



EXECUTIVE SECRETARIAT
INTERNATIONAL CONFERENCE ON
THE GREAT LAKES REGION



UNODC
United Nations Office on Drugs and Crime



OFFICE OF THE SPECIAL ENVOY OF THE
SECRETARY-GENERAL FOR THE
GREAT LAKES REGION

Meeting of the Great Lakes Judicial Cooperation Network

1 – 2 November 2017

Khartoum, Sudan

Concept note

I. Background

The establishment of the Judicial Cooperation Network can be traced back to the International Conference on the Great Lakes Region Pact on Security, Stability and Development for the Great Lakes region (ICGLR Pact) signed in Nairobi 2006, entered into force on 21st June 2008 which provides a legal framework governing relations among the ICGLR Members State, that implements its measures and the provisions of its 10 Protocols, including the Protocol on Judicial Cooperation which aims to facilitate the matters of extradition, investigation, persecution and the exchange of information and documents between the ICGLR Members States.

In addition, the Peace, Security and Cooperation Framework for the Democratic Republic of Congo (DRC) and the region (PSC Framework) signed in Addis Ababa in February 2013, builds on the goals of the ICGLR Pact. The PSC Framework provides a political context context to promote sustainable peace and security in the region, to foster dialogue and collaboration on drivers or consequences of conflict in the region.

The Summit of the ICGLR Heads of State held in Luanda, Angola in January 2014 directed the ICGLR Conference Secretariat (CS) to promote judicial cooperation, legal assistance and the PSC Framework. This was followed by commitments to follow up on obligations under the ICGLR Protocols, made by the Ministers of Justice of the ICGLR during their High-Level Ministerial Meeting held in Livingstone, Zambia, from 25 – 26 August 2015. Moreover in June 2016 in Angola,

that commitment was repeated by Heads of State and Government during the 6th Summit of the ICGLR. Most recently, in October 2016 in Angola, the Heads of State and Government during the meeting of the Regional Oversight Mechanism of the PSC Framework reiterated the need to pursue efforts towards judicial cooperation to ensure early and effective progress in the fight against impunity for serious crimes and violations of human rights, including sexual and gender-based violence.

To implement these instruments and to strengthen judicial cooperation in the Great Lakes region, the Office of the Special Envoy of the Secretary-General for the Great Lakes Region (O/SESG-GL) and ICGLR organized a meeting for the Directors of Public and Military Prosecution, Directors of Investigation and their representatives from the ICGLR member states on 19-20 April 2016 in Nairobi, Kenya. Participants made presentations on the different challenges they face in legal cooperation. As a result, they, amongst others, recommended the creation of a network as a regional cooperation tool for criminal matters. At a follow-up meeting held in Nairobi, Kenya on 10-11 November 2016, the Directors of Public Prosecution and their representatives established the Great Lakes Judicial Cooperation Network (GLJC Network) and agreed on its Terms of Reference.

Most recently, on 26 May 2017 in Vienna, Austria, in the margins of the 26th session of the Commission on Crime Prevention and Criminal Justice, UN Office on Drugs and Crime (UNODC), ICGLR, UN Development Programme (UNDP), and O/SESG-GL organized a side-event regarding the GLJC Network, through which prosecutors of the region joined forces to fight cross-border crime. The meetings served to increase visibility and capacity of the GLJC Network.

Therefore, ICGLR with support from O/SESG-GL and UNODC will organise the first meeting for the operation of the GLJC Network in Khartoum, Sudan on 1 – 2 November 2017.

II. Objective of the Great Lakes Judicial Cooperation Network

The GLJC Network will allow ICGLR countries to fulfil their legal commitments under the ICGLR Pact, the ICGLR Protocol on Judicial Cooperation, and other ICGLR Protocols related to criminal matters as well as under the PSC Framework.

The GLJC Network will also assist in the fight against impunity for transnational crimes committed in the Great Lakes region and will build confidence between ICGLR member states. Moreover, the GLJC Network will offer a practical tool, at the technical level, to ensure that harmonized measures to promote judicial cooperation can take place.

More details can be found in the Terms of Reference of the GLJC Network.

The legal operation of the GLJC Network will be led by ICGLR. ICGLR will collaborate with UNODC, which will co-lead with ICGLR, and with O/SESG-GL which will provide advocacy support.

The GLJC Network will also be coordinating with other partners. Partnership with the UN will be coordinated through the UN Great Lakes Regional Strategic Framework, which seeks to align cross-border efforts of the UN in the region. The UN Great Lakes Regional Strategic Framework has six thematic pillars, with Pillar 6 focussing on 'Justice and Conflict Prevention', which includes support to judicial cooperation. Pillar 6 is led by UNDP and the Office of the High Commissioner on Human Rights (OHCHR).

III. Activity objectives and outcome

The overall objective of the Great Lakes Judicial Cooperation Network's meeting is to:

- i) elaborate on the legal tools, focal points and other technicalities of the GLJC Network;
- ii) brief on the implementation regarding 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);
- iii) identify challenges regarding the implementation of those tools and the legal operation of the GLJC Network;

- iv) accelerate the establishment and functioning of judicial 'central authorities', who deal with requests for mutual legal assistance and extradition;
- v) obtain details on the cross-border crime of illegal exploitation of natural resources;
- vi) train on drafting a request for mutual legal assistance on cross-border crime of illegal exploitation of natural resources by using the GLJC Network's writer tool; and
- vii) Develop the ToR of the Coordinator of the GLJC Network.

The Great Lakes Judicial Cooperation Network's meeting will result in

- i) outcome document with recommendations on strengthening judicial cooperation;
- ii) The recommendations will be focused on Government's support to i) the operation of the Great Lakes Judicial Cooperation Network, including its terms of reference; ii) the domestication and implementation of national, regional and international legal tools; iii) the establishment or strengthening of judicial 'central authorities'; iv) the fight against cross-border crime, especially the crime of the illegal exploitation of natural resources.