

# **DIILS**

**Mobile Education and Resident**

**~ Programs ~**

**2003 - 2004**





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# DIILS



- The Defense Institute of International Legal Studies (DIILS) is a Joint Agency Activity reporting directly to the Defense Security Cooperation Agency (DSCA). It is the foremost Expanded International Military Education and Training provider of Mobile Education Teams.
- DIILS offers resident and non-resident programs in the Rule of Law, Human Rights, Legal Systems, and numerous related topics, with an emphasis on the conduct of Disciplined Military Operations.
- DIILS Mobile Education Teams have presented programs to over 17,000 military and civilian personnel in 84 countries worldwide since being established in late 1992. The non-resident program is accomplished through three initial phases that establish a relationship between DIILS and the host country. Follow-on phases continue this relationship to meet new challenges in an ever-changing world.
- The Coast Guard Model Maritime Code program is designed to assist maritime nations in establishing or enhancing their laws relating to maritime services. It is completed by Mobile Education Teams that develop appropriate means for a nation to implement revisions to maritime policies and laws.
- Resident Seminars are presented in Newport, RI. Featured courses are:
  - *Conducting Military and Peacekeeping Operations in Accordance with the Rule of Law* - a five-week course involving legal issues related to conducting military operations within the rule of law.
  - *Peacekeeping for Decision Makers* - a two-week course designed for high-ranking officials responsible for policy level decisions.
  - *Military Law Development Program* - a ten-week program designed to assist international military and civilian attorneys in development of their own legal systems through a comparative study of U.S. law.
  - *International Law of Military Operations* – a two-week course designed for those engaged in planning military operations or providing legal advice for the conduct of military operations in accordance with the rule of law.

# What DIILS Provides

The Defense Institute of International Legal Studies has developed a unique and dynamic approach for military and civilian officials seeking continued professional growth through analysis of the principles of Military Justice and the Rule of Law, and the relationship of each to Disciplined Military Operations. As the international community continues to focus its attention on these subjects, DIILS programs have made a significant contribution and become an annual event in many countries.



Sri Lanka



Czech Republic

The participants benefit not only from the material presented, but also from the opportunity to openly discuss these issues face-to-face with individuals from within their own nation. These exchanges, in turn, foster understanding of the often diverse perspectives regarding issues facing a government and its military and lend a synergistic element to the resolution of the issues.



Lesotho

# DIILS Mobile Education Teams

## Assessment (MASL P309050)

Before seminar content is developed, a DIILS team conducts an assessment visit in the host country to learn about the culture, the people, the military, the government, and the problems they face on a day-to-day basis. It is DIILS policy to do the utmost to gain insight into the issues confronting the host country.



Assessment in Kyrgyzstan

## Planning (MASL P176023)

Following the assessment, there is an opportunity for the host nation to send a delegation composed of civilian and military officials to the United States for a planning and orientation visit. During this visit, the delegation and the DIILS team develop the curriculum to be presented when the DIILS team returns to the host country. DIILS encourages host country participation in planning the seminar schedule to ensure that appropriate needs and interests are addressed. The delegation is introduced to the United States military and civilian legal systems, history, and culture through briefings, tours, and meetings with their civilian and military counterparts.



Senator Jack Reed greets General Sebhat, Eritrean Minister of Defense





# How DIILS Works

## Seminars (MASL P309061)

A DIILS Seminar is presented to attendees in positions of senior leadership within the host nation's military, civilian government, judiciary, and legislative bodies. DIILS provides the host country with the course material that was mutually developed and in the requested language. Instruction is given with the assistance of simultaneous translators (DIILS can provide all necessary equipment). Often, host country instructors participate in the teaching process. Experience has shown that utilizing the shared experiences of the DIILS faculty team and the host country specialists creates an environment that is extremely beneficial to seminar success.

A DIILS Executive Seminar is not meant to be a one-time event. DIILS strives to establish a continuing relationship with each participating country. It is a goal of DIILS to assist in initiating appropriate institutional change in the host country.

Following the initial Seminar, there are a variety of courses which are available and can be tailored to the particular needs and interests of the country. Additionally, entirely unique courses have been developed at the request of a particular country. Over 60% of DIILS seminars are "follow-on" phases addressing the issues relevant to each country.



Discussion group at work in Honduras



Cadets at National Law Academy of the Ukraine



Nigerian Presenter



# Week-long themes

*As a joint agency activity, DIILS is able to use extensive resources from all military services in order to address the issues confronting a nation. Examples of seminars include:*

## **OPERATIONAL LAW**

The planning for any military operation is a critical element in its success or failure. Legal infrastructure plays an essential role for international and domestic support of military operations and corresponding successes. Civilian and military leaders' understanding of how to integrate significant legal principles such as Rules of Engagement, Status of Forces Agreements, the Role of the Legal Advisor, Military Justice, Human Rights, and the Law of Armed Conflict into their missions can have a significant impact on success. This seminar assists Defense Ministry personnel, operational commanders, and attorneys in identifying and resolving legal and political issues they will encounter in an operational environment. Seminar participants will take an extensive look into the international laws associated with military operations and become better prepared to approach international and domestic operations consistent with the rule of law.

## **DEVELOPING A PROFESSIONAL MILITARY**

As more nations seek to establish professional forces that are highly trained and draw volunteers, a number of legal issues must be addressed. Professional forces expect to have their rights and obligations defined; methods of discipline need to reflect international standards of military justice; systems for promoting and retaining personnel must be clearly promulgated in regulations; and those who leave the service must be treated fairly. All of this must be done on limited resources and with the assistance of civilian leaders. Individual topics include: Rights of Military Members, Career Benefits and Privileges, Standards of Conduct, the Role of the Inspector General, Complaints of Wrong, the Military Justice System, the Role of the Noncommissioned Officer, Rating Systems, Promotion Policies and Procedures, Veterans' Benefits, and Legislative Liaison.

## **THE IMPORTANCE OF THE NONCOMMISSIONED OFFICER IN THE MILITARY**

Noncommissioned Officers (NCOs) carry out many functions including small unit leader, trainer, and guardian of standards. The professionalization of the NCO has played a significant role in modernizing the U.S. military. Through the blending of different military traditions and standards, the United States was able to create a unique military institution readily adaptable to its needs. The role that the NCO plays in unit discipline and morale is an essential part of an effective military. This seminar explores the various functions that the NCO plays in nonjudicial punishment, nonpunitive measures, separations and advancement, and providing direct contact with the individual soldiers and the military leadership.

## **LEGAL AND ETHICAL CONCERNS IN PUBLIC AGENCIES**

As societies undergo major changes brought by the revolution in technology, modern militaries find themselves confronting challenges to ethics unforeseen in the past. This seminar addresses how the military deals with such problems as ethical behavior, corruption, organized crime, money laundering, fraud, and white collar crime. In conjunction with civilian law enforcement agencies, DIILS has developed a seminar that assists the host nation in developing a plan of action to confront these perplexing issues.

## **ENVIRONMENTAL LAW**

The impact of military operations on the environment has become a global concern. This seminar addresses the environmental impact and legal obligations of military operations as well as addressing potential solutions. Specific topics include: An Overview of Environmental Law in the United States, Environmental Law Jurisdiction, Marine Environmental Issues, Hazardous Materials and Waste, Environmental Protection During Training Operations, Working with the Media and the Public in Environmental Issues, and Cost Effective Methods.

## DOMESTIC MILITARY OPERATIONS

This course focuses on legal considerations involved in the execution of military operations in a domestic context. Consequence management resulting from civil disturbances, mass casualties, and natural disasters frequently necessitate the use of military forces. This seminar examines the legal aspects of this nontraditional role for the military. The military's role in law enforcement and the role of military police are major components of this seminar. Use of force within the framework of applicable human rights laws and standards of conduct during domestic operations are also covered in detail. Additionally, military operations which provide disaster relief and humanitarian assistance, as well as the issue of military interface with nongovernmental organizations, are examined. Citizens' rights to free speech during a civil disturbance, public demonstration, and civil disobedience are examined within the the context of lawful use of the military in a democracy.



## INTEROPERABILITY & STATUS OF FORCES AGREEMENTS

This seminar addresses the issues of operational and logistical interoperability in a legal context. The training begins with an overview of basic international law, treaty formation and the corresponding obligations. Using the NATO Status of Forces Agreement (SOFA) as a model, the course explores issues of foreign criminal jurisdiction, tort liability and the processing of claims, civil litigation, legal personality and sovereign immunity, labor law issues, foreign tax relief, customs, and other challenges faced when nations conduct combined military operations. Additionally, diverse areas such as the interpretation and application of Rules of Engagement and the United Nations' Status of Mission Agreement are covered. The course is particularly relevant for countries participating in or planning to engage in joint military exercises or coalition operations.



## LEGAL ASPECTS OF COMBATING TERRORISM

Combating terrorism is a complicated matter involving the cooperative efforts of agencies within a country and the entire international community. This seminar discusses the many legal questions that arise out of this developing problem including International Law and Terrorism, International Agencies and Terrorism, Coalitions and Alliances Designed to Combat Terrorism, Use of Force, Rules of Engagement, Status of Forces Agreements, Investigation and Prosecution of Terrorists, and Interagency Cooperation. This seminar is presented using Counter Terrorism funding and needs approval by OSD/SOLIC-CT.

## LAW OF THE SEA

This seminar deals with the many maritime issues that affect nations. International law with an emphasis on treaty law, and the Law of the Sea convention, legal divisions of the oceans and air, and laws that govern the navigation of ships and aircraft are addressed. Participants are introduced to concepts of neutrality and blockades, the law of armed conflicts at sea, and issues relating to the rules of engagement at sea.





## **PEACE OPERATIONS**

For nations who participate in, or are contemplating participating in Peace Operations, this course is essential. It provides an overview of U.N. and regional Peace Operations, with an emphasis on the Law of Armed Conflict during Peace Operations and other legal parameters of Peace Operations. The course explores issues of national policy, interagency process, command and control, and the role of nongovernmental organizations in Peace Operations. Also covered are U.N. mandates and operating within the rule of law, particularly with regard to rules of engagement and intelligence gathering during Peace Operations. Finally, the topics of Military Justice, Status of Forces Agreements, Contracting for Material Support and the Role of the Media in Peace Operations are examined in detail. The course provides numerous opportunities for host nation presentations on applicable host nation law and policy.

## **ROLE OF THE INSPECTOR GENERAL**

The Inspector General has traditionally ensured that the condition of the military force is known to senior military and civilian officials. Questions such as how well is the force equipped, fed, clothed, and trained are significant elements in determining if a force can accomplish its' mission. The impact on morale of fairly applied discipline, maintenance of high standards of conduct, and the inspection process are important to the effectiveness of modern militaries. Official actions ranging from procurement of weapons systems to individual discipline or assistance must be based on information that is reliable, unbiased and acquired in a manner that meets internationally accepted norms of due process and trustworthiness. The Inspector General is a vital tool for leadership and a safeguard to the rights of military members.

## **LEGAL ASPECTS OF MILITARY MEDIA RELATIONS**

As developing nations grapple with the problems of becoming a democracy, a key issue is how the military and media should interact. Mutual distrust and lack of understanding of how each operates often permeate the relationship. This seminar poses a legal framework that defines an appropriate relationship between the military and the media. The evolution of the U.S. military's experience with the media is explored and the effect of major conflicts on legislation and Rules of Engagement are examined, with an emphasis on the resulting impact on how the military operates. The team for this seminar consists of military lawyers and military public affairs officers. The public affairs officers demonstrate and explain techniques that can be used to improve working with the media.

## **TRIAL METHODS AND ORAL ADVOCACY**

This seminar features practical exercises and the demonstration of techniques employed by military attorneys of the U.S. military services to carry out a fair and impartial system of military justice. Rules of evidence, preparation of witnesses, use of paralegal personnel, roles of the prosecution and defense attorneys, the role of the military judge, and the actual conduct of a trial are the primary elements of the seminar. Participants take part in mock trials and explore the applicability of oral advocacy to their own system.

# DIILS Methodology



Panel of Mongolian participants make presentation to class

## Interactive Process

The DIILS team strives to involve every seminar participant in the process. To that end, participation is the operative word. Discussion groups engage in problem-solving and role-playing exercises at appropriate points during the seminar. DIILS and host country participants facilitate each discussion group as they develop solutions to contemporary problems or defend an assigned position to other group members. This method allows participants to take concepts presented earlier in the day and apply them to the issues they face in their country.



Australian team member and U.S. team in jointly conducted seminar in Papua New Guinea



Discussion group in Mauritius



# MODULES

DIILS has extensive resources on a wide range of topics involving legal related subject matter and the practical application of these subjects to accomplish a successful program. These modules are combined to create a tailored week-long seminar. Additional topics are developed based on the need of participating nations.

- Ad Hoc and Domestic Trials
- Administrative Measures
- Admiralty Law
- Balance of Power
- Career Rights and Privileges for Military Personnel
- Case Studies - Cambodia, Liberia, Rwanda, Somalia
- Challenges to Public Service
- Civilian Police in Peace Operations
- Coalition Operations
- Unlawful Command Influence
- Common Disciplinary Problems
- Complaints of Wrong and Redress
- Comparative Law
- Court-Martial System
- Court-Martial Appeals
- Courtroom Decorum
- Crime Victim and Witness Protection
- Crime Scene Specialists
- Cross Examination
- Defense Counsel
- Detention and Interrogation
- Disciplined Military Operations
- Domestic Operations
- Environmental Law
- Evidence
- Fraud, Waste, and Abuse
- Freedom of Information Act
- Government Ethics and Standards of Conduct
- Human Rights in Military Operations
- Humanitarian Aid
- Influence of European Court of Human Rights on Military Practices
- International Criminal Court
- International Law
- Investigations
- Law of Armed Conflict
- Law of the Sea
- Law of Treaties
- Legal Advisor
- Legal Training of Servicemembers
- Legal Considerations Involved in Electronic Surveillance
- Legislative Liaison
- Maritime Law Enforcement
- Maritime Interception Operations
- Military Budgeting and Contracting
- The Military Media Relations
- Military Prisons
- Military's Role in Civilian Law Enforcement
- Mobile Military Justice
- Money Laundering
- National Guard
- National Policy for Peace Operations
- Nongovernmental Organizations
- Nonjudicial Punishment
- Organized Crime and the Military
- Paralegal Personnel
- Personnel of the Military Court System
- Physical Evidence
- Piracy
- Pretrial Restraint
- Promotions
- Prosecutor
- Recruiting / The Voluntary Force
- Refugees
- Regional Organizations
- Regulation Drafting
- Reserve Forces
- Rights of Military Members
- The Role of the Inspector General
- The Role of the Military Police
- Rules of Engagement
- The Rule of Law
- Self Incrimination
- Sexual Harassment
- Speedy Trial
- Status of Forces Agreements
- Terrorism
- Treaties
- UN Mandates
- UN Political Process
- U.S. Military Justice System
- U.S. Military Organization
- Use of Force
- Veteran's Benefits
- War Crimes
- War Crimes Case Studies
- Women in the Military



# Sample Module Descriptions

## **The Role of the Military in a Democracy**

This module describes the three branches of the U.S. Federal Government and explains how a system of checks and balances written into the U.S. Constitution ensures that the military is responsive to civilian leadership and the will of the people. Special emphasis is placed on the constitutional structure of civilian controls of the military, as well as the Department of Defense and the Joint Chiefs of Staff, the “War Powers Resolution,” and the fiscal law system that enables Congress to control military appropriations.

## **Rules of Engagement**

“Rules of Engagement” introduces the participants to the methodology used by U.S. armed forces to shape the application of military force to national objectives established by elected leaders. A discussion group seminar problem requires that participants recognize the political, military and legal requirements which combine to define national objectives and how properly drafted rules of engagement permit civilian direction and control of operating forces.

## **Military - Media Relations**

The focus of this module is to explore the increasing role played by the international media. Using real world examples, the participants are exposed to contemporary issues in human rights as portrayed in the international media and are then asked to discuss the impact of that coverage in preventing abuses and in marshalling world opinion. The participants examine the effect that coverage has on military operations and discuss methods for the military to relate more effectively to the media and the public.

## **Fraud, Waste, and Abuse**

The effects of fraud, waste, and abuse are significant. The public loses confidence in the government due to the effects of these actions. The military is susceptible to fraud, waste and abuse, both as a victim and a perpetrator. Internal and external controls to limit such conduct can save valuable taxpayer dollars. Participants discuss and develop methods for prevention, detection, investigation, and remedies for combating illegal acts.

## **Law of Armed Conflict**

The customary and treaty law requirements found in international law that apply to armed conflicts are the subject of this module. Relevant international agreements and customary practices between nations are discussed in relation to the lawful use of armed force, weapons, targeting, and methods of lawful warfare. Additionally, participants discuss the underlying policy and national interests served by adhering to and applying the Law of Armed Conflict, even when engaged in conflict within national borders.





### **War Crimes: Investigation and Prosecution**

The responsibility of each individual soldier to adhere to the Law of Armed Conflict is illustrated by discussing the collection and processing of evidence of human rights abuses. The subject of War Crimes and the effect of the establishment of the International Criminal Court and War Crimes Tribunals are discussed. Methods by which the evidence is collected and ultimately presented in court are examined. Participants learn how the failure to adhere to internationally recognized standards impacts the nation, the commander, and the individual soldier.

### **The U.S. Military Justice System**

This module provides seminar participants with an organizational framework of the U.S. military justice system, from the initiation of a complaint through the appellate process. The commander's options -- dismissal, Nonpunitive Measures, Nonjudicial Punishment, and Court-Martial are analyzed. The participants are asked to identify the often competing disciplinary considerations of punishment, good order and military discipline, unit readiness, and fundamental fairness. The module is easily augmented by incorporating a similar overview presented by the host country on its military justice system and a discussion problem comparing and contrasting how an incident would be handled under each country's system.

### **Joint Interagency Task Forces**

Recent events have underscored the need for military and civilian agencies to coordinate and synchronize their efforts. Understanding the legal guidance that allows for interagency work to succeed is vital. Military and civilian government organizations, nongovernmental and voluntary organizations, and regional and international organizations need to be able to provide unified actions to limit confusion and optimize successful completion of the mission.

### **Peace Operations**

This module focuses on the basic requirements for operating with UN or regional forces, with particular attention to issues of legal interoperability. By reviewing case studies of UN operations and discussing lessons learned, seminar participants learn about the myriad issues that a government and its military confront when participating in a UN or regional operation.

### **Coalition Operations**

This module provides insights into the creation and operation of coalition forces. Focusing on different coalition operations as examples, participants learn about the requirements for a successful coalition, the preparation necessary to meet those prerequisites, and common problems encountered when nations attempt to form coalitions. This module is often presented in conjunction with a module on Status of Forces agreements.



# The DIILS Team

The Defense Institute of International Legal Studies is composed of full-time military attorneys and civilian staff and adjunct faculty who are selected for their subject matter expertise. A critical factor in our ability to present quality programs is the composition of teams which include personnel from all branches of the armed services, active and reserve, and civilian specialists. This enables DIILS to assemble expert teams possessing the skills, knowledge, and experience requested by the host country. The adjunct faculty who have served as team members include:

Lieutenant General Joseph Kinzer, USA (Ret.), former Commander of UN Mission in Haiti  
Captain Dennis Bengtson, JAGC, USN, Commanding Officer, Naval Justice School, Newport, RI  
Colonel Linda Murnane, USAF, Chief Circuit Military Judge of the USAF Trial Judiciary - Europe, Ramstein Germany  
Colonel David Carrion, USA, Staff Judge Advocate, National Guard Puerto Rico, San Juan, PR  
Colonel William Mayes, USA, U.S. Army Special Operations Command, Ft. Bragg, NC  
Commander Charles Michel, USCG, U.S. C.G. Office of Congressional and Governmental Affairs, Washington, DC  
Major Tom Herthel, USAF, Operational Law Department, Air Force Judge Advocate General's School, Montgomery AL  
Colonel John Phelps, USA, Office of the Legal Advisor, Allied Forces Southern Europe, Naples, Italy  
Dr. Robert Gravelle, United Nations Mission, Tbilisi, Georgia  
Captain J. Ashley Roach, USN (Ret.), Office of the Legal Advisor, U.S. Department of State, Washington, DC  
Colonel Richard Rosen, USA, Commandant, Army Judge Advocate School, Charlottesville, VA  
Brigadier General Jeffery Arnold, USAR, Hinesville, GA  
Lieutenant Colonel Pam Stevenson, USAF, Staff Judge Advocate, Randolph AFB, TX  
Commander Burton Waltman, Joint Military Operations Department, Naval War College, Newport, RI  
Colonel Thomas Baltazar, USA, Office of the Secretary of Defense-SOLIC, Washington, DC  
Colonel Albert Ringgenberg, USAF, Deputy Staff Judge Advocate, U.S. Air Forces Europe  
Colonel John Atkinson, USMCR, Rumberger, Kirk & Caldwell, P.A., Miami, FL  
Dr. Robert Smith, Geographer, Office of Oceans Affairs, U.S. Department of State, Washington, DC  
Master Gunnery Sergeant Kevin Black, USMC, Legal Services Chief, Camp Lejeune, NC  
Mr. Joseph Rutigliano, International Law, U.S. Marine Corps Headquarters, Washington, DC  
Major Paul Kovac, USMCR, U.S. Department of Justice Office of Immigration Litigation, Washington, DC  
Captain Guy Abbate, JAGC, USN (Ret.), Pensacola, FL, Peace Operations Instructor  
Ambassador Laura Lee Peters, former U.S. Ambassador to Sierra Leone  
Major David Castro, USAF, Air Force Judge Advocate General School, Maxwell AFB, AL  
Colonel Ellen Healy, USMC, Second Marine Expedition Force, Camp Lejeune, NC  
Captain Kathy McTighe, JAGC, USNR, Morgan Stanley Dean Witter and Company, New York, NY  
Dr. Jarat Chopra, Watson Institute for International Studies, Brown University, Providence, RI  
Commander Rod Hill, USN, Defense Information School, Ft. Meade, MD  
Colonel Karl Farris, USA (Ret.), Peace Operations Instructor, Southport, NC  
Mr. Derek Boothby, Consultant on International Political and Security Affairs  
Brigadier General Kevin Sandkuhler, USMC, Staff Judge Advocate to the Commandant USMC, Washington, DC.  
Captain Dean Michael Hinkley, JAGC, USN, Fleet Judge Advocate, Commander-in-Chief, U.S. Pacific Fleet, Honolulu, HI  
Colonel James Noteboom, USAR, Attorney, Karnopp, Peterson, Noteboom, Hansen, Arnett & Sayeg, LLP Bend, OR  
Commander Raul Pedrozo, JAGC, USN, Office of the Undersecretary of Defense for Policy, Washington, DC  
Captain Ron Winfrey, JAGC, USN (Ret.), Attorney, Headquarters, U.S. Commander-in-Chief Pacific, Camp H.M. Smith, HI  
Brigadier General Richard O'Meara, USAR (Ret.), Attorney, O'Meara & Hight PC, Bloomfield, NJ  
Colonel Sherrod Bumgardner Jr., USMC, Staff Judge Advocate, U.S. Marine Corps Forces Atlantic  
Lieutenant Colonel David Rodearmel, USAR, U.S. Embassy, Kiev, Ukraine  
Captain Shackley Raffetto, JAGC, USNR, Judge, Circuit Court for State of Hawaii, Maui, HI



# Administrative Guidelines

## Programming a DIILS Mobile Education Team (MET)

DIILS conducts seminars using METs on-site in a host country and at U.S. locations. The location will vary depending on the course selected and the requirements of the participating country. The courses offered by the Institute are typically one week or more in duration. They are always tailored to meet the needs of the specific country or countries involved.

Requests for training should be made directly to DIILS. Upon contacting the Institute, requests will be processed through appropriate Department of Defense (DoD) channels. METs are regulated by the Security Assistance Training Program. Ultimately, requests for METs under EIMET, or any other available or desired funding source, must be based upon official requests initiated through the in-country U.S. Security Assistance Office. The procedure is outlined in the Joint Security Assistance Training Regulation.

When programming a seminar, the following should be considered:

- **Participants / Duration.** The programs typically consist of 40 to 60 participants and are scheduled from approximately 0800 to 1600 daily. The seminar day normally includes several presentations, a discussion group period and a “wrap-up” session. Periodic breaks and an hour for lunch are incorporated into the seminar day.
- **Rooms and Equipment.** The seminar usually requires a large presentation room and three discussion rooms (assuming four discussion groups with 15 persons per group; the presentation room can double as a discussion room). If possible, luncheon facilities should be co-located with the classroom facilities. The presentation room should be large enough to accommodate all participants, including faculty and visitors. Minimum equipment needed includes a screen and chalkboard, a flip chart on an easel, an overhead projector, and extension cords. Each individual should have a writing surface. The DIILS team can furnish simultaneous translation equipment, but qualified simultaneous interpreters must be hired for the seminar. All rooms require electrical outlets. Copying capability is usually required, but not necessarily on-site. The DIILS team will distribute course materials on the first day of the seminar.

- **Language.** All seminars are presented in English, with simultaneous translation into the appropriate language. The DIILS course coordinator will collect information regarding the cost and availability of translators with the help of the in-country security assistance team. Note that translator services are required for the entire day, including lunch and coffee breaks.
- **Participants.** The composition of the seminar attendees must be considered to ensure the success of the program. Participants should consist of a mix of members of the armed forces, government ministries, representatives of the legislature and judiciary, and include some who are in positions of senior leadership. Representatives from recognized local nongovernmental organizations may also attend. While the optimal mix of the attendees will vary depending on the problems and issues facing the host country, experience dictates that the military should make up at least one-half of the seminar participants.
- **Communications.** Communication between the DIILS team and the DAO/SAO/Training Officer is critical. Use any combination of fax, telephone, letter, message or e-mail to which you have access. On-going exchange of information is essential to the success of the seminar.



Bulgarian Deputy Minister of Defense Yankulova in discussions at U.S. Senate



General Meyers, Chairman of the Joint Chiefs greets General Sebhat of Eritrea and Colonel Sapienza, U.S. Defense Attache



Colonel Mayes presents plaque in Benin



Mongolian participants explain recent events





## **Rule of Law and Disciplined Military Operations Course Offered at Various U.S. Military Schools**

### **Description:**

This course is offered at various U.S. Military schools and is designed for the international student who wants to understand how to conduct military operations in accordance with the Rule of Law. The one-week course complements the practical training offered in military skills and is an excellent enhancement to Informational Program objectives. Topics include: Human Rights, Role of the Military in a Democracy, Rules of Engagement, Military Justice, Law of Armed Conflict, Military - Media Relations, Peace Operations, and other specific topics unique to the specific school and class.

### **Locations:**

Currently the following schools present the Rule of Law Course:

- Coast Guard International Maritime Officer Course - Yorktown, VA (P176038)
- Inter-American Air Forces Academy (IAAFA), San Antonio, TX (D176006)
- Naval Small Craft Instruction and Technical Training School (NAVSCIATTS) - Stennis Space Center, MS (P176036)
- Naval Hydrographic School - Gulfport, MS (P169028)

Many of these schools will accept individual international students for the Rule of Law Course who are in attendance at other DoD schools. Contact DIILS for details.

**DIILS point of contact for Rule of Law Courses is Mr. Bill Aseltine.**



## **Model Maritime Service Code (MASLs P319132, P319133, and P319140)**

DIILS offers a specialized legal program in the Model Maritime Service Code (MMSC). The MMSC was developed by the U.S. Coast Guard to assist maritime nations in establishing or enhancing their legislative infrastructure. It is a sample set of laws which a country can use, both to create a maritime service and to establish the substantive laws that the maritime service enforces pertaining to search and rescue, merchant marine safety, aids to navigation, environmental protection, and national defense.

While assistance under the MMSC program is tailored to suit the individual country, most programs follow the same multi-phase approach used for other DIILS seminars. Initially, U.S. Coast Guard attorneys and mission specialists travel to the participating country to learn about its domestic legal structure and maritime activities (MASL P319132). In the second phase, a team of delegates from the participating country travels to the United States to observe how maritime matters are handled by the U.S. Coast Guard, Navy, and other agencies as well as to develop a concrete plan for a maritime legislative/regulatory initiative which best meets their country's needs (MASL P319133). In the third phase, attorneys and mission specialists return to the participating country to assist in fine-tuning the maritime policy initiative (MASL 319140). As the country encounters new maritime legal challenges, the MMSC program can return to provide additional assistance.

**DIILS point of contact is Captain Peter Mitchell, USCG.**



# Notes





## ~ DIILS Resident Courses ~

### CONDUCTING MILITARY AND PEACEKEEPING OPERATIONS IN ACCORDANCE WITH THE RULE OF LAW (MASL P176019)

This five and a half week program is designed to prepare officers for service in coalition and peace operations. The course is also of value to those involved in domestic operations such as disaster relief and riot control. Emphasis is placed on conducting military operations within the rule of law. The multi-faceted curriculum involves expert guest speakers, working visits to the United Nations, Pentagon, State Department, and Capitol Hill, and an active Informational Program. Diplomats, staff officers, military legal advisors, and individuals from nongovernmental organizations will also benefit.

Week 1 - Overview, Coalition Military Operations, International Law, UN Charter, UN Mandates and Processes, Regional Organizations, Intervention, UN Civil-Political Activity, Nongovernmental Organization Coordination, Peace Building Operational Models, and Media Relations.

Week 2 - Command and Control, Training for Peace Operations, Law of Armed Conflict, Rules of Engagement, and working visit to the United Nations.

Week 3 - Status of Forces Agreements, International Claims, Information Operations, Logistics and Material Support, War Crimes, Negotiating Status of Forces Agreements, Peace Building, and International Administration, Human Rights, Military Justice, Environmental Considerations, Humanitarian Operations, and Disaster Relief.

Week 4 - Working visit to Washington DC., National Policy for Peace, Interagency Cooperation, The U.S. Government and Military.

Week 5 - Mediation and Conflict Resolution presented by the U.S. Institute for Peace.

Week 6 - Two-day Operations Exercise and Graduation.

- English Competency Level (ECL) of 80 is required.
- In addition to standard funding for international participants, this program may, with permission, be funded by Enhanced International Peacekeeping Capability (EIPC) and Counter Terrorism funding.
- Fees cover lodging and transportation during working visits.
- Lodging and government meals are available on base.
- Course dates: 14 April - 22 May 2003  
13 October - 19 November 2003







## MILITARY LAW DEVELOPMENT PROGRAM (MASL P176026)

This ten-week course is presented annually in Newport, RI commencing in October and May. It is designed to assist international officers and civilian officials in the development and improvement of their own military legal systems through a comparative study of U.S. military law. Participants attend some classes at the Naval Justice School, including parts of the Accession Lawyer and Legal Officer courses. They also attend the course on Conducting Military and Peacekeeping Operations in Accordance with the Rule of Law. Key Informational Program (IP) activities will involve trips to Boston, New York, and Washington DC. After exposure to the U.S. military justice system, training, and institutions, participants conduct research based on a comparison of their own legal system and that of the United States, with an emphasis on recommendations for their own governments.

Topics include: Rules of Evidence, Court-Martial Administration, Administrative Separations, Investigations, Law of Armed Conflict, Treaty Law, Training of Judge Advocates and Court Personnel, Rules of Engagement, and Maritime Law Enforcement.

An ECL of 85 is desired.

Course dates:

14 April - 3 July 2003

13 October – 12 December 2003





## **PEACEKEEPING FOR DECISION MAKERS**

**(MASL 176017)**

This two-week course is designed for high ranking officials who need a full knowledge and understanding of the legal considerations that will impact the involvement of their country in international peace operations. A working visit to UN Headquarters and the participation of highly qualified guest instructors are significant features of this program. Specific topics include International Law, Rules of Engagement, UN Mandates, the Legal Structure and Current Status of Peace Operations, Peace Building, and National Peace Operations Policy.

Course dates: 28 July to 8 August 2003



## **INTERNATIONAL LAW OF MILITARY OPERATIONS**

**(MASL 17602)**

This two-week course is designed for military officers and civilian officials who are engaged in military operations, operational planning, or in providing legal advice and need to increase their knowledge of the international law governing military operations. The goal of the course is to enhance the capability of participants to assist in planning military operations and guide commanders towards effective military operations that uphold international legal standards. This course will be co-presented by DIILS staff, Naval War College staff, and featured international presenters.

Topics include: Legal Restrictions on the Use of Force, Law of Armed Conflict, Rules of Engagement, Status of Forces Agreements, Role of the Legal Advisor in Planning Military Operations, and Laws Governing Operations on Land, Sea, and Air.

An ECL of 80 is desired.

The first offering of this course will be 16-27 June 2003

**DIILS point of contact for all Resident Courses is Mr. Bill Aseltine**













# Contact DIILS...

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