

Influence of Office of Legal Affairs to the Criminal Justice Agency

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Class

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Date

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Introduction

The Office of Legal Affairs was created in 1946 with the aim of supporting the undertakings of the objectives of the United Nations and providing advice to the main and subsidiary sectors of the United Nations. It also encourages understanding of and respect for the laws and norms of the international laws among members of the state. The office has numerous lawyers all dealing with different sectors within the organization including; International Criminal justice; international humanitarian laws; Peacekeeping operations; and oceans and laws for seas. They also deal with other cases involving procurement policies, privileges and immunities, International Trade Laws, and handling international disputes ("United Nations - Office of legal affairs," 2010). The decision makers of all the sectors within the office are charged with the responsibility of understanding their operations and the implications of the legal choices they make, and to arrive to sound legal decisions. This research will be focused on understanding the operations of the Office of Legal Counsel within the Office of Legal Affairs and how the practices of the division influence the criminal justice Agency in general.

Office of Legal counsel

The Office of Legal Counsel is accountable for providing legal advice and services to the United Nations. The legal services under the United Nations cover a wide range of public and international law issues including; privileges and immunity of the United Nations and its employees, United Nations Charter, national peace operations, and non-judicial accountability mechanisms. The office of legal counsel provides opinions of international affairs and advices the president of legal issues and it reviews all the proclamations proposed by the president (Forrester, 2001). This office operates on an international level whereby its advices and

implications affect international boundaries and operations such as trading, international terrorism and security.

Methodology

In this research, I utilized several methods in the collection of data. The data collected was then used in bringing an understanding to the operations of the division of Office of Legal Counsel. The sources of information involved in the research included both first hand and second hand information, and secondary and primary sources of information. The process of gathering the information was both complex and simple, time consuming and to some point required clear understanding of the sector prior to the research. All in all, the methodologies applied during data collection were efficient and included use of questionnaires, interviewing the employees within the Office of Legal counsel, and conducting primary and secondary research on the office, its operations and accomplishments.

Use of questionnaires

Upon choosing a sector in the Criminal Justice Agency to focus on, I came up with random questionnaires which were based on the Office of Legal Affairs. The questionnaires were based on the operations conducted by the institution, how the practices of the office in general impact the criminal justice and the basic understandings of the employees towards their responsibilities. The questions were mainly aimed at understanding the office so as to understand which division had more influence on the general operations of the office. The questions aided in the choosing of the division to focus on, in which case I choose the Office of Legal counsel.

The questionnaires were issued to random employees within the organization, and the very first question asked that the employees identify the division which they operated under. This

was an easy way of identifying the impacts each employee believed they had and the general impact of specific divisions. The questionnaires were short and easy to navigate such that it did not require a lot of information from the employees. This is because they were issued on a working day. It included online questionnaires and some were issued on paper. Each questionnaire took approximately thirty minutes to answer. Forty two personnel at the Office of Legal Affairs took part in the answering of the questionnaires, all of which provided useful answers which aided in understanding of the functions and operations of the office in entirety.

Interviewing

I interviewed several personnel in the office including the Associate General Counsel, Sarah Edwards; Public Records Officer and Legal specialist; two paralegals; and senior associate general counsel, Jeff Jensen. The interviews lasted twenty minutes each, and completing the interviews took two days since some personnel were occupied on the first day of the interview. A lot of useful information came from the interviews, from where I also got secondary information from the records office showing the operations the legal teams conducted and the several success the personnel achieved through their operations and legal advices. Upon visiting the institution, I experienced first-hand what it felt to be a part of the organization, and from the interviews, I gained understanding of the specific practices conducted by the office. The interview was also based on the jobs of the personnel, what they do under the different sectors, what their jobs entail and other important operations and achievements they make over time.

The Public Records Office and Legal specialist provided records of the operations conducted by the personnel as well as simple records on the hierarchy of the employees and the divisions within the office. These assisted in understanding the organization, how it operates and the hierarchies involved in the company operations.

Conducting primary and secondary research

Additionally, there were some information that were not covered by the interview and the questionnaires. This therefore required further research utilizing primary and secondary sources of information. The records provided by the organization contained useful information on the operations, the schedules, international practices involved in the operations of the office. For the records, I gathered information on the achievements of the division, how it has influenced the Criminal Justice Agency and how the operations impact nations.

Additionally, through secondary sources, I gained basic understanding of the agency, its operations and impacts on criminal justice system. The information collected from the secondary sources incorporated lectures and articles on Office of Legal Affairs, basing particularly on office of legal counsel. The information was also helpful in the understanding of the general operations of the office of legal affairs and the impacts it has on the criminal justice system.

Discussion

The Office of Legal Counsel, based on the information gathered have made a number of accomplishments, which have directly impacted the Office of Legal affairs as a whole. The division has closed at least three peacekeeping operations in the last few years. For instance, from the records, the division closed the peacekeeping operation in Cote d'Ivoire, Liberia and Haiti. The operations incorporated support for the law, security and peace in the respective countries. The operations took time to close and they contributed to significant peacekeeping in the countries (Soares, 2019). This thereby impacted the criminal justice agency by reducing the number of violent crimes across international borders, hence ensuring security. The peacekeeping process, according to the employees involved was a complex task which incorporated understanding the needs of the peacekeeping activities, and negotiating agreements

between the United Nations and the respective governments involved. However, the peacekeeping operations in specific countries differed hence each one had its own unique legal issues.

The division was also involved in criminal accountability where the office saw important progress in the operations of the Extraordinary Chambers in the Courts of Cambodia (ECCC). This is one of the hybrid tribunals supported by the division. The case involved was a trial judgment 002/02. The office assisted in the process of conviction of Nuon Chea and Khieu Samphan who were indicted before the chambers for genocide, a crime that is considered against humanity and grave breached of the Geneva Conventions of 1949. In this case, the evidence connected to the charges of genocide against the Cham and Vietnamese minority populations were heard. Records showed that it was the first case.

Another important case handled by the Office of legal counsel was the Trial Chamber's judgment with relation to sexual violence in conflict. The trial chamber focused on forced marriages and rape with regards to forced marriage. The judgment found that forced marriage constituted to crimes against humanity of other callous acts. This case was significant in the contribution to the development of international criminal law in the area. In the trial, 185 individuals provides testimonies and provided historical records for the people of Cambodia (Soares, 2019). The judgment showed that the perpetrators of the inhumane acts can be held answerable even when a significant amount of time had passed after the crimes were committed.

Analysis

The Office of Legal counsel has significant responsibilities in the Office of Legal Affairs and the Criminal Justice Agency. It is the most significant division in the office and it covers a wide are of legal and justice policies and issues. The division deals with international legal

responsibilities and focuses on maintaining peace on an international level while mediating in other legal issues affecting different countries worldwide. Based on the operations and the achievements of the Office of Legal Counsel, their significance in the Criminal Justice Agency are quite identifiable as it assists in reducing the rate of crimes on a national and international level, prevents international terrorism through its peacekeeping initiatives and provides a legal ground where all crimes are punishable regardless of the time period.

Positive influence of Office of Legal Counsel

The legal counsel has several responsibilities towards nations all over the world.

- i. The office provides diplomatic protection to individuals
- ii. It protects persons in cases of disasters, perpetrated harm and violent crimes.
- iii. It is responsible for internationally wrongful acts
- iv. It deals with conflicts that arise on international level including trade conflicts and trade laws.
- v. Advices on delicate cases that may cause harm to nations and the people.
- vi. Advices towards the creation of harmonizing laws which enable transparent and predictable business transactions, reducing costs, and allowing for wider and faster distributions of products, services and data.
- vii. Solves disputes with regards to trade, criminal acts and provides a ground of understanding by supporting peace among parties involved in disputes.
- viii. Supports judgments against criminal activities and assist in rounding up significant evidence that may assist in criminal cases regardless of the time limit.

ix. Generally assists in the reduction of crime rates on a national and international level by getting involved in cases against humanity.

Negative Impacts of Office of Legal counsel

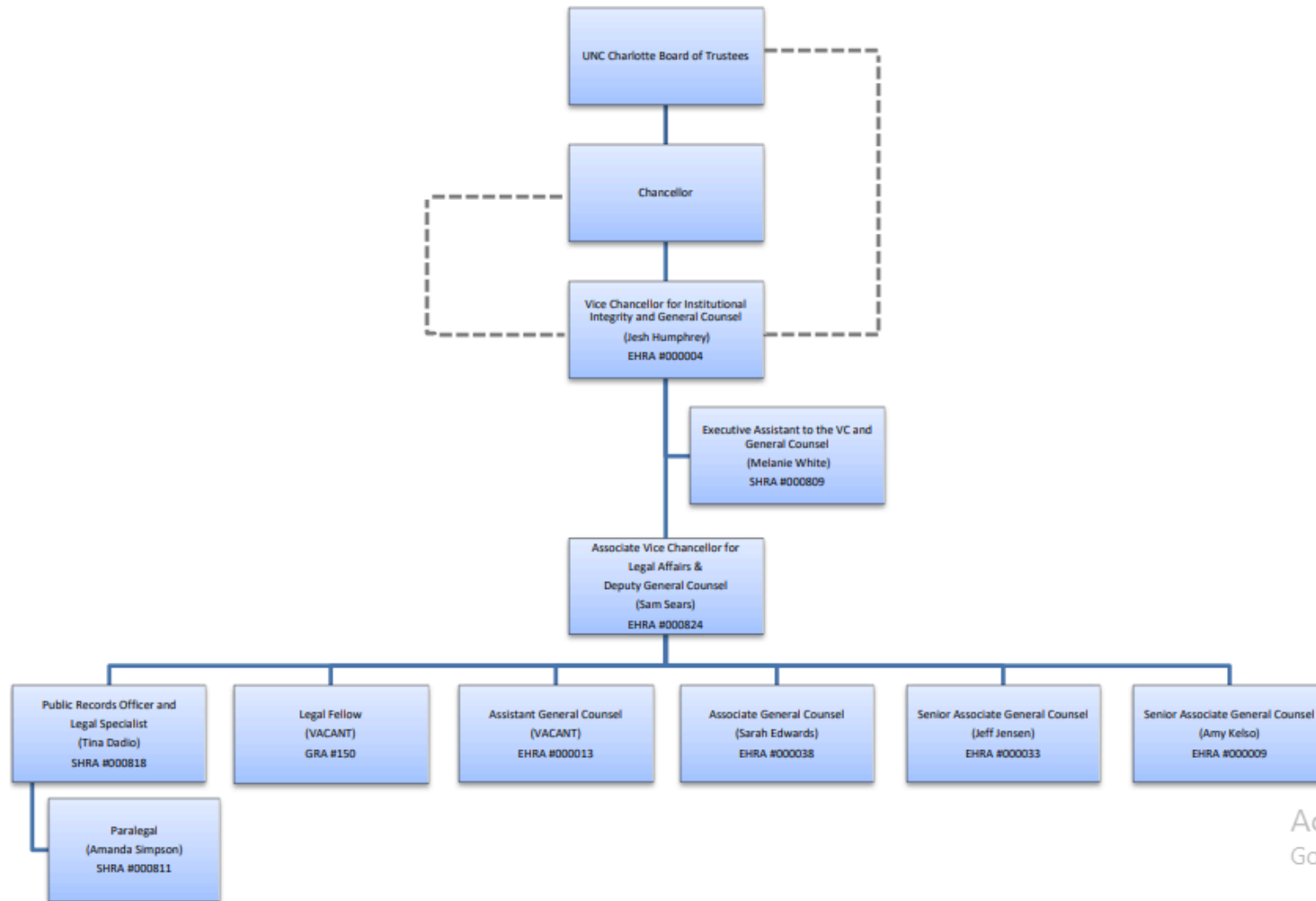
The operations of the office of legal counsel consumes a lot of resources in the solving of the national and the international conflicts and crimes. The office, though very important in the sector, requires a lot of significant resources in its practices and in the management of the cases it deals with ("Office of legal counsel," 2021). This is one and the main negative impact the office has on the legal affairs office and the criminal justice agency. With its involvement in several cases and legal issues, the office is considered an important part of the Legal Affairs and it consumes more resources than any other division within the Office of Legal Affairs and the Criminal Justice Agency combined. This makes it the most active and the most resourceful division in the office.

Conclusion

To conclude, Office of Legal Counsel is the most significant division in the Office of Legal Affairs and within the Criminal Justice Agency. Through the data collection processes utilized; questionnaires, conducting interviews and conducting secondary research, the information has aided in reaching the conclusion that although expensive to operate, the Office of Legal Counsel holds important and direct impacts on the Criminal Justice System. Although it has been identified as the office that uses the highest amount of resources, its importance is viewed on a national and international level. It acts as a direct intermediary in criminal cases, conflicts and peace related operations. It has had a high rate of achievements in the sector with its cases ranging from legal to peacekeeping and trade conflicts. It is also significant because it generally reduces the rate of crimes, hence directly impacting the Criminal Justice system.

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APPENDIX A: Office of Legal Affairs Organizational Chart

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APPENDIX B: Office of Legal Affairs Chart

