

### Sahel Judicial Cooperation Platform

Special Meeting on "International Judicial and Law Enforcement Cooperation in Counter-Terrorism Matters pursuant to Security Council Resolution 2322 (2016) and Other Relevant Council Resolutions"

New York, 20-21 June 2017

Judge Abdou HAMANI Director of Judicial Affairs Ministry of Justice for Niger Focal Point for the Sahel Judicial Cooperation Platform



### Creation of the Sahel Judicial Cooperation Platform

Creation of an informal network on judicial cooperation between criminal justice practitioners from Sahel countries in 2010 as terrorism threat is growing in the sub-region

Official creation of the Sahel Judicial Platform in a ministerial level meeting in 2012 in light of the Mali crisis: adoption of the charter and rules of procedure.



### Composition

<u>Member States</u>
-Burkina Faso
-Chad



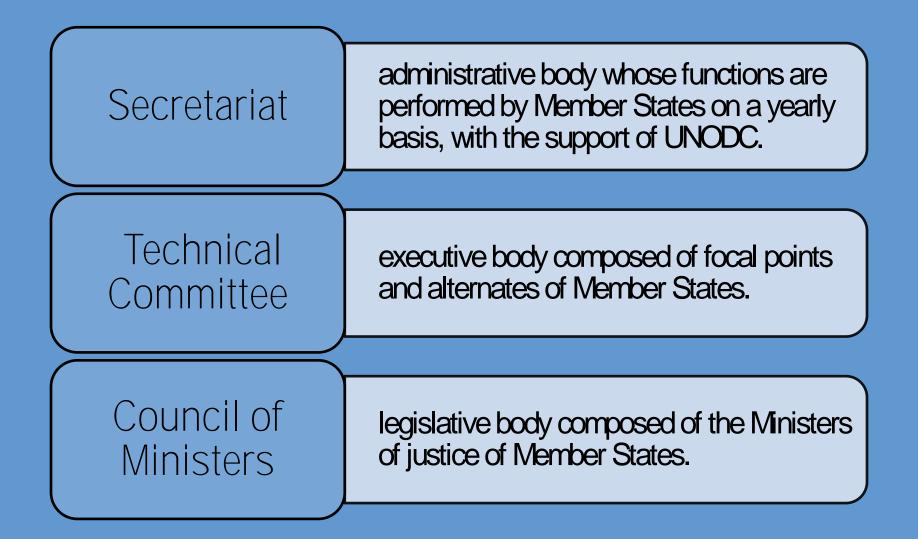
Facilitation of international judicial cooperation related to criminal matters, with a focus on terrorism cases:

- Speed up transmission and execution of international judicial cooperation requests
- Help to identify possible challenges and solutions
- Support to the central authorities for international judicial cooperation :
- Facilitate informal contacts (including with other regional judicial cooperation network such as Eurojust) Provide key information on legal requirements Provision of technical assistance

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### Sahel Judicial Platform structure







## Gaps in the application of International Law and judicial cooperation in the fight against terrorism

- Insufficient ratification of universal counter-terrorism instruments Insufficient internalization of universal instruments in domestic law
  - Inadequate knowledge of International Law
  - Inadequate knowledge of the mechanisms and tools ava2e Y0bl 9769

### Trends in the application of International Law and judicial cooperation in the fight against terrorism

- Efforts to integrate universal instruments into domestic law Efforts to harmonize national legislations
- Efforts to improve cooperation



### Challenges in the application of international law and judicial cooperation in the fight against terrorism

- Lack of knowledge by the actors of the criminal justice chain of the international legal framework and judicial cooperation mechanism
- Overcoming the scepticism of the national authorities who would tend to keep a purely national procedure without recourse to international cooperation
- Lack of harmonized jurisprudence of High Courts in terrorism related cases
- Actors of the criminal justice chain are reluctant to apply international legal instruments that have not been integrated in the national framework, although it is not a requirement in monist legal systems of Sahel countries
- Lack of jurisprudence of Supreme Courts related to counter-terrorism
- Lack of understanding of the importance of Human Rights protection while countering terrorism
- Lack of importance given to nationals who become foreign terrorist fighters
- Lack of knowledge of how to handle terrorism ]TJETBT 1013738.8 [m] )]TJETnd jud



Good Practices in the field of the application of International law and judicial cooperation in the fight against terrorism



**Relevant mechanisms within the Sahel Judicial Cooperation Platform for information-sharing on countering terrorism** 

Annual meetings of focal points

Regular contacts between FPs 24/7 communication-*Village* 

Project to create secured information online database



### Cooperation with other networks

- Commonwealth Network of Contact Persons European Judicial Network Eurojust Hemispheric Information Exchange Network for Mutual Legal Assistance in Criminal Matters and Extradition of the Organization of American States Ibero-American Legal Assistance Network (IberRed)
- Judicial Regional Platform of the Indian Ocean Commission Countries Network of Specialized Prosecutors against Organized Crime (REFCO) Network of West African Central Authorities and Prosecutors against Organized Crime (WACAP) Asset Recovery Inter-Agency Network for West Africa (ARIN-WA) INTERPOL



# Sahel Judicial Cooperation Online Portal in Development

Secure forum for Sahel Judicial Cooperation Platform focal points and alternates to share information, including on specific cases

Judicial cooperation case database with search functions by legislation and

other legal requirements

Public website with other general information related to international judicial cooperation



# Sahel countries international judicial cooperation tools





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#### Thank you for your attention

