



CENTRE FOR INTERNATIONAL LEGAL COOPERATION



Annual Report
1996



The Centre for International Legal Cooperation is a Dutch non-commercial organisation, whose object it is to contribute to legal reform within developing countries and countries in Central and Eastern Europe by making available Dutch expertise and professionalism. Seats on the General Board are held by representatives of virtually all law faculties in the Netherlands, the Ministry of Justice, the Netherlands Bar Association, the Netherlands Association for the Judiciary, and various institutes specializing in foreign law, e.g. the Van Vollenhoven Institute for Law and Administration in Developing Countries and the Institute for East European Law and Russian Studies. The Centre runs a modest office specializing in the formation of effective teams of experts drawn from a supporting reservoir of individual jurists, each of whom contributes his or her expert knowledge. Among them, the office staff members have a wide range of experience, e.g. in the management of legal cooperation projects, fundraising, knowledge of countries and languages and financial management. For expert knowledge in other fields, the Centre draws on the various law faculties, ministries, professional organisations and specialized institutes affiliated with the Centre.

The Centre has an extensive network of international contacts available for initiating and implementing projects. Major sources of project funding include the Dutch government, the European Union and USAID (United States Agency for International Development).

For the purpose of developing projects the Centre's staff members hold meetings with potential partners in receiving countries to analyse their needs and wishes. They draw up concrete action plans and seek funding sources to finance the implementation of projects. Ultimately, the Centre will assume contractual responsibility for the fulfilment of a project, for progress and quality control, and for reportage to the agencies and authorities involved in the project.

Annual Report *1996*



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I. Introduction

In the annual report for 1995 we noted a general trend of higher demand for international legal cooperation from developing countries and countries in Central and Eastern Europe. This tendency has continued unabated throughout 1996.

At the international level this trend is revealed in the rising number of projects for reforming and strengthening national legal systems that are financed by the World Bank, the OECD, the EBRD, the European Union and other donors. At the national level development strategies are more often including legal reform as an essential task.

A relatively new and extremely positive development in the field of international legal cooperation is the growing willingness of implementation and finance organisations to join forces so as to conduct effectively. In the past, programmes were often carried out without any coordination or were even in competition with each other; nowadays efforts are made to gear activities to each other. The Centre for International Legal Cooperation ("the Centre") has played a leading role in this development by regularly arranging meetings to coordinate projects in a specific country or a specific region at the professional level of the persons and organisations that are involved in their realization. This activity is an entirely new challenge to the Centre because of the different cultural and political backgrounds of the participating countries.

The greater cooperation has also heightened the scale of the projects which are coordinated by the Centre. In addition, we join forces more often with other organisations in a consortium for accepting projects. It is a challenging undertaking for a small-scale organisation such as the Centre to offer the institutions represented in its General Board access to larger international consortiums and not sacrifice overall coherence and efficiency in its work.

The nature of the projects is also gradually changing. Initially, the emphasis was mainly on supporting legislative processes. In proportion, as more new legislation has been adopted by parliaments and has been enforced, so too has demand for support in implementing and enforcing new rules. Countries which are reforming their legal systems have to cope with the problem that administrative bodies, the judiciary, or the public prosecutor's department fail to apply and enforce the new laws. Frequently, this is due to a lack of understanding by legal professionals regarding the meaning of the new laws. Practical and theoretical training therefore occupy a key role in the process of legal reform. This development is reflected in many of the Centre's new projects.

In 1996, the Centre responded to the above tendencies by expanding both its national and international network, by continuing to professionalize the Centre's office and by increasing the paid staff.

For now the Centre's activities will continue to focus on countries of the former Soviet Union and Indonesia, but expansion to other regions is not ruled out.

2. The future of the Centre

In 1996, the Centre again ended its year with a positive balance. However, in spite of growing revenues from projects, for the time being the foundation is still dependent on subsidies and other external support. It is too early to reach a conclusion about the feasibility of the Centre's aim to eventually support itself entirely by funds earned from projects. We keep working towards this end, however.

A number of projects were completed at the end of 1995 or in 1996, such as the New Civil Code project in Belarus and the Centre's participation in the Leiden-Beijing Legal Transformation Project. Some of these projects still required administrative completion in 1996. New projects were accepted, for instance criminal law projects in Armenia and Georgia, or have begun development, for instance the fact-finding mission to Mongolia.

The Centre's largest ongoing project is the Indonesian-Dutch Legal Dictionary, for which the Centre employs four part-time staff members. A new project with Indonesia in the field of criminal law has been approved by the Royal Netherlands Academy of Arts and Sciences (KNAW) and will begin in 1997. Another large and long-term project begun in 1996 deals with legal reforms in Moldova.

A great deal of time is devoted to the acquisition of entirely new projects, such as the formation of an international consortium that will compete in a public tender of the World Bank for the fulfilment of a comprehensive legal reform project in the Russian Federation. In a tender for a project for the establishment of an Institute for European Law as a department of the Institute for International Relations (Moscow), financed by EU/TACIS, the contract was awarded to the consortium in which the Centre participates.

A full list of current projects is attached to this report as Appendix 1. Sections 3 through 6 below contain a brief description of the projects conducted in 1996. The projects are classified under the following headings: LEGISLATION, UNIVERSITY COOPERATION, IMPLEMENTATION OF LEGISLATION and OTHER PROJECTS. The latter class also includes the projects which are set up on an integrated basis and therefore include all three kinds of cooperation.

3. Cooperation in the field of legislation

ARMENIA: CIVIL-LAW LEGISLATION

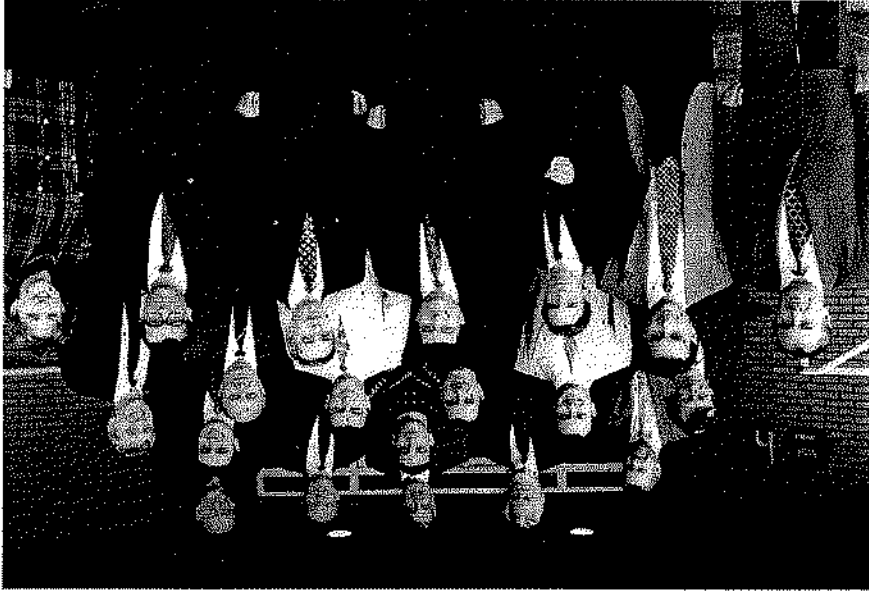
(RULE OF LAW CONSORTIUM/USAID)

Following consultations in December 1995 about the aim, structure and basic concepts of the Armenian Civil Code to be drafted, the Armenian team prepared a draft of the first part, which – after translation – was discussed with Dutch and American experts during a session at Leiden. This draft of Part I has now been revised and submitted to the Armenian Parliament for discussion in the first reading. Further consultations about other parts of the Armenian Civil Code will take place in 1997.

ARMENIA: CRIMINAL LAW AND LAW OF CRIMINAL PROCEDURE

(RULE OF LAW CONSORTIUM/USAID)

In addition to its Civil Code, Armenia is also working on new codes of criminal law and criminal procedure. In October 1996 a meeting on this subject was organised at Leiden in cooperation with the Council of Europe. Mr Cunha, the head of the criminal law department of this organisation, also attended the meeting. The Armenian team was represented by the chairman of the Standing Committee for Legislation of the Armenian parliament, Mr. E.S. Yeghyan, who brought along a concept paper on the legal reforms in Armenia for discussion. After the consultative meeting, one day was devoted to the coordination of the further cooperation with Armenia. In addition to representatives of the Centre, the Council of Europe and the Rule of Law Consortium, this latter meeting was also attended by members of the Netherlands Helsinki Committee and the director of USAID in Yerevan.



Lawyers of the
Republic of
Armenia at a
consultation on
the Criminal
Code and
the Code of
Criminal
Procedure,
October 1996
(PHOTO: LOER
ZUYERDUNIN)

*Representatives of
different countries
of the CIS and
Mongolia during
a session on civil-
law legislation,
July 1996*

(PHOTO: LOEK
ZUYDERDUIN)



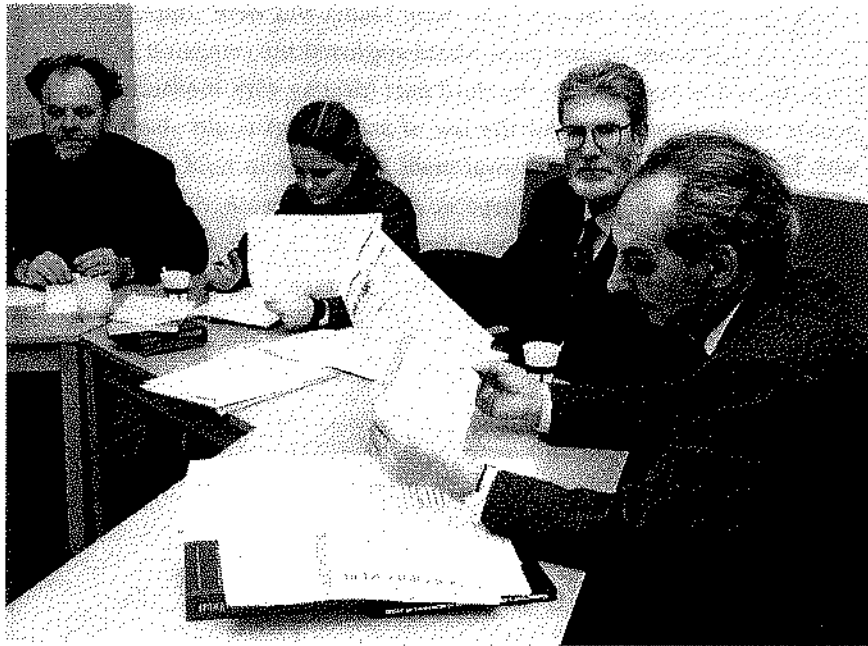
**COMMONWEALTH OF INDEPENDENT STATES (CIS):
ASSISTANCE IN DRAFTING CIVIL-LAW MODEL LEGISLATION
(MINISTRY OF FOREIGN AFFAIRS)**

Due to a change of American policy in respect to the CIS, the funding of this project by the American government was discontinued at the end of 1995. The project had evolved from a number of bilateral projects with individual member states of the CIS in the field of civil law legislation, and was based on the conviction that it is more efficient to join efforts than to have separate projects for each individual country.

Although the Model Civil Code had been virtually completed by the time American funding was withdrawn, there remained a need for support in connection with a number of laws closely related to the Civil Code, such as laws on bankruptcy, mortgages and companies. That is why the Centre, in cooperation with the Institute for Eastern European Law and Russian Studies, submitted a proposal for additional funding to the Ministry of Foreign Affairs. After the project proposal had been approved, the first session, dealing with private companies, was held in July 1996. Three more sessions are planned for 1997.

**GEORGIA: CIVIL-CODE LEGISLATION AND OTHER
LEGISLATION (RULE OF LAW CONSORTIUM/USAID)**

The draft Georgian Civil Code, which was prepared in close cooperation with German experts, was discussed in December 1995. In 1996, the Georgian team worked on the final version of this draft, but no further consultations were held with Dutch experts. The chairman of the Georgian Parliament Standing Committee on Legislation asked for advice on the revision of the Criminal Code and the Code of Criminal Procedure. It was not possible to consult on this subject in 1996.



*Visit of the
Russian
drafting team
for the new
Civil Code,
December 1996
(PHOTO: LOEK
ZUYDERDUIN)*

**MONGOLIA: PARTICIPATION IN MODEL
LEGISLATION PROJECT FOR THE CIS
(MINISTRY OF FOREIGN AFFAIRS)**

Although Mongolia is not a member of the Commonwealth of Independent States (CIS), it is engaged in a process similar to that of the CIS states; it attends the CIS sessions on drafting model legislation in civil law. At the Centre's request, the Netherlands Ministry of Foreign Affairs (DGIS) is financing Mongolia's participation in these sessions, as it has done in preceding years.

UKRAINE: LEGAL POLICY AND ADVICE CENTRE (EU/TACIS)

In September 1996, the Centre was approached by the German Stiftung für Internationale Rechtliche Zusammenarbeit with the request to participate in a consortium which was to compete for a project of the European Commission (EU/TACIS) to establish a legislation advice centre on behalf of the Ukrainian government. The consortium is led by the Stiftung. Meanwhile the consortium has won the tender procedure and the project will probably be undertaken during the first half of 1997.

**RUSSIA: ASSISTANCE IN DRAFTING A NEW CIVIL CODE
(MINISTRY OF FOREIGN AFFAIRS)**

Since October 1993, Dutch civil law experts have assisted the Russian legislation team responsible for drafting a new Russian Civil Code. This project is financed by the Matra programme and implemented by the Centre in close cooperation with the Institute for East European Law and Russian Studies at Leiden. The first stage of this project (October 1993 – December 1995) was devoted to the first two sections of the Russian Civil Code. These sections

have now been presented to by the State Duma and were adopted. At the request of the Russian counterpart, Matra approved the extension of the project until the end of 1996 so that the third part (dealing with intellectual property, private international law and the law of succession) could also be discussed with Dutch advisers. This approval made it possible to hold two further consultations: one in September 1996 at St. Petersburg on the occasion of the celebration of 300 years of relations between the Netherlands and Russia and one in December 1996 at Leiden. The latter meeting was unexpectedly cut short because of the death in Moscow of professor S.A. Khokhlov, a member of the legislation team.

4. *University cooperation*

INDONESIA: COOPERATION IN CRIMINAL LAW RESEARCH (KNAW¹)

In December 1996, a project proposal under the name of 'Common roots and separate development in Indonesian and Dutch criminal law', which had been submitted in September 1995, was approved by the KNAW as part of the cultural and scientific cooperation between the Netherlands and Indonesia. The person responsible for the project is prof. dr. D. Schaffmeister and the project provides for three research posts. In cooperation with Indonesian counterparts various aspects of Indonesian criminal law and criminal procedural law will be researched from a comparative perspective. The project will begin in the first quarter of 1997.

RUSSIA: COOPERATION WITH THE MOSCOW STATE UNIVERSITY IN THE FIELD OF CURRICULUM DEVELOPMENT (EU/TEMPUS)

This project, which was started in September 1994, is financed by the TEMPUS programme of the European Union and receives administrative and organisational support from the Centre. The following law faculties participate in the project: Moscow (State University of Moscow), Leiden, Leuven and Nijmegen. The project coordinator is William Simons of the Institute for East European Law and Russian Studies of Leiden University. The project's aim is to modernize and extend the curriculum and the accompanying educational materials of the Moscow law faculty. Initially, the project had a slow start, but as it became more widely known it gradually gained considerable support in all the participating faculties. In the current academic year ('96-'97), which is also the last one of the project, an extensive exchange programme for teachers, professors and students is being carried out.

In 1996, six Russian professors and six young or future teachers visited one of the participating EU faculties to gain more in-depth knowledge in their own field; their target was to modernize their teaching courses and teaching material. Three students from Leiden and one from Nijmegen spent six months studying at the Moscow law faculty under the TEMPUS project. In May, Mr W. Sniijders, former government commissioner on the Dutch New Civil Code, presented a series of lectures in Moscow on the codification of civil law in the Netherlands to degree law students.

In May, as the year before, a group of ten Russian students visited the Netherlands and Belgium to become acquainted with various institutions, such as law courts, law firms, parliament, prisons and EU institutions.

The project also included the provision of a large photocopier to the Moscow law faculty in 1996, as a first contribution to the new reproduction department being established to produce and distribute syllabuses and readers. In addition, a number of books were sent to Moscow.

¹ *Royal Netherlands Academy of Sciences*

**RUSSIA: COOPERATION WITH THE
MOSCOW STATE ACADEMY OF LAW IN THE FIELD OF
EUROPEAN LAW (CROSS¹)**

This project, which is conducted on a considerably smaller scale than the TEMPUS project described above, is a cooperative project with the Moscow State Academy of Law (MSAL). This institute is part of the network of the Russian State Committee (Ministry) for Higher Education. In addition to daytime courses it also offers correspondence courses on a large scale. The project is to specifically assist the institute in establishing a chair in European Law. Originally the project was to end on 30 August 1996, but in agreement with the CROSS agency, it has been extended by one year for the creation of a basic textbook on European Law. With this objective, teachers from the Academy came to the Netherlands from January until May 1996 to work on parts of the textbook. In October, two of the authors also attended a documentalists' course of the T.M.C. Asser Institute in The Hague. These two persons will be charged with setting up a documentation centre on European Law in Moscow. The project will provide for the purchase of software and hardware for the documentation centre as well as the cost of shipment of a collection of books.

On the Dutch/Belgian side, the following parties participate in the project: the law faculties of Erasmus University Rotterdam, Tilburg University, the Catholic University of Leuven and the Open University at Heerlen. A working visit of the vice-chancellor of MSAL and the editor-in-chief of the European Law textbook was postponed until March 1997.

**RUSSIA: THE ESTABLISHMENT OF AN INSTITUTE FOR
EUROPEAN LAW AT THE MOSCOW STATE INSTITUTE
FOR INTERNATIONAL RELATIONS (EU/TACIS)**

The Centre also participated in a consortium of German, Dutch, Italian and Greek organisations which was formed specifically for a public tender by the European Union (TACIS) for the establishment of an Institute for European Law in Moscow. With the Johann Wolfgang Goethe University of Frankfurt taking care of the secretariat, the consortium was awarded the contract and the project went ahead early in 1997. The project consists of a large number of exchanges of scientific staff, the supply of documentation, and the preparation of teaching materials.

**BELARUS: COOPERATION WITH THE STATE UNIVERSITY OF
MINSK (MINISTRY OF FOREIGN AFFAIRS)**

This project, which is aimed at reinforcing the law faculty of the State University of Minsk, is carried out by the T.M.C. Asser Institute with support from the Centre in providing visiting lecturers. Three courses were given at Minsk in 1996 and another three courses are planned for 1997.

¹ CROSS is an agency for educational cooperation between the Netherlands and Russia, established by the Dutch Ministry of Education, Cultural Affairs and Science.

5. Projects for the implementation of legislation, including practical and theoretical training

MONGOLIA: TRAINING FOR JUDGES (MINISTRY OF FOREIGN AFFAIRS)
In October, at the request of the Ministry of Foreign Affairs, a first mission visited Mongolia to prepare the way for a larger project. The delegation was comprised of representatives of the Training and Study Centre for the Judiciary (SSR), the Netherlands Helsinki Committee, the Institute for East European Law and Russian Studies, and the Centre. During this visit a first pilot seminar was held at Ulaan-Bataar on the modernisation of civil and commercial law and its consequences for the judiciary. A project proposal for long-term cooperation is now being prepared.

UKRAINE: JUDGES TRAINING (MINISTRY OF FOREIGN AFFAIRS)
This joint project of the Netherlands Helsinki Committee and the Centre is financed by the Matra programme of the Dutch Ministry of Foreign Affairs. The project started in September 1995 and consists of a series of short, intensive courses for judges given at different locations in Ukraine, on the role of the judiciary in a democratic society and on civil and commercial law. In June 1996, twenty judges visited the Netherlands for study purposes and a first acquaintance with the Dutch legal system and the major legal and judicial institutions. Since the enforcement of the Ukraine Civil Code took longer than was anticipated, the project had to be slightly adjusted near the end of 1996. With a view to the two planned seminars on civil and commercial law, two members of the Ukraine legislation team visited The Hague to prepare teaching materials together with Dutch experts. The project will be completed in the summer of 1997.

UKRAINE: IMPLEMENTATION OF THE NEW CIVIL CODE (EU/TACIS)
The Ukrainian Legal Foundation approached the Centre and requested assistance for a small-scale project concerning the application of the New Civil Code in Ukraine. During the visit by two members of the legislation team in December 1996 as mentioned above, we also discussed the contribution Dutch experts could give to this project. Dutch expertise will be used to train professors of various Ukrainian universities and to prepare transitional law in connection with the implementation of the New Civil Code.

RUSSIA: "TRAINING OF THE RUSSIAN PROKURATURA" (USAID/MINISTRY OF FOREIGN AFFAIRS)

After the American government had funded the model legislation project, it was once again interested in cooperating with the Centre. So the Centre was requested to help set up and develop a large-scale programme of criminal law reforms in Russia.

The programme was intended to consist of a set of projects with a broad group of institutions concerned with criminal law in Russia. The Centre was asked to arrange a meeting at Leiden in March 1996 for developing plans for the projects; this meeting was to be attended not only by delegates from the American State Department and USAID, but also by representatives of various sections of the Russian legal world (judges, public prosecutors, civil servants and one non-governmental organisation). This meeting was held. The Russian delegation was headed by the then Minister of Justice of Russia, Mr. V. Kovalyov. A representative of the Council of Europe had also been invited to inform the meeting about activities relating to the accession of Russia to the Council of Europe. As a result of this meeting, a mission to St. Petersburg and Moscow was organised in May for the purpose of drawing up actual project proposals. Unfortunately, most of the proposals came to nothing, since in this case, too, the Americans decided to withdraw for political reasons. One part has survived, however, namely the cooperation with the Training Institute for Criminal Investigators and Prosecutors in St. Petersburg. Some of the funding for this project will be provided by the Americans while an application for the remaining amount has been submitted to the Matra programme of the Dutch Ministry of Foreign Affairs.

The project is designed to update the curriculum offered by the school for the Prokuratura. The project has several phases, the first of which has practically been completed. This phase consisted of collecting and selecting Western study materials in the field of criminal law and the law of criminal procedure which can serve as background material for the teachers at the Training Institute, by helping them to deepen their knowledge and understanding of new criminal law concepts. The selection was made under the direction of prof. M.S. Groenhuijsen of Catholic University Brabant, who is also responsible for the contents of the remaining part of the project. The texts will be translated and then studied by a select group of Russian teachers. Subsequently, this group will come to the Netherlands for an intensive working visit which eventually result in development of new learning materials.

Within the framework of the project, the Centre and the Training Institute together organised a seminar on the occasion of the celebration of 300 years of relations between the Netherlands and Russia in September. The seminar, which was attended by Russian jurists from the judiciary, the bar, universities and the public prosecutor's department, dealt with new concepts used in the Russian Criminal Code enforced on 1 January 1996.

RUSSIA: WORLD BANK PROJECT FOR THE REFORM OF THE RUSSIAN LEGAL SYSTEM

For the purpose of competing in the public tender for this large-scale project, the Centre formed a consortium with the German Stiftung für Internationale Rechtliche Zusammenarbeit, the National Judicial College of America and the American Union of Experts in International Legal Cooperation. A first Letter of Interest has been submitted, expressing interest for the part of the programme aimed at reforming the judiciary. The consortium is also considering submitting Letters of Interest for other programme sections, particularly in the field of legislation.

6. *Other projects*

INDONESIA: INDONESIAN-DUTCH LEGAL DICTIONARY (MINISTRY OF JUSTICE/KNAW)

This large and long-term project began in 1993 with financial support from the Dutch Ministry of Justice. Since 1995 the Royal Netherlands Academy of Sciences (KNAW) has been bearing half of the project's costs. Four part-time editors are working on the project within the framework of the Cultural and Scientific Cooperation between the Netherlands and Indonesia. On the Indonesian side, the National Institute for Development of Law (BPHN) is working on a Dutch-Indonesian Thesaurus, which is planned to be published on a smaller scale. The purchase of a new software programme in March 1996 made it possible to nearly solve the technical problems which had troubled the project from the start. During a visit of the Indonesian counterpart, Ms professor Sunaryati Hartono, to the Centre in May 1996, she was given a successful demonstration of the new program. In October 1996, the section on the law of obligations was completed and published for internal use. Ms. M. Termorshuizen and Ms. L. Lancée, two members of the team, presented this partial publication during a countervisit to Indonesia in October/November. This publication is a first result of the collecting and translating effort was the subject of intensive discussions with Indonesian experts. With regard to the sections on agrarian law and the law of property, the data collection phase was completed in 1996. The collections of terminology in the field of commercial law and constitutional law – including a collection of general legal terms – had reached an advanced stage by the end of 1996. The project will continue until the end of 1999.

INDONESIA: DUTCH-INDONESIAN LEGAL DICTIONARY

This project, set up on a smaller scale than the aforementioned Indonesian-Dutch dictionary project, is a continued activity dating from the cooperation with Indonesia in the period before 1992. Some of the staff members who are conducting the project (on a part-time basis) are also working on the other dictionary. Thanks to funds provided by the Foundation for Legal Scientific Cooperation between the Netherlands and Indonesia, which has meanwhile been dissolved, work on this dictionary could continue. Originally started as a list of words, the manuscript has now grown to the size of a full-fledged dictionary, and publication is planned sometime in 1997.

INDONESIA: COOPERATION OF MINISTRIES OF JUSTICE (MINISTRY OF JUSTICE)

During an official visit of the Dutch Minister of Justice to Indonesia in October 1995, his plans for a "Memorandum of Understanding" were put in writing. The Memorandum describes a legal cooperation programme consisting of the follow-

ing elements: legislation and legislation courses, documentation, the judiciary and work conferences on subjects of mutual interest. The joint Dutch-Indonesian Committee charged with supervising the implementation of the cooperation program convened in The Hague in May 1996 for the purpose of working out the details of the project. In September, it was decided at Cabinet level to finance this cooperation in 1997. The Centre supports the joint committee in preparing for and implementing the cooperation. By the end of 1996, it was not yet clear whether the financing on the Indonesian side would be secured in time. The plan is for the cooperation to start in 1997.

MOLDOVA: STRENGTHENING JUDICIAL AND LEGISLATIVE SYSTEMS (UNDP)

This project, which is carried out under the flag of UNDP, is financed by the Dutch Ministry of Foreign Affairs. It forms part of a broader UNDP programme named Governance and Democracy in Moldova and started in August 1996. One staff member of the Centre, Christa Dubois, has been sent on secondment to Chisinau as project coordinator for a period of eighteen months; after this period she will further coordinate the project from her basis in the Netherlands.

The Centre has a contract with the UNDP for the coordination of the Dutch contribution of experts to the project. The project has three components. The first is the legislation component, which is carried out by Mr. K.E.M. Bongenaar, LL.M., from the Netherlands. He organises the planned courses and coordinates legislative advice. In October 1996, Mr. Bongenaar organised a first seminar on legislation in the various sectors of law in Chisinau and wrote an opinion on by-laws for Parliament, marked urgent. The second component consists of judges training, the plan being to start three different courses. Mr. B.E.P. Myjer, Prosecutor-General at the Court of Appeal of Amsterdam and Ms. W.M.E. Thomassen, vice-president of the District Court of The Hague, visited Chisinau in October 1996 for the purpose of beginning the first course. The third component consists of university cooperation and is carried out mainly by the University of Maastricht. Following reciprocal visits of the Moldovan dean and several teachers from the Maastricht and Moldova universities for the purpose of getting acquainted, the exchange of teachers and researchers began. Since September 1996 one of the Moldovan staff members has participated in the Maastricht LL.M. programme.

7. Contacts at home and abroad

THE NETHERLANDS

Contacts in the Netherlands consist first of contacts with the organisations represented on the Centre's General Board. As in previous years, 1996 offered opportunities for involving new experts from our own ranks in the projects, which again strengthened the basis for the Centre's activities in our own circle. The contacts with the Training and Study Centre for the Judiciary (SSR) were intensified (Judicial and Legislative Reform in Moldova; Judges' Training in Mongolia), as were the contacts with the law faculties of the Open University (European Law project in Moscow) and of the University of Limburg (Maastricht) (University Cooperation with Moldova) and Brabant University (Reform of the Criminal Justice System in Russia, Judges' Training in Mongolia, and Judges' Training in the Ukraine). The existing intensive cooperation with the T.M.C. Asser Institute (Minsk Law Faculty, Institute for European Law in Moscow) and with the law faculties of Nijmegen (University Cooperation with Russia), Leiden (University Cooperation with Russia and Model Legislation CIS) and Erasmus University Rotterdam (European Law project in Russia) was continued in 1996. Experts from the law faculties of the University of Groningen, Free University Amsterdam, Utrecht University and the University of Amsterdam were also involved in projects on an individual and ad hoc basis.

The Centre has close ties with the Institute for East European Law and Russian Studies and the Van Vollenhoven Institute (both under Leiden University), because of the unique expertise and documentation which these institutes have on the legal systems of the countries where the Centre operates.

In 1996, Leiden University again granted office space and other facilities to the Centre at a minimal cost.

The Ministry of Justice continued its financial contribution to the Centre in 1996 and has also committed itself to do the same in 1997. In addition to this financial tie, the Centre maintains intensive contacts concerning the work itself. For example, the Centre participates in the periodic consultations of the Ministry on legal cooperation with Central and Eastern Europe and the Centre was asked for advice when the programmes for Indonesia were formulated.

Several members of the Dutch Supreme Court participate in projects managed by the Centre, each in his or her own field of expertise. Vice-president W. Snijders, who is also one of the main authors of the Dutch New Civil Code, has been performing and continues to perform a vital role in legislation projects with countries of the former Soviet Union.

The Centre frequently develops and accomplishes joint projects with the Netherlands Helsinki Committee, such as the Judges Training project in the Ukraine and the identification mission for the judges' training project in Mongolia.

The Centre also continues its participation in the "Netherlands Coordinating

Council on Legal Cooperation with Central and Eastern Europe", in which Dutch organisations that are implementing projects on democratization and legal reform in Central and Eastern Europe try to coordinate their activities more efficiently. Regarding relations with Indonesia, the Centre supported establishment of a Law and Administration working group under the responsibility of the Netherlands-Indonesia Forum. Jan van Olden, managing director of the Centre, holds the position of vice-chairman in this working group.

INTERNATIONAL CONTACTS

As has been described in the introduction, the Centre organised a number of international meetings in 1996 in order to better coordinate between different countries in their implementation of legal projects. The first meeting was held in Leiden from 20-22 March and focused particularly upon Ukraine, Moldova, Armenia and Georgia. The second meeting in June dealt with criminal law in Russia and legal reforms in general within the Caucasus. All the organisations mentioned below were represented at these meetings except the European Union.

In 1996, the Centre continued its intensive cooperation in implementing and acquiring projects with the German Stiftung für Internationale Rechtliche Zusammenarbeit (e.g. the formation of a consortium with a view to the World Bank's public tender for the reform of the Russian legal system) and with the American Rule of Law Consortium (Training for the Prokuratura in Russia and projects in Armenia and Georgia). There is thorough cooperation with the Catholic University of Leuven in various projects, e.g. the Tempus project with the Moscow State University and the CROSS project with the Moscow State Academy for Law. In July, Jan van Olden was a speaker at a conference in Washington organised by USAID on the theme 'Sustainable Legal Reform in the CIS Countries'.

The cooperation with the German Gesellschaft für Technische Zusammenarbeit (GTZ) in activities in the Caucasus has also been strengthened.

The rising number of projects dealing with criminal law in Eastern Europe has also enhanced the importance of coordination with the Council of Europe. Accordingly, there were in-depth discussions with this Council, both in connection with the Russian criminal law project and the projects in the Caucasus, before activities were accepted or proposals for funds submitted. The Council has also become more involved with the judges' training component within the broad framework of the UNDP Strengthening of the Judicial and Legislative System of Moldova project. The same is true for the judges' training project in Ukraine.

The above description of projects shows that the Centre has competed several times in public tender procedures of the European Union's TACIS programme (Technical Assistance to CIS Countries) and is currently preparing a bid, together with other partners, in a public tender procedure with the World Bank. The Centre maintains good contacts with the Legal Department of the World Bank. During 1996 and before, the World Bank used the Centre as a contact providing access to Dutch institutions and experts and as a mediator for contacts with other European organisations active in legal reform.

For the first time contacts were established with the Office for Democratic Institutions and Human Rights of the Organisation for Security and Cooperation in Europe (OSCE), which was represented at one of the coordination meetings organised by the Centre and with which we have regularly been exchanging information on current projects since March 1996.

The contacts with Indonesia have been maintained, but are considerably less concentrated due to the break in the development relationship between the Netherlands and Indonesia in 1992.

As mentioned earlier, in May 1996, Ms. Sunaryati, head of BPHN (National Institute for Law Development), visited the Netherlands to discuss a renewal of cooperation with the Netherlands. During a visit of the Dutch Minister of Justice to Indonesia early in 1996, a Memorandum of Understanding was drawn up in which both parties expressed their intention to set up a broad programme to support legal reform in Indonesia. The Centre assisted in drafting proposals and it represents the proposed implementing body on the Dutch side. Unfortunately, for now Indonesia has not yet arranged its financing, so the project has not begun.

OFFICE AND MANAGEMENT

New staff members were employed to reinforce the office in 1996. In January Ingrid Burrel, in her capacity as financial manager, began the task of adapting the financial structure to the more demanding requirements imposed by the increasing activities of a growing organisation.

The secretary, Olga Rakic, left the office in June and Christa Dubois was granted extraordinary leave to be posted temporarily in Moldova for the implementation of the UNDP project in Moldova (see also above). Two new Russian-speaking coordinators, Bernedine Bos and Anne-Marie Heemskerk, were employed towards the end of 1996, partly to replace Christa Dubois during her absence and partly to cope with the growing number of projects in the CIS countries. The office continues to be managed by Jan van Olden (managing director) and Hester Minnema (deputy director).

Two members of the Executive Board, Mr. R. Cleton and prof. G.J.H. van Hoof, said farewell after many years of devoted board membership. They were succeeded by Mr. A.H.A. Soons, professor of international law at Utrecht University and Ms. R.H.M. Jansen, judge at the District Court of Amsterdam and international affairs coordinator of the Training and Study Centre for the Judiciary (SSR).

Adviser and former chairman Mr. H. Scheltema, one of the first to actively promote legal cooperation with Indonesia, who had been chairman of the foundation's board for nearly ten years, died in early September 1996.

Prof. dr. Ko Swan Sik, one of the faithful veterans in the General Committee, retired as the representative of Erasmus University and was succeeded by Mr. F.J.M. de Ly.

Appendices

Appendix 1: Overview of current projects

Legislation

Country	Project	Donor	Duration	Remarks
Armenia	Civil-Law legislation	USAID/Rule of Law Consortium (sessions financed on ad-hoc basis)	December 1995-December 1998	in part with the Council of Europe
Georgia	Civil-Law and other legislation	USAID/Rule of Law Consortium (sessions financed on ad-hoc basis)	December 1995-December 1998	in part with the Council of Europe
CIS countries	Civil-Law model legislation	Ministry of Foreign Affairs (MATRA)	January 1995-September 1997	
Mongolia	Participation in the Model legislation project for the CIS	Ministry of Foreign Affairs (DGIS)	January 1995-September 1997	
Ukraine	Setting up Advice Centre	European Commission for Legislation (TACIS)	May 1997-May 1998	in cooperation with Stiftung für Internationale Rechtliche Zusammenarbeit
Poland	Cooperation of Ministries of Justice	Ministry of Justice	In development phase	

Universities

Country	Project	Donor	Duration	Remarks
Indonesia	Criminal law research cooperation	Royal Netherlands Academy of Sciences (KNAW)	April 1997-April 2001	Leiden University
Russia	EU/TEMPUS project with Moscow State University	European Union (TEMPUS)	January 1994-September 1997	in cooperation with Universities of Nijmegen, Leiden and Leuven
	Cooperation with the Moscow State Academy of Law	Ministry of Education, Cultural Affairs and Sciences (CROSS)	January 1995-September 1997	in cooperation with Open University, Erasmus University, Univ. of Tilburg and Leuven and the Institute for East European Law and Russian Studies
	Establishment of an Institute of European Law at the Moscow State Institute for International Relations (MGIMO)	European Commission (TACIS)	January 1997-January 2000	in cooperation with Goethe University, Frankfurt and T.M.C. Asser Institute, the Hague
Belarus	Cooperation with Minsk State University	Ministry of Foreign Affairs (MATRA)	January 1997-January 2000	in cooperation with T.M.C. Asser Institute

Implementation

Country	Project	Donor	Duration	Remarks
Mongolia	Judges training	Ministry of Foreign Affairs (DGIS)	proposal submitted in 1997	
Ukraine	Judges training	Ministry of Foreign Affairs (MATRA)	September 1995-May 1997	in cooperation with Netherlands Helsinki Committee
	Instituting New Civil Code	Ukrainian Legal Foundation	December 1996-March 1997	in cooperation with Stiftung für Internationale Rechtliche Zusammenarbeit
Russia	Training of "Prokuratura"	Ministry of Foreign Affairs (application submitted)/USAID	June 1996-December 1997	in cooperation with Catholic University Brabant
	Reform of Russian legal system	World Bank tender	Letter of interest has been submitted	

Other projects

Country	Project	Donor	Duration	Remarks
Indonesia	Indonesian-Dutch legal dictionary	Ministry of Justice/Royal Dutch Academy of Sciences	August 1993-December 1999	
	Dutch-Indonesian legal dictionary	Foundation for Scientific Legal Cooperation Netherlands-Indonesia	May 1993-May 1997	
	Cooperation between Ministries of Justice	Ministry of Justice	depends on financing on the Indonesian side	Memorandum of Understanding
Moldova	Strengthening Judicial and Legislative Systems	UNDP/Ministry of Foreign Affairs (DGIS)	November 1995-November 1999	

Appendix 2

Members of the Executive Committee

Y.B. de Wit	Chairman
R. Cleton	Vice-chairman (retired 28-11-1996)
G.J.H. van Hoof	Treasurer (retired 28-11-1996)
L.F.B. Dubbeldam	Member
C.J.J.M. Stolker	Member
Ms. R.H.M. Jansen	Member (as of 28-11-1996)
A.H.A. Soons	Member (as of 28-11-1996)

Members of the General Committee

Chairman	Y.B. de Wit
Vice-chairman	R. Cleton (retired 28-11-1996)
Leiden University Law Faculty P.O. Box 9520 2300 RA LEIDEN	1. C.J.J.M. Stolker 2. Th.C. Drupsteen
Groningen University Law Faculty Oude Kijk in 't Jatstr. 26 9712 EK GRONINGEN	1. W.D. Verwey 2.
Utrecht University Law Faculty Boothstraat 15 3581 ET UTRECHT	1. G.J.H. van Hoof (as of 28-11-1996: A.H.A. Soons) 2. J.B.J.M. ten Berge
Erasmus University Rotterdam Law Faculty Burg. Oudlaan 50 3062 PA ROTTERDAM	1. Ko Swan Sik (succeeded by F.J.M. de Ly as of 01-02-1996) 2. F.J.M. de Ly
Maastricht University Law Faculty P.O. Box 616 6200 MD MAASTRICHT	1. C. Flinterman 2. G.A.A.J. van den Heuvel
Free University Amsterdam Law Faculty De Boelelaan 1105 1081 HV AMSTERDAM	1. Gr. v.d. Burght 2. A. Soeteman
Nijmegen University Law Faculty P.O. Box 9149 6500 KK NIJMEGEN	1. P.J.P. Tak 2. H.M.C. Slaats

Tilburg University Law Faculty P.O. Box 90153 5000 LE TILBURG	1. B.W.N. de Waard 2. P.C. Gilhuis
Institute for Anthropology of Law University of Nijmegen P.O. Box 9049 6500 KK NIJMEGEN	1. H.M.C. Slaats 2. Ms. M.K. Slaats-Portier
Ministry of Justice P.O. Box 20301 2500 EH THE HAGUE	1. J. Demmink 2. Ms. J.K. Boissevain
Wageningen Agricultural University Agricultural Law Department P.O. Box 8130 6700 HB WAGENINGEN	1. F. von Benda Beckmann 2. J. Spiertz
NUFFIC Kortenaerkade 11 P.O. Box 29777 2502 LT THE HAGUE	1. L.F.B. Dubbeldam 2.
Van Vollenhoven Institute Leiden University Rapenburg 33 2311 GG LEIDEN	1. J.M. Otto 2. S. Pompe
Royal Association of Public Notaries P.O. Box 16020 2500 BA THE HAGUE	1. Q.J. Marck (ad interim)
T.M.C. Asser Institute Alexanderstraat 20-22 P.O. Box 30461 2500 GL THE HAGUE	1. R.B. van de Ven 2.
Netherlands Bar Association Neuhuyskade 94 (2596 XM) P.O. Box 30851 2500 GW THE HAGUE	1. F. Heemskerck 2.
Netherlands Association for the Judiciary Lutherse Burgwal 10 P.O. Box 20021 2500 EA THE HAGUE	1. J.J.I. Verburg Ms. R.H.M. Jansen 2. D.J. van Dijk 3. W.H.J. Stemker Köster

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2. G.P. van den Berg

Open University
Valkenburgerweg 167
P.O. Box 2960
6401 DL HEERLEN

1. A.F.M. Dorresteyn
2. P.E.L. Jansen

The persons mentioned under 2. have been designated as deputies by the organisation represented in the General Committee.

Appendix 3: Office Staff Members

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Jan F. van Olden, managing director
Hester E. Minnema, assistant director (80%)
Ingrid Butter-van Dinther, financial department, as of 20 February (80%)
Marja van Tol, financial department, until June 1996 (10%)
Olga Rakic, administration, until July 1996
Christa Dubois, project manager (80%)
Eric L.J.F.M. Vincken, project manager
Bernedine Bos, project manager, as of 1 October 1996 (80%)
Anne-Marie Heemskerk, project manager, as of 1 November 1996 (80%)
Marjanne J.H.W. Termorshuizen-Arts, editor-in-chief legal dictionary (50%)
Ab Massier, editor-in-chief legal dictionary (50%)
Laura Lancée, assistant editor legal dictionary (50%)
Caroline A. Supriyanto-Breur, assistant editor legal dictionary (60%)