



# JUSTICE RAPID RESPONSE

2011

## FREQUENTLY ASKED QUESTIONS

### 1. WHAT IS THE JUSTICE RAPID RESPONSE?

Justice Rapid Response (JRR) is an intergovernmental stand-by facility that can rapidly deploy active-duty criminal justice and related professionals in situations where human rights or international criminal law violations may have occurred. JRR experts are recruited from participating States and organisations and trained specifically for international investigations before they go on the JRR roster. They are then available to respond to requests by States and international institutions with appropriate jurisdiction. JRR thus makes it possible for 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. JRR experts can be deployed quickly to identify, collect and preserve especially the most perishable information, analyse the information and report back to the requesting authority with recommendations as to the most appropriate justice remedies under the circumstance. Some of the specific functions carried in this context include: pattern of violence, 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.

### 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, analyse, and preserve information that would be essential to determine and support the most appropriate accountability processes. During conflict or in its immediate aftermath, societies are frequently not equipped, and the international community is not currently sufficiently 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 point decision-makers to the most appropriate accountability mechanism(s) for that situation. The early commencement of steps towards accountability could also serve to restore a population's confidence in the rule of law and assist with complementarity, as envisaged by the Rome Statute of the International Criminal Court. Even 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. JRR as an expert stand-by capacity provides a one-stop shop which helps with the coordination of this work quickly and cost-effectively.

### 3. WHERE DOES THE JRR MECHANISM CURRENTLY STAND?

JRR was formally established in November 2007 and became operational in October 2009. It received its first request for deployment in its second month of operation and was able to respond successfully to assist with the International Commission of Inquiry for the September 2009 stadium massacre in Guinea. JRR has also responded to a request by the United Nations Stabilisation Mission in Haiti (MINUSTAH) for a team of six experts for the investigation of the outbreak of violence, including several deaths, at a prison in Les Cayes, Haiti. JRR has deployed to assist an agency within the UN system with an internal investigation, as well as the Kyrgyzstan Inquiry Commission. In 2011, JRR responded successfully to assist both UN Women and OHCHR with the International Commission of Inquiry in Cote d'Ivoire. Most recently, JRR has assisted UN Women and OHCHR in providing two experts for the Commission of Inquiry in Libya. In order to build the roster of experts, since becoming operational JRR has held three Certification Workshop and three Training Courses to train and certify active duty criminal justice experts, nominated by their governments or organizations for international criminal justice-related deployment. The JRR roster currently has 144 deployable experts from 56 different countries. It represents a balance of all regions of the world, with 72 experts from the global south; and 52 women. The JRR roster already contains a broad list of the most relevant expertise required for human rights and international criminal investigations, such as criminal and human rights investigators, forensics specialists, police and military analysts, and experts on sexual violence. The JRR roster has experts fluent in all UN and many other languages.

#### 4. WHO IS INVOLVED IN THE JRR MECHANISM?

There are currently 65 States from all regions of the world and several inter-governmental and non-governmental organisations actively involved in JRR and part of the JRR Group of Participants. Nine States make up the Executive Board, which directs the work of the JRR Secretariat. The Executive Board is composed of: Argentina, Canada (Chair), Colombia, Finland, Germany, Sierra Leone, Sweden, Switzerland (Secretariat) and Uganda. The Group of Participants meets once a year and the Executive Board meets at least twice a year. Canada has chaired JRR since 2007. In 2011, a strategic/business review of JRR's organizational and operational structures was carried out to ensure that these reflect its intergovernmental nature and that it is able to evolve in a way that meets the requirements of the international community for readily deployable international investigative expertise. Since March 2011, the transitional secretariat is being provided through the Swiss Expert Pool for Civilian Peacebuilding.

#### 5. WHAT MISSIONS CAN JRR FULFIL?

JRR can only be initiated upon a specific request either by the State where the mission would be deployed, or by an international organisation with jurisdiction in a particular situation. Given the wide breadth of investigative expertise in the roster, JRR is deployable in a variety of situations and missions such as: human rights and international criminal investigations; special political missions; fact-finding commissions; commissions of inquiry; internal investigations requiring independent outside expertise; mediation support; and security sector reform assessment missions. In all these cases, JRR's added values include: rapid deployability (in a matter of days); an ability for real criminal justice professional already trained in international investigations to investigate, analyse, report and recommend courses of action; and that JRR, being a roster of active-duty professionals and arrangements with their employers, has much more realistic availability than rosters relying on consultants. JRR can thus assist any member of the United Nations system, especially the Security Council, the Departments of Political Affairs (DPA) and Peacekeeping Operations (DPKO), the Office of the High Commissioner for Human Rights (OHCHR); the International Criminal Court (ICC); States; and Regional Organisations.

#### 6. HOW DOES JRR FUNCTION IN PRACTICE?

Experts on the JRR roster come with an in-principle, pre-agreement of their employers for deployment. Yet there is no collective decision-making in response to requests for deployment. When a request for assistance is made, and a positive assessment of that request is done, each JRR participant whose expert is identified for the mission decides if it wishes to make its expert available for the mission. The active presence of the JRR operational office in New York enables JRR to develop relationships with International Institutions and States that may require the services of JRR experts. This makes possible early informal dialogue in situations where JRR could be of assistance, leading to realistic and achievable requests, and giving JRR participants adequate notice to respond.

#### 7. HOW IS JRR FINANCED?

JRR training, roster management and administration is financed through voluntary cash or in-kind contributions. Regarding deployments, since JRR is an expert service provider, the default position is that the entity requesting the service will pay. However, it is anticipated that those requesting assistance may frequently be unable to meet these costs. Therefore JRR is able to organize participants and others to assist in financing some of the cost of deployments.

#### 8. DOES JRR COMPETE WITH INTERNATIONAL JUSTICE INSTITUTIONS?

The JRR is not an international justice institution: its role is limited to that of a stand-by facility providing technical expertise for the identification, collection and preservation of information that can lead to timely recommendations, as well as the preservation of information that could become evidence in future accountability processes. It is complementary to international justice institutions, which can request JRR to provide experts to complete the expertise needed for a deployment, when that institution has jurisdiction over a situation.