



JUSTICE RAPID RESPONSE

2009

FREQUENTLY ASKED QUESTIONS

1. WHAT IS THE JUSTICE RAPID RESPONSE?

The Justice Rapid Response (JRR) is a multilateral stand-by facility to deploy rapidly criminal justice and related professionals, trained for international investigations and at the service of States and international institutions. It allows the international community to provide much needed support for compliance with and the effective enforcement of international criminal justice, thus helping to make justice an integral and constructive part of conflict resolution and post-conflict peace-building. At the request of a State or international institution with jurisdiction, JRR experts can deploy quickly to identify, collect and preserve especially the most perishable information about crimes under international law and massive human rights violations, and reporting back to the requesting authority would be in a position, if requested, to make recommendations as to the most appropriate remedies under the circumstance. JRR's goal is to ensure that expertise is maintained from mission to mission and is deployable quickly and efficiently, without having to be recreated anew each time there is a need. In this way, it can significantly reduce response times in providing assistance that is both impartial and which meets international standards. The specific functions carried in this context: pattern of violence and initial fact-finding investigations and conflict mapping; forensic mapping; documentary evidence investigation; visual image collection; identification of potential witnesses; and identification of potential crime scenes, including massacre sites.

2. WHY IS THE JRR MECHANISM NEEDED?

In situations where serious crimes under international law may have been committed, there is often a short security and political window of opportunity to identify, collect and preserve information that would be essential to determine and support the most appropriate accountability processes for that situation. During conflict or in its immediate aftermath, societies are frequently not equipped, and the international community is not currently well-organised, to take advantage of such windows of opportunity. Yet the sooner information is collected after the events, the less likely it is that crucial evidence will be lost and the more likely that it can help decision-makers decide what is the most appropriate accountability mechanism(s) for that situation. The activities that will be of highest value to any accountability mechanism include the early location, gathering and preservation of physical, documentary and testimonial information of potential evidentiary value. The early commencement of steps towards an accountability mechanism could also serve to restore the population's confidence in the rule of law. Even if not always called upon, the existence of such a stand-by facility with a rapid deployment capability could help reduce the scale of violations and hasten the success of peace-talks. The JRR enables the coordination of this work quickly and cost-effectively.

3. WHERE DOES THE JRR MECHANISM CURRENTLY STAND?

The JRR mechanism was formally established in November 2007 and became operational in October 2009, with 34 deployable experts from all regions of the world now on the JRR Roster. The first group of 18 experts from 10 countries from Europe, North America, Africa, the Middle East and the Caribbean were certified to the JRR roster after a training course held in Berlin in May 2009. The experts participating in the course were nominated by States and international institutions and selected by the Coordinating Group at its meeting in February 2009. In September 2009, the first JRR Certification Workshop was held in Brussels to certify 16 experts sent by twelve different States and international organisations who were already fully trained for international criminal justice-related deployment for the JRR Roster. When Justice Rapid Response became effectively operational as of October 2009, it immediately received renewed, strong statements of support from several potential end-users including the UN Department of Peacekeeping Operations (DPKO) and the Office of the High Commissioner for Human Rights (OHCHR), reaffirming the utility of such a roster to the fulfilment of their mandates. It also received its first request for deployment in its very first month of operation and was able to respond successfully to assist with the International Commission of Inquiry for Guinea.

The Interim JRR Secretariat is run by
No Peace Without Justice



The Interim JRR Secretariat is run with the financial assistance of



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4. WHO IS INVOLVED IN THE JRR MECHANISM?

There are currently 29 States from all regions of the world, as well as non-governmental organisations, inter-governmental organisations and United Nations agencies, actively involved in JRR, as members of the Policy Group, the decision-making body for JRR. Eight States make up the JRR Coordinating Group, which oversees the work of the Secretariat and brings recommendations to the Policy Group, namely Argentina, Canada, Colombia, Finland, Germany as represented by the German Centre for International Peace Operations (ZIF), Sierra Leone, Sweden and Uganda. The JRR Policy Group meets once a year and the JRR Coordinating Group meets up to three times a year. The Government of Canada has Chaired the JRR Policy and Coordinating Groups since 2008 and No Peace Without Justice has acted as the Interim JRR Secretariat since 2006. JRR's Chair-centric management model, with secretariat support from NPWJ, is streamlined and cost effective.

5. WHAT CAN TRIGGER A JRR MISSION?

While JRR capability is deployable in a variety of situations, it can only be initiated upon a specific request by the State where the mission would be deployed, or an international organisation (including an international justice institution) with jurisdiction in a particular situation.

6. HOW ARE REQUESTS FOR JRR ASSISTANCE MADE?

There is no collective decision making in response to requests among JRR participants. When a request for assistance is made, each JRR participant may decide if it wishes to participate (i.e. make its expert on the roster available to respond to the request). The active presence of the JRR Chair and Secretariat in New York enables International Institutions and States that may require the services of JRR experts to establish an informal dialogue that could assist with making requests and also give JRR participants adequate notice. A formal request, in the form of a simple communication to the JRR Chair, is then disseminated to JRR participants for their assessment and response. A quick, thorough, impartial and consistent assessment should be made. The basic issues to be assessed are: does the requesting authority have the necessary legal basis to issue the request; is the request's main purpose the furtherance of accountability mechanisms; is this a feasible mission, e.g. concerning the security situation; and is JRR assistance what the situation calls for, i.e. would the deployment of a JRR team make a sufficiently significant difference to the situation?

7. HOW IS JRR FINANCED?

JRR is a practical expert service and if the requesting entity can afford to do so, it would pay the costs of the requested mission. However, it is anticipated that those requesting assistance may frequently be unable to meet these costs. Therefore, in addition to recurring costs (e.g. training, Policy and Coordinating Group meetings and costs of running the Secretariat), JRR participants and others finance the cost of deployments. The financing of JRR is as flexible and versatile as possible, to allow for the widest possible participation and the most efficient distribution of the burden, with a view to ensuring that participation in JRR will depend on interest and expertise, and not on the availability of resources. This ranges from participants who can provide expertise but cannot pay for training or deployment, to participants who can only offer financial contributions to a mission, to participants who can pay for the training and deployment of their own and other countries' experts.

8. DOES THE JRR MECHANISM COMPETE WITH INTERNATIONAL JUSTICE INSTITUTIONS?

The JRR is not an international justice institution and does not have any judicial function. The role of the JRR is limited to that of providing technical expertise for the identification, collection and preservation of information that can lead to timely recommendations as to the most appropriate justice remedies for the circumstances, as well as the preservation of information that could become evidence in such recommended proceedings. It is complementary to international justice institutions, which can also request its deployment when they have jurisdiction over a situation.

9. WHAT ARE THE NEXT STEPS FOR THE JRR MECHANISM?

The next steps for the JRR mechanism are: (1) to decide upon and develop the appropriate roster-management system; (2) to certify more experts to the JRR roster through further training courses on JRR; (3) to develop working relationships with regional training institutions that may be able to offer JRR's training syllabus on a regular, ongoing basis; (4) to continue to implement an intensified outreach strategy to raise awareness of the JRR mechanism among potential end-users and other supporters; and (5) to manage ongoing and new JRR deployment missions. JRR Policy Group and Coordinating Group meetings will be held in November 2009 to discuss progress and, in particular, to launch the call for nominations for full training courses in 2010 and to approve the work plan for the next steps for the JRR mechanism.