

**REPORT OF THE FIRST MEETING OF THE
GREAT LAKES JUDICIAL COOPERATION NETWORK
1 - 2 NOVEMBER 2017, KHARTOUM, SUDAN**

I. Introduction

1. On 1 and 2 November 2017 in Khartoum, Sudan the first meeting of the Great Lakes Judicial Cooperation Network (GLJC Network) was organised by the Secretariat of the International Conference on the Great Lakes Region (ICGLR), United Nations Office on Drugs and Crime (UNODC) and the Office of Special Envoy of the UN Secretary-General for the Great Lakes Region (O/SESG- GL). The Sudanese Ministry of Justice hosted the meeting.
2. The members of the GLJC Network are representatives from Directors of Public and Military Prosecution of the ICGLR Member States, who serve as national focal points on judicial cooperation (also named 'central authorities' under the United Nations Convention on Transnational Organised Crime). Represented at the meeting were Burundi, Central African Republic, Democratic Republic of Congo (DRC), Kenya, South Sudan, Sudan, Tanzania, Uganda and Zambia. Representatives of Angola, Republic of Congo and Rwanda were unable to attend.
3. The GLJC Network is a tool to connect its members, allowing them to conduct formal and informal judicial cooperation for example on extradition, joint investigations and mutual legal assistance, to receive training and to discuss best practices, address challenges and propose suggestions for better judicial cooperation. The GLJC Network will also have a website, granting access to legislation, contact details of counterparts in neighbouring countries, a mutual legal assistance request-writer tool, and statistics on cross-border crime. Eventually , the GLJC Network is a means to direct messaging to policy levels, as outcome of meetings could be reported to the Ministers of Justice or Heads of State and Government of ICGLR.

II. Objective of the meeting

The overall objective of the GLJC Network's meeting was to:

- a. Elaborate on the legal tools, focal points and other technicalities of the GLJC Network;
- b. Brief on 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);
- c. Identify challenges regarding the implementation of those tools and the operation of the GLJC Network;
- d. Accelerate the establishment and functioning of judicial 'central authorities', who deal with requests for mutual legal assistance and extradition;
- e. Obtain details on the cross-border crime of illegal exploitation of natural resources;
- f. Train on drafting a request for mutual legal assistance on cross-border crime of illegal exploitation of natural resources by using the mutual legal assistance request-writer tool.

III. Opening ceremony

4. The Sudanese Ministry of Justice invited approximately 70 representatives from the judiciary, police, army and other judicial entities to attend the opening ceremony. The Ambassador of the Kingdom of the Netherlands Karin Boven also attended the ceremony. The funding for this meeting was directed through the O/SESG-GL Trust Fund by the Ministry of Foreign Affairs of the Kingdom of the Netherlands.

5. Ambassador Mohamed Abdalla Idriss, the National Coordinator of Sudan to ICGLR welcomed all to Khartoum. The Ambassador referred to the ICGLR Summit held on 19 October 2017 in Brazzaville, Republic of Congo, where the Heads of State and Government of the region endorsed the GLJC Network.

6. The Legal Advisor of ICGLR Dr. Abd Almageed Awad Eisa, on behalf of ICGLR Executive Secretary Ambassador Zachary Muburi-Muita, thanked the Republic of Sudan for hosting the meeting of the GLJC Network, demonstrating the ICGLR Member State's support to the GLJC Network. He explained that legal collaboration is the sole means to make a true climate of confidence between Member States and to assist each other to prevent all kinds of the transnational crimes.

7. On behalf of Special Envoy of the UN Secretary-General for the Great Lakes Region Said Djinnit, Valery Super highlighted that impunity in the region continues to fuel the cycles of violence instability and displacement and threaten sustainable peace

security and long-term prosperity. Countries of the region need to work together effectively in order to successfully investigate and prosecute cross-border crime in the region.

8. On behalf of UNODC, Karen Kramer emphasized that it was a great pleasure for UNODC to support the GLJC Network in its objectives to address trans-border organized crime in the region. She made reference to similar networks in other regions such as the European Judicial Network, the West African Network of Central Authorities and Prosecutors, and the Sahel Judicial Platform.

9. In her opening statement H.E Tahini Mohamed Ali, the Minister of State of the Ministry of Justice, encouraged the ICGLR Member States to domesticate the ICGLR Pact on Security, Stability and Development in the Great Lakes Region and accompanying Protocols with a particular focus on the ICGLR Protocol on Judicial Cooperation.

IV. Summary of discussions

The meeting was held under “Chatham House Rule”. For this reason, the report summarizes the discussions without going into detail.

10. After the opening ceremony, the meeting focused on the operationalization of the GLJC Network. Members of the GLJC Network discussed their roles, which have been captured in the **Terms of Reference of the GLJC Network**. As a background to these Terms of Reference, it was highlighted that the GLJC Network was created following calls for increased judicial cooperation by Governments of the ICGLR.

11. On the basis of the ICGLR 2006 Pact on Security, Stability and Development for the Great Lakes region and related Protocol on Judicial Cooperation as well as the 2013 Peace, Security and Cooperation Framework for the DRC and the region (PSC Framework), Governments of the ICGLR undertook several commitments. One commitment was to facilitate the administration of justice through judicial cooperation within the region; a second commitment was to neither protect nor provide protection of any kind to persons accused of war crimes, crimes against humanity, acts of genocide or crimes of aggression, or persons falling under the UN sanctions region.

12. Since then, the commitments were reiterated during ICGLR Summits and a Ministers of Justice meeting. In order to facilitate the administration of justice, the O/SESG-GL and ICGLR in coordination with partners, including UN Development Programme (UNDP), UN Office of the High Commissioner on Human Rights (OHCHR), organized several meetings on judicial cooperation. During a meeting of Directors of Public and Military Prosecution or their representatives, organized by ICGLR, O/SESG-GL and UNODC in November 2016 in Nairobi, Kenya, the GLJC Network was

established and its Terms of Reference were approved. On 10 October 2017, the GLJC

State and Government of the region met in Brazzaville, Republic of Congo, to assess progress made on their commitments under ICGLR Pact and the PSC Framework. At the end of the meeting, in their Communique, the Heads of State and Government welcomed the establishment of the GLJC Network and its Terms of Reference.

13. Moreover, the participants discussed their **roles as focal points** of the GLJC Network. Amongst others, they will serve as focal points for requests regarding judicial cooperation, inform the GLJC Network if the focal point or relevant legislation changes, assist with hosting a meeting of the GLJC Network with support of the ICGLR and partners, report to the GLJC Network on statistics regarding judicial cooperation and promote the GLJC Network within their countries. Regarding the statistics, UNODC agreed to share a template facilitating the **collection of data** on the number of requests for mutual legal assistance, number of extraditions, countries who request or are asked for judicial cooperation, instances of formal requests which occurred before a formal request to speed up the process, and other relevant data.

14. Regarding the **promotion of the GLJC Network**, it was noted that the GLJC Network was created by ICGLR Member States to strengthen judicial cooperation between them. Therefore, it is necessary that focal points raise awareness amongst their Ministries and national partners, to ensure substantive or financial support from the region. Secondly, it was highlighted that ICGLR, UNODC and O/SESG-GL will continue to support the GLJC Network by raising awareness at international and regional platforms. To increase the visibility of the GLJC Network, UNODC will support the establishment of a website and newsletter, to which focal points of the GLJC Network could provide content. Thirdly, it was noted that the United Nations Great Lakes Regional Strategic Framework (UN GLRSF), representing the ONE UN approach within the Great Lakes region, also supports the GLJC Network. The UN GLRSF facilitates cross-border coherent and coordinated efforts by the UN across the humanitarian, development, and peace and security pillars. The UN GLRSF has a thematic pillar on justice and conflict prevention, which is led by UNDP and OHCHR and provides support to the GLJC Network.

15. **Regional and international legislation on judicial cooperation** was also discussed. A first important legal tool are the regional ICGLR Protocols, which include the Protocol on Judicial Cooperation and the Protocol against the Illegal Exploitation of Natural Resources. Moreover there is regional model legislation on judicial cooperation. Secondly, there is the UN Convention on Transnational Organized Crime (UNTOC), which is a global instrument with 188 Member States. Article 18 of UNTOC can be used to supplement existing bilateral and multilateral agreements on judicial cooperation.

16. Another important topic of discussion was the establishment and strengthening of national "**Central Authorities**", which are the competent national authorities designated to receive, respond to and process requests for mutual legal assistance, extradition and other requests for judicial cooperation, in line with the UNTOC

17. Furthermore, the participants focused on a particular cross-border crime facing the Great Lakes region, namely the illegal exploitation of natural resources. During a meeting organized by ICGLR and O/SESG-GL in July 2017 in Nairobi, Kenya, experts on the issue of natural resources called upon the organizers to encourage and support investigation and prosecution of these crimes.

18. To set the scene, O/SESG-GL in liaison with MONUSCO gave an overview of the illegal exploitation of gold and 3T minerals (tin, tantalum, and tungsten) in eastern DRC and its link to instability in the country and the region. Thereafter, the members of the GLJC Network engaged in a case study on illegal exploitation of natural resources. During the exercise, they qualified the various crimes, assessed the necessary types of requests for judicial cooperation and identified the legal basis on which they would support the request.

V. Next steps

The members of the GLJC Network agreed on action steps, which should be read together with the GLJC Network's Terms of Reference.

Recommendations to strengthen the GLJC Network /Recommandations à renforcer le réseau CJGL

	Recommendation	Recommandation	Deadline
1.	ICGLR to send Note Verbale to Ministers of Justice, with current focal points in copy, to nominate two focal points for the Network, specifying the qualification needed and taking into account gender equality	La CIRGL enverra une Note verbale aux ministères de la justice, avec les points focaux actuels en copie, pour désigner deux points focaux pour le Réseau, spécifiant la qualification requise en tenant compte de l'égalité des sexes.	20 November 2017
2.	Ministries to respond and to provide contact details of two focal points, after designation.	Les ministères répondront en fournissant les coordonnées de deux points focaux.	15 December 2017
3.	Focal points to update their country details on the "Directories of Competent National Authorities".	Les points focaux mettront à jour les informations sur leurs pays dans « le Répertoire des autorités nationales compétentes ».	15 December 2017
4.	Focal points to gather data on judicial cooperation, and UNODC to share a	Les points focaux rassembleront des	UNODC to share template: 15

		coopération judiciaire, et l'UNODC partageront un modèle pour faciliter cet exercice.	Ongoing submissions to UNODC
5.	After nomination of focal points, a decision will be made about the country chairing the GLJC Network.	Après la désignation des points focaux, une décision sera prise concernant le pays présidant le Réseau.	At next Network meeting
6.	Focal points to promote the GLJC Network amongst their national authorities and colleagues.	Points focaux feront la promotion du réseau parmi leurs autorités nationales et collègues.	Ongoing.
7.	UNODC, ICGLR and O/SESG-GL to work towards a website and newsletter.	L'ONUDC, la CIRGL et O/SESG-GL travailleront à la création d'un site web et d'un bulletin d'information.	By next Network meeting.
8.	ICGLR, UNODC and O/SESG-GL, ICGLR to host future meetings focused on specific crimes and include other authorities, such as Financial Investigative Units.	La CIRGL, de l'UNODC et de l'O/SESG-GL organisera de futures réunions axées sur des crimes spécifiques et en coordination avec les autres autorités, tels que des unités d'enquête financière.	May 2018
9.	All focal points to consult each other, ICGLR, UNODC and O/SESG-GL on judicial cooperation	Les points focaux pour se consulter, la CIRGL, l'ONUDC et O / SESG-GL sur la coopération judiciaire	Ongoing

VI. Annex

Terms of Reference of the GLJC Network (English, French, Arabic, Portuguese)