities		14 117 750	17 238 385
TOTAL EQUITY AND LIABILITIES		14 225 166	17 315 917

FOOTNOTES

1 Accounting principles

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

2 Other external costs	2007-12-31	2006-12-31
Balanced portion of contributions from Swedish MFA, SIDA -	2 099 135	485 691
External project costs	11 029 109	10 570 950
Travel and conference costs	5 281 550	2 812 355
Office equipment	72 776	53 364
Office rent and services	549 735	466 592
Administration, marketing and communications	1 097 072	688 800
Total	15 931 107	15 077 752

3 Staff costs	2007-12-31	2006-12-31
Number of staff, gender		
Women	2,0	2,0
Men	1,0	1,0
Salaries		
Council	1 378 677	1 333 244
Other employees	919 634	804 370
Total	2 298 311	2 137 614
Payroll taxes	725 023	652 938
Pension premiums to Council	119 556	124 836
Pension premiums to other employees	41 928	44 528
Pension premium tax	39 176	41 627
Total	925 683	863 929
Total salaries and related benefits	3 223 994	3 001 543

All figures in SEK

Stockholm May 2008

Christian Åhlund
Shelby Quast

Sandy D'Alemberte
Paul Hoddinott

Rodger Chongwe

My auditing report has been issued May 2008

Christer Fröjd
Authorized Public Auditor