

UNODC Remarks
GLJC Network
Dar es Salaam
13-14 June 2018

- Special Envoy, Minister of Justice, Ambassadors, distinguished guests dear contact points
- Good morning, I am Karen Kramer and I am a senior crime control official with the OCB of UNODC based in Vienna.
- Thank the Government of Tanzania for agreeing to support the International Conference for the Great Lakes and the UN by holding this meeting of the GLJC network in Dar es Salaam.
- This network is important for the region because there is no other mechanism to support prosecutors and central authorities in the operational challenges they have with international cooperation in criminal matters which is the broad term for the cooperation between foreign jurisdiction to obtain certain types of information and evidence needed for investigations and prosecutions.
- It was significant that we launched the network in Khartoum, near the place with the White and Blue Niles meet, merge and bond signifying the mechanism to bond and support practitioners to address all kinds of serious cross border and transnational crime.
- This network is young but I believe that in time the practical benefits will become clear, as they have for practitioners of other judicial cooperation networks, including the West African Network of Central Authorities and Prosecutors (WACAP), the European Judicial Network and other similar regional networks.
- Serious crimes having a significant impact on the environment, on economic livelihoods of communities, on health, on human rights and on the security of the countries of the region are occurring with impunity for a number of reasons ranging from corruption, lack of prioritization, lack of resources, lack of experience about how to address some forms of crime.

- Serious crimes having a significant impact on the environment, on economic livelihoods of communities, on health, on human rights and on the security of the countries of the region are occurring with impunity for a number of reasons ranging from corruption, lack of prioritization or resources and because of the lack of knowledge about how to address some of these forms of crime and difficulties criminal justice system practitioners have in developing cases when information or evidence is needed outside of one's national jurisdiction. I will focus on this last point because it relates to the role of the network.
- When we deal with only national level crime, we know who to contact for information and we know how to get evidence. The problems arise when practitioners have to obtain information or evidence from other jurisdictions that can not be obtained through informal contacts.
- Often they must go through the formal process of a making a mutual legal assistance request to another jurisdiction and this process is called international cooperation in criminal matters. We may also call it the process of practicing patience
- Why is this, because for those in the region who have had to send a mutual legal assistance or MLA request to other country know, international cooperation in criminal matters is challenging – it is not only a complex area of law but there are also many practical obstacles in day- to- day work. Inadequate legal frameworks, difference between legal systems, different languages, lack of knowledge about legal principles or the requirements of other states, lack of trust - are among some of the factors that can frustrate efforts to obtain quick and satisfactory cooperation from authorities of other jurisdictions. As a result, practitioners may not try to develop other leads or go after the ones who lead and direct such crimes and those who profit the most.
- Therefore, this network aims to support informal direct contacts between contact points to facilitate the formal process. Network

contact points who are formally appointed by their governments have the role of providing advise and guidance to requesting countries and ensuring that who ever in your country can help follows up.

- The network not only enhances trust through personal contacts but will enhance through training, tools, and the sharing of experiences, better knowledge of international cooperation law and practices, and it will support the institutionalization and strengthening of central authorities for mutual legal assistance which is a key need for many in the region. Just at states have specialized capacity and unit to combat different forms of crime they should have also equipped and capable central authority to serve as the national focal point of expertise on judicial cooperation and play an active role in supporting its national authorities and foreign counterparts to overcome practical obstacles encountered in MLA practice.¹
- The good news is that there is greater awareness by the international community of the importance of international cooperation in criminal matters to combat all forms of serious crime, including terrorism. For example, the UN Security Council, in its Res 2322 of Dec 2016 expressed concern that in some cases terrorists or terrorist groups benefit from transnational organized crime; emphasized the importance of international judicial and law enforcement cooperation in such investigations and prosecutions; and urged Member States to implement the UNTOC and its Protocols. This Resolution approved also efforts by UNODC to upgrade its existing networks of Central Authorities to encompass the ones responsible for counter terrorism matters.²

¹ Article 18 of the United Nations Convention against Transnational Organized Crime (UNTOC) requires that States Parties designate a central authority that shall have the responsibility and power to receive requests for mutual legal assistance and either to execute them or to transmit them to the competent authorities for execution. Furthermore, States Parties shall notify the Secretary-General of the United Nations of their designated central authority at the time of the deposit of their instrument of ratification, acceptance or approval of or accession to this Convention. Several other regional and international instruments include a similar provision.

² *Welcoming the efforts by UNODC to upgrade its existing networks of Central Authorities to encompass the ones responsible for counter terrorism matters*”, S/RES/2322 (2016).

- Another recent resolution specifically talks about the need to support the capacity and effectiveness of central authorities, especially those dealing with MLA. This resolution 8/1 is about Enhancing the Effectiveness of Central Authorities to address Transnational OC. It comes out of the Organised Crime Convention Conference of the Parties which is a mechanism set up by the Convention to support its review and monitoring.

Article 18 of the Organized Crime Convention is a multilateral treaty by which jurisdictions can on a broad range of “serious crimes” where that meet the criteria of transnationality – where there is some link to another jurisdiction and where three or more persons are involved.

The Great Lakes Judicial Cooperation Network (GLJCN) is a tool to support practitioners to make informal direct contacts that facilitate international cooperation in criminal matters. It is modelled after the European Judicial Network, which is the oldest and most advanced of all judicial cooperation networks. These networks are composed of national contact or focal points designated by their countries as either the central authority or with responsibility for handling international cooperation in criminal matters. The role of the focal points is to assist to establish direct contacts between competent authorities and providing legal and practical information necessary to prepare requests for judicial cooperation.

Additionally highlight that the efforts of this network will contribute to the UN Sustainable Development Goals 16.3 to Promote the Rule of Law at the national and International levels and ensure equal access to justice for all and to 16 A “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.”

As an implementing partner, UNODC is pleased to work with the International Conference for the Great Lakes Region and other agencies supporting the PSC Framework to see that this network becomes a success in the region.

Acknowledge the work of the Office of the Special Envoy to the Secretary General for the Great Lakes region and the ICGLR for beginning the initiative and UNDP, OHCHR and other organizations supporting the work of the network. Thank the experts and contact points for your full participation this week and I look forward to exchanging experiences with you.