

**MONUSCO RULE OF LAW OFFICE
Prosecution Support Cells**

Terms of Reference: Military Police Investigation Adviser

Position Title : Military Police Investigation Adviser (Government-provided)
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:

The *Prosecution Support Cells* is a project of the United Nations Organisation Stabilisation Mission in Democratic Republic of Congo (MONUSCO) approved by the Ministry of Defence. The project aims at strengthening the capacity of the *Forces Armées de La République Démocratique du Congo* (FARDC) to investigate and prosecute the most serious crimes, including acts of sexual violence, perpetrated in the Eastern provinces of the Democratic Republic of the Congo (DRC).

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 composed of six international experts – one Military Prosecutions Adviser, one Civilian Justice Adviser, two United Nations Police Advisers and two Military Police Investigation Advisers - will provide expert advice, logistical support, on-the-job training and mentoring 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 investigation of other violent crimes, such as homicide, pillage of natural resources and sexual violence perpetrated in the Eastern Provinces of the DRC.

General Functions:

Under the operational control of the Force Commander, and the day to day tasking authority of the Director of the Rule of Law Office, the Investigations Adviser will assist Congolese military *Inspecteurs de Police Judiciaire* (IPJs) and military *Officiers de Police Judiciaire* (OPJs), as well as other relevant Congolese authorities as may be required, in the conduct of investigations of most serious violent crimes, including war crimes and crimes against humanity, with a special emphasis on homicide and sex crimes.

In particular, he/she will:

1. Provide technical advice and expertise to IPJs and OPJs on investigation techniques employed during all phases of the investigative process, including investigation planning, interviewing victims and witnesses, interrogating suspects, supporting victims, gathering and safeguarding evidence, and preparing evidence for prosecution;

2. Assist in the development and application of standard operating procedures, investigation guidelines and checklists, report forms and other documents for IPJs and OPJs;
3. Assist IPJs and OPJs in recording, documenting, and filing all cases investigated with the support of PSCs;
4. Participate in donor outreach to mobilise additional support and funding for PSCs;
5. Participate in analysing 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

University degree (bachelor's or equivalent) in law, criminology or social sciences related to investigations, or alternatively, a combination of relevant education and proven experience as an investigator of serious crimes.

Work experience

At least five years experience in the armed forces, in a national military criminal investigative service, or in a similar national or international investigative or security agency or organisation, including experience in cases of investigating serious violent crimes, such as homicide and sexual violence. Experience in the investigation of war crimes and crimes against humanity, experience in working in a multi-cultural environment outside the applicant's county of nationality, and experience in a peacekeeping environment is an advantage. Mentoring and teaching experience is an advantage.

Competencies

Professionalism - Demonstrated ability to investigate complex criminal cases of serious violent crimes, including homicide or sex crimes; knowledge of theories, concepts and approaches relevant to criminal investigations, and demonstrated ability to gather, analyse, safeguard and prepare evidence for prosecution; knowledge of interviewing and interrogating techniques, and practical experience in interviewing victims, witnesses and suspects; experience in managing criminal investigations of serious crimes. 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 (both oral and written) is required; knowledge of English is desirable.

Other skills

Good computer skills, including proficiency in word processing and other software programmes. Ability to meet other minimum requirements for assignment to United Nations peacekeeping operations, including obtaining a valid United Nations driving license after deployment.

**MONUSCO RULE OF LAW OFFICE
Prosecution Support Cells**

Terms of Reference: Military Prosecutions Adviser

Position Title :	Military Prosecutions Adviser (Government-provided)
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:

The *Prosecution Support Cells* is a project of the United Nations Stabilisation Mission in the Democratic Republic of Congo (MONUSCO) approved by the Ministry of Defence. The project aims at strengthening the capacity of the *Forces Armées de La République Démocratique du Congo* (FARDC) to investigate and prosecute the most serious crimes, including acts of sexual violence, perpetrated in the Eastern provinces of the Democratic Republic of the Congo (DRC).

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 composed of six international experts – one Military Prosecutions Adviser, one Civilian Justice Adviser, two United Nations Police Advisers and two Military Police Investigation Advisers - will provide expert advice, logistical support, on-the-job training and mentoring 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 investigation of other violent crimes, such as homicide, pillage of natural resources and sexual violence perpetrated in the Eastern Provinces of the DRC.

General Functions:

Under the operational control of the Force Commander, and the day to day tasking authority of the Director of the Rule of Law Office, the Prosecutions Adviser will assist FARDC military prosecutors in prosecuting the most serious crimes, including war crimes and crimes against humanity, with a special emphasis on homicide and sex crimes.

In particular, he/she will:

1. Provide technical advice and expertise to FARDC military prosecutors on the methods and techniques employed during all phases of the prosecution process, including case development, interviewing victims, witnesses, and suspects, supporting victims, 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 of all cases prosecuted with the support of PSCs;
4. Participate in donor outreach to mobilise additional support and funding for PSCs;
5. Participate in analysing 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 five years of experience as a prosecutor, judge, or legal adviser in the armed forces, in a national military justice system, or an international organization or an international or mixed criminal tribunal, including significant experience in cases of serious violent crimes such as homicide and sexual violence. Experience in prosecuting war crimes and crimes against humanity, as well as experience in a peacekeeping environment is an advantage. 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 - Demonstrated ability to prosecute complex criminal cases of serious violent crimes, including homicide or sex crimes; knowledge of theories, concepts and approaches relevant to prosecutions. Knowledge of interviewing and interrogating techniques, and practical experience in interviewing victims, witnesses and suspects. Ability to lead and cross-examine witnesses and experience in making 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 prosecution of serious crimes. Judgment/Decision-making - Sound judgment in dealing with sensitive and confidential matters.

Languages

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

Other skills

Good computer skills, including proficiency in word processing and other software programmes. Ability to meet other minimum requirements for assignment to United Nations peacekeeping operations, including obtaining a valid United Nations driving license after deployment.

MONUSCO RULE OF LAW OFFICE

Terms of Reference: Military Justice Human Resources Expert

Position Title :	Military Justice Human Resources Expert (Government-provided)
Duty Station :	Kinshasa, (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 m) of resolution 1925 (2010), which mandated MONUSCO to assist the Government in strengthening its military capacity, including military justice, and, as the Government requests it, support military justice institutions...". One of the areas where MONUSCO is requested to assist the FARDC (*Forces Armées de la République Démocratique du Congo*) military justice system in the establishment of a sound human resources system, including the development of an adequate staffing table, clearly indicating the positions, the appropriate rank level and the qualifications required for each position within the DRC military justice chain of command.

General Functions:

Under the direct supervision of the Senior Military Criminal Law Adviser (or his/her designate in the field) and the overall supervision of the Director of the Rule of Law Office, the Military Justice Human Resources Expert will provide technical advice to military justice authorities in Kinshasa and in the provinces.

In particular, he/she will:

1. Assist the FARDC military justice authorities with the development of an adequate staffing table indicating the positions, the appropriate rank level and the qualifications required for each position within the DRC military justice chain of command; and
2. Identify training needs associated with the posts listed in the staffing table with a view to strengthen existing capacity and building a sustainable training capacity to address future needs.

Qualifications:

Education

An undergraduate university degree in administration or related field, with a specialization in human resources management, or alternatively, a combination of relevant education and proven experience in human resources management in a military setting.

Work Experience

At least five years experience as a military officer working in military personnel administration, or alternatively, experience in human resources planning and management as a civilian expert in a military setting. Experience in building staffing tables with relevant software programmes, including at least two to three years at Military Headquarters / G1 Staff level providing technical assistance to commanders and staff officers on the development and maintenance of military personnel staffing tables is highly desirable. Experience in working in a multi-cultural environment outside the applicant's county of nationality, as well as mentoring and teaching experience is highly desirable.

Competencies

Professionalism – Demonstrated ability to prepare staffing tables with relevant software programmes; knowledge of theories, concepts and approaches relevant to military personnel administration and planning. Planning and Organizing - 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 judicial administration; Judgment/Decision-making - Sound judgment in dealing with sensitive and confidential matters.

Languages

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

Other skills

Good computer skills, including proficiency in word processing and other software programmes, including for human resources management. Ability to meet other minimum requirements for assignment to United Nations peacekeeping operations, including obtaining a valid United Nations driving license after deployment.