

Concept Note
Great Lakes Judicial Cooperation Network 4th meeting
Brazzaville, Republic of the Congo, 4-5 April 2019

Background

1. Fighting impunity and promoting human rights and justice is at the core of the commitments which the leaders of the Great Lakes region included in the ICGLR Pact and Protocols and the PSC Framework, in order to advance peace, security and development in the Great Lakes region.¹ Important steps have been taken in support of justice in the region, including through the establishment by ICGLR of the Great Lakes Judicial Cooperation Network (GLJCN) in 2016, in Nairobi.
2. The GLJCN is today the only existing mechanism in support of prosecutors and central judicial authorities of the 12 ICGLR countries to advance regional judicial cooperation and combat cross-border crime. Conclusions of the 9th of the Regional Oversight Mechanism (ROM) of the PSC Framework, held on 8 October 2018 in Kampala, Uganda directed the UN and the other guarantors of the PSC Framework to gear up efforts to promoting concerted support to – inter alia - *“fighting impunity and strengthening the rule of law through enhanced cooperation between the judiciaries of the countries of the region”*.
3. Since its establishment, the GLJCN has held three 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 and a third one in Kampala, Uganda, on 12-13 November 2018. The meetings, attended by representatives of Directors of Public Prosecution (DPPs) of a number of the ICGLR countries, further consolidated the role of the focal points for judicial cooperation and identified concrete actions and way forward, 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.
4. In conjunction with the recommendations issued at the 2nd and 3rd GLJCN meetings, OROLSI/DPO through its Justice and Corrections Standing Capacity (JCSC) and the Standing Police Capacity (SPC) capacities in Brindisi, Italy was identified by O/SESG as potential key partner. During consultations in January 2019, O/SESG raised the need to

¹ Sustainable Development Goals 16.3 and 16.A also call respectively to “Promote the rule of law at the national and international levels and ensure equal access to justice for all” and “Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime.”

enhance support for initiatives of the GLJCN in addressing and investigating emblematic cases. The potential embedding of experts within national judiciary systems, support to establishing a prosecution strategy, capacity building and progress review were discussed during consultations. O/SESG will regularly update the JCSC and SPC on requests for support raised by focal points of the GLJCN and explore avenues for engagement of specific services.

5. The key recommendations of the Uganda meeting paved the way for the preparation of the fourth meeting to be held in Brazzaville, the Republic of the Congo on 4 – 5 April 2019.

1. Objectives of the activity

Stemming from the key recommendations of the previous meeting, ICGLR with the support of UNODC and OSESG/GL suggest that the fourth meeting of the network focuses on cases related to the illicit trade of natural resources.

- Encourage good regional practices and clearly identify what could the network do to support cooperation between authorities and to enhance the prosecution of cases related to the illegal management and trade of natural resources;
- Assess progress made in addressing concrete trans-border judicial cases identified by the focal points of the network and agree on steps forward to address possible remaining challenges, with a particular focus on illegal management and trade of natural resources, given the significant impact these cases have on peace and security;
- Accelerate the streamlining of the domestication and implementation of international legal tools (UN Convention on Transnational Organized Crime) and regional legal tools (ICGLR Protocol on Judicial Cooperation and related model legislation);
- Draw lessons from and join forces with mechanisms dealing with the same kind of crimes addressed by the GLJCN, including the Special Criminal Court for the Central African Republic (CAR);
- Increase the practical understanding of the GLJCN, its contact points, resources and tools by countries members of the network with a view at promoting full ownership of the same.

2. Participants (60+) and organizing partners:

- 12 IGCLR Member states will be represented by the focal points of the GLJCN, (30);
- ICGLR Executive Secretariat (3);
- United Nations agencies/departments, including UNODC (3), OHCHR (1), UNDP (2), O/SESG-GL (4); UN Global Service Center, Brindisi (2)
- Special Prosecutor of the CAR Special Criminal Court (1)
- Members of the Diplomatic community (for the opening reception with participants). (participants +20)

3. Methodology and suggested structure of the meeting

Focal points will present progress made in prosecuting cases identified at the previous meetings, and during the focus group held in Goma in March 2019, with focus on causes for the case to be stalled and the specific actions needed to unblock it;

Closed-door sessions amongst countries representatives will facilitate some of the cases discussions;

The Special prosecutor of the CAR Special Criminal Court will give an overview of the status of operationalization of CAR Special Criminal Court, including on cases that the court has started addressing, focusing on challenges these cases present and possible ways of overcoming them. The court modalities for judicial cooperation will also be elucidated as well as how these may interact with the GLJCN;

Representatives of the UN Standing Police Capacity (SPC) will showcase examples of how they have supported UN presences in enhancing the capacity of national authorities in investigating serious crimes;

In regards to capacity building, participants will divide into case study working groups to work on 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 which will be under Chatam House Rule;

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