



Judicial cooperation

A crucial tool in the fight against impunity

The Peace, Security and Cooperation (PSC) Framework for the Democratic Republic of Congo (DRC) and the region, signed in Addis Ababa on 24 February 2013, calls on countries of the region to work together to address long-standing issues that have contributed to cycles of violence, war and atrocities over the past 25 years.

PSC Framework

*The PSC Framework includes international, regional and national commitments. **Regional Commitment 6** calls on signatory countries to neither harbor nor provide protection to persons accused of war crimes, genocide, crimes against humanity, acts of aggression or persons falling under UN sanctions. **Regional Commitment 7** calls for the signatory countries to facilitate the administration of justice through judicial cooperation in the region.*

“Impunity and the failure to bring to justice perpetrators of crimes and serious human rights violations, including sexual and gender-based crimes, has been a significant cause of recurring conflict. Individuals who have raped, killed, robbed and pillaged, have escaped punishment and continued to cause serious harm. Victims suffer when the person who has hurt them remains free. Communities suffer when mass crimes are never adequately addressed. And the region suffers when armed groups who have committed atrocities can roam freely, profit from their actions and continue to cause insecurity in and with neighbouring states.

Through the PSC Framework, Heads of State of the region re-confirmed the importance of holding criminals accountable, and emphasized the need for cooperation to ensure this objective is met. Judicial cooperation is crucial to the fight against impunity as it will help ensure individuals are investigated and prosecuted before appropriate courts with jurisdiction over the crimes, even if they have fled into neighbouring states.



My Office has been working with key partners in the region to support efforts to strengthen judicial cooperation. Together with the International Conference on the Great Lakes Region (ICGLR) and the United Nations Great Lakes Regional Strategic Framework, my Office convened a two-day conference in Nairobi focused on strengthening judicial cooperation in the Great Lakes region on April 19 – 20, 2016 in Nairobi, Kenya.

For the first time, high-level technical experts from Investigation and Prosecution services from Burundi, Central African Republic (CAR), DRC, Kenya, Rwanda, South Sudan, Sudan, Uganda and Zambia came together to learn about the challenges and obstacles impeding judicial cooperation among neighbouring states, and to develop a set of recommendations for a practical approach to judicial cooperation that addresses cross-border criminal activity, namely war crimes, crimes against humanity, human trafficking, crimes related to the illegal exploitation of natural resources and terrorism.



Participants at the 19-20 April Conference, Nairobi

Recommendations made by the experts included: **The establishment of a judicial cooperation network providing a platform for information sharing; the implementation into domestic legislation of the ICGLR Protocol on Judicial Cooperation; the identification of best practices; the development of common check-lists on judicial cooperation; the compilation of material on national legal and procedural frameworks for judicial cooperation; and a sectorial meeting of Ministers of Justice and Attorney Generals.**

The Conference confirmed the importance of building confidence at all levels – *Presidential, Ministerial and technical* - to strengthen relationships between the governments of the signatory countries of the PSC Framework.

I thank the Government of Norway for funding this important initiative and encourage donors and implementing partners to support coordinated programming that strengthen judicial cooperation in the Great Lakes region.

Previous Meetings on Judicial Cooperation

The Nairobi Conference on Strengthening Judicial Cooperation followed up on the Meeting of the Ministers of Justice of the ICGLR Member States held on 25 – 26 August 2015 in Livingstone, Zambia. Following the meeting, the Ministers issued a Declaration reiterating their commitment to enhance judicial cooperation and promote mutual legal assistance and called on all ICGLR Member States to put in place measures that strengthen judicial cooperation in extradition and legal assistance, and combat transnational crimes, specifically terrorism, in the GLR.

The Conference was also a follow up to a preparatory workshop organized by the International Centre for Transitional Justice, MONUSCO- Joint Human Rights Office and my Office on 15 – 16 March 2015 in Kinshasa, DRC, which brought together senior prosecutors from the DRC, Rwanda, Tanzania and Uganda for in-depth discussions on judicial cooperation and specific cases .



O/SESG-GL Chief of Staff, Aniefiok Johnson

My Office will continue to make this issue a matter of priority and to work with the ICGLR, MONUSCO and other key partners within the UN Great Lakes Regional Strategic Framework on the implementation of the PSC Framework commitments relating to impunity and judicial cooperation and the recommendations made during this Conference.”

***Ambassador Said Djinnit,
Special Envoy of the United Nations
Secretary General for the Great Lakes region***



*Host Country representative at the
Conference 20 April 2016*

Examples of Judicial Cooperation

Recent criminal cases such as the extradition of Jamal Mukulu, Head of the ADF armed group, from Tanzania to Uganda in July 2015, and the transfer of Ladislav Ntaganzwa, alleged of committing crimes during the 1994 Rwandan Genocide from the DRC to Rwanda in March 2015 following an Order from the Mechanism for International Criminal Tribunals, have demonstrated how important, at the technical level, a cohesive and coordinated network or system of judicial cooperation is for the Great Lakes region.