

DEFENSE INSTITUTE OF INTERNATIONAL LEGAL STUDIES



ANNUAL REPORT
FISCAL YEAR 2016

GlobalNetPlatform.org/DIILS



Fiscal Year 2016 was the busiest yet for DIILS, which continues to set the global standard for defense-sector professional legal engagement.





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 2016, DIILS
engaged over 4,200 participants
in 133 events.

Executive Summary

FY16 was the busiest year yet for DIILS, which continues to set the global standard for defense-sector professional legal engagement. In addition to executing a record number of engagements, DIILS was the focus of a Government Accountability Office study on Defense Rule of Law Engagement. The GAO study team visited DIILS on multiple occasions, travelled on DIILS expeditionary programs, and generated a substantial staff effort to respond to weekly requests for information. The GAO report was released in December, 2016. GAO found that demand for DIILS assistance has increased by over 50 percent since 2013, while its workforce has remained constant. Consequently, DIILS staff face challenges in meeting the demands for their services. GAO recommends that DOD assess whether the size of DIILS's workforce allows it to fulfill its mission.

Following the roll-out of resident courses on the Legal Aspects of Defense Support of Civil Authorities (2014) and Military Justice (2015), DIILS is preparing to deploy another new resident course in 2017, on United Nations Peacekeeping Operations. This new three-week course provides a comprehensive overview of the legal authorities for UN-sanctioned operations and their operational implications.

DIILS supported the Secretary's Defense Institution-Building (DIB) priorities with 45 engagements. These events promote the enhancement of our partners' defense-sector legal authorities, regulations, organizations, policies, and procedures. Examples of legal DIB include assisting countries that are updating the statutory and regulatory underpinnings of their defense sector, building a corps of military judge advocates and integrating them into operations, or developing a military justice system. We strive to integrate DIILS with other DIB programs, and this year, DIILS teams included more National Guard State Partnership Program members than any previous year.

Maritime Security remains a growth area and an area of opportunity for regional engagement as nations coalesce around the protection of common domains and resources and take steps to enhance their maritime law enforcement capacity. In order to meet the increased maritime requirements, DIILS is in discussions with the U.S. Coast Guard to add an additional Coast Guard attorney to the staff. Additionally, DIILS is developing a new three-week course on the legal aspects of maritime security, including boarding operations, port security, freedom of navigation rights, Exclusive Economic Zone rights, and other United Nations Law of the Sea protections. The maritime security course will be offered in 2018.

Of 137 DIILS expeditionary engagements with 57 countries and nine resident courses in 2016, 40 were human rights seminars conducted in compliance with title 10 of U.S. Code (e.g., Sections 1203, 1206/2282, European Reassurance Initiative, Global Security Contingency Fund, and the South China Sea Initiative). These two-day seminars for the 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 conduct, and tailors team composition to the mission of the unit receiving the assistance.

We continuously update the core elements of our curriculum library to reflect the most recent treaties and policies in force and to integrate new case studies drawn from current events and changes in technology. To effectively implement engagements on a wide variety of legal topics, DIILS emphasizes the need for instructors with recent and relevant experience.

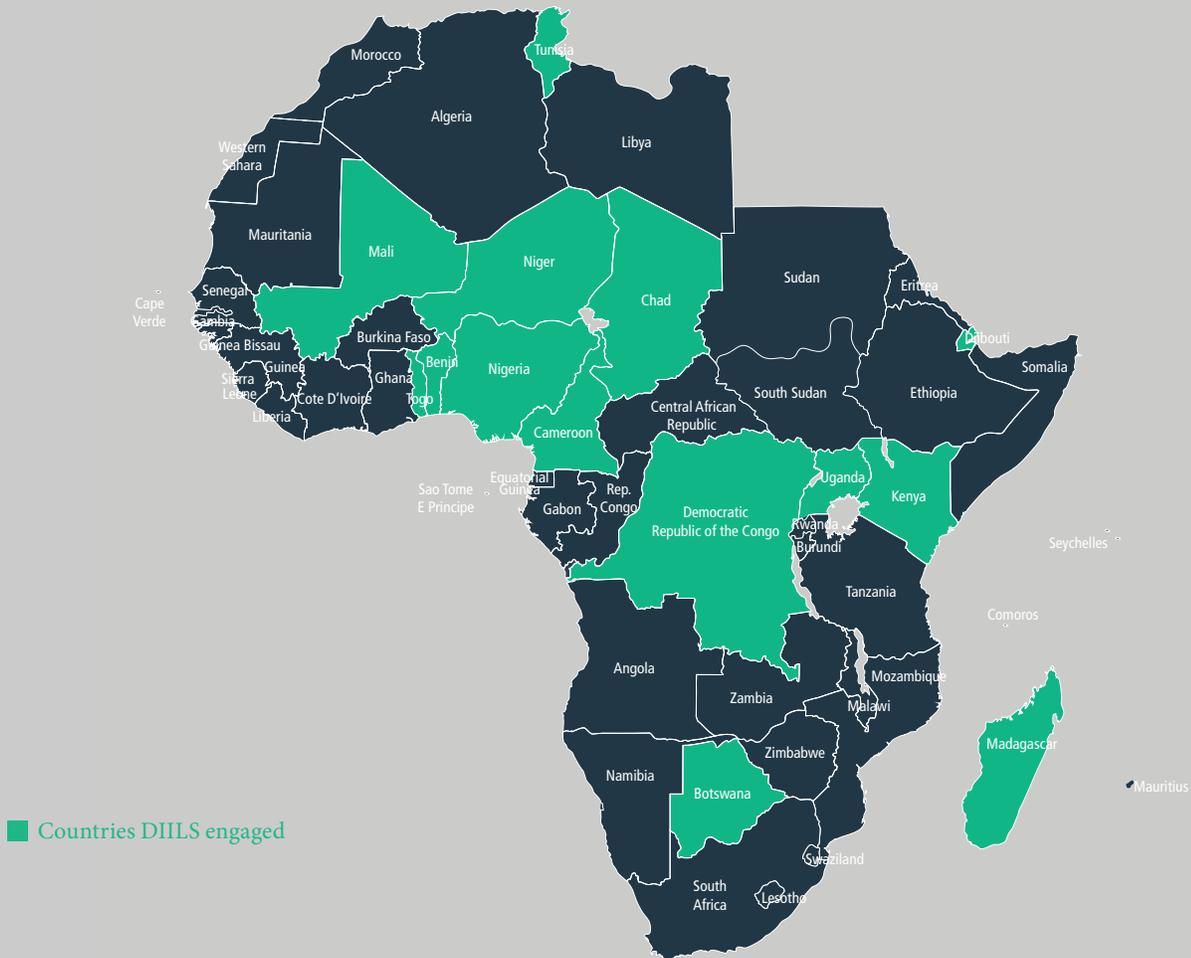
As the strategic legal environment evolves, so do our course offerings and engagement materials, with case studies and discussion scenarios that reflect the legal and operational complexity of current conflicts, emerging threats, and the adaptive use of technology on the battlefield, in maritime security and maritime domain awareness, and in cyberspace. DIILS engagements and engagement materials, executed by the dedicated cadre of military judge-advocates and other experts who serve as DIILS instructors, are our best resources with which to enhance our international partners' transparency, accountability, and effectiveness by promoting the development and implementation of relevant laws, strategies, policies, and enforcement systems.

Steven B. Weir
Colonel, U.S. Army
Director



Mobile Programs

UNITED STATES AFRICA COMMAND



DIILS Engagement in AFRICOM FY16

DIILS engagements in this region addressed a range of 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 FY16, DIILS conducted 31 mobile engagements involving 14 countries in the region. They addressed the law of armed conflict and human rights, legal advice to operational commanders, 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 engagements included bilateral seminars and workshops, one regional engagement, the first ever Military Justice Conference in the Republic of Mali, two distinguished visitor programs in the United States, and participation in the AFRICOM Military Accountability Colloquium.

Defense Institution-Building (DIB)

DIILS focused on modernizing the statutory and regulatory authorities of the Botswana Defense Force (BDF), enhancing the Malian military justice system, and establishing a professional military education program on ethics and anti-corruption in Kenya in support of the President's Security and Governance Initiative.

In Botswana, DIILS continued supporting the BDF legislative drafting committee and the Ministry of Justice legal advisors' efforts to modernize military legal authorities and implementing regulations. The exchange focused on the issues the committee was seeking to address through legislation, including reserve forces, post-government service and post-military employment, morale, welfare, and recreation programs, and medical readiness. The DIILS team and the committee reviewed more than 150 amendments to the BDF Act. DIILS also assisted the committee in differentiating statutory vice regulatory content. DIILS teams included representatives from DIILS, the North Carolina National Guard (the SPP Partner for Botswana), the U.S. Air Forces Africa, the U.S. Army Office of the Judge Advocate General, and the U.S. Navy Office of the Chief of Naval Operations.

In Mali, DIILS continued to support the President's Security Governance Initiative (SGI). Major Jane Male (USAF), a DIILS International Operations Officer, became the first U.S. service-member to embed with the Malian Armed Forces (FAMA). In her capacity as a Military Justice Advisor, she focused on enhancing the military justice system, operational legal advisor capacity, and the Inspector General's corps. Her efforts resulted in the publication of the first Malian Military Justice Manual and the first Military Justice Conference in Mali. 91 FAMA service-members participated in the conference, which included presentations from magistrates from the Military Justice Directorate, the Gendarmerie Director, and the FAMA International Humanitarian Law Division. International participation included four presenters from the European Union Training Mission, two from EUCAP Sahel, and U.S. presenters from AFRICOM SJA and DIILS.

An assessment in Kenya, conducted in support of SGI, focused on ethics and anti-corruption. The objective is to build a self-sustaining capability to educate civil servants and service members in order to prevent ethical lapses and corruption. Following the assessment, DIILS coordinated with the Ministry of Defense (MOD) to develop curriculum on ethics, governance, and anti-corruption, using a whole of government approach and a full-spectrum strategy to reform civilian-military functions. As a result of this collaboration, DIILS presented recommendations for development and implementation of a training curriculum and conducted a pilot course entitled "Good Governance and Ethics in Government" with 26 mid-grade MOD personnel.

A DIILS International Operations Officer became the first U.S. service-member to embed with the Malian Armed Forces as a Military Justice advisor.

Other Engagements

DIILS conducted one International Military Education and Training (IMET) seminar in Madagascar, focused on Peacekeeping Operations (PKO) and human rights. This island nation seeks to enhance the readiness of a battalion-level peacekeeping capacity for UN missions.

In support of statutory requirements for human rights training attendant to U.S. assistance, such as Section 2282 of title 10, DIILS completed 27 human rights cases by conducting seminars with military units in Kenya, Djibouti, Tunisia, Uganda, Niger, Chad, and Nigeria.

DIILS joined a CTPF-funded DGMT mission to Chad to assess defense capacity in multiple areas, including military justice. While the assessment identified significant opportunity for legal engagement, it would be predicated on action by the Chadian government to effectively implement a military justice organization that currently exists in name only.

DIILS coordinated two CONUS military justice programs for flag-level military representatives of the Republic of Mali, including the acting and former directors of the Military Justice Directorate. The visits enabled these senior officials to observe the U.S. military justice system in action and visualize the potential outcome of Malian capacity-building efforts in that area.

Democratic Republic of Congo (DRC)

Since 2008, when the Department of State asked DIILS to develop and implement a training program to combat impunity for sexual and gender-based violence committed by the Congolese Armed Forces (FARDC), DIILS has been at the cutting edge of military justice reform in the DRC, conducting training in military justice, international humanitarian law, human rights, and anti-corruption.

In FY16, DIILS conducted four PKO-funded programs, including a Rule of Law Seminar, two iterations of the Magistrate Basic Course, and one Economic Crimes Symposium, an effort to combat trafficking and other economic crimes in the Eastern Congo. In all, DIILS has conducted 191 programs across every region of the country, involving 11,344 FARDC participants.

In 2014, DIILS shifted its focus toward building a self-sustaining Congolese military justice training program. In conjunction with FARDC magistrates, DIILS developed and conducted a Magistrate Basic Course for new magistrates and command legal advisors. With each iteration of the course, the FARDC developed and taught an increasing part of the three-week curriculum, and today, DIILS instructors are mainly observers. Their observations will serve as the basis for an intermediate course under development.



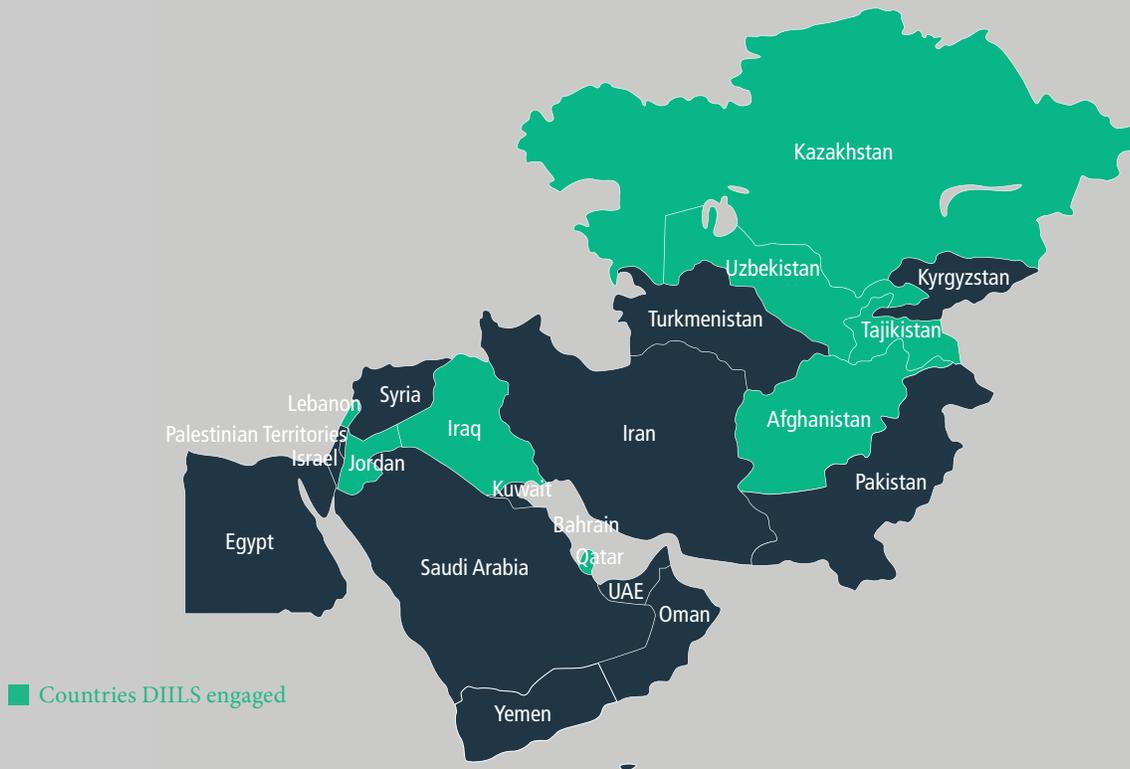


“ ‘When you protect the rights of those who least deserve it, you protect the rights of all’ – I will always remember this lesson.”

- Law of Armed Conflict and Human Rights course participant



UNITED STATES CENTRAL COMMAND



DIILS Engagement in CENTCOM FY16

In spite of increasing violence in the region, the Islamic State (ISIL) offensive in Iraq and the unprecedented flow of refugees from conflict areas, DIILS conducted 18 mobile engagements in seven countries that advanced the rule of law in the region.

DIILS conducted four engagements to strengthen the capacity of the Lebanese Armed Forces (LAF) to apply the law of armed conflict and human rights law to the conflict with ISIL and refugee operations. These engagements, which focused on the law of armed conflict, human rights law, ROE, refugee operations and command responsibility, stressed the importance of military compliance with human rights and the law of armed conflict, even when confronting violent extremists who disregard the law. One of the engagements was the first DoD event conducted under the authority of Section 1206 of the 2015 NDAA, which allows human rights training for security forces otherwise ineligible for U.S. training due to human rights violations. Seventeen officers from affected units attended three days of human rights and international humanitarian law training focused heavily on human rights violations commonly committed by military forces.

In Jordan, DIILS conducted three engagements on air targeting with the Jordanian Air Force, including one for senior air commanders at the strategic and operational levels and one for combat pilots at the tactical level. These engagements were designed to ensure compliance with the law of armed conflict as applied to the combat air operations Jordan is flying with its regional partners against terrorist forces.

DIILS conducted a law of armed conflict and human rights engagement with the Iraqi armed forces that addressed a host of issues stemming from their operations against ISIL. DIILS also conducted a legal capacity assessment to examine the military justice system and suggest improvements to meet the challenges raised by recent combat operations.

DIILS conducted several engagements in Afghanistan for judge advocates in the Afghan Legal Corps. They focused on the law of armed conflict, human rights, rules of engagement, detention, command responsibility and other operational topics. The objective was to enable Afghan judge advocates to better advise commanders and staff officers on the application of the law of armed conflict and human rights in combat operations, and help ensure that Afghan operations will be in compliance with the rule of law.

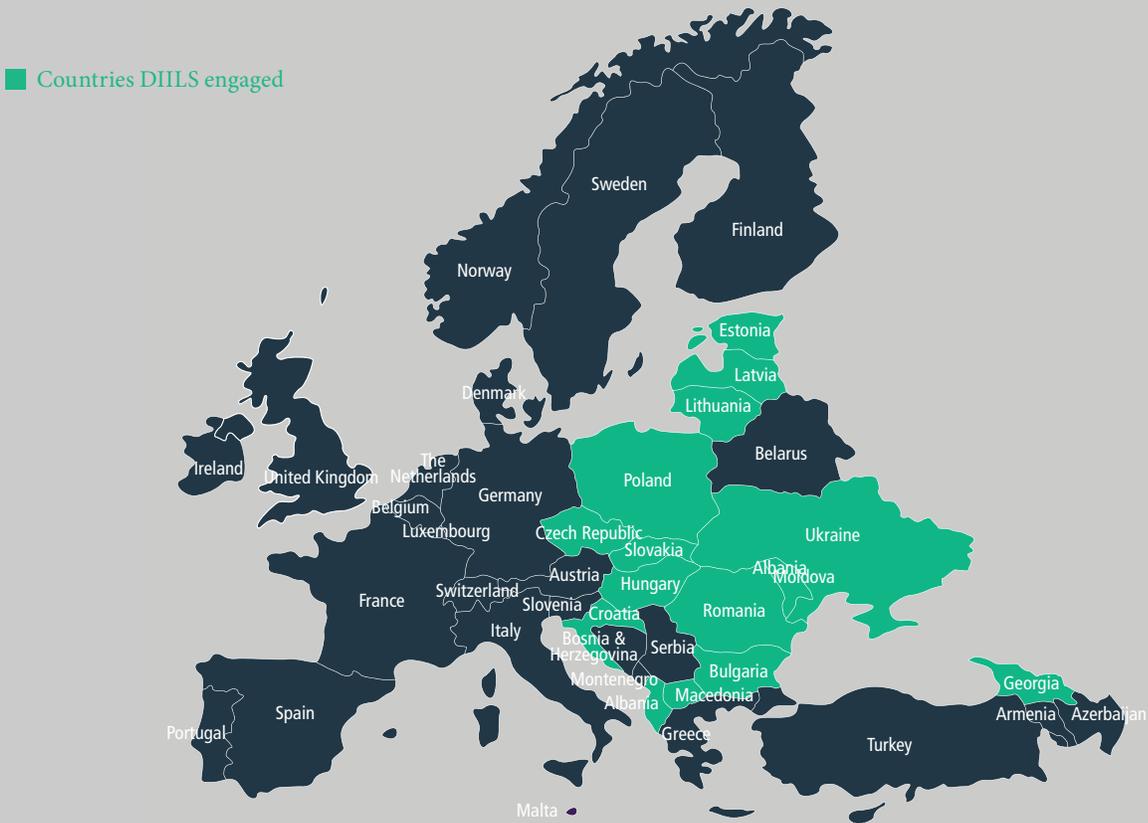
DIILS engagements also addressed a range of issues in Central Asia. In Uzbekistan, DIILS conducted several engagements that focused on the law of armed conflict and human rights. One seminar focused on US lessons learned with the law of armed conflict and human rights in operations in Iraq, Afghanistan and Vietnam. The instructor team also included a judge advocate from the United Kingdom who focused on UK operations in Iraq, Afghanistan and Northern Ireland. With assistance from DIILS, the Uzbeks developed a law of armed conflict and human rights pocket card that was subsequently approved by the MoD and distributed to Uzbek forces. A delegation of Uzbek military and civilian MOD lawyers also visited the U.S. to learn how the U.S. Army trains its forces in military justice and the law of armed conflict. To discuss how the U.S. Army applies and trains on international humanitarian law, they met with the Chief of the US Army International and Operational Law Division at the Pentagon. They also met with senior judge advocates at the U.S. Army Legal Services Agency (USALSA) at Fort Belvoir, where they received a number of briefings from USALSA, Army Trial Judiciary, Army Court of Criminal Appeals Judiciary, Trial Defense Service and the Clerk for the Army Court of Criminal Appeals. They also traveled to the US Army Judge Advocate General's Legal Center and School in Charlottesville, Virginia where they received briefings on professional military legal education for judge advocates, legal administrators and enlisted legal personnel on military justice and the law of armed conflict.

In Kazakhstan, DIILS continued to support the Defense Education Enhancement Program efforts to develop curriculum on the legal aspects of UN peacekeeping for the Kazakh Peacekeeping Operations School. A DIILS team supported the final review of the curriculum, which will support future deployment of their military forces to UN missions.

DIILS supported Tajikistan's efforts to deploy forces to UN peacekeeping missions. DIILS conducted a Legal Aspects of Peacekeeping Operations for Tajik military officers who will likely be involved with Tajikistan's first deployment. The seminar covered the legal challenges that commanders are likely to encounter on a UN peacekeeping mission.

A DIILS engagement in CENTCOM was the first DOD event conducted under a new authority that allows human rights training for security forces otherwise ineligible for U.S. training.

UNITED STATES EUROPEAN COMMAND



DIILS Engagement in EUCOM FY16

DIILS engagement in EUCOM continued to focus on operational law, human rights, combating corruption, and defense support to civil authorities. The Legal Aspects of Defense Support to Civil Authorities (LADSCA) resident course remains relevant in this theater. It highlights the benefits of interagency and inter-service cooperation in military and defense support to civil authorities and the need for such actions to rest on solid legal authorities. It also emphasizes 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 continues to enjoy an excellent partnership with EUCOM on legal engagements.

DIILS 28 expeditionary engagements with 14 countries in Europe increased partners' understanding of Rules of Engagement (ROE) and Rules for the Use of Force (RUF) for coalition operations, and the congressionally-mandated human rights seminars focused on promoting observance and respect for human rights and fundamental freedoms, and respect for legitimate civilian authority. The human rights 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 28 engagements in Europe increased our partners' understanding of the ROE and Rules for the Use of Force for coalition operations.

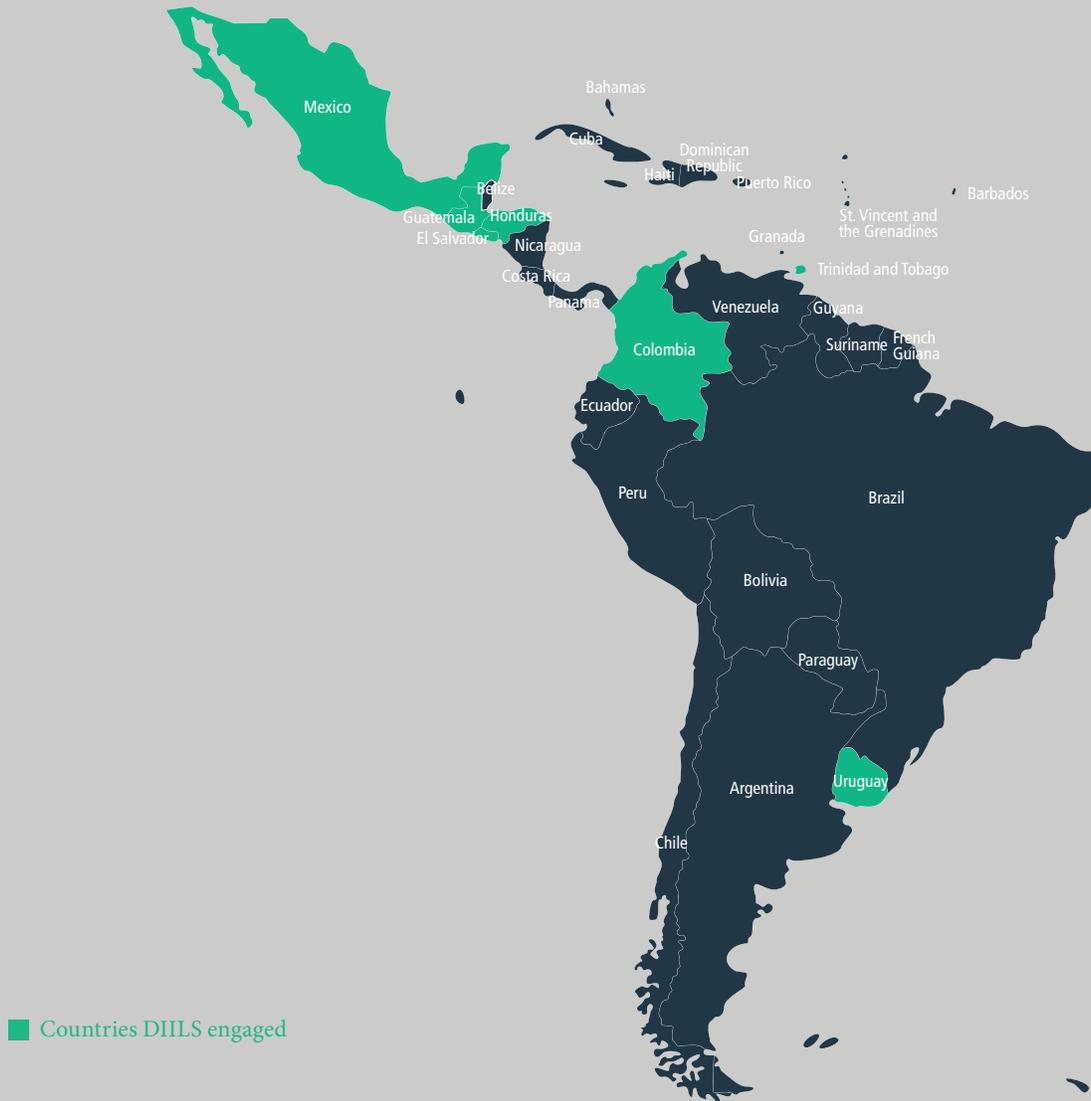
DIILS conducted a regional operational law seminar in Czech Republic for new legal advisors (with Bulgaria, Czech Republic, Hungary, Poland, and Slovakia). The goal was to enhance their knowledge of current and potential legal and operational issues facing forces across a broad spectrum of operations and to enhance relationships among the Visegrad Group allies. The seminar focused on the challenges faced by legal advisors in international law in various deployed locations and environments and promoted relationship-building. Real-world scenarios and case studies highlighted the challenges of interagency and international coordination and cooperation, the challenges facing operators and lawyers in a deployed environment, and likely future challenges arising from the worldwide expansion of autonomous weapons and cyber aggression.

In Ukraine, DIILS conducted multiple human rights programs in support of the Joint Multinational Training Group – Ukraine and seven other human rights programs across EUCOM, which were held in conjunction with other engagements to save time and money. During FY16, the U.S. Army trained over 5 battalions of Ukrainian soldiers at the Joint International Peacekeeping Security Center in Yavoriv, Ukraine. DIILS supported this effort by training over 1,200 Ukrainian soldiers on International Human Rights and Humanitarian Law. DIILS fielded instructors with the necessary legal expertise and experience to assist Ukrainian soldiers with difficult questions on the Law of War. These soldiers are often headed straight from the training into military operations, giving DIILS a unique opportunity to have an immediate impact. DIILS also conducted a Legal Capabilities Assessment and is coordinating with the US Embassy to plan Defense Institution Building in military justice. DIILS is also assisting the Ukrainian Military Prosecutor's Office in Kiev with legislative reforms. With DIILS assistance, Ukraine hopes to modernize its military justice process to incorporate best practices and adapt to changing operational circumstances.

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

In the EUCOM region and elsewhere, DIILS employs interactive technology in presentations, real-world case studies and discussion problems. DIILS teams include subject matter experts selected to align with the responsibilities of the international audience. Their recent and relevant expertise adds credibility to the seminar content and results in a more sophisticated, relevant and effective engagement. In Macedonia, for example, the DIILS team for an engagement on the legal aspects of defense support of civil authority included the Director of Homeland Security and Preparedness during super-storm Sandy and a senior NYPD official, each of whom offered practical lessons learned applicable to Macedonia's challenges with DSCA and refugees.

UNITED STATES NORTHERN & SOUTHERN COMMAND



DIILS Engagement in NORTHCOM & SOUTHCOM FY16

Mexico

DIILS conducted two engagements in FY16 to support Mexico's efforts to enhance the effectiveness of its military forces by seeking – much like other professional militaries, including the U.S. – to comply with the rule of law and human rights norms when conducting counter-trafficking and other domestic operations.

The first engagement focused on legal issues attendant to Defense Support to Civilian Authorities, such as in disaster response and law enforcement operations. For the second, the U.S. Northern Command and DIILS hosted a senior delegation of Navy (SEMAR) legal officers, including Rear Admiral Alejandro Vazquez (Judge Advocate General equivalent), to U.S. military legal and education



institutions in Newport, RI and Washington, DC. Discussions addressed the establishment of a legal branch within SEMAR, the training and career management of SEMAR military attorneys, the establishment of a military legal school for SEMAR military attorneys, and the organizational structure and leadership responsibilities of senior members of the military legal community. The visit included meetings with the U.S. Naval Justice School, the U.S. Naval War College, the Judge Advocate General of the U.S. Navy, the U.S. Court of Appeals for the Armed Forces, and the Academy of Human Rights and Humanitarian Law at American University's Washington College of Law.

“Showing what corrupt people are doing with government money and analyzing the impact of corruption on society changed my point of view.”

U.S. Southern Command

DIILS focused on sustained engagements supporting institutional development efforts spearheaded by the military legal corps of our partner nations in this region. DIILS conducted 13 in-depth legal engagements with five strategic partners in Central and South America. They addressed a range of military legal issues, including human rights compliance, domestic counterinsurgency and law enforcement support operations, maritime security and enforcement, military justice reform, and JAG corps structure and development.

In Colombia, DIILS continued to promote the conduct of military operations in accordance with the rule of law by supporting Colombia's efforts to build an effective operational law advisory capacity. With the support of Judge Advocates from U.S. Air Forces Southern/12th Air Force, the U.S. Marine Corps Reserve, the U.S. Army Reserve, and the Air and Army National Guard, DIILS conducted two newly tailored seminars for operational commanders and legal advisors. Using notional scenarios on operational planning and execution adapted from real-world Colombian operations, the seminar focused on the provision of effective legal advice before, during and after operations, and on the likely changes in the operational and legal environments attendant to a peace agreement with the Revolutionary Armed Forces of Colombia (FARC).

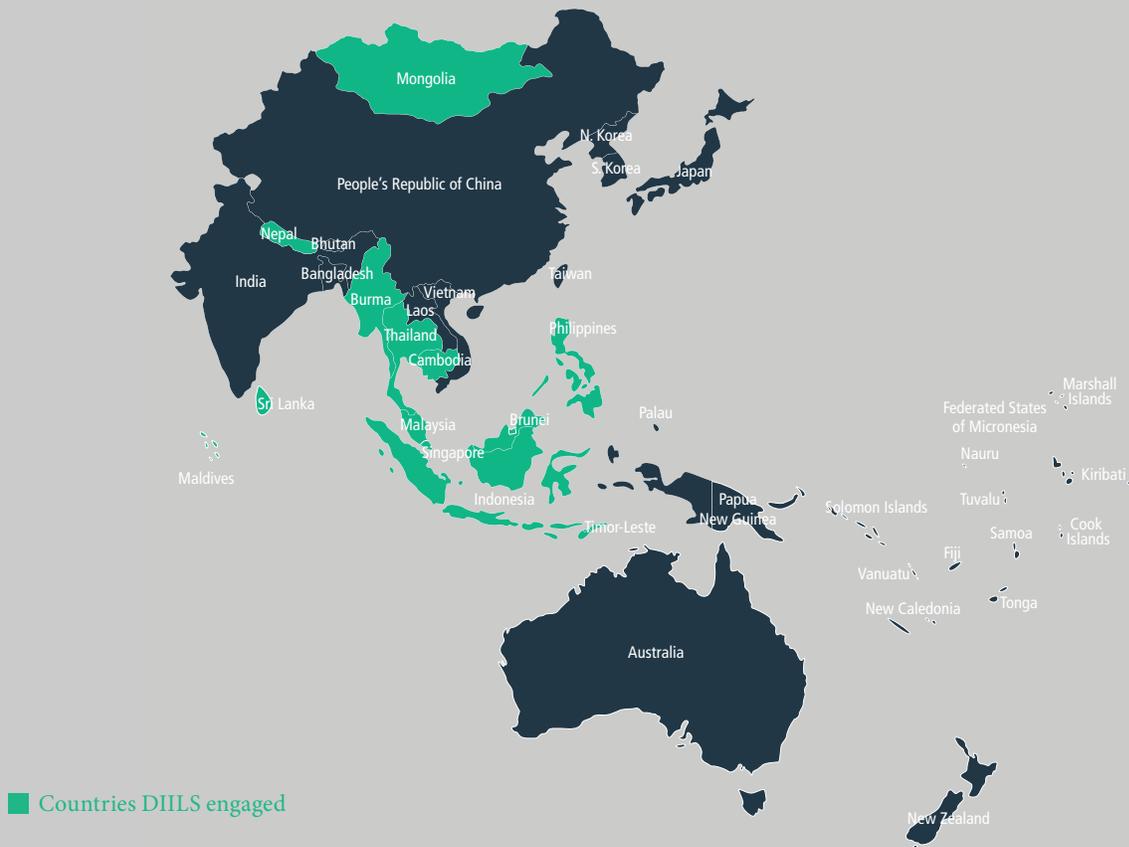
Furthermore, with extensive support from Office of the Legal Counsel to the Chairman of the Joint Chiefs of Staff and the Judge Advocates General of the military departments and the U.S. Coast Guard, DIILS hosted ten senior Colombian military officials (including two general officers) for a one-week human rights planning visit to Washington, DC. The visit focused on an initiative by the Colombian military legal community to create a mission set for post-conflict operations and identifying potential opportunities for U.S. support to that initiative.

DIILS also continued legal capacity-building efforts in Central America and the Caribbean. In Trinidad & Tobago (TTO), DIILS conducted engagements on each of the four lines of effort identified during the prior year assessment phase. These resulted in proposed revisions to TTO Coast Guard policy on the use of force, ship-boarding and search operations, feedback on proposed regulations for a military inspector general office and a drug-testing policy, identification of next steps for the implementation of a military justice system, and recognition of the need for more formal authorities for the Air Guard, which was recently separated from the Coast Guard.

Similarly, in Guatemala, DIILS (in conjunction with AFSOUTH/12th Air Force SJA) continued its work with the military legal community to implement an operational legal advisor capability. These efforts resulted in proposed revisions to a ministerial directive establishing the structure of the military legal directorate and authorizing brigade-level operational legal advisors, and an initial outline for an operational law manual for use by operational law attorneys.

Elsewhere in the region, DIILS conducted an EIMET-funded seminar on Legal Aspects of Combating Corruption in El Salvador, where each of the three former presidents have been implicated in corruption and illicit enrichment schemes. And also in Central America, DIILS and officers from the Honduran armed forces conducted a Subject Matter Expert Exchange on the legal framework for counter-trafficking operations in the land, air and maritime domains. Finally, DIILS once again provided presentations and facilitated discussions at SOUTHCOM's annual meeting of the COJUMA - Comité Jurídico Militar de las Américas (Military Legal Committee of the Americas). This meeting, held in Uruguay, focused on support by SOUTHCOM countries for UN peace operations, and resulted in a SOUTHCOM request for DIILS to engage with the National School of Peace Operations of Uruguay to develop a course for operational legal advisors supporting national peacekeeping contingents from the Latin American region.

UNITED STATES PACIFIC COMMAND



DIILS Engagement in PACOM FY16

DIILS executed 20 engagements with 11 countries in the PACOM region, including defense institution building (DIB) efforts in Cambodia, Myanmar, Mongolia, Philippines, Sri Lanka, and Indonesia and support to the PACOM Staff Judge Advocate's legal engagements.

In Cambodia, which is updating its defense legal framework and enhancing its maritime security and law enforcement capacity, DIILS engagement focused on defense support to civil authorities (DSCA) and maritime security (MARSEC) and the team included PACOM and National Guard State Partnership Program (SPP) instructors. The US Embassy and The Adjutant General of Idaho praised DIILS for promoting strategic and long-term partnerships.

In Myanmar, which is reviewing its maritime laws following increasing reports of refugee deaths at sea, DIILS conducted its first MARSEC exchange. It featured a mix of civilian and military participants with shared interests in Myanmar's maritime domain, including representatives from Parliament; the Navy; the Maritime Police; the Attorney General's Office; the Ministry of Defense; the Ministry of Labor, Immigration, and Population; the Ministry of Foreign Affairs; the Department of Fisheries (under the Ministry of Agriculture, Livestock, and Irrigation) and academic experts from several universities. One official from the Ministry of Foreign Affairs said he had not originally planned to stay for the duration of the event, but he cleared his calendar to do so when he saw the exchange was so useful.



WORKSHOP
COMPARATIVE LAW ON MILITARY CRIMINAL JURISDICTION & STRUCTURE
The Ministry of Defence of The Republic of Indonesia
and
The Department of Defense of The United States of America
GRAN MERMA HOTEL JAKARTA
19-24 July 2016

One official from Myanmar's Ministry of Foreign Affairs cleared his calendar to stay for the duration when he saw how useful the exchange was for the participants.



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This certificate is awarded to
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Ministry of Defense
Jakarta, Indonesia
19-24 July 2016

In Mongolia, DIILS conducted a legal capabilities assessment that identified the following objectives: increasing the number of military personnel proficient in the English language to facilitate attendance at legal courses in the U.S.; establishing a curriculum at the Defense University of Mongolia (NDU equivalent) to train military legal officers; and creating a cadre of judge advocates and an operational legal system that enables trained legal advisors to deploy with units participating in coalition operations.

In Indonesia, DIILS conducted a legal capabilities assessment and continued its work with the Defense Governance and Management Team and the MoD Advisor. Following the assessment, DIILS conducted a military justice program, whose next phase will focus on MARSEC and PKO.

In Philippines, DIILS continued a DIB project with the Armed Forces of the Philippines (AFP) Human Rights Office, whose objective is to jointly develop curriculum for a 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.

In Sri Lanka, where a new president seeks to move forward on a number of issues in the wake of a 26-year civil war that ended in 2009, DIILS initiated fruitful discussions in four areas: Cyber security, maritime security, peacekeeping operations (PKO), and truth & reconciliation.

DIILS conducted a legal capabilities assessment in Nepal, returning for the first time since the new constitution was adopted following the 2015 earthquake. Potential lines of effort include civilian oversight of the military, human rights compliance, and legal support for Nepalese units participating in UN peacekeeping operations.

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

- LADSCA Course Participant





Resident Programs

In 2016, 168 participants (plus eight US and international adjunct instructor/fellows) from 66 countries came to Newport to attend 26 weeks of resident course instruction. The nine multinational resident courses DIILS conducts annually at Naval Station Newport address myriad legal challenges attendant to most military operations, including operational law (e.g. ROE), military justice and discipline, the law of armed conflict, combatting corruption, combatting terrorism, compliance with human rights law, cyber security, rules of UN peacekeeping, and defense support of civil authorities. Attendees may be lawyers, but also include service-members in operational assignments who can benefit from a better understanding of the law. These three-week courses not only include time in the seminar room, but also visits to cultural and historical sites in Boston, New York City or Washington D.C. These visits, which include briefings at the Pentagon and United Nations Headquarters, enable resident course participants to better understand the context for topics discussed in seminar.

In FY 16, DIILS announced a new resident course to be inaugurated in August, 2017. The new three-week “Legal Aspects of Peacekeeping Operations” (LAPKO) resident course will offer a comprehensive analysis of the legal aspects of United Nations-sanctioned peacekeeping missions. It details the practical implications of the agreed legal basis for action, the rules of engagement challenges that derive from the respective UN authorities and the development of international agreements associated with peacekeeping missions. In addition, case studies and practical exercises will enable participants to exchange ideas and lessons learned. Upon course completion, participants will be better prepared to plan and execute the full spectrum of UN peace operations in accordance with international legal standards. LAPKO features a visit to UN Headquarters in New York City and briefings from UN peacekeeping officials.

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

- Law of Armed Conflict and Human Rights course participant

DIILS updated its resident programs as follows, based on course evaluations, emerging trends, recommendations from Geographic Combatant Commands (GCC) and alumni feedback:

- The three-week Military Justice (MJ) course was offered for the first time in FY16. It provided a comprehensive overview of the U.S. military justice system and a comparative analysis of best practices of other military justice systems. Topics included substantive and procedural due process, evidentiary practice, trial advocacy, non-judicial alternatives to courts-martial, appeals, the role of judges and procedural transparency.

The course featured a practical exercise requiring the participants to draft charges, question witnesses and make arguments in a hypothetical case involving sexual abuse by a UN peacekeeper. The participants heard presentations by U.S. Naval Justice School instructors, senior trial and appellate military judges, the Judge Advocate General of the

U.S. Army and the DIILS director, a former Deputy Staff Judge Advocate at U.S. Special Operations Command. Field Studies visits included the U.S. Capitol in Washington, D.C. and Harvard Law School in Boston.

- Legal Aspects of Combating Corruption course (LCC) added a case study on internal controls based on an actual case from U.S. operations in Afghanistan, as well as new lectures and exercises on money-laundering. A senior anti-corruption official who participated in LCC gave an exceptional presentation on the work of his country’s national anti-corruption agency, and he provided useful recommendations for future course speakers and enhancements based on his experience attending other international anti-corruption seminars.
- Law of Armed Conflict and Human Rights course (LCHR) participants attended capstone presentations by the Chief of the US Southern Command Human Rights Office and by the Head of the State Department’s Office of Global Criminal Justice.
- International Law of Military Operations course (ILOMO) international participants again joined U.S. judge advocates studying at the neighboring Naval Justice School in small-group discussion exercises. This year, these exercises focused on operational planning for targeting, rules of engagement, and humanitarian assistance/disaster relief operations. ILOMO instructors were drawn from the U.S. Naval War College and Naval Justice School, which are co-located with DIILS at Naval Station Newport. A highlight of the course was a visit to the U.S. Navy Surface Warfare School (SWOS) Bridge Simulator to observe realistic scenarios involving use of force rules, followed by Q&A with U.S. instructors.
- The Military Law Development Program (MLDP), which is DIILS’s most comprehensive program for legal advisors, now includes LCHR, MJ and LCC in the fall and LCHR, MJ and ILOMO in the spring. Each MLDP participant makes a presentation to the class on his or her national military justice system, for the purpose of contrasting a variety of approaches to common challenges.
- Legal Aspects of Defense Support of Civil Authorities (LADSCA) added a comprehensive multi-day exercise based on the recent Ebola crisis and presentations on border security and refugee challenges. Guest speakers included a DIILS graduate who was involved in military support to civil authorities during the Ebola crisis in his West African country.

FY16 Resident Course Engagement
<p>AFRICOM-15 Algeria, Cameroon, Chad, Ghana, Kenya, Mali, Mauritius, Morocco, Nigeria, Rwanda, Swaziland, Tanzania, Tunisia, Uganda, Zambia</p>
<p>CENTCOM-7 Egypt, Iraq (New), Jordan, Kyrgyzstan, Lebanon, Palestinian Authority, Uzbekistan</p>
<p>EUCOM-19 Albania, Armenia, Bosnia-Herzegovina, Bulgaria, Czech Republic, Georgia, Germany, Israel, Latvia, Lithuania, Moldova, Netherlands, Poland, Macedonia, Romania, Serbia, Slovak Rep, Slovenia, Turkey</p>
<p>PACOM-14 Cambodia, Fiji, India, Indonesia, Japan, Korea, Malaysia, Mongolia, Nepal, Pakistan, Papua-New Guinea, Philippines, Singapore, Sri Lanka</p>
<p>NORTHCOM/SOUTHCOM-10 Antigua and Barbuda, Belize, Chile, Colombia, El Salvador, Jamaica, Peru, Trinidad-Tobago, Bahamas, Mexico</p>

DIILS presented five one-week Rule of Law seminars in support of other DoD International Military Education and Training providers, reaching 121 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) and the Navy's International Surface Warfare Officer's School (ISWOS).

DIILS also continued to offer a one-hour human rights primer at the Defense Institute of Security Cooperation Studies (DISCS) Overseas Course (SCM-O) for security cooperation officers preparing to deploy to embassies overseas. This primer introduces Security Cooperation Officers to the framework of international human rights laws and to their future responsibilities in human rights vetting of potential participants in U.S. assistance programs.

U.S. Military Observer Group - Washington (USMOG-W) invited DIILS to provide instruction on the legal aspects of peacekeeping to U.S. officers scheduled to assume positions in United Nations peace operations. A DIILS instructor visited the USMOG-W training site in Winchester, VA on two occasions in 2016 to provide 4 hours of instruction using standardized UN training materials. The DIILS instructor also observed other aspects of the course and gleaned insights about peacekeeping training that will benefit the development of DIILS's new Legal Aspects of Peacekeeping Operations course (MASL P179619) scheduled for August, 2017.

Curriculum Development

Curriculum development is an essential component of the DIILS mission and business model. The curriculum library enables DIILS staff and adjunct instructors - experts with relevant operational experience - to deliver uniformly high-quality instruction across the globe, tailored to the responsibilities, needs and abilities of international participants. 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

Engagement resources for DIILS mobile programs and resident courses are developed by a curriculum department consisting of two civilian attorneys with military legal and teaching experience, augmented by contractors with specialized expertise. Curriculum is reviewed in-house by DIILS program staff and adjunct faculty who are subject matter experts.

The Curriculum Department continues to incorporate interactive teaching methods and technology into DIILS engagement resources to increase participant attention, comprehension, and retention. This includes real-world scenarios with integrated application questions and participant response through the TurningPoint® audience response system. It also includes discussion questions and role-playing exercises. An indexed library of 177 short instructional video files are available for use by instructors to augment presentations and stimulate discussion.

FY16 Curriculum Department efforts focused on creating integrated engagement resources on the legal aspects of: Maritime Law Enforcement/Law of the Sea; International Human Rights; and Military Justice. Six frequently used core modules on operational law and human rights were also revised and updated.

DIILS Schedule FY16

HOST & PARTICIPATING COUNTRIES	ENGAGEMENT TOPIC	FUNDING /# CASES	PARTICIPANTS
Afghanistan	Operational Law & Criminal Law	ASFF	45
Afghanistan	LOAC	ASFF	120
Albania	Human Rights Seminar	GT&E	16
Bahrain	LOAC/Targeting	O & M	32
Benin	Africa Legal Risk Assessment	AMLEP	30
Botswana (2)	Military Law (#7-8)	O & M	32
Brunei	Maritime Security (PACOM program)	PACOM	20
Bulgaria	Human Rights Seminar	GT&E	32
Cambodia	LADSCA	IMET	28
Cambodia	Legal Engagement Planning	O & M	N/A
Cameroon	Human Rights Seminar	GT&E, GSCF (2)	10
Chad	DIB Planning w/DGMT	CTPF	N/A
Chad	Human Rights Seminar	GT&E (2), GSCF	15
Colombia	OPLAW-Role of Legal Advisor	FMF	25
Colombia	OPLAW-Cdrs & Legal Advisor	FMF	23
Colombia CONUS	HR/ROL-Planning Visit	IMET	8
CONUS - CCMR (3)	Civ-Mil Approaches to MARSEC	CCMR	249
CONUS - IAAFA	Rule of Law Seminar	IMET	13
CONUS - IMOC (2)	Rule of Law Seminar	IMET	63
CONUS - ISWOS (2)	Rule of Law Seminar	IMET	43
CONUS - SOUTHCOM	CENTAM Human Rights Planning Conf	FMF	N/A
Croatia	Human Rights Seminar	1203	27
Czech Republic (CZ, Hungary, Poland, Slovakia, Bulgaria)	Operational Law (Regional)	IMET	55
Czech Republic CONUS	Combating Corruption	IMET	7
DIILS Resident Course	LCT	CTFP/IMET	33
DIILS Resident Course	LCHR	IMET	17
DIILS Resident Course	MLDP I	IMET	11
DIILS Resident Course	Military Justice (Inaugural Course)	IMET	3
DIILS Resident Course	LCC	IMET	28
DIILS Resident Course	LCHR	IMET	23
DIILS Resident Course	MLDP II	IMET	10
DIILS Resident Course	Military Justice (MJ)	IMET	2
DIILS Resident Course	ILOMO	IMET	18
DIILS Resident Course	LADSCA	IMET	31

HOST & PARTICIPATING COUNTRIES	ENGAGEMENT TOPIC	FUNDING /# CASES	PARTICIPANTS
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Djibouti	Human Rights Seminar	GT&E	11
DRC	Rule of Law	PKO	28
DRC	Magistrate Basic Course #3	PKO	44
DRC	Economic Crimes Symposium	PKO	N/A
DRC	Magistrate Basic Course #4	PKO	35
El Salvador	Combating Corruption	IMET	46
Estonia	Human Rights Seminar	GT&E, ERI	23
Estonia	Legal Engagement	O & M	N/A
Georgia	Human Rights Seminar	GT&E	40
Guatemala	Legal Scoping/MMSC	O & M	N/A
Guatemala	Legal Planning Visit	O & M	11
Guatemala	JAG Development	O & M	12
Guatemala	Operational Law Implementation	O & M	20
Honduras	Countertrafficking	O & M	17
Hungary	Human Rights Seminar	GT&E	12
Indonesia	Legal Capabilities Assessment	O & M	N/A
Indonesia	Military Justice	O & M	45
Singapore (Indonesia, Malaysia, Philippines, Thailand)	Human Rights Seminar (Regional)	MSI	8
Iraq	Human Rights Seminar	GT&E	50
Iraq	Military Justice Assessment	O & M	N/A
Jordan	Air Targeting w/pilots	IMET	38
Jordan	Air Targeting w/HQ	O & M	43
Jordan (3)	Human Rights Seminar	GT&E	6
Jordan CONUS	Planning Meetings	O & M	1
Kazakhstan	Peacekeeping Ops Curriculum Devt.	PKO	22
Kenya (3)	Ethics/Anti-Corruption #1	O & M	N/A
Kenya (6)	Human Rights Seminar	GT&E	20
Latvia	EUCOM Maritime Legal Issues	EUCOM	12
Latvia	Human Rights Seminar	GT&E, ERI	37
Lebanon (2)	Human Rights Seminar	2282	29
Lebanon	Human Rights/Remediation Planning	O & M	N/A
Lebanon	LOAC	O & M	N/A
Lebanon	Barred Unit Remediation	O & M	N/A
Lithuania	Human Rights Seminar	GT&E, ERI	27
Lithuania	Legal DIB Engagement	O & M	N/A
Macedonia	Human Rights Seminar	GT&E	38
Macedonia	LADSCA	IMET	41

HOST & PARTICIPATING COUNTRIES	ENGAGEMENT TOPIC	FUNDING /# CASES	PARTICIPANTS
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Macedonia CONUS	LCT	IMET	11
Madagascar	Peacekeeping Operations	IMET	25
Malaysia	Human Rights Seminar	MSI	12
Maldives	Human Rights Seminar	GT&E	21
Mali	Military Justice #7	O & M	91
Mali (2)	Military Justice #10-11	O & M	N/A
Mali (5)	Military Justice #2-6	O & M	19
Mali CONUS (2)	Military Justice #8, 12	O & M	22
Mexico	LADSCA	IMET	17
Mexico CONUS	JAG Development/PME	FMF	3
Moldova	Peacekeeping Operations	IMET	35
Mongolia	Human Rights Seminar	GT&E	28
Mongolia	Legal Capabilities Assessment	O & M	N/A
Myanmar	Legal DIB Planning	O & M	15
Myanmar	Human Rights/MARSEC	O & M	25
Nepal	Legal Capabilities Assessment	O & M	30
Niger	Human Rights Seminar	1206, 2282 (2), GSCF	29
Nigeria	Human Rights Seminar	GSCF	51
Philippines	Human Rights Seminar	GSCF	36
Philippines	Human Rights Seminar	GT&E	26
Philippines	Human Rights Seminar	GT&E GSCF, MSI	57
Philippines	Maritime Security	O & M	18
Romania	Human Rights Seminar	GT&E	20
Romania	Human Rights Seminar	GT&E	14
Sri Lanka	Legal Engagement	O & M	20
Tajikistan	Legal Aspects of PKO	IMET	12
Togo	Africa Legal Risk Assessment	AMLEP	30
Trinidad & Tobago	Legal DIB Scoping/MMSC	O & M	25
Trinidad & Tobago	Maritime Law	O & M	18
Trinidad & Tobago	Military Justice	O & M	17
Trinidad & Tobago	Legislative Reform	O & M	20
Tunisia	Human Rights Seminar	GT&E (4), CTPF	39

HOST & PARTICIPATING COUNTRIES	ENGAGEMENT TOPIC	FUNDING /# CASES	PARTICIPANTS
Uganda	Human Rights Seminar	GT&E, CTPF (2)	26
Ukraine	Human Rights Seminar	ERI	N/A
Ukraine	LOAC & Human Rights	FMF	155
Ukraine	LOAC & Human Rights	FMF	79
Ukraine	Human Rights Seminar	FMF	320
Ukraine	Human Rights Seminar	GSCF	244
Ukraine	Human Rights Seminar	GT&E	34
Ukraine	Human Rights Seminar	JMTGU	393
Ukraine	Human Rights Seminar	JMTGU	324
Ukraine (2)	Legal Capabilities Assessment	O & M	N/A
Uruguay	COJUMA Regional Conference	O & M	N/A
Uzbekistan (2)	LOAC	WIF	62
Uzbekistan CONUS	Curriculum Development Exchange	WIF	7

Participants Engaged in FY16:

4,215



Acronyms

AFP	Armed Forces of the Philippines
AFRICOM	U.S. Africa Command
AFSOUTH	U.S. 12th Air Forces and Air Forces Southern
BDF	Botswana Defence Force
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.)
DISCS	Defense Institute of Security Cooperation Studies
DOD	Department of Defense (U.S.)
DRC	Democratic Republic of Congo
DSCA	Defense Support of Civil Authorities
EIMET	Expanded International Military Education and Training
EUCOM	U.S. European Command
FAMa	Malian Armed Forces
FARC	Revolutionary Armed Forces (Colombia)
FARDC	Armed Forces of Congo
FY	Fiscal Year
GCC	Geographic Combatant Command
HA/DR	Humanitarian Assistance & Disaster Relief
ILOMO	International Law of Military Operations (DIILS Course)
IMET	International Military Education & Training
IMOC	U.S. Coast Guard International Maritime Officers Course
ISIL	Islamic State in Iraq and the Levant
JAG	Judge Advocate General
LADSCA	Legal Aspects of Defense Support of Civil Authorities (DIILS Course)
LAF	Lebanese Armed Forces
LAPKO	Legal Aspects of Peacekeeping Operations (DIILS Course)
LCC	Legal Aspects of Combating Corruption (DIILS Course)
LCHR	Law of Armed Conflict & Human Rights(DIILS Course)

LCT	Legal Aspects of Combating Corruption (DIILS Course)
LOAC	Law of Armed Conflict
MARSEC	Maritime Security
MJ	Military Justice (DIILS Course)
MLDP	Military Law Development Program (DIILS Course)
MOD	Ministry of Defense
NDAA	National Defense Authorization Act
NDU	National Defense University (U.S.)
NGO	Non-Governmental Organization
NORTHCOM	U.S. Northern Command
NYPD	New York City Police Department
PACOM	U.S. Pacific Command
PKO	Peacekeeping Operations
ROE	Rules of Engagement
RUF	Rules for the Use of Force
SEMAR	Secretaría de Marina (Mexico)
SJI	Security Governance Initiative
SJA	Staff Judge Advocate
SMEE	Subject Matter Expert Exchange
SOUTHCOM	U.S. Southern Command
SPP	U.S. National Guard State Partnership Program
TTO	Trinidad and Tobago
UN	United Nations
USAF	U.S. Air Force
USALSA	U.S. Army Legal Services Agency

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