

## Concept Note

### 3<sup>rd</sup> meeting of the Great Lakes Judicial Cooperation Network

Kampala, Uganda, 12 – 13 November 2018

#### **Background**

1. Commitments six and seven of the Peace, Security and Cooperation Framework for the Democratic Republic of Congo and the region (PSC Framework, 2013) call on the signatory countries and their Heads of State and Government to neither harbour nor provide protection to individuals accused of committing genocide, war crimes, crimes against humanity or who are under the United Nations Sanctions Regime, and to commit to facilitating the administration of justice through regional judicial cooperation. These commitments reinforce the International Conference on the Great Lakes Region (ICGLR) Pact on Security, Stability and Development for the Great Lakes region (2006), and key ICGLR protocols relating to judicial matters.

2. While there are regional guidelines for judicial cooperation in the ICGLR Protocol on judicial cooperation and other ICGLR protocols, and a number of countries have agreements on judicial cooperation and mutual legal assistance, more concrete actions are needed to effectively foster regional judicial cooperation. Stalemate on a number of judicial cases that have a regional dimension confirmed the need for a regional entity dealing with judicial cross-border cases.

3. For many years, establishing and implementing measures to strengthen judicial cooperation has been emphasised by countries of the region as being a key requirement that can contribute to fighting impunity and addressing the root causes of instability and conflict. A momentum was reached when, at a meeting held in Nairobi, Kenya on 10 - 11 November 2016, Directors of Public Prosecution (DPPs) of the region and their representatives established the Great Lakes Judicial Cooperation Network (GLJCN) and adopted its terms of reference. This represented a key step in the implementation of judicial cooperation commitments of the ICGLR Pact and the PSC Framework.

4. Since its establishment, the GLJCN held two meetings, a first one in Khartoum, Sudan, on 1-2 November 2017 and a second one in Dar es Salaam, Tanzania, on 13-14 June 2018. The two meetings, attended by representatives of DPPs of the ICGLR countries, further consolidated the role of the focal points for judicial cooperation and identified concrete actions, including addressing specific cases for cross-border judicial cooperation. The meetings also agreed that for the network to be fully operational, it needs to be dynamic, have permanent designated focal points and be equipped with adequate resources. The meetings have been organised by the ICGLR, United Nations Office on Drugs and Crime (UNODC) and the Office of the United Nations Special Envoy of the Secretary-General for the Great Lakes Region (O/SESG-GL); organisations which also assist in the running of the GLJCN.

5. The operationalisation of the GLJCN, was welcomed by the 9th meeting of the Regional Oversight Mechanism (ROM), held in Kampala, Uganda on 8 October 2018, during which the region's Heads of State and Government encouraged the ongoing preparations for a regional conference on impunity to be followed by a meeting of Ministers of Justice in Nairobi, Kenya. The latter would, inter alia, endorse the Terms of Reference (TORs) and the recommendations of the GLJCN.

6. The key recommendations of the 2018 Dar es Salaam meeting paved the way for the preparation of the third meeting to be held in Kampala, Uganda, on 12-13 November 2018.

## **A. Objectives of the activity**

7. Stemming from the key recommendations of the previous meeting, ICGLR and UNODC with the support of O/SESG-GL agreed that the third meeting of the GLJCN focuses on crimes related to the exploitation of natural resources and to wildlife management. The proposed objectives of the meeting are:

- Encourage good regional practices and clearly identify what the network could do to support cooperation between authorities and to enhance the prosecution of cases related to wildlife management as well as to establish good practices in tracing and confiscating the proceeds of illicit trafficking;
- Assess progress made in addressing concrete transborder judicial cases identified at the June 2018 meeting in Dar es Salaam and agree on steps forward to address remaining challenges, with a particular focus on wild life and natural resources related cases;
- Accelerate and support efforts of the ICGLR countries to fight against impunity for transnational crimes as well as war crimes, crimes against humanity, and genocide through the operationalisation of technical tools that facilitate judicial cooperation (UN Convention on Transnational Organised Crime, ICGLR protocols and related model legislation).

## **B. Participants and organising partners**

8. Attendees to the meeting will include the below:

- IGCLR Member states will be represented by two focal points of the GLJCN;
- External experts: UN Group of Experts on the Democratic Republic of Congo, Greater Virunga Transboundary Collaboration, African Wildlife Foundation, TRAFFIC, International Fund for Animal Welfare;
- ICGLR Executive Secretariat;
- United Nations agencies/departments, including UNODC, OHCHR, UNDP, O/SESG-GL;
- Members of the Diplomatic Community (for the opening reception) and selected civil society organisations (for the side meeting).

## **C. Methodology and suggested structure of the meeting**

9. Experts presentations on illicit trafficking and exploitation of natural resources and wild life, will pave the way for discussions and for identification of specific crimes, perpetrators and judicial cases in the region;

10. Focal points will present progress made in prosecuting cases identified at the previous meeting, with a focus on causes for the case to be stalled and the specific actions needed to unblock it by member(s) of the network. Closed-door sessions amongst countries representatives will facilitate some of the cases discussions;

11. Participants will divide into case study working groups to work on real case studies drawn from previous discussions and come up with suggested solutions that will lead to the drafting of mutual legal assistance and extradition requests. They will report in plenary and open discussions;

12. Participants will conclude the meeting and agree on recommendations, which will be captured in an outcome document.