

MONUSCO RULE OF LAW OFFICE Prosecution Support Cells

Terms of Reference: Civilian Justice Adviser (Prosecutions) (5 positions)

Position Title : Civilian Justice Adviser (Prosecutions)
Duty Station : South Kivu, North Kivu, Maniema, Katanga, or Province
Orientale (Democratic Republic of the Congo)
Status: Expert on mission (Government-provided personnel)
Estimated Start Date: As soon as possible

Background:

By extending the mandate of MONUSCO, Security Council resolution 1991 (2011) also renewed the provisions of paragraph 12 d) of resolution 1925 (2010), which mandated MONUSCO to "support national and international efforts to bring perpetrators to justice, including by establishing Prosecution Support Cells to assist the FARDC (*Forces Armées de la République Démocratique du Congo*) military justice authorities in prosecuting persons arrested by the FARDC". The Prosecution Support Cells (PSCs), each comprised of 6 international experts – 1 Military Prosecutions Adviser, 1 Civilian Justice Adviser (Prosecutions), 2 United Nations Police Advisers and 2 Military Police Investigation Advisers - will provide expert technical advice and logistical support to FARDC military prosecutors and investigators in the conduct of investigations of war crimes and crimes against humanity, with a particular emphasis on sex crimes, as well as in the conduct of investigations of other violent crimes, such as homicide, pillage of natural resources and sexual violence perpetrated in the Eastern Provinces of the Democratic Republic of the Congo (DRC).

General Functions:

Under the direct supervision of the Military Prosecutions Adviser and the overall guidance of the Director of the Rule of Law Office, the Civilian Justice Adviser (Prosecutions) will assist DRC military prosecutors in prosecuting the most serious crimes, including war crimes and crimes against humanity, with a special emphasis on homicide, pillage of natural resources and sexual violence.

In particular, he/she will:

1. Provide technical advice and expertise to DRC military prosecutors on the methods and techniques employed during all phases of the prosecution process, including case development, interviewing victims, witnesses and suspects, safeguarding the well-being of victims and witnesses, gathering and safeguarding evidence, preparing evidence for trial, and presenting a case before the court;
2. Assist in the development and application of standard operating procedures, prosecution guidelines and checklists, forms for briefs and other documents for DRC military prosecutors.
3. Assist DRC military prosecutors in the recording, documenting, and filing all cases prosecuted with the support of PSCs;

4. Participate in donor outreach to mobilize additional support and funding for PSCs;
5. Participate in analyzing data generated by the PSCs, as well as in the assessment of results obtained as requested by Congolese officials; and
6. Contribute to the development of a communication strategy to raise awareness by the local population of the work of Congolese justice including the role of the PSCs.

Qualifications:

Education

Advanced university degree (master's or equivalent) in law, or alternatively, a combination of a first-level university degree and proven experience as a prosecutor of serious crimes.

Work Experience

At least seven years of progressively responsible experience as a prosecutor, judge, or legal adviser with a national judicial system, international organization or international or mixed criminal tribunal, including significant experience in the prosecution of serious crimes such as homicide and sexual violence. Experience in the prosecution of war crimes and crimes against humanity, as well as experience in a peacekeeping environment is highly desirable. Experience in working in a multi-cultural environment outside the applicant's country of nationality, and mentoring and teaching experience is an advantage.

Competencies

Professionalism - Knowledge of theories, concepts and approaches relevant to prosecutions of serious crimes such as homicide and sexual violence; knowledge of interviewing and interrogating techniques, and demonstrated ability to interview victims, witnesses and suspects, to lead and cross-examine witnesses and to make substantial legal arguments before military tribunals, civilian courts or international tribunals. Planning and Organization - Ability to work efficiently under pressure on difficult assignments within tight deadlines, and possibly in hardship conditions in the field; ability to plan own work and manage conflicting priorities. Teamwork - Good interpersonal skills, and ability to establish trust and build professional relationships with national counterparts and colleagues from varied cultures and professional backgrounds; demonstrated ability of incorporating gender perspectives and ensuring the equal participation of women and men in all areas of work. Communication - Excellent communication (spoken, written and presentational) skills, and ability to explain, demonstrate and teach theories, concepts, approaches and techniques relevant to criminal investigations; Judgment/Decision-making - Sound judgment in dealing with sensitive and confidential matters.

Languages

Fluency in French or English (both oral and written) is required; knowledge of the other is desirable.

Other skills

Good computer skills, including proficiency in word processing and other software programmes. Ability to meet minimum requirements for assignment to peacekeeping operations (i.e. language proficiency and valid United Nations driving license).