

**NATIONAL ASSOCIATION OF WOMEN JUDGES  
30<sup>th</sup> ANNUAL CONFERENCE  
OCTOBER 15-19, 2008  
PORTLAND, OREGON**

PLENARY SESSION:  
**KEEPING THE PROMISE OF THE RULE OF LAW**  
THURSDAY, OCTOBER 16, 2008

PANELIST:  
**HONORABLE BERNICE BOUIE DONALD**  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE



***AMERICAN BAR ASSOCIATION RULE OF LAW  
INITIATION (ABA ROLI)***



## PROFILE

The American Bar Association's Rule of Law Initiative (ABA ROLI) is a mission-driven, non-profit program grounded in the belief that rule of law promotion is the most effective long-term antidote to the most pressing problems facing the world community today, including poverty, conflict, endemic corruption and disregard for human rights.

The ABA established the Rule of Law Initiative in 2007 to consolidate its five overseas rule of law programs, including the Central European and Eurasian Law Initiative (CEELI), which it created in 1990 after the fall of the Berlin Wall. Today, the Initiative implements legal reform programs in more than 40 countries in Africa, Asia, Europe and Eurasia, Latin America and the Caribbean, and the Middle East and North Africa. The ABA Rule of Law Initiative has more than 400 professional staff working in the United States and abroad, including a cadre of short and long-term expatriate volunteers who, since the program's inception, have contributed more than \$200 million in *pro bono* technical legal assistance.

The ABA Rule of Law Initiative's local partners include judges, lawyers, bar associations, law schools, court administrators, legislatures, ministries of justice, human rights organizations and civil society members. While ABA ROLI implements its technical assistance programs with host country partners in a wide array of substantive areas, including commercial and property law reform, its efforts are concentrated in the following seven focal areas:

**Anti-Corruption and Public Integrity:** Drafting and implementing public integrity standards and freedom-of-information laws, developing national action plans, conducting public education campaigns on the corrosive impact of corruption, and encouraging the public to combat corruption through mechanisms such as anonymous hotlines.

**Criminal Law Reform and Anti-Human Trafficking:** Training criminal justice professionals, including police and prosecutors, to combat crimes such as human trafficking, money laundering and cyber crime, and helping to reform key criminal law legislation such as criminal procedure codes.

**Women's Rights:** Assisting both governmental officials and non-governmental organizations to address a variety of women's rights issues, such as domestic violence, sexual harassment in the workplace and widespread gender-based violence (including systematic rape) in post-conflict situations.

**Access to Justice and Human Rights:** Increasing awareness of international human rights standards and humanitarian law, and training legal professionals to seek redress for human

rights violations in both domestic and regional/international courts, such as the European Court of Human Rights.

**Judicial Reform:** Promoting greater independence, accountability and transparency in judicial systems, assisting in drafting and enacting codes of judicial ethics, promoting judicial education and training, and enhancing court administration and efficiency.

**Legal Education Reform and Civic Education:** Assisting law schools in introducing new courses and practical training that better meet the needs of tomorrow's legal professionals, and promoting a rule of law culture through civic education campaigns on the rule of law and citizens' rights.

**Legal Profession Reform:** Assisting in developing and administering first-ever bar examinations, developing codes of legal ethics and strengthening independent bar associations to serve as advocates for and protectors of the rule of law, and enhancing continuing legal education programs to help ensure adequate mastery of existing and newly-enacted laws.

ABA ROLI's overseas work is supported by legal research and assessments. The program conducts in-depth assessments of draft legislation at the request of host country partners, conducts legal research, produces resource guides on rule of law issues, and develops and implements a range of acclaimed assessment tools. To date, ABA ROLI has developed the following assessment tools: *Judicial Reform Index*, *Legal Profession Reform Index*, *Prosecutorial Reform Index*, *Legal Education Reform Index*, *Human Trafficking Assessment Tool*, *ICCPR Index* and the *CEDAW Assessment Tool*, the last three of which are based, respectively, on the United Nations anti-human trafficking protocol to the United Nations Convention against Transnational Organized Crime, the United Nations International Covenant on Civil and Political Rights, and the Convention on the Elimination of All Forms of Discrimination Against Women. ABA ROLI has conducted over 50 assessments in more than 20 countries using these tools, all of which are publicly available and are regularly relied upon by local reformers, technical assistance providers, international donors and scholars alike.

The five core principles that guide the work of the ABA Rule of Law Initiative are as follows:

1. Employing a highly *consultative* approach to the delivery of technical assistance that is responsive to the requests and priorities of the Initiative's local partners.
2. Employing a *comparative* approach in the provision of technical legal assistance, with the U.S. legal system providing just one of several models that host country reformers can draw upon.
3. Providing technical assistance and advice that is *neutral* and *apolitical*.
4. Building local *capacity* by strengthening institutions in both the governmental and non-governmental sectors and by furthering the professional development of ABA ROLI's host country staff, many of whom become the next generation of leaders in their countries.
5. Providing *thought leadership* in the field of rule of law promotion that draws on both the Initiative's extensive overseas field experience and on the resources and convening power of the ABA and its more than 400,000 members in the United States and abroad.

## ABA RULE OF LAW CURRENT PROGRAMS

### AFRICA

- **Burundi:** reintegration of former child soldiers
- **Cameroon:** anti-human trafficking
- **Democratic Republic of Congo:** legal aid for gender-based violence victims and advocacy training
- **Ethiopia:** judicial and legal education reform enforcement, *Judicial Reform Index*
- **Liberia:** legal education and legal aid, alternative dispute resolution
- **Nigeria:** anti-human trafficking training for law enforcement and victim support programs

### ASIA

- **Cambodia:** legal and judicial education, public interest legal advocacy
- **China:** citizens' rights advocacy, judicial training, environmental enforcement, criminal justice reform
- **Nepal:** public awareness and grassroots participation
- **Philippines:** judicial reform, combating extrajudicial killings
- **Thailand:** justice sector integrity
- **Vietnam:** legal profession and bar association development
- **Regional:** anti-corruption

### EUROPE AND EURASIA

- **Albania:** *Judicial Reform Index*
- **Armenia:** judicial, legal education and legal profession reform, legal aid, defense bar reform, *Legal Profession Reform Index*, *Judicial Reform Index*
- **Azerbaijan:** legal education, access to justice, continuing legal education, defense bar reform and anti-corruption

- **Georgia:** judicial reform, legal profession reform and legal education, criminal procedure code implementation, *Judicial Reform Index*
- **Kazakhstan:** public legal education
- **Kosovo:** criminal law, legal profession reform and legal education reform, *Legal Education Reform Index*
- **Kyrgyzstan:** public education, indigent defense, unifying bar work, street law legal education, legal education, *International Covenant on Civil and Political Rights Index*
- **Moldova:** access to justice and capacity building, legislative and defense bar reform, *Prosecutorial Reform Index*
- **Russia:** legal profession reform, legal aid, women's rights and anti-human trafficking, defense bar reform
- **Serbia:** legal profession reform, anti-corruption, *Prosecutorial Reform Index*
- **Tajikistan:** criminal justice reform, legal education, *Judicial Reform Index*
- **Turkmenistan:** public legal education, indigent services and legal aid, anti-domestic violence training
- **Ukraine:** defense advocacy, law enforcement reform, pre-trial detention reform, anti-human trafficking, access to justice, legal education, anti-corruption
- **Uzbekistan:** public legal education, legal clinic, criminal defense reform

#### LATIN AMERICA AND THE CARIBBEAN

- **Ecuador:** criminal justice reform
- **Mexico:** *Human Trafficking Assessment Tool*

#### MIDDLE EAST AND NORTH AFRICA

- **Algeria:** judicial and legal reform, women's rights
- **Bahrain:** judicial and legal reform, *Legal Profession Reform Index*
- **Egypt:** continuing legal education
- **Jordan:** legal education
- **Lebanon:** clinical legal education, anti-corruption

- **Morocco:** judicial and legal reform, anti-corruption
- **Oman:** judicial and legal reform
- **Qatar:** public legal education and legal education
- **Syria:** legal profession and legal education
- **Regional:** Arab Council for Judicial and Legal Studies (judicial reform), judicial curriculum program, legal profession development initiative

#### RESEARCH AND ASSESSMENTS

- *Judicial Reform Index:* Albania, Armenia, Ethiopia, Georgia and Tajikistan
- *Legal Profession Reform Index:* Armenia and Bahrain
- *Prosecutorial Reform Index:* Bulgaria, Moldova and Serbia
- *Legal Education Reform Index:* Kosovo
- *International Covenant on Civil and Political Rights Index:* Kyrgyzstan
- *Human Trafficking Assessment Tool:* Mexico

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## STORIES FROM THE FIELD

### AFRICA

#### *ABA ROLI Hosts its First Anti-Human Trafficking Training in Cameroon*

Since the passage of a 2005 anti-trafficking in persons (anti-TIP) law, the Cameroonian government has stepped up its efforts to investigate and prosecute criminals involved in human trafficking rings. And yet, many actors in Cameroon charged with overseeing anti-TIP efforts lack sufficient knowledge about the phenomenon or the 2005 law to effectively combat these crimes. The focus of ABA ROLI's efforts in Cameroon is to address this lack of capacity by training an array of anti-TIP actors.



*Certificates of participation were handed out to training participants.*

At a recent two-day workshop, ABA ROLI trained Cameroonian police and its *gendarmerie* – a military body charged with police duties among civilian populations – on the anti-TIP law and about specific tactics they can employ to better combat human trafficking. Training modules developed specifically for workshop attendees provided a comprehensive overview of the global human trafficking phenomenon and of the situation in Cameroon. After discussing relevant international, regional and national anti-TIP legislation, presentations focused on investigative techniques and best practices with respect to dealing with rescued trafficking victims. The training also included case simulations that allowed attendees to apply lessons learned during the training. The event was funded by the U.S. Department of State and was hosted by *Ecole Nationale Supérieure Polytechnique* (ENSP), which trains police.

Broad participation at the training was very encouraging, with attendees from eight provinces in attendance. Participants included high-ranking police, judiciary police, Interpol representatives, public security officials, and a considerable contingent from the *gendarmes*, including several colonels and commandants. All participated fully in the discussions and later expressed their satisfaction with the content of the training. Many promised to share the lessons learned with colleagues in their respective regions. Several attendees recommended that the curriculum be mainstreamed into programs at both the police and *gendarmerie* training institutions and that it be extended to include educational events in Cameroon's 10 provinces. The next training session, which will include magistrates and attorneys, is scheduled for October 2008.



## *ABA ROLI Supports the Fight Against Gender-Based Violence in the Democratic Republic of Congo*

The Democratic Republic of Congo (DRC) is located in central Africa and is approximately one-quarter the size of the United States. It is a country that, in the last century, has arguably seen more tragedy and devastation than any other in Africa. The Second Congo War,



*A young victim of rape testifies before the court in DRC.*

also known as Africa's World War, began in August 1998 in DRC (formerly called Zaire), and directly involved eight African nations and over 20 armed groups. By 2008 the war and its aftermath had killed 5.4 million people, making the Second Congo War the deadliest conflict worldwide since World War II. Despite a January 2008 peace accord, armed conflict in the DRC continues today, mostly between government troops and militias. Women are among the most frequent targets of this scaled down war, with rape used as a weapon to destroy them, their families and their villages. In the last 10 years, hundreds of thousands of women have been raped, many of them gang raped. Victims range in age from 3 to 75 years. Additionally, rape by civilians – many of whom are former soldiers – is on the rise.

In early 2008, ABA ROLI opened its office in the eastern city of Goma in North Kivu province to address the world's most severe rape crisis. The goal of ABA ROLI's Department of State-funded program is to provide legal consultations to victims of gender-based violence (GBV), train law enforcement and judges to more effectively investigate, prosecute and adjudicate GBV cases, and to assist the North Kivu Bar Association in providing *pro bono* assistance to rape victims.

ABA ROLI has conducted a number of successful trainings for lawyers, police, prosecutors, judges and magistrates on how to handle GBV cases more effectively. Moreover, an ABA ROLI-operated legal aid clinic has helped dozens of GBV victims file rape charges against their assailants, several of which have resulted in convictions and prison terms. In most such cases, ABA ROLI has provided victims with psychological counseling without which many would not have been able to pursue criminal charges and face their assailants in court. Because of the success of this program, the Dutch government appears ready to fund a three-year, \$5 million program that would expand ABA ROLI's work on GBV issues to neighboring Maniema province. This would represent the largest non-U.S. government grant ever to ABA ROLI since the inception of the ABA's overseas technical assistance program in 1990.

## *New Judicial Training Institute will Ensure Quality Courts in Liberia*

Of the approximately 300 magistrates in Liberia, only 10 have a law degree — a basic requirement for the position under Liberian law. Many ad hoc appointments to the bench have been made, resulting in a weakened judiciary and an attenuated rule of law in Liberia. To confront this challenge, the chief justice of the Supreme Court of Liberia established a steering committee to explore the idea of creating a judicial training institute (JTI) to fortify the rule of law. Members of the Liberian judiciary and government and of various regional and international organizations — including the American Bar Association’s Rule of Law Initiative (ABA ROLI) — comprised the committee.



*Liberia’s Temple of Justice, prospective home of the Judicial Training Institute.*

The committee drafted recommendations, which were in turn accepted by the chief justice. In consultation with the Supreme Court of Liberia, ABA ROLI is developing the administrative structure and drafting the training curricula for the JTI. The U.S. Agency for International Development will provide funding support for the program, which establishes the JTI under the auspices of the Liberian government. The JTI will provide continuing education to the country’s judges, magistrates and court personnel. The institute is part of a long-term strategy for improving the administration of courts and the provision of justice in Liberia. The first priority for the institute will be training and developing Liberia’s magistrates, followed by offering continuing legal education for lawyers. Training programs for bailiffs and clerks will also be established. Ultimately, the goal is to house the training institute in Liberia’s Temple of Justice in Monrovia.

## ASIA

### *Public Interest Legal Advocacy in Cambodia*

Cambodia's Public Interest Legal Advocacy Project (PILAP) is a high-impact, public-interest program operated as part of the Community Legal Education Center, a non-governmental organization located in Phnom Penh. PILAP's primary objective is to promote the use and effectiveness of legal actions, primarily in land seizure cases, that generate publicity and debate and that demand broader accountability and respect for legal norms while addressing specific advocacy goals. ABA ROLI staff in Cambodia lend their expertise to Cambodian lawyers and communities as part of the PILAP team. The program is supported by the East-West Management Institute and the U.S. Agency for International Development.

The ongoing Kong Yu case is a glaring example of land grabbing and impunity in Cambodia. Through a series of bribes, lies and intimidation, an indigenous community was divested of its ancestral land by a member of Cambodia's powerful elite—in this case, the sister of the economics and finance minister, who also happens to be the wife of a secretary in the land management ministry. To help resolve the case, the PILAP team performed extensive GPS-enabled land surveys in the area and interviewed many of the families involved. They also conducted advocacy training for the community. As the case is both controversial and politically-sensitive, the path to justice has not been quick or easy. Recently, the judge visited the Kong Yu site with other officials to measure the land. The visit, which was videotaped and covered by local media, created even more tension. The judge appeared to side with the alleged perpetrator and he used threatening and belittling language throughout the visit.



*Cambodian villagers take part in a press conference to publicize their legal efforts to reclaim their indigenous lands.*

The case is far from resolved, and there are many obstacles, such as the judge's reluctance to put anything in writing for fear of repercussions. As a result, the PILAP team filed a motion seeking the judge's removal from the case; in response, the judge voluntarily removed himself. A new judge is yet to be assigned. Despite the obstacles, which include offers of bribery, threats and punitive actions, the PILAP team continues to utilize all advocacy tools available to defend the rights of Cambodian citizens victimized by land seizures.

## *ABA ROLI Supports Open Government in China*

In May 2008, China adopted State Council Regulations on Disclosure of Government Information (DGI), legislation similar to the United States' Freedom of Information Act. ABA ROLI collaborated with Mo Yuchuan, a professor from Renmin University of China, to develop an action paper on the interpretation of the law and another on the law's implementation in order to influence key government agencies, local government departments and policy leaders. More than 1,680 trainees across China participated in one of eight training sessions on how access to information impacts the work of government officials and civil servants. Many participants noted that it was their first opportunity to learn about the issue. The training sessions reached an even wider audience, as the Chinese National School of Administration videotaped the presentation to produce DVDs to train local government administration and party schools. Additionally, more than 2,000 civil servants across Hunan Province received a televised training session led by Mo, who was invited to conduct the training by the Hunan Provincial Government. To raise public awareness of the DGI regulations, Mo and his research team conducted public outreach and education activities in four Beijing neighborhoods, where they distributed more than 3,000 DGI brochures and garnered significant press coverage.

ABA ROLI also worked with Cheng Jie, a professor from Tsinghua University, who successfully completed a research report analyzing the efforts of four cities with early DGI regulations and making policy recommendations based on her research. The research findings were shared at a high-level policy forum and in an article published in the *Legal Daily*.

## *ABA ROLI Helps to Establish Small Claims Courts in the Philippines*



*Reporters interviewing Chief Justice Puno.*

On October 1, the Philippines officially opened 24 small claims courts across the country as part of an ABA ROLI program funded by the U.S. Agency for International Development. At a ceremony held before the courts' opening, Philippine Supreme Court Chief Justice Reynato Puno noted: "With . . . this new rules of procedure for small claims cases, we have shortened the distance between our dream of justice for the poor and the cruel reality on ground." In his remarks, Court Administrator Jose Perez, noted that 70 percent of the cases pending before various courts nationwide could now be referred to a small claims court,

which would boost the judiciary's effort to unclog court dockets.

In mid-September 2008, the Philippines Supreme Court approved the establishment of the small claims court, which was based in large part on rules and procedures that ABA ROLI helped to draft. Cases are restricted to those with disputed amounts under 100,000 pesos (around \$2,000 USD) and to those that concern matters of contract, simple negligence, failure to repay loans and other minor complaints. There is also a prohibition on attorney representation in the small claims court. This aspect of the rules is supported by the Philippines Bar Association, which recognizes that the amounts of money in dispute are too small to warrant retaining an attorney; however, Filipino attorneys can still assist litigants by helping to file and prepare cases.

ABA ROLI staff worked closely with a technical working group of the Philippines Supreme Court to prepare draft rules and procedures for the small claims court. By supplying the working group with small claims laws from various international jurisdictions, ABA ROLI was able to provide ideas on how to best structure a similar court for the Philippines. ABA ROLI staff also encouraged innovative administrative procedures, such as assigning all hearing dates at the time a case is filed. Support efforts included training judges in preparation for the courts' opening.

## EUROPE AND EURASIA

### *ABA ROLI Assists Armenia in Run-up to Disputed Election*

Building public confidence in Armenia's laws and institutions was the goal of an innovative and hands-on effort by ABA ROLI to provide election-related legal assistance in that country. The program, which was supported by funding from Counterpart International, established a toll-free, national legal assistance hotline available to Armenian citizens on election day. The hotline fielded questions and concerns about voting irregularities and associated problems, and it had the capacity to dispatch one of 40 "ambulance crews" to provide legal assistance as necessary. When appropriate, a team consisting of a civic activist, a lawyer, a reporter and an observer was sent to provide on-site support. Prior to the election, ABA ROLI, along with the Council of Europe and a network of non-governmental organizations, held a pre-election conference to foster a hospitable environment for the elections. The event emphasized the role of the legal system in ensuring free and fair elections. Participants included ambassadors, judges, advocates, prosecutors, journalists, leaders of observation missions and international organizations.



*A volunteer lawyer offers legal assistance to a hotline caller on Election Day 2008 in Armenia.*

Thanks to an assertive public campaign, the Hotline Office received 475 calls—almost four times as many as it received during a similar ABA ROLI effort to support the 2007 Parliamentary Elections. Nearly 70 of the calls requested on-the-spot legal assistance. The remaining 405 calls involved legal consultations over the phone. In contrast with the 2007 elections, many more individuals were willing and ready to pursue legal solutions for alleged electoral violations. Hotline lawyers helped them file complaints with electoral commissions or the prosecutor's office. Many of the lawyers continue their representation of clients, as the election hotline still receives calls

from people who are detained or who have other legal problems relating to the election.

A key accomplishment of the project was its preventive role. At several polling stations, potential violations were suppressed by an ambulance crew's presence. And by maintaining ongoing communication with various media outlets and updating online information throughout election day, the hotline office kept the general public apprised of the current situation.

A week after the election, runner-up candidate Levon Ter-Petrosian contested the results, creating a controversy over the election of Serzh Sarkisian. Still, the elections were deemed "mostly in line with Organization for Security and Co-operation in Europe (OSCE) commitments and standards" by OSCE observers—thanks in part to ABA ROLI's efforts.

## *Kyrgyzstan's Madrassa Students Participate in Street Law Classes*

Since early childhood, 28 year-old Kanishai Kojoakmatova dreamed of becoming a lawyer. But her father believed that his young daughter should not study the law – it was not an appropriate pursuit for a girl. But, ten years after graduation from secondary school in Kyrgyzstan, Kojoakmatova found the chance to continue her education. Though she could not attend an expensive law university, she enrolled in the more accessible option – a madrassa (religious school).



*Students in a madrassa in Osh, Kyrgyzstan, learn about citizens' rights through the Street Law program*

When Kojoakmatova came from remote Chon Alai in 2006 to study at the Islamic Institute in Osh, she was pleasantly surprised to find that law classes were delivered alongside her religious study. “Every week we have the *We and the Law* classes, where we learn our rights and how to defend them if they are violated. We also consider different life situations...and learn how to address these problems with the help of the law,” Kojoakmatova says. When asked what she likes best about the curriculum, she cites the ability to freely express her opinions and to disagree with other students.

The street law program, implemented by ABA ROLI, is aimed at providing public legal training on the basics of law, human rights and democratic principles. Since 2001, legal training has been delivered in 50 secondary schools in the Kyrgyz Republic. Since 2006, the classes have been held in 13 madrassas and Islamic institutions, representing about a quarter of all the nation’s religious teaching institutions. ABA ROLI developed and published the teaching manuals and textbooks, which were approved by Mufiyat (the national Muslim board), used in the Islamic institutions.

“Just recently, I helped my nephew get a passport,” Kojoakmatova recounts, “because I knew which agencies to apply to and what documents should be provided.” Kojoakmatova tries her best to master provisions of the law because she believes that without awareness of one’s rights and the law, life would be very difficult. She is confident that the knowledge and skills she has gained will continue to help her in a variety of circumstances. In May 2008, Kojoakmatova graduated from the Islamic Institute and returned home. She took with her the *We and the Law* teaching manuals and textbooks so that she could hold the law classes in her native village. “I was not able to become a lawyer, but I have the chance to be a teacher of law,” Kojoakmatova smiles, “and I will definitely achieve my goal!”

## *Moldovan Villagers Receive 28 Tons of Wheat Owed as Rent Payment Thanks to the Traveling Lawyer Program*

Corrupt agricultural companies abound in Moldova, targeting elderly villagers who have small plots of land but no other resources except their meager pensions. These “corporate sharecroppers” frequently take advantage of villagers by using land leases that lack basic elements of fairness. When traveling lawyer Valeriu Covas visited the village of Chipirceni as part of his weekly free consultations, a villager asked for help in recovering the wheat crop owed to him. After investigating, Covas determined that this same company had



*Traveling lawyer Valeriu Covas, left, recovered 28 tons of wheat owed as payment to more than 200 Chipirceni villagers, including Serghei Slutu, right.*

failed to pay nearly 200 villagers the wheat crops they were due as rent payment.

“The company thought it could take advantage of the villagers, who don’t know how to protect their rights, in part by using a lease that did not even contain its address or the name of its director,” said Covas. When the owners attempted to secure payment, they were not able to find the company or its director. The traveling lawyer filed a complaint with the district prosecutor’s office. After locating the company’s director, the prosecutor provided two choices—pay the debt or face a lawsuit. Since that time, the company has given more than 28 tons of wheat to the villagers as back payment.

“Thanks to the traveling lawyer, we got the wheat payments we were owed. We need these crops. Now, we have wheat to use for food and to sell at the market,” said one pleased villager.

Moldova’s ABA ROLI-supported traveling lawyers program has provided legal

services to more than 18,000 people in villages throughout Moldova. With monthly stipends and training from ABA ROLI, the program makes it possible for seven lawyers to provide free consultations and court representation to rural Moldovans who cannot afford to consult a lawyer about problems involving employment, family law, land, government benefits and other issues. The program has been recognized by the U.S. Ambassador to Moldova, Michael Kirby, who stressed the importance of helping ordinary people address important legal issues and of fostering confidence in the rule of law.



### *Continuing Legal Education Training Team in Krasnoyarsk, Russia*

With every lawyer in Russia now required to take 20 hours of continuing legal education (CLE) each year, there is an emphasis on developing that nation's capacity to conduct CLE training and on spreading the word about CLE to remote areas such as Siberia. Along with the Krasnoyarsk Regional Chamber of Advocates and the Federal Chamber, ABA ROLI's Moscow office continues its work to improve Russian lawyers' practical skills training. Together, the partners established the CLE Center for Attorneys in January 2008. Since that time, the center in Krasnoyarsk has been the home of two pilot programs, the bar development program and the criminal reform program.

The first of three training sessions was held in January, with a focus on recruiting quality trainers. Follow-up, multi-day sessions in April and June featured substantive and rigorous training. Ethics and presentation skills training were the subjects of the April seminar, which allowed trainers to gain experience in preparing their own presentations while receiving feedback from various experts. The final June session featured intensive training on case strategy and tactics, legal position in criminal cases, analysis of evidence, direct and cross examination, and the art of opening and closing statements. Each of these new skills was rigorously tested, both in the classroom and in a moot court competition. All work was evaluated by prominent professionals, including faculty from the Saint Petersburg Institute of Law and the Federal Siberian University and by ABA ROLI legal specialists – all of whom praised the pilot programs and the performance of the trainers-in-training. As a testament to the programs' success, ABA ROLI and the Krasnoyarsk Regional Chamber of Advocates are pleased to announce a 15-attorney strong contingent of trainers. Previously armed with excellent experience gained from representing clients in criminal and civil cases, these attorneys are now also prepared to develop their own curriculum for continuing education, allowing them to promote the idea of CLE throughout the Russian legal community.

## LATIN AMERICA AND CARIBBEAN

### *ABA ROLI Eases Ecuador's Transition from Inquisitorial to Adversarial Trial System*

Prosecutors, police and judges in Ecuador are praising a recent criminal law training on the country's new adversarial trial system. This positive response from the participants underscored ABA ROLI's success in bridging systemic change with public education in rule of law promotion. Ecuador's recent move from an inquisitorial legal system to an adversarial system has advanced the rule of law in the country. Still, many lawyers and judges lack familiarity with such a system, ultimately diluting its effectiveness.



*Carlos Perez, an Assistant United States Attorney from Orlando, Florida, discusses trial preparation at an ABA ROLI training in Riobamba, Ecuador.*

ABA ROLI recognizes that it is helpful for members of the legal system to have frequent discussions on the nuts and bolts of criminal justice issues. These issues, covered among others in the trainings, include: police investigations, trial preparation, and explanation of the judge's oversight of procedures and evidence. The October 2007 training was the second in a three-part series on the new adversarial system. ABA ROLI organized the trainings in Quito, Guayaquil, Loja, and Riobamba during the first two weeks of October. In every city, participants lauded the dynamic and interactive instruction, and many asked for more training on a regular basis. One prosecutor noted that the workshop "has had a direct impact on our daily practice and increased the chances that we will be successful in prosecuting cases."

## MIDDLE EAST AND NORTH AFRICA

### *Bahrain Judicial Reform Activities*

Over the past four years, ABA ROLI has worked closely with the Bahraini Ministry of Justice (BMOJ) to enhance the efficiency and effectiveness of the Bahraini judiciary. ABA ROLI supports the BMOJ's Judicial and Legal Studies Institute (JLSI) on a broad spectrum of activities geared toward upgrading judicial skills. Efforts include organizing seminars, developing e-learning coursework and creating practice manuals on topics such as women's equality, child custody, contracts, Shari'a court procedures and civil damages. ABA ROLI has also been assisting the JLSI in creating a more effective administrative infrastructure.

As a complement to its training-related activities, ABA ROLI has also worked with the BMOJ to create a judicial code of ethics and to improve the judicial qualification examination. The program has also included assistance in drafting a mediation law that, if implemented in conjunction with a proposed law on case management, will reduce the demand on courts and streamline case management. The strong relationship that ABA ROLI has cultivated with the BMOJ during this program is demonstrated by the breadth of reform efforts, the extent of the activities with the JLSI, and by ABA ROLI's office location in the ministry building. The BMOJ has demonstrated the value it places on ABA ROLI's technical assistance by contributing more than 25 percent of the actual cost of programming.

### *Regional Judicial Curriculum Initiative*



ABA ROLI implemented a Middle East Partnership Initiative-funded program entitled *Enhancing Judicial Education on Women's Rights*. This program supported the development of online learning modules on women's rights for judges in Morocco, Algeria, Bahrain and Jordan. Through the development and dissemination of 20 modules, these judges were equipped with high-quality, standardized information on

international gender equality principles and relevant local laws. This coursework provided them the necessary tools to adjudicate gender-related cases – especially those relating to local family codes – in an effective, consistent and even-handed manner.

The program further succeeded in strengthening the curriculum development capacity of judicial training institutes in target countries and in giving these institutes a new and innovative method of reaching judges in remote areas. ABA ROLI is working with the

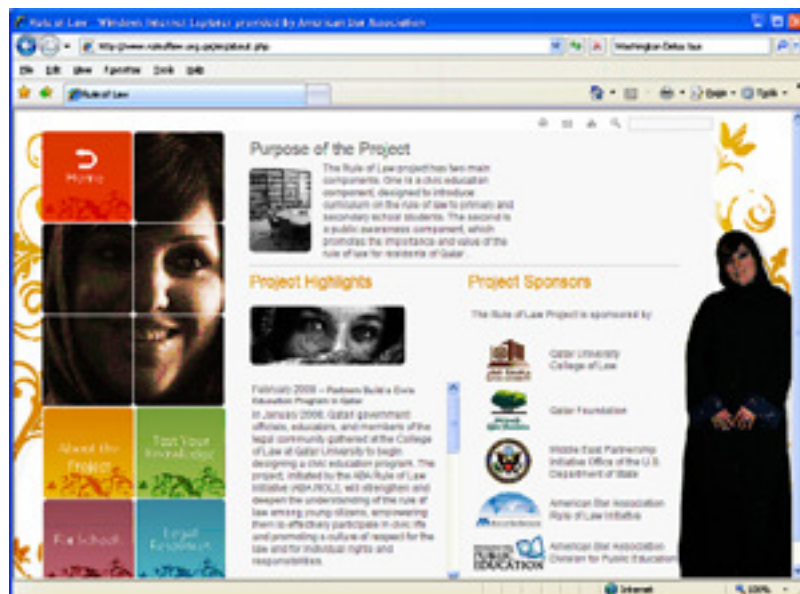
judicial training institutes in these countries to incorporate the e-learning modules into their respective curricula. The positive response to the e-learning courses prompted a follow-on program, which seeks to upgrade the existing modules (for example, through the addition of an enhanced interactive capability) and to create new modules for both judges and court clerks. A full-scale evaluation of the existing modules, including field testing, is currently taking place under the new program.

### *Qatar Program*

In January 2008, ABA ROLI began a comprehensive civic education program to promote the understanding of the rule of law among Qatari preparatory and secondary students. ABA ROLI works with local partners, including the Qatar University College of Law and the Qatar Foundation, to identify relevant rule of law issues for young Qatari citizens. The program both encourages better understanding of the need for laws and explores the intertwined relationship between law and Qatari cultural and religious traditions. Utilizing sophisticated technology to encourage broad participation, the program's rule of law website, <[www.ruleoflaw.org.qa](http://www.ruleoflaw.org.qa)>, includes resources and activities for students and teachers.

A classroom-based civic education effort will be piloted in select Qatari classrooms. ABA ROLI partners with the ABA Public Education Division to develop and implement the classroom curriculum. Dr. Mabel McKinney-Browning, director of the division, traveled to Qatar in spring 2008 to work with local partners on developing and promoting the civic education materials. She has plans to return in October 2008 to conduct a curriculum development workshop for educators and law students.

ABA ROLI entered into a memorandum of understanding with Qatar University's College of Law in February 2008. Due to the success of their collaboration on the civic education program, ABA ROLI and Qatar University plan to cooperate on a number of programs in 2009, including an assessment of the law school based on the rigorous ABA law school accreditation standards and standards set by the Arab Legal Education Forum.



## RESEARCH AND ASSESSMENTS

### *Exploring Anti-Human Trafficking Efforts in Mexico*

Since January 2008, ABA ROLI has been conducting an assessment of Mexico's efforts to eliminate human trafficking in that country. Following the adoption of federal anti-human trafficking legislation, ABA ROLI's Human Trafficking Assessment Tool (HTAT) was implemented to assess its integration into federal and state legislation and operations. The HTAT evaluates a nation's compliance with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking Protocol), which supplements the United Nations Convention against Transnational Organized Crime.

The HTAT will be used to conduct *de jure* and *de facto* analyses of Mexico's compliance with 13 articles established by the Trafficking Protocol. The assessment will also explore efforts to incorporate the protocol into legislation and institutions. The program is funded by the U.S. Department of State's Office to Monitor and Combat Trafficking in Persons and evaluates compliance by both the federal government and by the state governments in Baja California, Chihuahua, Chiapas, Oaxaca, Guerrero, Quintana Roo and Tlaxcala. To date, field staff have analyzed legislation, policies, programs and pertinent secondary materials. More than 70 interviews have been conducted with state and federal officials, as well as with representatives of international and non-governmental organizations. The final report will detail efforts to date and will help to direct legislation and resources to comply with the requirements of the Trafficking Protocol. It is expected to be published in early 2009.

### *Promoting Prosecutorial Reform in Bulgaria*

In April 2008, just a year and a half after ABA ROLI published the findings of its Bulgarian Prosecutorial Reform Index (PRI), Margarita Popova, chair of the PRI Implementation Committee, declared that the government has made definite progress toward improving the accountability and administration of the prosecutorial sector. Popova's remarks were testament to ABA ROLI's assessment tools, which have informed and guided global reform efforts and were used to develop government policy in Bulgaria.

Less than a year before Bulgaria's 2007 accession into the European Union, a new prosecutor general, Boris Velchev, was appointed to a seven-year, non-renewable term. Several months later, the PRI was conducted at request of the Office of Overseas Prosecutorial Development and Training of the U.S. Department of Justice and funded by the Bureau of International Narcotics and Law Enforcement Affairs at the U.S. Department of State. The assessment's findings were released in November 2006.

"Our American colleagues used a very analytical and thorough approach. This report will give us the chance to find our weaknesses and strong points, and to look for the ways of overcoming these weaknesses," Prosecutor General Velchev said, praising ABA ROLI's work.

In response to the report, Velchev created the Prosecutorial Reform Index Committee and tasked its members with considering the PRI's recommendations and further defining the

three-year strategy for reform. The committee's resulting action plan incorporated feedback from stakeholders on implementation, monitoring and evaluation. The resulting plans designated appellate and district prosecutors to coordinate the implementation process and to provide regular feedback and evaluative data. ABA ROLI has plans to implement the PRI again in November 2008, using the 2006 findings as a baseline, to formally gauge the reform progress and provide further feedback.

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The *Opportunities Newsletter* also contains detailed information on applying and on contacting ABA ROLI's international support team. To sign up for the newsletter, send an e-mail to [mfoldvary@staff.abanet.org](mailto:mfoldvary@staff.abanet.org) with "Subscribe" in the subject line.

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ABA ROLI's Research and Assessments Office produces substantive research and analysis of issues and trends related to legal reform, technical legal assistance and international development. Our expertise includes the design and implementation of assessment methodologies, as illustrated by ABA ROLI's series of seven assessment tools in specific legal reform sectors.

And, as ABA ROLI's clearinghouse for legal information, the office compiles and integrates resources and knowledge from more than 40 countries in our five regional divisions: Africa, Asia, Europe and Eurasia, Latin America and the Caribbean, and the Middle East and North Africa. Given the scope of ABA ROLI's technical assistance programs, our programs are informed by and emphasize comparative and regional perspectives on legal reform, international standards, and relevant approaches and examples from the U.S. legal system.

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