

United Nations Nations Unies

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The Secretariat of the United Nations presents its compliments to the Permanent Missions of Member States to the United Nations and has the honour to refer to the contributions to the United Nations Mission in South Sudan (UNMISS).

The Secretariat would be grateful if their Governments could consider nominating suitable candidates who are of the rank of Lieutenant Colonel for the position of Military Justice Advisor with the legal status of expert on mission. Please find attached the pertinent job description. The Secretariat requires the submission of official United Nations Personal History Forms certifying that the nominees meet the minimum requirements as set-forth in the attached terms of reference. The nomination of female candidates is strongly encouraged.

The names and the particulars of the nominated personnel should be provided by the Permanent Missions of Member States to the United Nations to the Criminal Law and Judicial Advisory Service in the Office of Rule of Law and Security Institutions in the Department of Peacekeeping Operations no later than 25 January 2013 by fax or electronic mail (+1-917) 367-2664 or sachs@un.org. The selected candidates should be prepared to move to the mission area in February 2013.

The Military Justice Advisor will perform his/her duties under the operational control of the UNMISS Force Commander. However, he/she will work under the day-to-day tasking authority of the Head of the UNMISS Military Advisory Section in the Rule of Law and Security Institutions Support Office.

Should the Permanent Missions of Member States so agree, those personnel nominated for this position may also be considered for service with other United Nations peace operations. The Secretariat would be most grateful if an indication to this effect could be included in the submission.

The Secretariat wishes to outline that it is the responsibility of the Governments to ensure that each candidate it nominates has not been convicted of, or is not currently under investigation or being prosecuted for, any criminal offence, or any violations of international human rights law or international humanitarian law. In the case of nominees who have been investigated for, charged with or prosecuted for any criminal offence but were not convicted, the Governments are requested to provide information regarding the investigation(s) or prosecution(s) concerned. The Governments are also requested to certify that it is not aware of any allegations against its nominated candidates that they have committed or been involved, by act or omission, in the commission of any acts that may amount to violations of international human rights law or international humanitarian law.

Annexes enclosed

The Secretariat recalls that the responsibilities of personnel who are appointed to serve in United Nations peace operations are exclusively international in character. They perform their functions under the authority of, and in full compliance with, the instructions of the Secretary-General of the United Nations. Persons acting on his or her behalf and are duty-bound not to seek or accept instructions in regard to the performance of their duties from any Government or from any other authority external to the United Nations.

The Secretariat further recalls that any expert who may be found to have engaged in an act of serious misconduct, as defined in the United Nations Directives for Disciplinary Matters Involving Civilian Police Officers and Military Observers of July 2003, while serving with a United Nations peace operation, will be repatriated and that all expenses connected with his or her repatriation, as well as with his or her replacement, shall be borne by the Member State concerned.

The Secretariat notes that the “Guidelines for United Nations Police Officers on Assignment with Peacekeeping Operations”, dated 29 June 2007, reference DPKO/PD/2006/00135, shall be applicable *mutatis mutandis* to government provided military justice personnel with the legal status of experts on mission. Selected candidates are expected to serve for a period of one year from the time of their deployment, with a possible extension of six or twelve months. Officers will retain the salary from their home/parent institution, while travel costs (including terminal expenses) and the Mission Subsistence Allowance (MSA) will be borne by the peace operation to which they are deployed (for current MSA rates, please refer to http://www.un.org/Depts/OHRM/salaries_allowances/allowances/msa.htm). Medical coverage is provided by the peace operation for the time of each officer’s assignment in the mission area and during authorized time off.

The Criminal Law and Judicial Advisory Service, Office of Rule of Law and Security Institutions, Department of Peacekeeping Operations, is the designated focal point for all issues related to the selection, recruitment, deployment, rotation, transfer and repatriation of those personnel.

The Secretariat of the United Nations avails itself of this opportunity to renew to the Permanent Missions of Member States to the United Nations the assurances of its highest consideration.

3 December 2012

T. C. H.