

DEFENSE INSTITUTE OF INTERNATIONAL LEGAL STUDIES



ANNUAL REPORT
FISCAL YEAR 2015

www.DIILS.org



“I’m very grateful for the hospitality
I received in the U.S., and for the
chance to meet the best people.”

~ LCHR Course Participant



Summary: The Defense Institute of International Legal Studies (DIILS) is the lead DoD security cooperation resource for global legal engagement and capacity-building with international defense sector officials through resident courses and mobile programs.

Goals: Promote equitable and accountable defense and military justice sectors, civilian control of the military, enhanced compliance with human rights standards and international humanitarian law, and democratic rule of law.

Purpose: This report aims to better inform stakeholders, policymakers, and others interested in our mission, capabilities and achievements. From October, 2014 to September 2015, DIILS engaged over 4,000 participants in 150 events.

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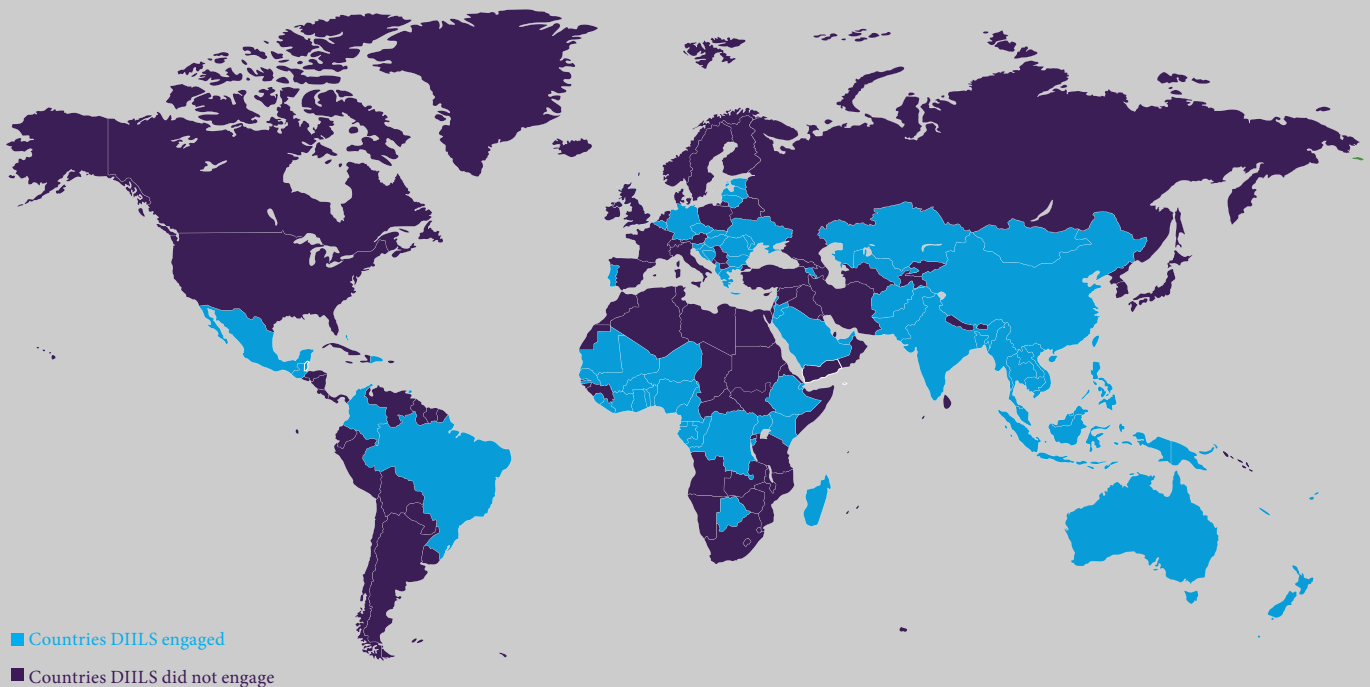
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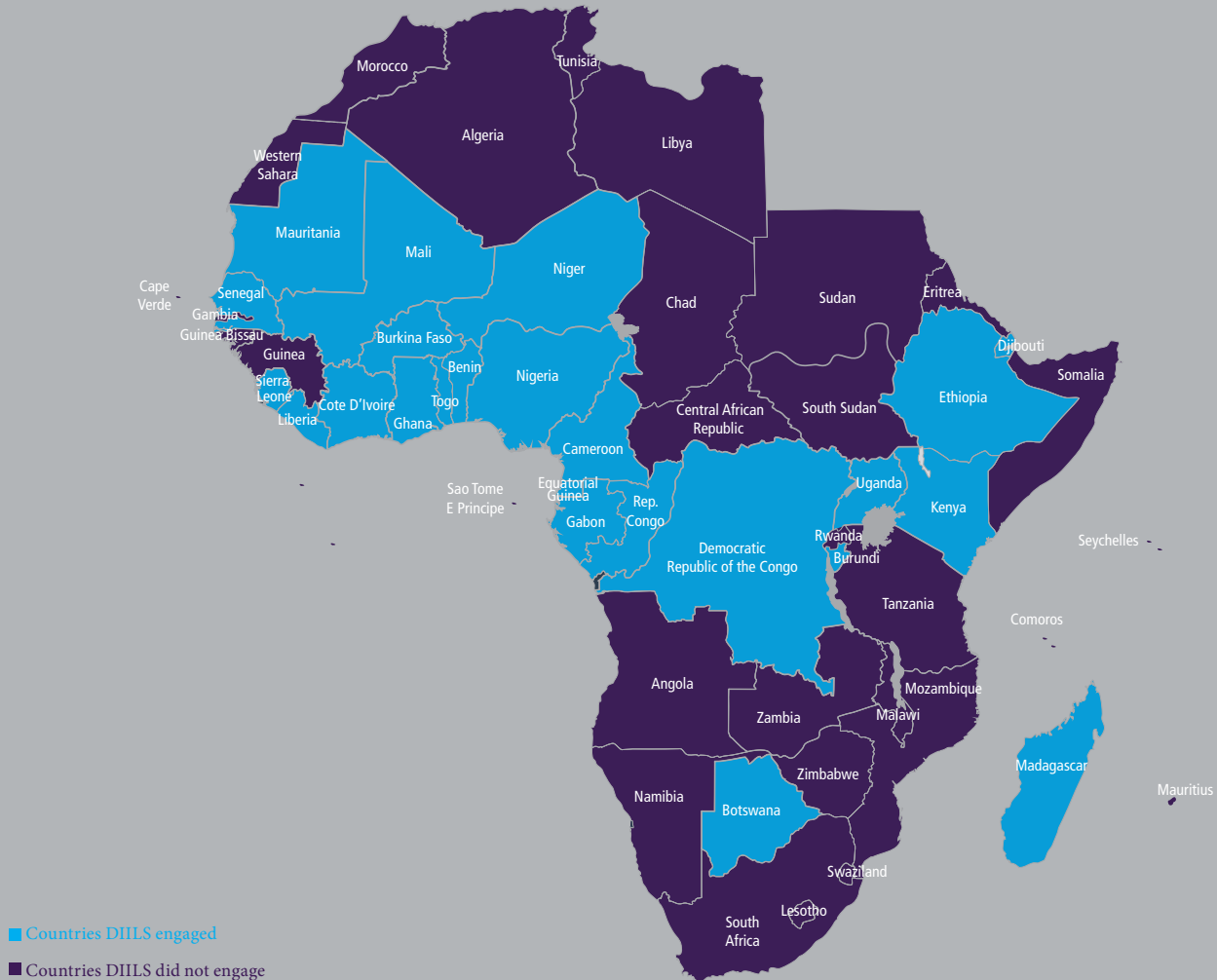
DIILS Core Competencies

- Capability to execute near-term and sustained global legal engagement, including assessment of international partner legal capacity and follow-on educational activities.
- Expertise in military rule of law curriculum development that advances adherence to international norms, recognizes and respects cultural sensitivities and encourages diversity of opinion.
- Expertise and engagement tools to address legal topics within these themes:
 - Border Security
 - Combating Corruption
 - Combating Terrorism
 - Developing a Professional Military
 - Domestic Operations (e.g., defense support of civil authorities, HA/DR)
 - Human Rights
 - Maritime Law Enforcement
 - Military Criminal Justice
 - Military Operations (e.g., LOAC & ROE)
 - Peacekeeping
 - Security Sector Governance

**In Fiscal Year 2015, DIILS
engaged over 4,000
participants in 150 events.**

Mobile Programs

UNITED STATES AFRICA COMMAND



DIILS Engagement in AFRICOM FY15

DIILS engagements in this region are as diverse as the rule of law challenges. These include internal and sub-regional conflicts, the destabilizing influence of organized armed groups and violent extremist organizations, the acute development requirements of post-conflict and post-autocratic societies, pervasive resource constraints despite an abundance of natural resources, degraded governance institutions, entrenched corruption and widespread impunity, sexual and gender-based violence, porous land and maritime borders, and large under-governed and ungoverned spaces.

In FY15, **DIILS conducted 45 mobile engagements involving 16 countries in this region.** They covered a wide range of topics, including the law of armed conflict and human rights, legal advice to the operational commander, detainee operations, peacekeeping operations, military justice systems, military legal modernization, ethics and anti-corruption, inspector general and military justice investigations, and

maritime enforcement and security operations. These 45 engagements included 38 mobile seminars and workshops, three regional engagements, one comprehensive legal assessment, one legal risk assessment in support of the African Maritime Law Enforcement Partnership (AMLEP), one Continental United States (CONUS)-based distinguished visitor program for the Democratic Republic of the Congo, and participation in one AFRICOM-sponsored regional military legal forum in Stuttgart, Germany.

Defense Institution-Building (DIB)

In FY15, DIILS legal DIB focused on multiple mission sets including: modernizing the statutory and regulatory authorities of the Botswana Defense Force (BDF); functional enhancements to the Malian military justice system, beginning with a comprehensive legal assessment; promoting Nigerian compliance with international humanitarian law and human rights standards in detainee operations; and promoting sub-regional and national implementation of the 2013 Yaoundé Code of Conduct on maritime law enforcement and security cooperation in the Gulf of Guinea.

In Botswana, DIILS conducted three workshops on modernizing military legal authorities with the BDF legislative drafting committee and Ministry of Justice legal advisors. The workshops focused on the issues the committee was seeking to address through legislation, including operational authorities, military justice, force structure, personnel administration and discipline, gender integration, post-service benefits, and land acquisition for expansion of existing military installations. For these engagements, DIILS teams included representatives from DIILS, the North Carolina National Guard (the State Partner for Botswana), the U.S. Air Forces Africa Office of the Staff Judge Advocate, the U.S. Army Office of the Judge Advocate General, and the U.S. Navy Office of the Chief of Naval Operations.

DIILS engagements in each region are as diverse as the rule of law challenges.

The assessment in Mali, conducted in support of the President's Security Governance Initiative, focused on the military justice system, operational legal advisor capacity, and the Inspector General's corps. The DIILS team, consisting of experts from DIILS, AFRICOM, and the U.S. Navy Reserves, conducted interviews with senior Malian personnel as well as international stakeholders, reviewed numerous legal documents and authorities including legislative acts and implementing regulations, and visited multiple locations, including training compounds, courts, and detention facilities. The team drafted a comprehensive report, which identified gaps in legal authorities and recommended structural changes, including legislative reforms, a standardized training program for military legal professionals, and the unification of the Inspector General's corps.

DIILS conducted a subject matter expert exchange in Nigeria on compliance with international humanitarian law and human rights standards in detainee operations. The program focused on legal and operational considerations when detaining suspected criminals, insurgents, detainees, and prisoners. It included an exchange of best practices regarding humane care, custody, control,

accountability, management of detainees, and establishing procedures for conducting a periodic review of the detention order. DIILS team members included DIILS staff, the California National Guard (the National Guard's State Partner for Nigeria), the U.S. Army Office of the Provost Marshall General, and the U.S. Army Office of the Judge Advocate General.

DIILS provided legal expertise for two regional engagements, in Yaoundé, Cameroon and in Accra, Ghana, on implementation of the 2013 Yaoundé Code of Conduct on maritime law enforcement and security cooperation in the Gulf of Guinea. At the urging of the United Nations, the participating countries are seeking to harmonize their laws, identify modalities for information-sharing, and coordinate maritime security operations to more effectively combat illegal activities and threats to security and regional stability.

Other Engagements

DIILS conducted three International Military Education and Training (IMET) seminars in FY15, focused on the Law of Armed Conflict (LOAC) and human rights with a maritime component in Madagascar, LOAC and peacekeeping operations in the Republic of the Congo, and Inspector General inspections and investigations procedures in Niger. In support of statutory requirements, such as Section 2282 of U.S. Code title 10, DIILS conducted 12 human rights seminars for military units in Djibouti, Niger, Kenya, Burundi, Mauritania, and Burkina Faso. Finally, DIILS coordinated a CONUS military justice program for flag-level military representatives of the Democratic Republic of the Congo, including the top military justice officer.

DEMOCRATIC REPUBLIC OF CONGO (DRC)

Congolese military justice personnel frequently point to DIILS seminars as a catalyst for positive change. Since 2008, when the Department of State first funded DIILS to develop and implement a program to combat impunity for sexual and gender-based violence committed by the Congolese Armed Forces (FARDC), DIILS has conducted engagements in every military region in the DRC. DIILS seminars there have focused on the rule of law and disciplined military operations, respect for legitimate civilian authority, military justice, human rights and international humanitarian law, international criminal law, war crimes/crimes against humanity, investigation procedures, ethics and combating corruption, and sexual and gender-based violence. DIILS has organized, or integrated its legal expertise into 189 events reaching 11,187 FARDC personnel.

Despite our success, DIILS' work in the DRC is waning because of evolving personnel priorities in the U.S. Military Departments, who activated reserve judge advocates to staff this effort. In FY15, DIILS conducted two Magistrate Basic Courses, training 64 magistrates and operational legal advisors. During FY16, DIILS' adjuncts will serve as mentors to select FARDC magistrates and senior members of the operational legal advisors who will assume total responsibility for planning and teaching the DIILS program of instruction to their forces. This marks a significant milestone in building an enduring internal capability to sustain the professionalization of the FARDC upon completion of the DIILS effort.



DIILS teams include staff and adjunct instructors whose recent and relevant operational experience on the topic of the engagement creates an instant bond with our partners.



UNITED STATES CENTRAL COMMAND



DIILS Engagement in CENTCOM FY15

In spite of violence in the region and the unprecedented flow of refugees from conflict areas, **DIILS conducted 13 mobile engagements with six countries** that advanced the rule of law in the region.

DIILS conducted six engagements in Lebanon, aimed at strengthening Lebanese Armed Forces (LAF) capacity in key areas of law. DIILS examined the legal aspects of effective border security, as well as the various legal regimes in place that address the increasingly complex issues attendant to refugees. DIILS conducted several engagements on the law of armed conflict, human rights law and command responsibility. These engagements stressed the importance of military forces' compliance with human rights and the law of armed conflict, even when confronting violent extremist organizations that disregard the law.

DIILS conducted two reciprocal visits with senior military justice officials from the United Arab Emirates (UAE). A delegation of senior Emirati military justice officials, led by the Director of Military Justice, traveled to Washington, D.C., where they met with the U. S. Army Judge Advocate General. The Director of Military Justice subsequently hosted a U.S. delegation led by the Judge Advocate General of the U.S. Coast Guard. These visits promoted mutual understanding of our respective military justice systems and strengthened the ties between the two nations' military legal communities.

DIILS conducted an engagement in Jordan that addressed the use of force, human rights and refugee law issues. These topics were selected in order to help the Jordanian Armed Forces meet urgent challenges arising from the violence in Syria and the resulting mass migration of refugees spilling across the border into Jordan.

DIILS engagements also addressed a range of issues in Central Asia. In Uzbekistan, DIILS conducted two engagements on the impact of the law, to include human rights law, on the full spectrum of military operations. One highlight of these engagements was the participation of judge advocates from the United Kingdom and Colombia, who analyzed the human rights and LOAC issues and lessons learned from domestic and international operations, e.g., Northern Ireland, Afghanistan, Iraq and the FARC insurgency. The Uzbeks found these contrasting experiences in armed conflict highly instructive. In Kazakhstan, DIILS supported the Defense Education Enhancement Program efforts to develop curriculum on the legal aspects of UN peacekeeping for the Kazakh Peacekeeping Operations School. This curriculum supports the deployment of peacekeeping forces to UN missions worldwide.

In Afghanistan, DIILS conducted an operational Law and military justice seminar for the judge advocates of the Afghan Legal Corps. Eager to expand their operational law capabilities, these judge advocates explored how to apply the law of armed conflict and human rights law to enhance the effectiveness of military operations. Equally important, they examined ways to enhance the effectiveness of the Afghan military justice system in fostering a well-disciplined force committed to democratic principles.



DIILS conducted reciprocal visits with the United Arab Emirates on military justice.



UNITED STATES EUROPEAN COMMAND



DIILS Engagement in EUCOM FY15

DIILS continued to focus its mobile programs on operational law and human rights for deploying forces, while the Legal Aspects of Defense Support to Civil Authorities (LADSCA) resident course continues to be relevant in this theater that faces a complex set of new threats at home. The LADSCA course highlights the benefits of interagency and interservice cooperation in military and defense support to civil authorities, the legal authorities for such actions, the need for continuous preparation in humanitarian assistance, disaster relief, and combating terrorism, as well as the legal and operational challenges attendant to each of these domains.

DIILS 21 mobile programs with 15 countries in Europe provided partners with a better understanding of the Rules of Engagement (ROE) and Rules for the Use of Force (RUF) for U.S. and international military operations, and the DIILS human rights seminars focused on promoting observance and respect for human rights and fundamental freedoms, and respect for legitimate civilian authority. These seminars discussed current international human rights and humanitarian law standards, the

usefulness of developing rules for the use of force in performing security and law enforcement functions and developing and implementing rules of engagement for military operations. DIILS's interactive methodology includes presentations, real-world examples and case studies, and discussion problems.

As a follow-on to a 2014 anti-corruption CONUS program with Bosnia and Czech Republic, DIILS conducted a mobile program in Bosnia and a CONUS anti-corruption engagement for the Czech Republic. The participants identified many areas where the Czech Republic could model potential reforms on the U.S.: creation of independent ethics commissions or inspectors general; introducing the principle of opportunity into the legal system; requiring financial disclosures from public figures (and effectively punishing failure to disclose); ensuring whistleblower protection; simplifying decision-making and sentencing procedures for judges; changing the hiring/appointment system to enable increased professional mobility among police, prosecutors, judges, and possibly lawyers; and ensuring the independence of prosecutors.

Whenever feasible, DIILS teams include unit commanders and operators returning from deploying areas, as well as legal advisors from partner ministries of defense, especially those in command of disaster response agencies, law enforcement, and first responders. This recent and relevant expertise adds credibility to DIILS engagements through real-world scenarios and examples that result on a more sophisticated and intensive experience. In Moldova, a formerly deployed Commander and a currently deployed Commander (via Skype) discussed current operational and legal issues on the ground. In Slovenia, prior DIILS operational law programs led to the establishment of programs for junior officers on operational law and human rights. And in the Palestinian Territories, at the request of the Special Coordinator and in conjunction with the U.S. Combating Terrorism Fellowship Program, DIILS conducted its second program on Justice and the Rule of Law.

Legal engagement helps our allies and partners draft laws to address a complex set of new challenges.



UNITED STATES PACIFIC COMMAND



DIILS Engagement in PACOM FY15

DIILS executed 15 engagements with 21 countries in the PACOM region, including bilateral and/or multilateral events in Cambodia, Mongolia, Myanmar, Thailand and Tonga. DIILS participation in the 2015 U.S.-Myanmar Human Rights Dialogue was followed by a mil-to-mil exchange to familiarize the military with international norms and best practices for compliance with human rights law, child soldier laws, command responsibility, and anti-trafficking laws. This engagement supported U.S. efforts to promote mutual understanding, human rights awareness, and the values of a modern, disciplined and professional military that acts in accordance with international norms.

DIILS conducted defense institution building (DIB) scoping visits in Cambodia, Mongolia, Thailand, and Tonga. In Cambodia, the scoping visit revealed a need for near-term engagement attendant to (1) the revision of the National Security Law, which describes the roles and missions of the Royal Cambodian Armed Forces (RCAF) and creates a reserve force (which would help reduce the size of the RCAF), and (2) military justice reforms that would improve RCAF human rights compliance.

A scoping visit in Mongolia marked the start of a multi-phase DIB project to build a legal advisor capacity within the Mongolian Armed Forces (MAF), which recognizes that a lack of trained military legal advisors impedes its ability to participate fully in international peacekeeping operations. The visit was hosted by two DIILS alumni, one of whom is now the Mongolian Defense Attaché in Washington, and the other is now a key leader in the MAF.

In Thailand, DIILS discussed potential legal engagement in maritime security, transparency and anti-corruption in the context of a whole of government approach to compliance with international norms. In Tonga, DIILS provided maritime law expertise for a scoping visit in support of the Nevada National Guard, Tonga's State Partnership Program partner. PACOM has identified protection of the economic and political stability of Pacific island nations as a focus area for engagement, in order to avoid the expansion of terrorism into these states. The visit highlighted several areas of potential engagement attendant to the essential relationship between maritime economic activity and stability. It revealed that Tonga has not formally declared an Exclusive Economic Zone (EEZ), and that its de facto EEZ covers 700,000 sq/km, an area too vast, given national resources, for Tonga to exercise effective control of its maritime domain or enforce existing fisheries laws, thus allowing illegal, unreported, and unregulated fishing to erode tuna stock, a primary source of income.

“It was really inspirational to see the civility of Americans, their respect for the law, and the harmony among them.”

~ LADSCA Course Participant

DIILS also continued to support the U.S. Embassy in Manila through a DIB project with the Armed Forces of the Philippines Human Rights Office (AFP HRO). DIILS and AFP HRO plan to jointly develop curriculum for a human rights officer seminar on the application of human rights and international humanitarian law for AFP units operating in areas generating the greatest number of allegations of human rights violations.

DIILS also conducted several regional programs. DIILS, U.S. Pacific Command, Australia's APCML (Asia Pacific Centre for Military Law), NZDF (New Zealand Defence Force), and France held a program in New Caledonia. While DIILS and its Australian and Kiwi partners have conducted combined events for several years, this was the first time the French hosted. The event was an operational law workshop for military and civilian operators, planners, and legal advisers from Pacific Island Nations (PIN), aimed at enhancing maritime security and regional cooperation throughout Oceania. This program is part of the DIILS Oceania Engagement Series, in which DIILS, the NZDF, and Australia's APCML collaborated to bring together more than 60 participants from 22 island nations for a series of regional workshops in the U.S., Sydney, Wellington, and now, New Caledonia.

A key outcome of this workshop was the PIN representatives' desire to address specific legal issues in bilateral or sub-regional workshops.

DIILS and Australia's APCML co-hosted a second annual *Cyber and Emerging Technologies Workshop* in Sydney. This regional maritime workshop, attended by 20 nations, focused on regionally relevant issues associated with the use of drones or autonomous robotics in maritime security, the complex laws surrounding their use, as well as capabilities needed to enhance future cooperation in humanitarian assistance and disaster relief. Each country presented its maritime challenges in the areas of cyber and emerging technologies. Attorneys, operators, and experts from DIILS, APCML, and the U.S. Coast Guard jointly developed and executed all aspects of the workshop. Australian experts from this regional partnership also joined the DIILS team for the first ever combined Cyber and Emerging Technologies program in Colombia.

At the request of the Office of the Under Secretary of Defense for Policy, DIILS participated in exchanges in Indonesia and Malaysia and participated in a panel discussion on corruption in the defense and security sector at the 16th International Anti-Corruption Conference in Malaysia. In Indonesia, DIILS conducted a scoping visit with assistance from an alumnus who is now a general officer and another who is a key leader in the ministry of defense. The alumnus effected incremental military justice system reforms based on lessons learned at a DIILS resident course ten years earlier. The scoping visit will serve as the basis for designing a legal capacity-building program that meets U.S. security cooperation objectives.





DIILS Human Rights seminars promote mutual understanding and the values of a modern, disciplined and professional military that acts in accordance with international norms.



UNITED STATES NORTHERN COMMAND

Like the U.S. and many of our international partners, Mexico strives to improve the professionalism and interoperability of their armed forces. In coordination with the U.S. Northern Command Staff Judge Advocate, DIILS conducted four engagements with the Mexican Navy on military justice advocacy, maritime operational law and border security, and the law of armed conflict and human rights in domestic operations. These engagements were designed to support the Mexican military's efforts to enhance its effectiveness as a disciplined military force, operating within the principles of rule of law and human rights, as it carries out efforts to combat drug cartels and other violent groups operating within Mexican territory and near its borders. Moreover, the multi-week trial advocacy programs were designed to facilitate the transformation of the Mexican military justice system to a model that more closely resembles an accusatorial system, and to enhance its efficiency, transparency and effectiveness.

UNITED STATES SOUTHERN COMMAND

DIILS conducted 12 legal engagements with six strategic partners in Central and South America on a range of military legal issues including human rights, military justice reform, border security, and operational law.

For the second consecutive year, a DIILS maritime law expert from the U.S. Coast Guard and the Fleet Judge Advocate for U.S. Naval Forces Southern Command/4th Fleet conducted a Subject Matter Expert Exchange (SMEE) with Brazilian Navy lawyers. The SMEE, which was designed to foster greater understanding and cooperation between the maritime forces of the two nations, focused on the role of maritime operational lawyers, maritime law enforcement and domain awareness, counter-drug operations, the United Nations Convention on the Law of the Sea, and interagency cooperation.

Elsewhere in the region, DIILS continued to focus on promoting the conduct of military operations in accordance with the rule of law. In Colombia, DIILS collaborated with the U. S. Southern Command (SOUTHCOM) legal liaison officer, the SJA of U.S. Air Forces Southern (AFSOUTH), and the Colombian Ministry of Defense human rights office to support Colombia's efforts to build an effective operational law advisory capacity. Utilizing a new country-specific and scenario-driven seminar format, DIILS brought together 20 operational commanders and their legal advisors from across the Colombian armed services to focus on the provision of effective legal advice throughout the planning, execution and evaluation of military operations in non-international armed conflict and post-conflict situations.

In the Dominican Republic, DIILS conducted two IMET-funded seminars on domestic operations, which addressed land and maritime border security operations and defense support of civilian authorities for humanitarian assistance and disaster relief. The seminars focused on human rights issues arising during immigration enforcement operations. Legal experts from the Louisiana and New Mexico National Guards, the Department of Homeland Security (via the U.S. Coast Guard, U.S. Immigration and Customs Enforcement, and U.S. Customs and Border Patrol), helped ensure the success of these engagements.

DIILS also expanded its institutional capacity-building efforts in Central America and the Caribbean. In Trinidad & Tobago, DIILS began a multi-year engagement with the Defense Force and Coast Guard legal community, focused on enhancing their efforts to review and strengthen the authorities and processes associated with maritime operations, military justice, and administrative and operational law. In Belize, DIILS conducted a seminar on operational law and human rights for enlisted personnel, with assistance from the SJA of the Louisiana National Guard (the State Partnership Program partner for Belize). This engagement supported efforts by SOUTHCOM and Marine Forces South to help Belize create a corps of military lawyers and paralegals. Following-up on prior legal exchanges in Guatemala, DIILS, in conjunction with the AFSOUTH SJA, launched a multi-year cooperative engagement plan on military legal corps development, the military justice system, and land and maritime operational law issues.



■ Countries DIILS engaged
■ Countries DIILS did not engage

DIILS Engagement in NORTHCOM and SOUTHCOM FY15



Resident Programs

The multinational resident courses DIILS conducts at Naval Station Newport address the myriad legal challenges attendant to most military operations. These include combating corruption, operational law, and military justice, law of armed conflict, UN Peacekeeping, counter-terrorism, human rights, cyber security and defense support of civil authorities. These three-week courses include time in the seminar room and visits to cultural and historical sites in nearby cities, such as Boston, New York City or Washington D.C. The visits, which include briefings at the Pentagon and the United Nations, enable resident course participants to better understand the context for topics discussed in seminar. In 2015, 148 participants came to Newport to attend 38 weeks of resident course instruction.

In FY 15, DIILS announced a new resident course to be offered for the first time in October 2015. The three week Military Justice (MJ) course provides a comprehensive overview of the U.S. military justice system and a comparative analysis of best practices of other military justice systems. Topics include substantive and procedural due process, evidentiary practice, trial advocacy, non-judicial alternatives to courts-martial, appeals, the role of judges and procedural transparency. Field Studies visits include the U.S. Court of Appeals for the Armed Forces in Washington, D.C. and discussions on military law with U.S. military prosecutors and practitioners.

DIILS updated and improved other resident programs based on emerging trends and suggestions from Geographic Combatant Commands (GCC) and alumni. Here are some highlights:

- Legal Aspects of Combating Corruption course (LCC) added a new money-laundering exercise that requires participants to review and discuss case studies of money-laundering schemes reported by law enforcement authorities in countries in their region. LCC participants visited the Pentagon and received briefings from Army Criminal Investigation Command and the Department of Defense Inspector General. The Counter Terrorism Fellowship Program, Naval Postgraduate School provided advice on how to use computer games for instruction.
- Law of Armed Conflict and Human Rights course (LCHR) added new presentations on refugees, command responsibility, gender violence and non-governmental organizations (NGOs). A new ROE exercise includes the use of laser-equipped mock weapons that interact with large-screen video scenarios. It places the participants in realistic situations that requires them to make split-second use-of-force decisions. LCHR also added “Springboard” presentations that introduce human rights or LOAC-related challenges in order to generate discussion through the use of videos to help participants visualize each situation. The subsequent discussion challenges participants to suggest legal responses or solutions to these situations.
- International Law of Military Operations course (ILOMO) participants joined U.S. judge advocates in small-group exercises focused on operational planning for targeting, rules of engagement and humanitarian relief operations. Naval War College and Naval Justice School provided ILOMO instructors.
- The Military Law Development Program (MLDP) for legal advisors now includes the new Military Justice course each fall. MLDP Participants compare their national legal systems with those of the United States and other countries as a means of identifying areas for development or reform.
- Legal Aspects of Combating Terrorism course (LCT) will continue as a Combating Terrorism Fellowship Program (CTFP) invitational course with one offering in March, 2016. The course covers the international law that applies to combating terrorism in three contexts: as domestic crime; as internal armed conflict; and as armed conflict between a State and a terrorist international organized armed group.

- Legal Aspects of Defense Support of Civil Authorities (LADSCA) covered military support of law enforcement, including counterterror operations, public security operations, humanitarian assistance and disaster response/relief, as well as issues related to countries assisting other countries with law enforcement-led counterterrorism operations. The LADSCA course featured guest speakers from the Department of Homeland Security, the New York Police Department and Interpol. New exercises were added on Evidence Based Operations and Pandemic Response (based on the recent Ebola crisis).

DIILS presented six one-week Rule of Law seminars in support of other DoD security assistance education and training providers, reaching 129 international military students. With support from the DIILS Naval Reserve unit and other JAG components, DIILS conducted seminars at the Coast Guard International Maritime Officers Course (IMOC), the Inter-American Air Forces Academy (IAAFA), the Naval Small Craft Instruction and Technical Training School (NAVSCIATTS), and the Navy's International Surface Warfare Officer's School (ISWOS). DIILS also offers a one-hour human rights primer at the Defense Institute for Security Assistance Management Overseas Course (SCM-O) for security cooperation officers preparing to deploy to embassies overseas.

“This was my first visit to a crime lab - as a lawyer, it gave me a whole new perspective on the practical aspects of criminal investigations.”

~ *MLDP Course Participant*

Maritime Security

Since 2006, pursuant to an agreement between the Departments of Defense and Homeland Security, the DIILS staff has included a U.S. Coast Guard (USCG) judge advocate. In 2014, consistent with the President's strategic guidance to focus on security in the Pacific region, an additional agreement was signed that allowed the assignment of a second USCG judge advocate to DIILS. These two international operations officers enable DIILS to apply expertise to an increasing demand for engagements related to maritime security, safety and domain awareness.

In 2015, the DIILS Coast Guard judge advocates supported multilateral engagements in Oceania, the Caribbean, and the Gulf of Guinea, as well as bilateral engagements with Madagascar, the Philippines, and Trinidad and Tobago. These engagements focused on the United Nations Convention on the Law of the Sea and on the legal aspects of combating maritime security threats, such as trafficking (narcotics, persons), alien migrant interdiction, and detention operations related to maritime law enforcement. In the Gulf of Guinea, DIILS engagement supported allied efforts to implement a regional code of conduct for maritime operations and law enforcement. Other engagements aimed to build the institutional capacity of partner nations to manage their maritime domains through greater use of technology, more comprehensive statutory authorities, the establishment of coast guard-like capacity, and increased regional cooperation.

The USCG officers also serve as the Model Maritime Service Code (MMSM) program coordinators. In FY2015, DIILS engaged Trinidad and Tobago on developing a MMSM capacity. The MMSM program

supports countries seeking to codify a maritime service in law or establish a code of law to be enforced by a maritime service. The MMSC program enables maritime nations to strengthen their naval and coast guard institutions in order to increase their effectiveness in border security, national defense, counter-terrorism, maritime law enforcement, search and rescue, merchant marine safety, aids to navigation, and environmental protection.

Further, DIILS supports a key USCG homeland security objective to achieve compliance with international requirements for port security that were implemented in response to the events of September 11, 2001. At that time, the U.S. determined that many ports did not maintain effective anti-terrorism and security measures, and that cargo and vessels transiting through these ports to the U.S. posed an increased security risk. DIILS maritime engagements with the military justice committee of the Americas (COJUMA) and with the Philippines included discussions of maritime law enforcement and coastal and port security, with emphasis on the International Ship and Port Facility Security (ISPS) Code.

Curriculum Development

Curriculum development is an essential component of the DIILS expeditionary business model. The curriculum library enables DIILS staff and adjuncts - experts with relevant operational experience - to deliver uniformly high-quality instruction across the globe. The library contains engagement materials that address legal topics within these themes:

- Military Operations (e.g. LOAC & ROE)
- Human Rights
- Domestic Operations (including HA/DR)
- Combating Terrorism
- Border Security
- Maritime Law Enforcement
- Combating Corruption
- Peacekeeping
- Military Criminal Justice
- Developing a Professional Military
- Security Sector Governance

Curriculum for DIILS mobile programs and resident courses is developed by a curriculum department consisting of three civilian attorneys with military legal experience and/or legal teaching experience, along with input from DIILS program staff (e.g., resident course managers, regional program directors, and international operations officers), and adjunct faculty who are subject matter experts.

The Curriculum Department continues to incorporate more interactive teaching tools into DIILS engagement resources. These include computer-based games similar to Jeopardy, Concentration, and Wheel of Fortune, with content tailored to the legal topics above. The instructional video library was also expanded to 167 short video files that instructors can use to augment presentations and stimulate discussion, and a video library index was created. The TurningPoint® audience response system and the video illustrations have consistently increased participant attention, comprehension, and retention, as well as stimulating increased discussion in DIILS engagements and courses.

FY15 Curriculum Department efforts focused on creating integrated sets of engagement resources on the legal aspects of: Defense Support to Civil Authorities in controlling outbreaks of dangerous contagious disease; and UN Peacekeeping. Eight frequently used “core” modules on operational law and human rights were revised and updated to incorporate interactive learning activities, including “Human Rights & Armed Conflict Law Against Gender Violence”. All PowerPoint files were converted to a standardized format that is easier to read and easier for instructors to branch off with interactive features.

Conclusion and Way Ahead

DIILS continues to set the global standard for defense-sector professional legal engagement. We continuously update the core elements of our curriculum library to reflect the most recent treaties and policies in force, and to integrate new material drawn from current events in every region of the world. To effectively implement our engagements, DIILS continues to populate our traveling teams with instructors with recent and relevant experience.

Following the 2014 roll-out of a resident course on the Legal Aspects of Defense Support of Civil Authorities, DIILS is preparing to deploy a new resident course on military justice in late 2015. While this important topic has always been a critical element of several DIILS resident courses, the new three week stand-alone Military Justice course provides a comprehensive overview of the U.S. military justice system and a comparative analysis of best practices of other military justice systems. It addresses substantive and procedural due process, evidentiary practice, trial advocacy, non-judicial alternatives to courts-martial, appeals, the role of judges and procedural transparency, and features visits to the U.S. Court of Appeals for the Armed Forces in Washington, D.C. and discussions with U.S. military prosecutors and practitioners.

DIILS supported the Secretary's Defense Institution-Building (DIB) priorities with 35 engagements. These include defense-sector legal assessments in support of the President's Security Governance Initiative, events in countries that are updating the legislative and policy underpinnings of their defense sector, or building a corps of military judge advocates to increase their interoperability for coalition operations and maximize their operational compliance with international norms.

Maritime Security was also a growth area, where DIILS conducted four regional engagements. The most important maritime objectives include implementing a common code of conduct for maritime law enforcement among the Gulf of Guinea littoral nations, and building capacity and cooperation among Pacific Island Nations to prepare and respond to natural and man-made disasters, as well as protecting the principal source of their stability, the maritime environment, through more modern means, including cyber tools and remotely piloted aerial vehicles. The increase in maritime engagements in every Geographic Combatant Command's area of responsibility kept two U.S. Coast Guard liaisons busy, including the additional U.S. Coast Guard officer assigned to DIILS this fiscal year.

Of 150 DIILS engagements with 84 countries in 2015, 35 were human rights seminars conducted in compliance with title 10 of U.S. Code (e.g., Sections 1203, 1206/2282, and the Global Security Contingency Fund). These two-day seminars for units receiving U.S. assistance offer a primer on international human rights law and the law of armed conflict, also known as international humanitarian law. Rather than adopting a one-size-fits-all approach, DIILS endeavors to focus each seminar on practical applications of the law in the types of operations that receiving units would participate in, and tailors team composition to the mission of the unit receiving the assistance.

As we look ahead at the legal-strategic environment, DIILS is preparing for increasing demand in several areas of law, including the use of emergent technologies in maritime security and maritime domain awareness. Our international partners' effectiveness in these areas hinges upon the implementation of new laws, strategies, policies, and enforcement systems. In anticipation of more engagement in this arena, DIILS is developing new tools, such as case studies and discussion scenarios that reflect the legal and operational complexity of emerging threats and current conflicts.



“My number one takeaway is that the military should always carry out their duties in accordance with international law.”

~ LADSCA Course Participant



DIILS Schedule FY15

COUNTRY	EVENT	PARTICIPANTS
Afghanistan	Operational & Criminal Law	36
Albania, Bulgaria, Romania	Human Rights Seminar (Regional)	22
Australia - (Regional)	Maritime Security	43
Bangladesh	Human Rights Seminar	14
Belgium - EUCOM	EUCOM Legal Conf	N/A
Belize	OPSLAW/ Hum Rgts for Legalmen	12
Bosnia-Herzegovina	Legal Aspects of Combating Corruption	25
Botswana	Military Legislative Reform (3 X)	78
Brazil	Maritime Security	10
Bulgaria	Human Rights Seminar	30
Burkina Faso	Human Rights Seminar	20
Burma	Human Rights Dialog	N/A
Burma	Human Rights DIB	15
Burundi	Human Rights Seminars (2 cases)	26
Burundi	HR Investigations - Best Practices	4
Cambodia	DIB Scoping Visit	N/A
Cambodia	OPS Law & Human Rights	28
Cameroon	Maritime Legal Assessment (GoG)	N/A
Cameroon	Human Rights Seminar	16
Cameroon (Regional)	Maritime Security (Gulf of Guinea)	105
Colombia	Engagement Planning Visit	N/A
Colombia	Operational Law	47
Colombia	Drones, Cyber & Emergent Tech	61
Congo, DRC	Magistrate Basic Course (2 X)	40
Congo, DRC	Oper. Legal Advisor Course	20
Congo, DRC	Rule of Law (3 X)	60
Congo, DRC - CONUS	NR DIILS Admin	N/A
Congo, DRC - CONUS	MILJUST. (Gen. Nyembo visit)	20
Congo, Republic of	LCHR & PKO	35
CONUS - CCMR	Responses to Maritime Violence	25
CONUS - CCMR	Responses to Maritime Violence	25

COUNTRY	EVENT	PARTICIPANTS
CONUS - CCMR	Responses to Maritime Violence	28
CONUS - CCMR (Indonesia)	Maritime Security	25
CONUS - CENTCOM	SCETWG	N/A
CONUS - DIILS	LCHR Resident Course	30
CONUS - DIILS	MLDP-I Resident Course	9
CONUS - DIILS	LCC Resident Course	32
CONUS - DIILS	LCT Resident Course	24
CONUS - DIILS	LCHR Resident Course	25
CONUS - DIILS	MLDP II Resident Course	9
CONUS - DIILS	ILOMO Resident Course	51
CONUS - DIILS	LADSCA Resident Course	31
CONUS - DISAM	Human Rights Briefings (8 X)	457
CONUS - DISAM	SCM-E Course (Staff Training)	N/A
CONUS - FLETC SC	IBOC ROL Seminar	20
CONUS - IAAFA	IAAFA ROL Seminar	14
CONUS - IMOC	IMOC ROL Seminars (2 X)	70
CONUS - ISWOS	ISWOS ROL Seminars (2 X)	70
CONUS - NAVSCIATTS	NAVSCIATTS - ROL Seminar	5
CONUS - OSDP	WIF Stakeholders Mtg	N/A
CONUS - PACOM	Capabilities Devt WG	N/A
CONUS - PACOM	PACSCWG	N/A
CONUS - SOUTHCOM	SCETWG	N/A
CONUS - USIP	Accountability/Prevention WG	N/A
Croatia	Human Rights Seminar	34
Czech Rep. CONUS	Anti-Corruption	5
Djibouti	Human Rights Seminars (2 X)	60
Dominican Republic	Land & Maritime Border Security	20
Dominican Republic	LADSCA (e.g. Domestic MILOPS)	20
Estonia	Human Rights Seminar (2 cases)	18
Ethiopia	Human Rights Seminar	24

COUNTRY	EVENT	PARTICIPANTS
Germany - AFRICOM	SCETWG	N/A
Germany - EUCOM	ESIC	N/A
Germany - EUCOM	Mil Law Forum	N/A
Germany - EUCOM	SCETWG	N/A
Germany - EUCOM	Strategy Conf.	N/A
Ghana	Maritime Security (2 X)	70
Ghana (Regional)	Maritime Security (Gulf of Guinea)	35
Greece	CCMR Maritime Program	40
Guatemala	DIB Scoping Visit	N/A
Hungary	Human Rights Seminars (2 X)	40
India	Advanced JAG Course (Staff Training)	N/A
Indonesia	DIB Coordination Meeting	N/A
Jordan	Human Rights Seminar	7
Kazakhstan	PME (PKO Curriculum Dev)	12
Kenya	Human Rights Seminars (5 X)	50
Kosovo	Anti-Corruption	36
Latvia	Human Rights Seminar	27
Lebanon	Legal Aspects of Border Security	30
Lebanon	Human Rights Seminar	14
Lebanon	Human Rights & Legal Advisor Role	14
Lebanon	Command Responsibility	35
Lebanon	Refugee Law	15
Lithuania	Human Rights Seminar	18
Madagascar	LCHR & Maritime Law	31
Malaysia	Int'l Anti-Corruption Conf	75
Mali	SGI Legal Assessment	N/A
Mauritania	Human Rights Seminar	52
Mexico	Maritime OPS Law	48
Mexico	Trial Advocacy	15
Mexico	LOAC & Human Rights	15
Mexico	Trial Advocacy	30

COUNTRY	EVENT	PARTICIPANTS
Moldova	LOAC/ROE/PKO	45
Mongolia	DIB Planning (US Team Mtg)	N/A
Mongolia	DIB Scoping Visit (JAG Devt)	N/A
New Caledonia (Regional)	Maritime Law	17
New Zealand - PACOM (Regional)	MILOPS Conf	N/A
Niger	Human Rights Seminars (3 X)	76
Niger	IG & Corruption	26
Nigeria	Detainee OPS	128
Palestinian Terr.	Legal Aspects of Combating Terrorism	37
Philippines	Maritime Law & Security (2 X)	70
Portugal	NATO Oper. Maritime Law Conf	N/A
Romania	Human Rights Seminar	50
Saudi Arabia	Maritime Law - Scoping	N/A
Slovakia	Human Rights Seminar	14
Slovenia	LOAC & Human Rights (2 X)	48
Thailand	DIB Scoping Visits (2 X)	N/A
Tonga	DIB Scoping Visit	N/A
Trinidad & Tobago	DIB Scoping Visits (2 X)	30
Trinidad & Tobago	COJUMA Conf	N/A
UAE	MIL Justice	50
UAE - CONUS	MIL Justice	5
Uganda	Human Rights Seminars (4 Cases)	212
Ukraine	Human Rights Seminars (2 X)	608
Uzbekistan	PME (LOAC) (2 X)	55
Uzbekistan	AOWG	28
TOTAL PARTICIPANTS:		4092

Acronyms

AFP HRO	Armed Forces of the Philippines Human Rights Office
AFRICOM	U.S. Africa Command
AFSOUTH	U.S. 12th Air Forces and Air Forces Southern
AMLEP	Africa Maritime Law Enforcement Partnership
APCML	Asia Pacific Centre for Military Law (Australia)
CENTCOM	U.S. Central Command
COJUMA	Comité Jurídico Militar de las Américas
CONUS	Continental United States
DIB	Defense Institution Building
DIILS	Defense Institute of International Legal Studies (U.S.)
DOD	Department of Defense (U.S.)
DRC	Democratic Republic of Congo
EUCOM	U.S. European Command
EEZ	Exclusive Economic Zone
FARDC	Armed Forces of Congo
FY	Fiscal Year
GCC	Geographic Combatant Command
HA/DR	Humanitarian Assistance & Disaster Relief
IAAFA	Inter-American Air Forces Academy
ILOMO	International Law of Military Operations
IMET	International Military Education & Training
IMOC	U.S. Coast Guard International Maritime Officers Course
ISPS	International Ship & Port Facility Security Code
ISWOS	U.S. Navy International Surface Warfare Officer's School
JAG	Judge Advocate General
LADSCA	Legal Aspects of Defense Support of Civil Authorities
LAF	Lebanese Armed Forces
LCC	Legal Aspects of Combating Corruption
LCHR	Law of Armed Conflict & Human Rights
LCT	Legal Aspects of Combating Corruption
LOAC	Law of Armed Conflict

MAF	Mongolian Armed Forces
MJ	Military Justice
MLDP	Military Law Development Program
MMSC	Model Maritime Service Code
NAVSCIATTS	Naval Small Craft Instruction and Technical Training School
NGO	Non-Governmental Organization
NORTHCOM	U.S. Northern Command
NZDF	New Zealand Defence Force
PACOM	U.S. Pacific Command
PIN	Pacific Island Nation
RCAF	Royal Cambodian Armed Forces
ROE	Rules of Engagement
RUF	Rules for the Use of Force
SEMAR	Secretaría de Marina (Mexico)
SJA	Staff Judge Advocate
SMEE	Subject Matter Expert Exchange
SOUTHCOM	U.S. Southern Command
UAE	United Arab Emirates
UN	United Nations
USCG	United States Coast Guard

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