



The Establishing Great Lakes Regional Judicial Cooperation

Network Conference held in Nairobi, Kenya on 10-11/2016

On 10 and 11 November in Nairobi, Kenya, a meeting to establish the Great Lakes Regional Judicial Cooperation Network was convened by the International Conference on the Great Lakes Region (ICGLR) and the Office of the UN Secretary-General for the Great Lakes Region (O/SESG-GL).

The meeting was attended by the Directors of Public Prosecution from Angola, Burundi, the Democratic Republic of the Congo (DRC), the Central African Republic, Kenya, Rwanda, Sudan, Tanzania, Uganda and Zambia, or their representatives. Also in attendance were Ambassador Zachary Muburi-Muita, Executive Secretary of the ICGLR, Dr. Serge Brammertz, Prosecutor of the Mechanism for the International Criminal Tribunals, as well as representatives from the European Judicial Network, the West African Network of Central Authorities and Prosecutors, the Sahel Judicial

Platform, International Centre for Transitional Justice (ICTJ), German Development Cooperation (GIZ), MONUSCO, MONUSCO-JHRO, UNODC, OHCHR, and UNDP. The Network has been established in line with the spirit of the ICGLR Protocol on Judicial Cooperation and is part of the “Judicial Cooperation and Conflict Prevention” Pillar of the UN Great Lakes Regional Strategic Framework which seeks to align regional efforts of the UN. During the opening session, Ambassador Muita stated that judicial cooperation lays the groundwork for sustainable democratic societies and the prevention of conflict, he also emphasized that the implementation of the Pact and PSCF as well as promotion of the judicial cooperation will give the essence of the vision of Heads of State and Government to make positive changes in the region on matters of security, stability, development and combating the all forms of crimes.

Dr. Serge Brammertz noted that the Great Lakes Judicial Cooperation Network is a useful and important initiative, which will build on expertise from other similar networks. Christine Agimba, Deputy Solicitor General from Kenya opened the discussions by calling for strengthening judicial cooperation in the region.

Afterward, Madeline Schwarz/SESG-GL, Human Rights/Justice Advisor on behalf of the Special Envoy of UN Secretary General for Great Lakes Amb Said Djinit, highlighted that the creation of the Network is a key initiative that will facilitate judicial cooperation and the fight against impunity in the region.

The meeting followed up on the Conference on Strengthening Judicial Cooperation in the Great Lakes Region held in Nairobi in April 2016, organized by ICGLR in collaboration with O/SESG-GL. During the

Conference, the Directors of Public and Military Prosecution, Directors of Investigation, and their representatives from the ICGLR member states recommended the establishment of a judicial cooperation network.

The commitment to implement measures to strengthen judicial cooperation was highlighted by Ministers of Justice from ICGLR member state during an August 2015 meeting in Livingstone, Zambia. More recently, this commitment was reinforced by Heads of State during the 6th Ordinary Summit of the ICGLR held in Luanda Angola June 2016. Abd Almageed Awad Eisa ICGLR Legal Adviser highlighted that the establishment of the Network will contribute to accountability for criminal organizations that are involved in criminal activities, including war crimes, crimes against humanity, illicit trafficking of weapons, drugs, illegal exploitation of natural resources, sexual violence and terrorism in the Great Lakes region. He stressed that the Protocol on Judicial Cooperation is a useful instrument to be applied by the ICGLR member states as a legal basis for investigating, prosecuting and extraditing perpetrators of these serious crimes.

Representatives from the European Judicial Network (EJN) and the UNODC, who had helped establish the Sahel Judicial Platform and the Network of West African Central Authorities and Prosecutors against Organized Crime (WACAP) offered practical guidance on establishing the Great Lakes Judicial Cooperation Network. It was emphasized that much has been done by these existing Networks. The Great Lakes Judicial Cooperation Network should not reinvent the wheel, but use and build on what is already there. Representatives from UNODC and the EJN both offered extensive support to the proposed new Network.

With that practical guidance in mind, the Directors of Public Prosecution and their representatives discussed the draft Terms of Reference for the establishment of the Great Lakes Judicial Cooperation Network. The key objective of the meeting was to approve Terms of Reference for the proposed Network. The Directors of Public Prosecution and their representatives engaged in extensive discussions to ensure that the Terms of Reference reflect the context of the Great Lakes region and the specific requirements of their varying legal systems. The Terms of Reference were endorsed by all delegations present and are attached.

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On 11 November, the Director of Public Prosecutions from Uganda facilitated a case study on a recent terrorism case before the courts of Uganda that involved cooperation with police and prosecutors from Kenya, Rwanda, Tanzania, Uganda, the UK and the US.

Participants also discussed and agreed on the next steps following the establishment of the Network, during a discussion led by Karen Kramer, Senior Drug Control and Crime Prevention Officer and in charge of UNODC sponsored Network. The Directors of Public Prosecution and their representatives agreed to:

- I. Commence the practical organisation of the network, which will entail an immediate focus on mobilizing resources for appointing a Network Coordinator
- II. Present the Terms of Reference to the next conference of the Ministers of Justice of the ICGLR member states for acknowledgement.

- III. Initiate an action plan for the sake to: (a)recruit the network coordinator who will set up a secretariat, (b)appointment of focal points from each ICGLR Members State , and (c)the gathering of information on; legislation, procedures and focal points and its dissemination possibly through a website.
- IV. ICGLR, and its partners, O/SESG/GL, EJN and UNODC will support in the implementation of the action plan.

During the closing session, Ambassador Muita, Amb. Said Djinit, and Ambassador de Bilderling from the Government of Belgium, . heard from the DRC General Advocate and The Head of the International Crime Unit in Rwanda on behalf of the participants, the outcome of their discussions the first presenter stated that now that the Network has been established, it is important to ensure that it is and effective network which will benefit the region. He also confirmed that he will bring the outcome from the meeting to the attention of the relevant DRC authorities. The Head of the International Crime Unit in the Office of the Director of Public Prosecutions in Rwanda reiterated the call for the Terms of Reference for the Great Lakes Judicial Cooperation Network to be endorsed by the Ministers of Justice. He further noted that the meeting was a success and that Rwanda is ready to thoroughly address any requests for judicial cooperation by the other countries.

Eventually,in his closing remarks, Ambassador Zachary Muita noted that the outcomes of this conference will be immediately followed up, and committed that will intensify this network activities. He also remarked that

the ICGLR will seek for the Ministers of Justice to meet to take the network to the highest attention, as close coordination is needed to ensure justice in the region. Ambassador Said Djinit closed the meeting by commended the delegates for their commitment as prosecutors to fighting impunity, regardless of the risk, and for providing an excellent example of what judicial cooperation among countries in the Great Lakes Region can achieve. Partners expressed their firm support to making the Network operational.