

THE INTERNATIONAL INSTITUTE FOR JUSTICE AND THE RULE OF LAW ANNUAL REPORT





OUR MISSION

is to provide rule of law-based training to lawmakers, police, prosecutors, judges, corrections officials, and other justice sector stakeholders on how to address terrorism and related transnational criminal activities within a rule of law framework. More broadly, we work to strengthen criminal justice systems and build regional judicial, police, and other criminal justice training institutes and practitioner networks to promote justice, security, and human rights. At the International Institute for Justice and the Rule of Law (IJJ), we place a particular focus on countries seeking to develop rule of law-based approaches to addressing security challenges. Our mandate is global in nature and our initial focus has been on countries in North, West, and East Africa, and the Middle East, paying particular attention to supporting countries in transition.

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MESSAGE FROM THE EXECUTIVE SECRETARY

When the IJ was inaugurated on 18 June 2014, the goals for the IJ were to build a fully functioning international training institute for counterterrorism. Now two years in, and with close to 2000 judges, prosecutors, investigators, parliamentarians, and other criminal justice professionals having participated in over 50 international programs, the IJ has succeeded in becoming an internationally recognized hub for rule of law-based training and capacity building activities for justice sector practitioners in the area of counterterrorism. A week rarely goes by now without some kind of event happening here in Malta or in the regions, and on our busiest days we have programs running simultaneously.

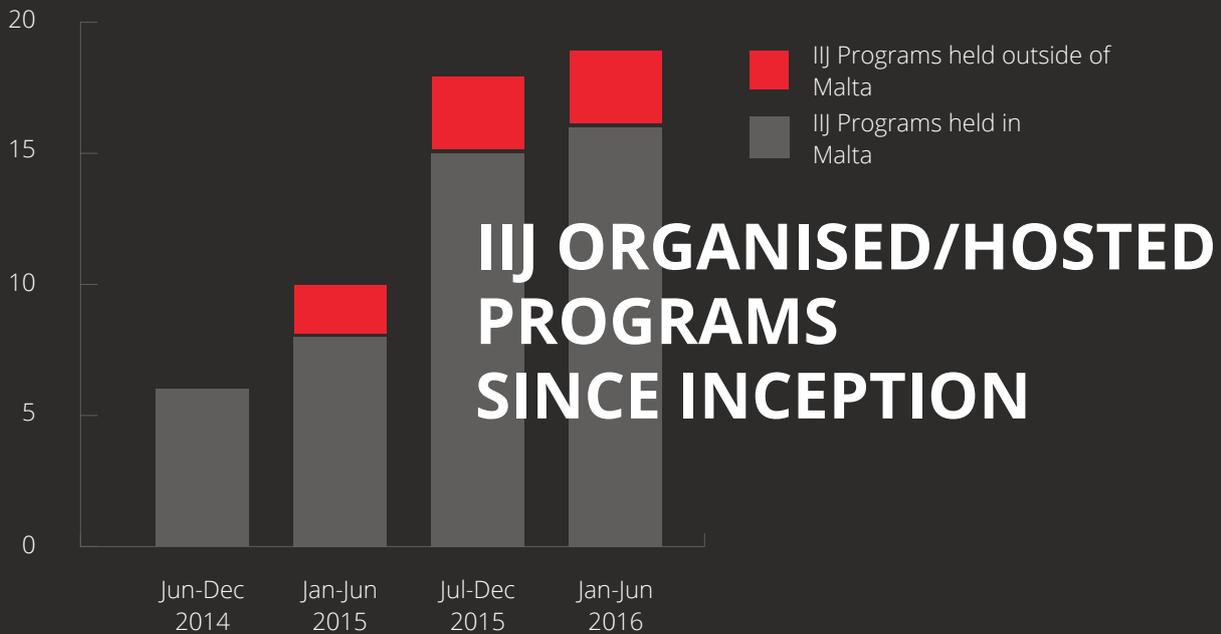
We have assembled an amazing team of 11 staff members from 8 countries. We are implementing grants from the European Union, the Netherlands, Spain, Switzerland, Turkey, the United Kingdom, the United States, and most recently Canada. Our connection with the GCTF and its members remains a vital link, and we benefit from close partnerships with a host of international, national, and

non-governmental organizations on specific workshops and broader initiatives, as well as from new partnerships with national training centers and other organizations that we have developed over the past twelve months. The diverse group of supporters is a strong vote of confidence in the quality of the programs we deliver. The need for the programs offered by the IJ is greater than ever, and we continue to try to rise to new challenges. We benefit from offering a practitioner focus in a neutral learning environment where counterterrorism topics can be discussed in a constructive manner. Our location in the Mediterranean is accessible for participants from across Africa, the Middle East, and other regions.

In the Annual Report that follows, we hope that you get a chance to learn about our work. We invite you to be a part of our continuing development.

Robert Strang
Executive Secretary

ACHIEVEMENTS TO DATE



OVERVIEW

At its June 2012 Ministerial Meeting, ministers and senior officials from the Global Counterterrorism Forum (GCTF) called for the establishment of the IJ as a key platform to deliver innovative and sustainable training to implement the counterterrorism-related, rule of law-based good practices developed by the GCTF and other international and regional fora. G8 leaders welcomed the proposed establishment of the Institute at the June 2013 G8 Summit. A range of governments and international, regional, and non-governmental organizations collaborated on developing the Institute's mandate and structure. The IJ was formally inaugurated on 18 June 2014 in Valletta, Malta.

The IJ offers training courses, workshops, expert meetings, and other activities that are tailored for justice sector practitioners on topics that include:

- Legal Frameworks: Promoting the criminalization of terrorism offenses and other transnational crimes (including the role that parliamentarians can play in providing oversight to the implementation of a rule of law-based CT legal regime).
- Investigations: Enhancing skills on subjects such as evidence gathering, investigations, and

internationally accepted interview techniques; undercover investigations; cyber terrorism; terrorism finance; and the protection of law enforcement and intelligence information.

- Police, Central Authorities, and Judicial Cooperation: Building networks at inter-agency, regional, and international levels.
- Role of the Judiciary: Supporting trial judges in the adjudication of terrorism cases within a rule of law framework.
- Prison Management and Rehabilitation: Establishing strong rule of law-based rehabilitation and reintegration programs for violent extremists and managing prisons to reduce further radicalization.
- Addressing Emerging Challenges such as the Foreign Terrorist Fighter (FTF) Phenomenon: Supporting the implementation of United Nations Security Council Resolution 2178 and GCTF good practices.
- Rule of Law: Advancing the legal framework underpinning criminal justice-related counterterrorism issues by integrating human rights, justice, and the rule of law.



GOVERNING BOARD OF ADMINISTRATORS

ALGERIA	Chafika Bensaoula		
FRANCE	Robert Gelli		
ITALY	Ambassador Giovanni Umberto de Vito	NIGERIA	Minister Abubakar Malami
JORDAN	Colonel Hussein Mohamad Abdelfatah Al-Shebli	TUNISIA	Hakim Ben Soltane
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THE NETHERLANDS	Hendrikus Wilhelmus Maria Schoof	UNITED STATES OF AMERICA	Mr. Justin Siberell
		EUROPEAN UNION	John Gatt Rutter



THE IJ & THE GCTF

The Hague, Netherlands

The IJ is one of the three GCTF-inspired institutes along with the Global Community Engagement and Resilience Fund and the Hedayah Center of Excellence for Countering Violent Extremism. The GCTF is an international forum of 29 countries and the European Union with an overarching mission of reducing the vulnerability of people worldwide to terrorism by preventing, combating, and prosecuting terrorist acts and countering incitement and recruitment to terrorism. The GCTF brings together experts and practitioners from countries and regions around the world to share experiences and expertise, and develop tools and strategies on how to counter the evolving terrorist threat. The GCTF is recognized by key international partners as a framework of reference in the global counterterrorism and countering violent extremism (CVE) architecture. The GCTF is currently co-chaired by Morocco and the Netherlands.

Since its inception, the IJ has supported the GCTF by:

- Designing and delivering training programs for practitioners in support of the implementation of various GCTF framework documents including the *Rabat Memorandum on Good Practices for Effective Counterterrorism Practice in the Criminal Justice Sector*, *The Hague—Marrakech Memorandum on a More Effective Response to the FTF Phenomenon*, and *The Hague Memorandum on Good Practices for the Judiciary in Adjudicating Terrorism Offenses*;
- Hosting GCTF programs, expert meetings, and workshops, and participating in GCTF

Coordinating Committee and Working Groups activities;

- Supporting the GCTF's Life Cycle of Radicalization to Violence Initiative and its Life Cycle Toolkit; and
- Developing new good practice documents for consideration by the GCTF, such as the *Neuchâtel Memorandum on Good Practices for Juvenile Justice in a Counterterrorism Context* and the *Valletta Recommendations Relating to Contributions by Parliamentarians in Developing an Effective Response to Terrorism*.



GCTF
GLOBAL COUNTERTERRORISM FORUM

PIET DE KLERK
AMBASSADOR-AT-LARGE
CO-CHAIR OF THE GCTF, THE NETHERLANDS

The Chairmanship of the Global Counterterrorism Forum focusses on achieving results. While the GCTF has agreed in the last few years on quite a number of recommendations in combatting terrorism, the IJ is unique by helping to translate these recommendations into solid practices in the judicial sector.





JUDICIAL CAPACITY BUILDING INITIATIVE

Wenchi Crater Lake, Ethiopia

The growth and expansion of terrorism-related offenses over the past several years has required countries to strengthen the capacity of their civilian criminal justice systems. The judiciary plays a central role in efforts to address terrorism: how to adjudicate cases of terrorism and related criminal activities effectively and consistently with the rule of law. With the enactment of new counterterrorism legislation in many countries, the primacy of judges in ensuring that the criminal justice system complies with fundamental rights is all the more significant. Judges, as independent adjudicators, must maintain a careful balance that ensures legality and due process.

The IJ has developed a series of regional initiatives to support trial judges in adjudicating terrorism-related cases. Implementing the nine good practices identified by the GCTF in *The Hague Memorandum on Good Practices for the Judiciary in Adjudicating Terrorism Offenses*, the IJ, in partnership with national training institutes and other training organizations, initiated the following programs in 2016:

1 Launched by the IJ in 2016, a series of workshops aimed at supporting judges adjudicating terrorism offenses in the Sahel region, with the support of the United States. Participants included trial judges from Benin, Burkina Faso, Chad, Mali, Niger, and Senegal;

2 The IJ conducted a series of workshops, starting in May 2016, aimed at supporting judges adjudicating terrorism offenses in the Horn of Africa region, with the support of the European Union. Participants included trial judges from Djibouti, Ethiopia, Kenya, Tanzania, Somalia, Somaliland, Puntland, and Uganda;

3 In April 2016, the IJ organized the first of a pair of workshops aimed at supporting judges adjudicating terrorism offenses in the Maghreb and the Sahel regions, with the support of the Netherlands. Participants included trial judges from Algeria, Burkina Faso, Chad, Mali, Niger, Senegal, and Tunisia;

4 In partnership with the CEELI Institute, a series of workshops supporting judges adjudicating terrorism offenses in the Balkan and MENA regions, were launched in Prague in February 2016. Participants for the West Balkans workshop included trial judges from Albania, Bosnia and Herzegovina, Croatia, Kosovo, Serbia, Slovenia, and Montenegro;

5 The IJ, with the support of Spain, organised a symposium in March 2016 with thirty heads and senior management of judicial training institutes from Algeria, Burkina Faso, Cameroon, Chad, Ethiopia, France, Jordan, Kenya, Lebanon, Mali, Morocco, Niger, Spain, Tunisia, Turkey, and Uganda. Participants discussed common issues and problems, and developed findings and recommendations in the areas of resources and support for judicial training institutes; instructors, experts, and training staff; training-needs assessment; training methodology and interactive learning; program evaluation; and institute partnerships and networking.

The judicial workshops take stock of national and regional experiences in the adjudication of terrorism cases, and the role of the judge in ensuring a fair trial, case management, admissibility of evidence, courtroom and judicial security, special measures to protect witnesses, use of intelligence, juvenile offenders, role of the media, and rights of victims. To ensure a practical learning experience, scenario exercises that reflect real-life cases are used throughout the course of the programs. More broadly, the workshops provide room for exchange among trial judges and international experts to address the complexity of adjudicating terrorism and related crime cases within a rule of law and human rights framework. A peer-to-peer exchange serves to equip judges with the technical skills to efficiently manage cases fairly, impartially, independently, and with integrity.



JUDICIAL WORKSHOP PARTICIPANT

It was a wake-up call for me. I have learnt a lot. I will greatly change and improve things.



ENHANCING THE ROLE OF PARLIAMENTARIANS

IN BUILDING **EFFECTIVE COUNTER-TERRORISM SYSTEMS** WITHIN A **RULE OF LAW** FRAMEWORK

Parliamentarians have the capacity to make counterterrorism efforts more effective by enhancing accountability mechanisms, encouraging civic participation, and promoting adherence to international best practices. In addition, parliamentarians are responsible for incorporating counterterrorism international legal frameworks into national legislation. Legislators can also directly impact the effectiveness of an anti-terrorism regime through allocation of national budget resources, oversight of justice sector institutions and existing legislation, public statements, and overall setting of national policy. Their independent role requires informed judgment to guarantee transparent anti-terrorism legislation and national policy that secures a balance between individual rights and the rule of law.

In 2015, the IJJ undertook an initiative to support parliamentarians from the Middle East, and North, East and West Africa. This project, supported by the European Union and endorsed at the GCTF Criminal Justice and Rule of Law Working Group, was inaugurated at the IJJ in Valletta in May 2015. A regional workshop addressing legislators was hosted by the House of Representatives of Morocco

in October 2015 in Rabat, followed by a Symposium held in Brussels in March 2016, and a second regional workshop, hosted by the Grand National Assembly of Turkey (GNAT) in Istanbul in April 2016. In the course of these events, parliamentarians from justice and security-related committees from 22 countries, the European Parliament, various inter-parliamentary fora, and experts from the United Nations and other organizations discussed and drafted a set of written recommendations to guide parliamentarians' work in the field of counterterrorism. The resulting *Valletta Recommendations Relating to Contributions by Parliamentarians In Developing an Effective Response to Terrorism* will be considered at the GCTF Ministerial Meeting in New York in September 2016, and will constitute a practical reference for legislators to tackle terrorism issues.

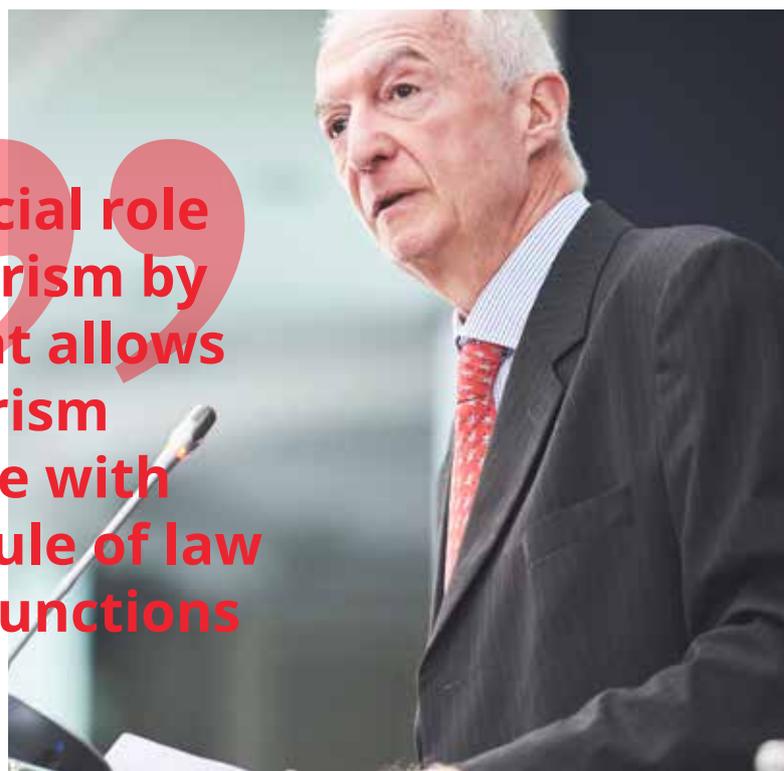


The *Valletta Recommendations* focus on:

- 1 incorporating requirements of international instruments against terrorism into domestic law and enacting timely anti-terrorism laws in compliance with human rights;
- 2 investigating the sources of terrorism, including the financing of terrorism, radicalization of individuals, and typologies of terrorism;
- 3 establishing effective justice sector institutions and interagency bodies;
- 4 setting investigative tools within the rule of law;
- 5 promoting rules of criminal procedure, rules of evidence, and justice system reforms to meet the challenges of terrorism cases;
- 6 reducing space for violent radicalization and fostering public understanding and inclusiveness of the counterterrorism response by engaging civil society;
- 7 allocating sufficient budget resources to support national counterterrorism strategy implementation;
- 8 overseeing law enforcement and intelligence services to secure citizens' rights;
- 9 balancing the needs of state secrecy with the benefits of public disclosure;
- 10 promoting the inter-parliamentary exchange of information and international cooperation.

GILLES DE KERCHOVE
EU COUNTER-TERRORISM COORDINATOR

Parliaments have a crucial role to play in counter-terrorism by adopting legislation that allows effective counter-terrorism action in full compliance with human rights and the rule of law and by their oversight functions of the security sector.



FOREIGN TERRORIST FIGHTER INITIATIVE



The International Institute for
Justice and the Rule of Law

Since February 2015, the IJJ has implemented a Foreign Terrorist Fighter (FTF) Initiative that focuses on implementing the GCTF's *Hague-Marrakech Memorandum on Good Practices for a More Effective Response to the FTF Phenomenon* and UN Security Council Resolution (UNSCR) 2178.

The overall objective of the IJJ FTF Initiative is to enhance the capacity of the justice sector of countries in the Sahel, the Maghreb, the Middle East, and other regions to address the issue of FTFs.

During the inaugural workshop of the FTF Initiative, experts developed a series of FTF program agendas tailored specifically to the issues and needs of particular groups of

practitioners; investigators, prosecutors, and judges. Based on the results of this workshop, the IJJ has held a series of workshops for prosecutors, investigators and judges from the Middle East, and North, West and East Africa. The workshop format alternates between input sessions by experts, group discussions and exercises. This ensures that participants acquire knowledge and tools based on concrete experiences and best practices through hands-on exercises and examination of successful prosecutions.

The FTF Initiative has been supported by Switzerland, the Netherlands, the United Kingdom, and the United States.



REHABILITATION AND REINTEGRATION OF RETURNING FTFs

Governments around the world are gravely concerned over the prospects of battle-hardened FTFs returning home with combat skills, war experiences, and terrorist connections, and who may engage in future domestic terrorist acts and recruit other individuals to fight abroad and at home.

The IJ is partnering with the Hedayah Center in Abu Dhabi in the framework of an initiative co-funded by the United States and Canada to facilitate the work of national practitioners from a variety of disciplines and professional backgrounds to address returning FTFs' rehabilitation and reintegration efforts consistent with UNSCR 2178. In late 2015, the IJ hosted a meeting of international experts to

finalize a curriculum shaped around a set of 22 principles to encourage the consideration of different approaches to addressing returning FTFs.

Following a consultation meeting with potentially interested countries in early 2016, the IJ and Hedayah have started capacity building workshops for senior officials and practitioners from Kosovo and Tunisia to foster central and local community-level engagement.

The IJ organised an event during the 2015 UNGA week in New York, where it announced its initiative on rehabilitation and reintegration of returning FTFs. The IJ has similarly presented its work at other GCTF, UN, and other international-level expert meetings.



JUVENILE JUSTICE INITIATIVE



Children may be affected by terrorism in several ways, as victims, witnesses, or offenders. The use of children as perpetrators or accomplices in so-called terrorist acts is a growing phenomenon. The emerging role of minors as part of the Foreign Terrorist Fighter phenomenon has heightened these concerns.

The enactment of anti-terrorist legislation and related emergency measures have not always given sufficient consideration to the fact that some of the suspected or alleged “terrorists” are under the age of 18. Counterterrorism procedures impact children differently based on their age and level of maturity. There is, therefore, a need to examine the current criminal law framework in the terrorism context in light of the vulnerability of children and juveniles and thereby seek to integrate

national and international standards of juvenile justice.

Proposed by the Government of Switzerland at the GCTF Criminal Justice and Rule of Law Working Group (CJ-ROL) plenary meeting in April 2015, the Juvenile Justice Initiative was launched at the IJ in November 2015. With the support of the Government of Switzerland and under the auspices of the GCTF CJ-ROL, the IJ organized expert meetings to develop a series of written good practices for juvenile justice in a counterterrorism context.

The good practices were welcomed by GCTF members at the CJ-ROL plenary meeting in May 2016 in Neuchâtel, Switzerland. It is anticipated that the resulting *Neuchâtel Memorandum on Good Practices for Juvenile Justice in a Counterterrorism Context* will be endorsed at the GCTF’s Seventh Ministerial in New York in September 2016.



STEPHAN HUSY
AMBASSADOR-AT-LARGE
FOR INTERNATIONAL COUNTER-TERRORISM, SWITZERLAND

**Together with the IJ and others
Switzerland developed the
Neuchâtel Memorandum on Good
Practices for Juvenile Justice in a
Counterterrorism Context. The IJ
managed this process successfully.
I also personally very much
enjoyed the close cooperation
with the IJ's dedicated and highly
professional staff.**



EXPERT WORKSHOPS



In addition to its core initiatives, the IIJ offers a variety of training programs tailored to the requirements of particular countries or regions. These programs address specific needs and provide assistance in successfully building their counterterrorism capacity and implementing relevant provisions from UN Resolutions and GCTF good practices memoranda and its Lifecycle of Radicalization Initiative. These programs are developed in cooperation with the recipient countries as well as the grantors and typically follow a peer-to-peer approach.

A series of trainings and workshops were held in Addis Ababa, Ethiopia and Kampala, Uganda in July and August 2016 focusing on investigation, prosecution and international and regional cooperation. Over five days, participants discussed issues pertaining to the acquisition, evaluation, use and protection of intelligence in terrorism-related investigations and prosecutions. Participants in Kampala included judges, prosecutors, police officers, and diplomats from Uganda, Kenya, Somalia, and Tanzania. In Addis Ababa, participants included senior police officers, prosecutors and judges from Ethiopia, Puntland, Somaliland, and Djibouti.



In collaboration with the Global Center on Cooperative Security, the IIJ held training seminars focusing on effective non-coercive interview and interrogation techniques (October 2015 and May 2016) and using and protecting intelligence in criminal justice-led investigations and prosecutions (November 2015 and April 2016).

The IJ is organising a series of workshops on developing good practices for Central Authorities. The initiative, launched by five justice ministers in Rabat (Morocco, October 2015), led to a meeting at the IJ where participants developed a set of written good practices for effective Central Authorities. It is anticipated that this document will form the nucleus of a document addressing Central Authorities to be considered by the GCTF in 2017, as an elaboration of current Good Practice 9 of the GCTF's *Rabat Memorandum of Good Practices for Effective Counterterrorism Practice in the Criminal Justice Sector*.

In September 2015, the IJ convened an expert meeting to discuss a set of recommendations to counter and address prison radicalization. Prison wardens, administrators, and policy-makers discussed issues pertaining to prison management that would help counter radicalization within detention facilities. The experts agreed that a well-functioning prison system is key to counter prison radicalization and identified good practices that are meant to provide prison personnel with the tools, information, and resources necessary to identify signs of radicalization and develop appropriate responses.



FACILITIES



Malta provides a neutral learning environment where sensitive topics can be discussed in a constructive manner. Its central location in the Mediterranean is accessible for participants from across Africa, the Middle East, and other regions.

The IJ is currently located at the Valletta Campus of the University of Malta. Construction of the Valletta Campus, popularly known as the Old University Building, began in 1595 by Grand Master Martino Garzes, and its exterior was redesigned in a Baroque style in 1647. The IJ holds the majority of its programs in the Old University Building, which can readily accommodate programs in conference rooms with as many as 60 or more participants as well as smaller breakout rooms.

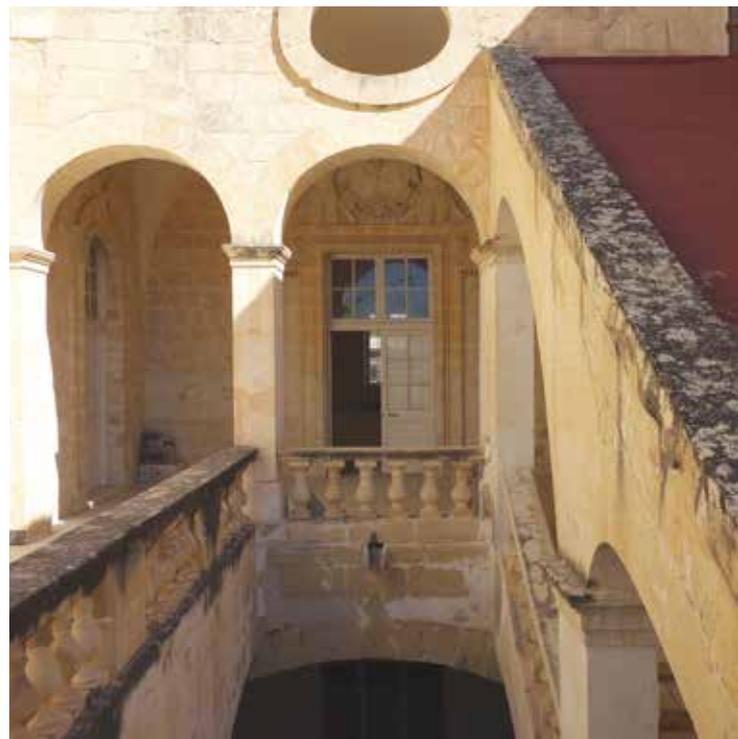


Valletta, Malta

BIRGU ARMOURY



The Government of Malta has offered the Birgu Armoury, located in the city of Birgu across the Grand Harbour from Valletta, to be used by the IJ as its permanent home. The Armoury, another Maltese cultural landmark, was built in the mid-sixteenth century, and was used by the Knights of Malta for the storage of ordnance, and served as a temporary hospital during the Great Siege of 1565. The IJ will move to its permanent home after the completion of extensive renovations to transform the Birgu Armoury into a modern training facility that provides space for programs, breakout rooms, and the IJ administrative offices.



THE IJ TEAM



Robert Strang
Executive Secretary

Robert Strang is the Executive Secretary of the IJ, and has headed the Institute since its inception in 2014. Mr. Strang is a United States prosecutor and has worked for the U.S. Department of Justice since 1997. He has worked in New York, Russia, Indonesia, and the Philippines. Mr. Strang received his B.A. from Harvard University in 1988, and his J.D. from Columbia Law School in 1991.



Reinhard Uhrig
Director of
Administration
and Outreach

Reinhard Uhrig has built up the IJ in his capacity as Director of Administration and Outreach since October 2014. Mr. Uhrig has worked for the OSCE, UNODC and the German Federal Foreign Office. Mr. Uhrig holds a Master's degree in Political Science from the University of Freiburg.



Celine Glutz
Program Manager



Maryam El Hajbi
Program Manager



Peter Minshall
Senior Advisor



Suleyman Ozar
Senior Advisor



Claire Bonnici
Procurement Officer



Adriana Fenech
Financial Officer



Jaclyn Sammut
Program Assistant



Maria Sarkaz
Program Assistant



Sandrine Mangion
Program Assistant

INTERNATIONAL SUPPORT

GRANTS & SECONDMENTS

Canada, European Union, the Netherlands, Spain, Switzerland, Turkey, United Kingdom, and United States.

The IJ also receives generous in-kind support from its Board Members and IJ partners.

IJ PARTNERS

African Centre for the Study and Research on
Terrorism

CEELI institute

European Judicial Training Network

Global Center on Cooperative Security

Global Community Engagement and
Resilience Fund

Hedayah

Institut national des hautes études de la
sécurité et de la justice

Institute for Security Studies

International Centre for Counter-Terrorism

International Institute of Higher Studies in
Criminal Sciences

Organization for Security and
Co-operation in Europe

United Nations

United States Institute of Peace

University of Malta

DR. CINDY J. SMITH

DIRECTOR, UNITED NATIONS INTERREGIONAL CRIME AND JUSTICE RESEARCH INSTITUTE

**Partnering with the IJ has allowed us to
combine UN and GCTF strengths. Working
together has really enhanced both our
organizations.**

**THE INTERNATIONAL INSTITUTE
FOR JUSTICE AND THE RULE OF LAW**

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