



**The Establishing Great Lakes Regional Judicial Cooperation  
Network**

**And Serious Transnational Crimes**

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**Your Excellency Amb. Zachary Muburi-Muita**

**Your Excellency..... (Guest of honor)**

**Mr. Keriako Tobiko, Director of Public Prosecutions of the Republic of Kenya**

**Excellency.....the Representative of the Special Envoy of UN Secretary General for Great Lakes**

**Dr. Serge Brammertz, Prosecutor for the Mechanism for International Criminal Tribunals**

**Excellencies, General Prosecutors of ICGLR Member States,**

**Distinguished delegates,  
Ladies and gentlemen,**

## **I am Delighted to talk to you today;**

The ICGLR Pact signed in Nairobi, December 2006 amended November 2012 as well as the Peace, Security and Cooperation Framework (PSC Framework) signed in Addis Ababa 24/2/2013 aim to provide a legal framework governing relations among the Members State , therefore the ICGLR countries shall implement the measures of these instruments and provisions of the 10 Protocols including Protocol on Judicial Co-operation that intends to facilitate the matters of extradition, investigation, persecution and the exchange of information and documents between the ICGLR states.

This judicial collaboration and mutual legal assistance will enhance the legal authorities in the region to combat the serious crimes committed mainly by the negative forces, such as human trafficking, crimes against humanity, war crimes, illegal exploitation of natural resources, weapons trading, money laundering and sexual violence.

### **Organized Serious Crimes**

Combating crucial crimes remain major challenges facing the region, but the ICGLR may resolve these difficulties by the measures of the Protocol on judicial cooperation that undertake the Members State to take an effective action to extend mutual judicial assistance Therefore, any serious offense shall be extraditable including, Sexual violence, Smuggling the natural resources that I will briefly discuss in this paper as models.

### **Sexual Violence against Women and Children**

Sexual violence perpetrated against women is one of the main features of the conflicts in some parts of the region. It is an integral part of the war and has been used as a weapon by the rebel groups.

Sexual violence has been committed on a massive scale and has affected tens of thousands of women and girls, with devastating consequences on women and their communities.

Therefore, under the milestone initiative of the International Conference for the Great Lakes Region, the Heads of State and Government have committed themselves to set up regional mechanisms to protect women and children and provide legal assistance for victims and survivors of sexual violence. This commitment is outcome of the adoption of the Protocol on the Prevention and Suppression of Sexual Violence against Women and Children signed 30 November 2006 and accompanying Project that seeks to punish all acts of sexual violence against women and children both during peacetime and armed conflict.

However, the implementation of the Protocol and fulfil of the Heads of States commitments facing some challenges: Such as continued presence of rebels and illegal armed groups in some parts of the Great Lakes region remains a method for rape and other forms of sexual violence. The abject poverty among the GLR population has subjected the people to gross violation of their human rights and untold atrocities.

Therefore, the SGBV shall be judged as a massive crime and should never allow it to go unpunished. Although some ICGLR states have successfully established specialized courts in which all the judges assigned to SGBV cases are exclusively trained with specific expertise in SGBV dynamics and trends, the legal systems still need more improving to protect the women and children from those crimes so the establishing of the network will assist to develop that administration of justice.

## **The Illegal Exploitation of Natural Resources**

Since the Heads of State of the ICGLR signed the Pact and the Protocol on the fight against illegal exploitation of natural resources followed by the Lusaka declaration whereby adopted the Regional Initiative on Natural Resources (RINR).

The ICGLR has made significant progress in the implementation of the six tools to fight against the illegal exploitation of natural resources, as it developed a model law to ease the domestication and harmonization of such Protocol with the national laws of the Members State. So far, the most of them have integrated the protocol with their laws.

However the activities of negative forces in the region have deteriorated the ICGLR process for combating the smuggling natural resources so the organization couldn't break the link between that misuses and financing armed groups that commit serious crimes and violate the human rights in the region.

Therefore, establishment of the Great Lakes Regional Judicial Cooperation Network will contribute to promote mutual legal assistance among the countries of the great lakes region to preventing the smuggling minerals and SGBV.

### **Investigation and Extradition**

The Protocol of judicial cooperation embarks the Members State to extend mutual judicial assistance with respect to the extradition of fugitives or accused persons. Therefore, any offense shall be extraditable including Crime of genocide, war crimes and crimes against humanity, assassination, murder, poisoning, and breaches of public order, terrorism,

as well as smuggling the natural resources or commit SGBV. Therefore, the Members State shall assist each other and take necessary measures to facilitate the procedures and formalities relating to the investigation and prosecution of offences and to harmonise its activities in their criminal investigations with a view to strengthening the measures necessary to prevent, investigate crimes through Joint Investigation Commissions.

### **Judicial Cooperation Network**

The establishment of the Network will contribute to accountability for criminal organizations and negative armed groups involved in criminal activity, including war crimes and crimes against humanity, illicit trafficking of weapons, drugs, illegal exploitation of natural resources, and terrorism in the Great Lakes region, Promoting the Mutual Legal Assistance among ICGLR Members State. As well as to implement the provisions of the Protocol on Judicial Cooperation as a legal basis for investigating, prosecuting, extraditing the perpetrators who committed these serious crimes.

### **Conclusion**

For the sake to pave the way for the establishment of the Great Lakes Regional Judicial Cooperation Network in a harmonized way, legal collaboration in the related fields within the Great Lakes Region is crucial. With a spirit of mutual respect and dedicated commitment to the Protocol on Judicial Cooperation, I am looking forward to a constructive conference and recommendations dealing with the Network I raised. A fruitful legal discussion in this workshop will really support the ICGLR Members State's efforts to eradicate all forms of serious crimes and

promote the mutual legal assistance as well as strengthening the regional judicial cooperation.

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