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WACAP Newsletter #7, May - Aug 2017



WACAP

West African Network of Central Authorities
and Prosecutors against Organized Crime

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End of the Train the Trainer Programme





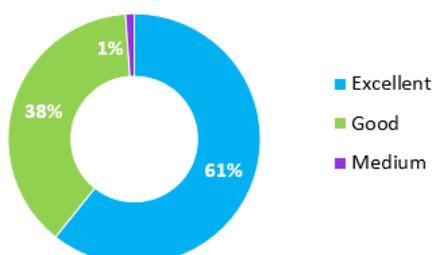
Cote d'Ivoire concluded the WACAP Train the Trainer Programme by being the last country to successfully complete its transference training on law and procedures of international judicial cooperation.

In 2016, a total of 113 practitioners from all WACAP member countries were trained to be able to teach their peers about international criminal cooperation. Their knowledge was then put into practice with the series of transference trainings targeting professionals of the justice system of their own countries in 2017. This initiative reached 333 prosecutors, judges, law enforcement officers and INTERPOL officers from Benin, Burkina Faso, Cape Verde, Cote d'Ivoire, Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal and Togo.

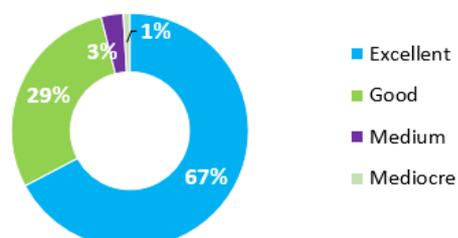
Qualitative evaluation of this initiative shows that participants particularly valued learning about the handling and drafting of mutual legal assistance and extradition requests, the roles and functions of central authorities and the use of informal channels to solve transnational crime cases more efficiently. The participatory approach and the case studies were particularly appreciated by participants who, for the most part, have never attended a UNODC training.

You can see below some statistical results based on the transference training:

What is your overall impression of the training?



What did you think about the content?



The difficulties in demonstrating the MLA Request Writer Tool were noted and the UNODC will ensure that the tool is operational and disseminated to stakeholders. The WACAP team will closely follow-up the impact of the trainings through the informal reporting of the WACAP focal points in 2017 and 2018. Please make a request to UNODC if your central authority/Ministry of Justice would like more training on the MLA tool, would like UNODC to support its adoption as a national template, or if you need IT support to adapt the tool to national needs.

Central Authority Initiative

The Central Authority (CA) initiative launched by UNODC aims to enhance the effectiveness of central authorities to engage in international cooperation in criminal matters, especially Mutual Legal Assistance (MLA).

To implement Resolution 8/1 of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime (UNTOC) on “Enhancing the effectiveness of central authorities in international cooperation in criminal matters to counter transnational organized crime”^[1], the UNODC Global Programme to Support Member States to Prevent and Combat Organized and Serious Crime (GPTOC), Organized Crime Branch, Division for Treaty Affairs, will hold a two day informal Expert Group Meeting (EGM) in Vienna from 5 to 6 October 2017. The EGM is held in the week prior to the convening of the meetings of the Working Group on International Cooperation (WGIC) (and the Working Group of Government Experts on Technical Assistance (WGTA)) established under the authority of the COP from 9 to 13 October 2017 in order to encourage a greater number of experts to participate in both meetings. The WGIC will be held on 9-11 October and the WGTA will be held on 11-13 October.

The expert group will look at the issues mentioned in the resolution and in particular issues that may define and influence the work of CAs to incentivize an exchange of experience and good practices.^[2] The other aim is to encourage experts to use the meeting as an opportunity to discuss ongoing cases or problems during or in the margins of the meeting.

The outcome will be an informal report without attribution that will reflect the essence of the discussions. It will map good practices and challenges encountered in practice and highlight practical suggestions for improved processes and results. The beneficiaries of the report would be CAs and practitioners working in them. The report will not be posted on the UNODC website, however the salient points of the report will be shared, on the initiative of the Secretariat, with the experts attending the WGIC. The report will be also of use to UNODC’s technical assistance activities. Subject to existing extra-budgetary resources, the meeting will be a recurring event linked to the COP Working Group on International Cooperation.

Experts from the following WACAP states will be invited, Cabo Verde, Ghana, Niger,

Nigeria, Senegal and Togo. They will be required to provide a report to their superiors and Ministers about steps that can be taken to improve the capacity and efficiency of their own central authority and they will be required to make presentations at the WACAP plenary.

[1] CTOC/COP/2016/15.

[2] See Resolution A/RES/69/193 on International cooperation in criminal matters of 18 December 2014.

Countering Violent Extremism

In December 2015, the UN Secretary General published a Plan of Action to Prevent Violent Extremism^[1]. The Plan of Action is a recognition of the need for more comprehensive national approaches which encompass not only security-based counter-terrorism measures, but also systematic preventive measures which directly address the drivers of violent extremism. As the leading UN agency responsible for crime prevention and criminal justice, UNODC plays a significant role in the realization of this objective and is supporting states to implement the plan of action and counter violent extremism (CVE).

In August 2017, the WACAP team launched an initiative to facilitate and support discussion with civil society actors on how to use and improve criminal justice sector responses (outside the traditional counter-terrorism framework) to CVE. Research papers will be drafted and will address the link between CVE and organized crime from the justice perspective, highlighting especially the relationship between civil society and judicial system actors. The issues that will be dealt with include justice sector accountability, integrity, monitoring and transparency, detention, legal aid, victim and witness assistance and protection, international legal assistance, etc.

The target countries of this initiative are Burkina Faso, Mali, Mauritania, Niger and Senegal, with Nigeria and Chad as observers. Implementing this initiative under the WACAP umbrella will ensure that it has nexus with an existing criminal justice initiative focused on addressing serious and organized crime.

UNODC hired Dr. Bakary Sambe, director of the Timbuktu Institute - African Center for Peace Studies (www.timbuktu-institute.org), to develop background papers for the CVE conference and to reach out to different NGOs and coordinate contributions from them in the five target countries. His first-hand knowledge of the topic and its many facets will facilitate UNODC's collaboration with civil society and will ensure that the work presented at the conference is of a uniform quality and takes into account the particular issues of concern for the target states. He will also interview WACAP focal points of the concerned countries.

The conference will be held in Dakar, Senegal on 13-15 November 2017 where results will be shared and recommendations will be made available publically for all

government authorities dealing with such issues and responsible for their national CVE Action Plans.

[1] A/70/674, adopted by the General Assembly on 12 February 2016.



Spotlights on Hissène Habré case

Inaugurated in February 2013 by Senegal and the African Union (AU), the Extraordinary African Chambers, based in Dakar, was created to prosecute the former dictator of Chad, Hissène Habré. This trial, conducted within the framework of the Senegalese court system, was the first trial in the world in which the court of one country prosecuted the former ruler of another country for alleged human rights violations. It was also the first universal jurisdiction case to proceed to trial in Africa. Universal jurisdiction is a principle of international law that allows national courts to prosecute the most serious crimes even when committed abroad, by a foreigner and against foreign victims.

On May 2016, after the hearing of 93 witnesses, Hissène Habré was condemned to a life sentence for crimes against humanity, torture and war crimes. This sentence was confirmed by the Chambers on 27 April 2017, thus reaffirming the determination of African States to fight against impunity and to cooperate for a safer continent.

The example set by the Extraordinary African Chambers is an important precedent, as it demonstrates that hybrid institutions can create trust and hold high-profile human rights abusers accountable. Moreover, the trial was surrounded by a powerful theme: African justice for African criminals. Reconciling the demand between local sovereignty and international law, this trial is a milestone for the continent and gives hope for those living under repressive regimes around the world.

News: recent cases in the West African region

The Gambia/Switzerland

The Gambia is working together with Swiss authorities following Switzerland's request for legal assistance in a case against the former Gambian Minister of Interior

Ousman Sonko. He has been in pre-trial custody since January after the Geneva-based legal group Trial International filed a criminal complaint accusing him of having personally taken part in torture. The Swiss attorney general's office said it had since expanded its probe beyond the original allegations after hearing testimony from witnesses and after additional complaints were lodged. Sonko was the Interior Minister from 2006 to 2016, when he fled to Sweden and then to Switzerland, where he was taken into police custody in January. Sonko will remain in detention for another three months after the Swiss attorney general broadened the investigation into whether he committed crimes against humanity.

See more [here](#).

Nigeria/Ghana:

Nigeria's Inspector General of Police has attributed the recent arrest of the Ghanaian/Nigerian kidnapper Chukwujeme Onwamadike, popularly known as Evans, largely to information sharing and intelligence cooperation among the police services in West Africa. He noted that information sharing was crucial to tackling the menace of trans-border crimes in the sub-region and finally led to Evan's arrest after evading authorities for many years.

See more [here](#).

WACAP website - wacapnet.com - is UP AND RUNNING!

The WACAP team is glad to share the good news with you ! The WACAP network has officially a new website: www.wacapnet.com

You will find the latest news and activities of the network, useful international cooperation tools, manuals and contact details of the focal points for any transnational crime case related issues.

The website is still being updated with content. Please give us your feedback on what it should display to be an optimal platform of exchange. You may also wish to obtain ideas for the WACAP site by looking at the website of the European Judicial Network (EJN).

Write to us at wacap@unodc.org

Upcoming WACAP events

- CRIMJUST-WACAP joint training on Investigation and Prosecution of Organized Crime and Drug Trafficking Cases, in Lagos, Nigeria, on 26-28 September 2017
- Informal Expert Group meeting on enhancing the effectiveness of central authorities in Vienna, Austria, on 5-6 October 2017
- Working Group on International Cooperation and the Working Group of Government Experts on Technical Assistance in Vienna, Austria, on 9-13 October 2017

- Joint WACAP and ARINWA plenary meeting in Conakry, Guinea, on 24-26 October 2017
- Countering Violent Extremism conference in Dakar, Senegal, on 13-15 November 2017



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