

JRR Complementarity Programme

Supporting National Efforts to Address Serious Crimes under International Law

Information Sheet

Justice Rapid Response

Justice Rapid Response (JRR) is an innovative initiative set up and supported by States, from both the global South and North, to improve the ability of the international community to end impunity for genocide, war crimes, crimes against humanity and serious human rights violations. JRR provides a flexible, rapid, and cost-effective means to access relevant, highly specialized investigative expertise to assist with fact-finding, inquiries and investigations in situations where such crimes may have occurred. In order to do this, JRR has created a regionally (40% Global South) and gender balanced (over 50%) standby roster, currently composed of over 490 active duty experts, specifically trained in the conduct of international investigations. JRR has also developed a partnership with UN Women to increase the availability of sexual and gender-based violence (SGBV) investigations and justice expertise for deployment, which has led to the creation of the JRR-UN Women SGBV Justice Experts Roster, a special roster within JRR's main roster. This special roster currently holds 130 experts. Since becoming operational in 2009, JRR has assisted in 50 missions ranging from commissions of inquiry, international criminal and human rights investigations, as well as national efforts, to have justice play a positive role in post-conflict peace-building.

JRR Complementarity Programme - Background

While requests for experts to date have mainly come from international institutions in need of surge capacity, there has been growing interest from States in conducting their own investigations in accordance with their primary responsibility under international law to prosecute international crimes under their jurisdiction and with the complementarity principle as envisaged in the Rome Statute of the International Criminal Court. In order to respond to this growing interest from States, JRR has developed a Complementarity Programme to assist directly with investigations at the national level that can support a variety of accountability processes. Thanks to its experience in the facilitation of expert deployments and the valuable tool it has created for the international community in the form of a geographically diverse, gender balanced roster of highly trained and rapidly deployable experts, JRR is uniquely positioned to support national efforts to secure accountability for mass atrocity crimes by assisting in the conduct of investigations.

Objectives

The main objective of the Complementarity Programme is to provide timely and specialized investigative assistance to States in support of national investigations in situations where international crimes or serious human rights violations may have occurred under the State's jurisdiction. For such assistance to have an impact, JRR first ascertains that conditions are in place,

including the existence of willingness to investigate on part of the State and some national capacity. In such situations assistance and mentoring from JRR experts could make the difference in the success of the investigation. JRR's assistance is intended only to supplement, rather than replace, national efforts and helps ensure national ownership.

Approach

JRR has developed the methodology and protocols for providing investigative assistance directly to States in a manner that makes optimal use of its existing tools and core competencies. With the advice and assistance of relevant interlocutors JRR enters into dialogue at appropriate levels with States in order to ascertain their level of interest. If there is interest, the State and JRR enter a consultation process.

A team of experts from the JRR roster, selected on the basis of their appropriate skills, expertise and experience, travels to the concerned country with a mandate to enter into consultations with national authorities. The aim of the consultation process is to identify capacity gaps which need to be filled in order to undertake, advance or complete investigations, as well as the type of expertise needed to address these gaps. The team submits a mission report including recommendations which are discussed with the State. The consultation process is an essential phase of the programme as it lays the foundation of the collaboration with the State and enables JRR to ensure that its assistance is relevant and fitted to the specific circumstances in the country.

When the State and JRR reach an agreement based on the outcome of the consultation process, the deployment of the appropriate experts from the JRR roster can be carried out. At the conclusion of each mission, and in consultation with the State, the mission's effectiveness in addressing the identified needs and gaps is assessed. At this point decisions can be taken on any follow up missions that may be needed to fully achieve the desired results.

Expected Outcome

JRR's Complementarity Programme is designed to support a national investigation of international crimes or serious human rights violations by providing focused assistance and mentoring that is tailored to the specific context. As a result, the State will be better equipped to meet its international obligations, and to contribute to fighting impunity for the worst crimes known to humanity. Criminal justice professionals in the country will have increased their capacity to plan and undertake investigations in accordance with international norms and the information that can be used as evidence will have been collected, documented and preserved in a manner consistent with international and national criminal law and procedure. Finally, chances of bringing more harm to victims and witnesses will be reduced due to the support of experts.

Ongoing activities

JRR is currently carrying out the pilot project of its Complementarity Programme together with the Government of Mali. The consultation phase has been successfully completed, and JRR and the Malian authorities signed a Cooperation Agreement on March 25 2015 to enable the next steps, that is the deployment of experts to take place.