



# IAP

International Association of Prosecutors

## ANNUAL REPORT

GENERAL MEETING IAP – JOHANNESBURG

12 SEPTEMBER 2018

This report covers the period from September 2017 to September 2018

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# FOREWORD

This report is IAP's 19<sup>th</sup> formal Annual Report. Copies of this report will be available to the participants at the General Meeting on Wednesday, 12 September 2018 in Johannesburg, South Africa. The report is also available on the IAP website: <http://www.iap-association.org/Resources-Documentation/Annual-Reports>.

## IAP EXECUTIVE COMMITTEE (2017 – 2018)

### **PRESIDENT:**

Gerhard Jarosch, National Member for Eurojust for Austria.

### **VICE PRESIDENTS:**

1. Dr. Ali Albuainain, Attorney General, Bahrain;
2. Satyajit Boollel, Director of Public Prosecutions, Mauritius;
3. Serge Brammertz, Prosecutor IRMCT, Belgium;
4. Manuel Pinheiro Freitas, Prosecutor – Vice-President of the State Council of Public Security, Brazil;
5. Cheol-Kyu Hwang, Chief Prosecutor, Busan High Prosecutors' Office, South Korea;
6. Nicola Mahaffy, Crown Counsel, British Columbia, Canada;
7. Alexander Zvyagintsev, Former Deputy Prosecutor General, Russian Federation;
8. Hu Zejun, Former Deputy Prosecutor General, People's Republic of China.

### **IMMEDIATE PAST PRESIDENT:**

James Hamilton, Former Director of Public Prosecutions, Ireland.

### **MEMBERS:**

1. Mohammed Hassan Abdul Rahim, Senior Chief Prosecutor, Dubai, United Arab Emirates;
2. Mohammad Ahsan, Former Deputy Director of Public Prosecutions, Denmark;
3. Kamran Aliyev, Deputy Prosecutor General, Director of the Anticorruption Directorate Near the Prosecutor General of the Republic of Azerbaijan;
4. Lloyd Babb, Director of Public Prosecutions (co-opted member), Director of Public Prosecutions New South Wales, Australia;
5. Thomas Burrows, Associate Director, Office of International Affairs, DOJ, USA;

6. Luis Cevasco, Fiscal General, Ministerio Publico Fiscal Ciudad Autonoma De Buenos Aires, Argentina;
7. Josip Cule, Deputy Attorney General and National Member of Eurojust for Croatia;
8. Rodrigo Janot, Former Attorney General, Brazil;
9. Vitaliy Kasko, Former Deputy Prosecutor General, Ukraine;
10. Michael Lauber, Attorney General (co-opted member), Switzerland;
11. Claire Loftus, Director of Public Prosecutions, Ireland;
12. Mutembo Nchito, Former Director of Public Prosecutions, Zambia;
13. Jean Fils Kleber Ntamack, Prosecutor General, Court of Appeal of Yaoundé, Cameroon;
14. Sabin Ouellet, Chief Prosecutor, Québec, Canada;
15. Edit Pocsai, Chief County Prosecutor, Hungary;
16. Kathleen Roussel, Director of Public Prosecutions, Canada;
17. Patrick Stevens, Director Rule of Law, Optima, United Kingdom;
18. Jean-Francois Thony, Prosecutor General, Court of Appeal of Rennes, France;
19. Runar Torgersen, Senior Public Prosecutor, Norway;
20. Christopher Toth, Executive Director, National Association of Attorney Generals, USA;
21. Pongniwat Yuttapanboripam, Attorney General, Thailand.



THE 45<sup>TH</sup> EX. COM. MEETING HOSTED IN BAKU, AZERBAIJAN 10 – 11 APRIL 2018

# New or Renewed IAP OFFICIALS AND STAFF

## IAP Officials

At the end of January 2018 Rasmus Wandall resigned as General Counsel of the IAP, with effect from 31 March 2018. The Secretariat and former general counsel ensured the smooth transfer of projects and information.

Due to the very generous, pro-active and exemplary reaction of Executive Committee member Kathleen Roussel, it was agreed that **Ms. Manon Lapointe** would be acting as General Counsel, at least until the Toronto Regional Conference in October 2018, with the possibility of an extension. Given the length of the application process, which might go beyond November, the Secretary-General agreed with Kathleen Roussel and Manon Lapointe that her term should be extended until the end of the year and, if necessary, even a few months longer.

Her main task has been to support the preparation of the professional programme of the 23rd Annual Conference and General Meeting in Johannesburg and to support the Bureau of the Secretary-General in the performance of such duties as may be assigned to her by the President and the Secretary-General.



**Manon Lapointe** is general counsel with the Regulatory and Economic Prosecutions and Management Branch of the Public Prosecution Service of Canada. She has worked with the Department of Justice since 1991 and then the Public Prosecution Service of Canada, since its creation in 2006. A graduate of the University of Ottawa, civil law section, she was called to the Québec Bar in 1991. She completed her master's degree in criminal law (University of Ottawa), a D.E.A. (Diplôme d'études approfondies en politique criminelle, Université de la Sorbonne, Paris). Manon has been a lecturer at the University of Ottawa Faculty of Law since 1994 where she teaches general criminal and sentencing. She is a member of the Nunavut Bar.

## GC job application

The GC Job announcement has been published on IAP's website and was also sent to the membership. The application procedure will close mid-October, followed by a selection process.

## Other IAP staff

In July 2017 the working contract of Ms. Evie Sardeman was ended. A new Management Assistant was contacted through a private employment agency.



**Ms. Ilse van den Bergh, IAP Management Assistant:** Bachelor's degree in European Studies and International Communication Management. Ample experience in working in multi-lingual environments. Previously worked as a Communications Manager where she created websites, newsletters, drafted reports, setting up and implementing marketing & communication strategies. As Business Operations Manager she oversaw the entire office, finance and Human Resource Management were among the areas of responsibility then.

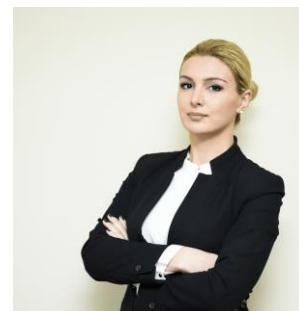
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During the preparation and throughout the IAP Regional Conference in Tbilisi, Georgia 2017 the IAP officials were highly impressed by the efficiency, professionalism and commitment shown by the local Head of Local Organising Committee, Ms. **Irina Beridze**. Her ability to keep her head cool in overheated, stressful and hectic situations is rather remarkable. Mr. Irakli Shotadze, Chief Prosecutors of Georgia, is a very active and committed member of the IAP, who, on several occasions had offered the support of his office. Consequently, he reacted very positively to the request to let Irina join our Annual Conference Team(s).

The Georgian Prosecution Service and the Secretariat to a secondment for a period of 1 year until 31 December 2018 with an option to continue. Irina holds the IAP position as Conference Supporting Officer and primarily provides support to the IAP General Counsel and Senior Legal Advisor. Under the supervision of the Executive Direction, she is responsible for all practical tasks related to the planning and delivery of the professional programme of the Annual Conference. Irina works from the headquarters of the Georgian Chief Prosecutor and shall be shared between the GCPO and the IAP on a 60/40 term. The IAP will cover Irina's travel costs; her full salary is covered by the GCPO.

**Irina Beridze, IAP Conference Supporting Officer:** Mrs. Beridze is an Adviser at the Department of Legal Affairs of the Office of the Chief Prosecutor of Georgia. She has been serving as a state official on line and managerial positions at the law enforcements authorities of Georgia for about 9 years. Mrs. Beridze has received Bachelor's and Master's degrees in international relations, covering the European criminal law. Currently she is undertaking the programme of the criminal law.

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The administration of the Association has been further strengthened through a Russian colleague, especially dedicated to the work at the Regional Office in St. Petersburg. **Mr. Hermann Horn** is seconded to the IAP by the Russian Prosecution Service in the role as Executive Officer of the Regional Office., His Secondment will terminate when the pilot project phase expires. Herman will work from the Regional Office in St. Petersburg and will attend official IAP visits within the region, if there's a need for Russian translation. Hermann will attend meetings in The Hague when required. Hermann's salary shall be taken care of by the Russian Prosecution Service. Only his IAP related travel costs will be covered by the IAP budget.

**Hermann Horn**, Executive Officer of the Regional Office. Graduated from the Russian Academy of Foreign Trade as lawyer specialising in international law in 2008. Worked in Prosecutor General's Office of Russia in the linguistic division of the General Department of International Legal Cooperation, until 2017. Was involved in the organising of some large events including 18th Annual IAP Conference in Moscow in 2013 and Regional IAP Conference in Sochi in 2015.



In November 2017, became senior prosecutor, International Cooperation Division and started working for the joint pilot project of the IAP and the PGORF.

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The pilot project establishing the IAP Regional Office in Saint-Petersburg has reached the next stage in its development. With tasks and work increasing with each month, a new staff member has joined the office in July.



**Ms. Tatiana Kozhevnikova**, Assistant of the Executive Officer, graduated at Saint-Petersburg State University as linguist specialising in English-Russian translation with a bachelor's degree in 2013 and a master's degree in 2015. She also studied German as a second foreign language. Tatiana worked as a translator in an architecture studio and as a freelance translator. In 2016-2017 she gained experience working in an international environment with a DAAD internship at the Dresden Technical University. In 2018 after finishing her research on argumentation in American political interviews, she was hired by the Prosecutor General's Office of the Russian Federation and started working on the joint pilot project of the IAP and the PGORF. Tatiana is responsible for translating, document recording and operational support.

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The Secretariat was further strengthened by **Ms. Gemma Moran** from Ireland. She will reinforce the Secretariat as a volunteer on specific –legal- projects. Gemma is specially assigned to the new project regarding the update, redraft and digitalisation of our Global Directory of Prosecution Services. After the completion of this project Gemma will dedicate her time (about 12 hours a week) to other projects, for example the setting up of a new IAP data privacy policy (an obligation as a result of the new EU General Data Protection Regulation GDPR).

Gemma started her legal career in 1999, first as Solicitor representing the DPP in Ireland and afterwards as Solicitor Advocate. In 2008 she became Deputy Head of Judicial Review, followed in 2011 as Principal Prosecutor. In 2016 Gemma and her family moved from Dublin to The Hague, as a result of her husband's employment with an international organisation. Gemma's CV and letter of introduction were sent to the Executive Committee in mid-July.

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**Mr. Benn van Alphen**, IAP's Project and Communication Manager, also acting as Head of Office since January 2017, has been seconded by the Dutch Prosecution Service since



1 December 2015. The secondment was initially for a term of two years, but fortunately, the Dutch Prosecution Service was willing to extend Benn's term with another two years, ending 1 December 2019. The Dutch Prosecution Service is taking care of Benn's salary, but a recent salary allowance has been compensated by the IAP since 1 January 2018, as well as his IAP travel costs.

## IAP GRANTING PROGRAMME 2018

The annual donation period follows the interim period between the two General Meetings. Together with the standard allocated amount of 10.000 EUR (from the IAP budget) the IAP has received 2.050 EUR in private donations. The IAP thanks the 28 people and one organisational member that made a standard or special donation for the 2018 programme. To this 12.050 EUR, 1.732 EUR of unused 2017 funds will be added, so the total reached to 13.782 EUR.

For the 2018 granting programme the IAP received 18 applications from prosecutors all over the world. Of these 18 applicants, 7 were selected to be supported by the 2018 programme after the IAP Granting Committee (Nicola Mahaffy, Mutembo Nchito and the Secretary-General) discussed the eligibility of each applicant and agreed that these candidates best met the selection criteria. Unfortunately, one prosecutor had to return her grant due to private circumstances.

The following 6 prosecutors will be financially supported by the 2018 programme:

- Yuliia Yepuri, Ukraine;
- Anusha Rawoah, Mauritius;
- Kinley Tshering, Bhutan;
- Jaqueline Atim, Uganda;
- Ismail Jama, Somalia;
- Bola Akinsete, Nigeria.

The IAP Newsletter 66 (December 2017) provided feedback from the 2017 granting recipients.

# IT SUPPORT AND SOFTWARE

## IT Consultant support (IAP Secretariat)

For decades, the IT-infrastructure at the IAP Secretariat in The Hague has been managed and administrated by an external IT-expert on a consultancy basis. The IT-systems has been set up for only a few staff members working in The Hague.

Because of the increasing number of staff members working also from outside the IAP Secretariat, it is of the greatest importance to have an efficient IT-infrastructure. After the Ex. Com. Meeting in Beijing, the IAP Secretariat decided to improve the standards of its information and telecommunication systems and asked another IT-consultant to look at the current infrastructure from a technical and budgetary perspective.

# IT NETWORKS AND COMMUNITIES PLATFORM

The IAP builds and maintains worldwide communities for specialist prosecutors to share experience and challenges in a secure professional environment. Through our rapidly growing online specialised networks and communities, the IAP provides online platforms for prosecution contact points and specialists in a constantly increasing range of crime areas.

## The wildlife crime network

It was proposed that a network of prosecutors working on crime against wildlife cases in source, transit and demand countries be hosted under the IAP Network umbrella. It was expected that the network could be facilitated by a recognized expert on wildlife crime prosecutions, who works from the Wildlife Crime Center of Strathmore Institute of Advanced Studies in International Criminal Justice (SIASIC) in Nairobi, Kenya.

After a thorough discussion about resources available within SIASIC to facilitate the network, it was decided to explore the possibility to invite a third partner to join the project. Since the Beijing conference we have met several times with the Wildlife Justice

Commission (WJC), who expressed a huge interest in supporting this network both resources and expertise.

In January 2018, the IAP Executive Director was invited to lead a roundtable discussion and a following deliberation on the proposed Network of Wildlife Crimes Prosecutors, which took place during the Eastern and Southern Africa Roundtable on Illegal Trade, Trafficking and Prosecution of Wildlife Offences.



The Project Group concluded that the WJC was not a suitable partner for the project. And as Strathmore and the Wildlife Crime Centre do not have currently the necessary resources and expertise to facilitate the network, it has been decided to put the creation of the network on hold for the time being. We have instead chosen to intensify the already existing cooperation between SIASIC and IAP in relation to specialized training on wildlife investigation and prosecutions, as this produced good results in the past.

## The role of the IAP (Specialist website and networks)

The IAP is the host and owner of the websites, networks and material uploaded. It is the IAP Secretariat and developers, who designs and create the website (format) and who train the web-facilitators in the use of the Content Management System (CMS). When the “external” web-facilitator(s) takes over the administration, the IAP Secretariat supports with the following;

- Linking the website to the IAP Community Platform (specialist prosecutors)
- Supporting the Network Expansion
- Monitoring traffic and access
- Maintaining and regularly updating the CMS
- Oversee material posted (IAP General Counsel)

It is the responsibility of the Secretariat to supervise the many web-facilitators and to keep them updated on the latest CMS related tools. At present we have the following “external” web-facilitators connected to the IAP Secretariat:

- **Sarah Lennard-Brown**, Private consultant, UK, GPEN
- **Danya Chaikel**, Private Consultant, Canada, FICJ and GPEN
- **Allan Nigiri**, International Security Studies, South Africa, CTPN
- **Elchin Mahmudov**, Anti-Corruption Directorate, Azerbaijan (NACP and Russian website)
- **Najwa Nabti**, United Nations Mechanism for International Criminal Tribunals PSV
- **Lars Munk Plum**, Danish Military Prosecutions Service, NMP
- **Jarin Nijhof**, Dutch Prosecution Service, Military Division NMP
- **Don Ammeraal**, Dutch Prosecution Service, Military Division NMP
- **Team in Buenos Aires**, Spanish language website
- **Amna Nassir**, Dubai Public Prosecution, Arabic language website
- 9 prosecutors in Chinese Taipei, Chinese language website

And yet another one is on her way to join the team: Ms. Amie Ely, NAGTRI Program Counsel, will assist the facilitation of NACP.

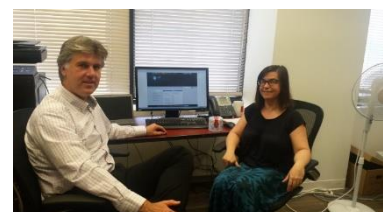
## New IAP Web-facilitators

The 3 facilitators of the new Network for Military Prosecutors were invited to the IAP Secretariat in The Hague on the 21<sup>st</sup> of March 2018 to attend a CMS Training Session conducted by our Project and Community Manager, Benn van Alphen.



On the 20<sup>th</sup> of April 2018, Benn van Alphen met Najwa Nabti Legal Officer of the Office of the Prosecutor Mechanism for International Criminal Tribunals. Najwa Nabti is the new IAP Facilitator for the PSV Network and during the meeting at her office she was introduced to the IAP web CMS.

In May 2018, Benn van Alphen met Kate Matthews of the Toronto Crown Attorneys' Office and the IAP Facilitator for the new Forum for Associations of Prosecutors in Toronto, Canada. He instructed her on the use of the website's CMS.



That same month, Benn van Alphen also conducted a CMS training session for the facilitators of the new Network for Consumer Protection (PCPN).



Benn van Alphen met Blake Bee, Program Counsel-NAGTRI Center for Consumer Protection and Abigail Stempson, Director-NAGTRI Center for Consumer Protection and Coordinator for the PCPN website during a training session on the use of the website's content management system at the National Association of Attorneys General in Washington DC, USA, in May 2018.

### IAP Contact Points

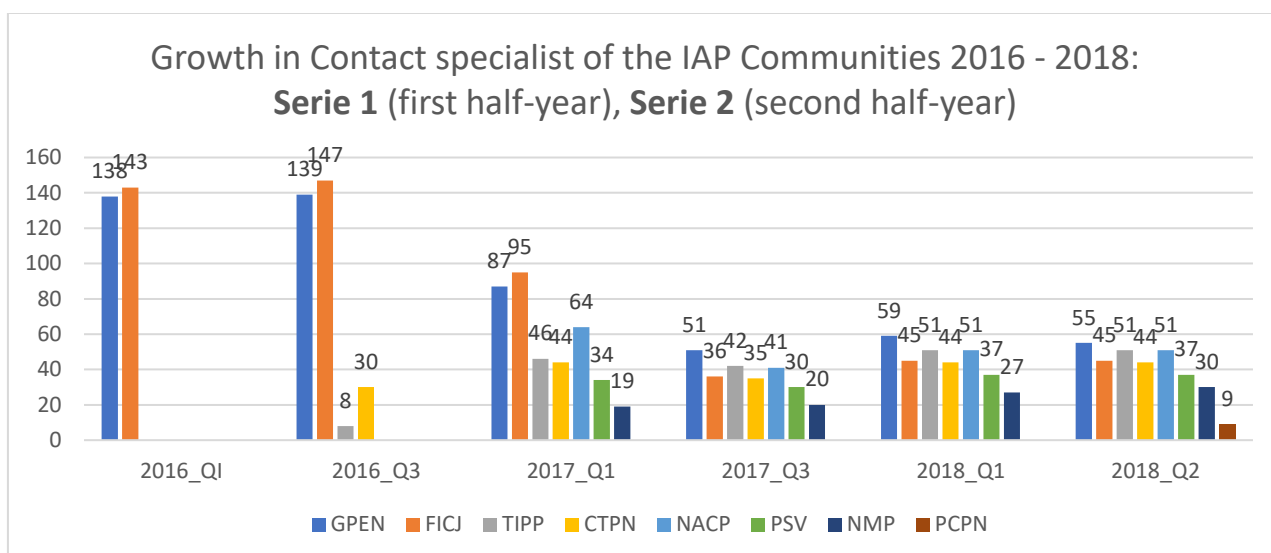
Since April 2017, the IAP secretariat has continued the outreach to organisational members with a view to establishing specialist contact points, including MLA contact points. The number is growing every month.

#### Overview Organisational User Menu Profiles 2017 – 2018

ORGANISATIONAL CONTACT PERSONS PROFILES					
	21 March 2017	26 August 2017	18 January 2018	23 March 2018	10 August 2018
	Report of the activities of the Bureau of the SG and of the GC	Report of the activities of the Bureau of the SG and of the GC	Review Organisational User Menu Profiles	Report of the activities of the Bureau of the SG and of the GC	Report of the activities of the Bureau of the SG
	<b>124</b>	<b>123</b>	<b>131</b>	<b>135</b>	<b>129</b>
Total Updated	31	46	57	61	65
Update underway	20	30	29	27	25
No response yet	71	45	40	42	38
No contact / no email address / emails bounced back	2	2	5	5	1
	Cap Verde, Cook Islands	Cap Verde, Cook Islands	Cap Verde, Cook Islands, Jordan, Luxembourg, Swaziland	Cap Verde, Cook Islands, Jordan, Luxembourg, Swaziland	Jordan

<b>Total IAP Contact Persons</b>	<b>124</b>	<b>123</b>	<b>131</b>	<b>135</b>	<b>129</b>
Registered MLA Contact Points:	Not applicable	42	55	59	60

The IAP has specialised networks and communities in the areas of: 1) Cybercrime (**GPEN**), 2) International Criminal Justice (**FICJ**), 2) Trafficking in Human Beings and Migrant Smuggling (**TIPP**), 4) Counter-Terrorism (**CTPN**), 5) Anti-Corruption and Financial Crime (**NACP**), 6) Conflict related Sexual Violence (**PSV**), 7) Military Prosecution (**NMP**), 9) Prosecutors working on Consumer Protection cases (**PCPN**) and 10) a Forum for Associations of Prosecutors.



During the 23<sup>rd</sup> IAP Annual Conference and General Meeting 2018 we will celebrate the 10th anniversary of GPEN (Global Prosecutors E-Crime Network), the first of the IAP specialised networks and communities. During the conference we will launch two new IAP Specialist Networks and communities;

- PCPN (Prosecutors Consumer Protection Network) and
- Network for Associations of Prosecutors.

# MEMBERSHIP

On 1<sup>st</sup> of September 2017, the IAP had 180 Organisational Members and 1.705 Individual Members.

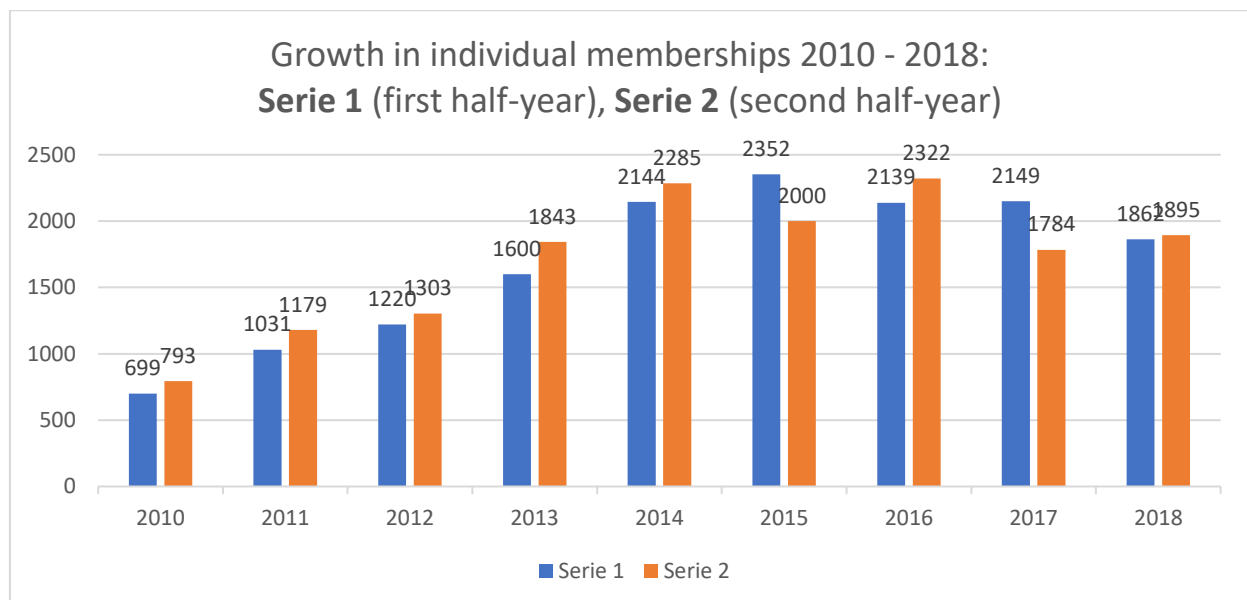
On 1<sup>st</sup> of September 2018, the IAP had 183 Organisational Members and 1.896 Individual Members.

## Network growth



The IAP represents prosecutors in **177** countries and territories worldwide. Besides the almost 1.900 Individual members (**33** new since last report), there are **183** Organisational Members: **129** are Prosecution Services, **48** Associations of Prosecutors and **6** International organisations (eligible for membership in accordance with IAP Constitution Article 2.2).

## Status update: Individual Members



## Recruitment visits

Expanding the IAP network requires special focus and a strategic approach. We newly introduced "Recruitment Visits" in the Annual Project Plan for 2017 and 2018. In 2017, IAP

Officials visited the Prosecutor General of **Chile**, Mr. Jorge Abbott, who subsequently decided to re-apply for organisational membership.

In 2018 the IAP officials scheduled three Recruitment Visits to respectively Austria, Belarus and Uzbekistan.

**Austria;** The Secretary-General and Executive Director were invited to Vienna for a two day “stop-over” in February 2018 to introduce local prosecutors and organisations to the objectives and goals of the Association and to clarify the advantages of using the IAP network to simplify international judicial co-operation when handling multi-national cross border criminal cases.

In May, we received an application for Organisational Membership from the Austrian Prosecution Service represented by the Office of the Prosecutor General, which was subsequently approved by the Executive Committee.

**Belarus;** The IAP President, Executive Director and the Executive Officer of the IAP Regional Office in St. Petersburg visited the Office of the Prosecutor General of Belarus in Minsk, 25 – 27 April 2018 with the same mission as in Vienna.

Besides applying for organisational membership (approved by the Executive Committee in July 2018) Mr. Alexander Konyuk also expressed a wish for hosting the next Eastern European and Central Asian Regional Conference to be held in Minsk, Belarus during 2019.

**Uzbekistan.** The third recruitment visit to Uzbekistan is planned to take place 24 – 25 September 2018.

## New Organisational Members

The number of organisational members is **183** (last reported number was 190).

The following 9 organisations were approved by the Executive Committee since Beijing:

1. Austrian Prosecution Service represented by the Prosecutor General's Office
2. Belarus, Prosecutor General's Office of the Republic of Belarus
3. **Belgium**, Federal Public Prosecutor's Office
4. **Bulgaria**, Chief Prosecutors Office
5. **Chile**, Ministerio Publico (Office of the Attorney General)
6. **Djibouti**, Office of the Prosecutor General (Parquet Général)
7. **Guinea Bissau**, Sindicato dos Magistrados do Ministerio Public
8. Malta, Office of the Attorney General



9. **Montenegro**, Supreme State Prosecutor's Office
10. Mozambique, Mozambican Association of Prosecutors
11. **Romania**, Military Prosecution Service
12. **Slovenia**, Supreme State Prosecutor's Office
13. **Somaliland**, Attorney General's Office

## Suspended Organisational Memberships

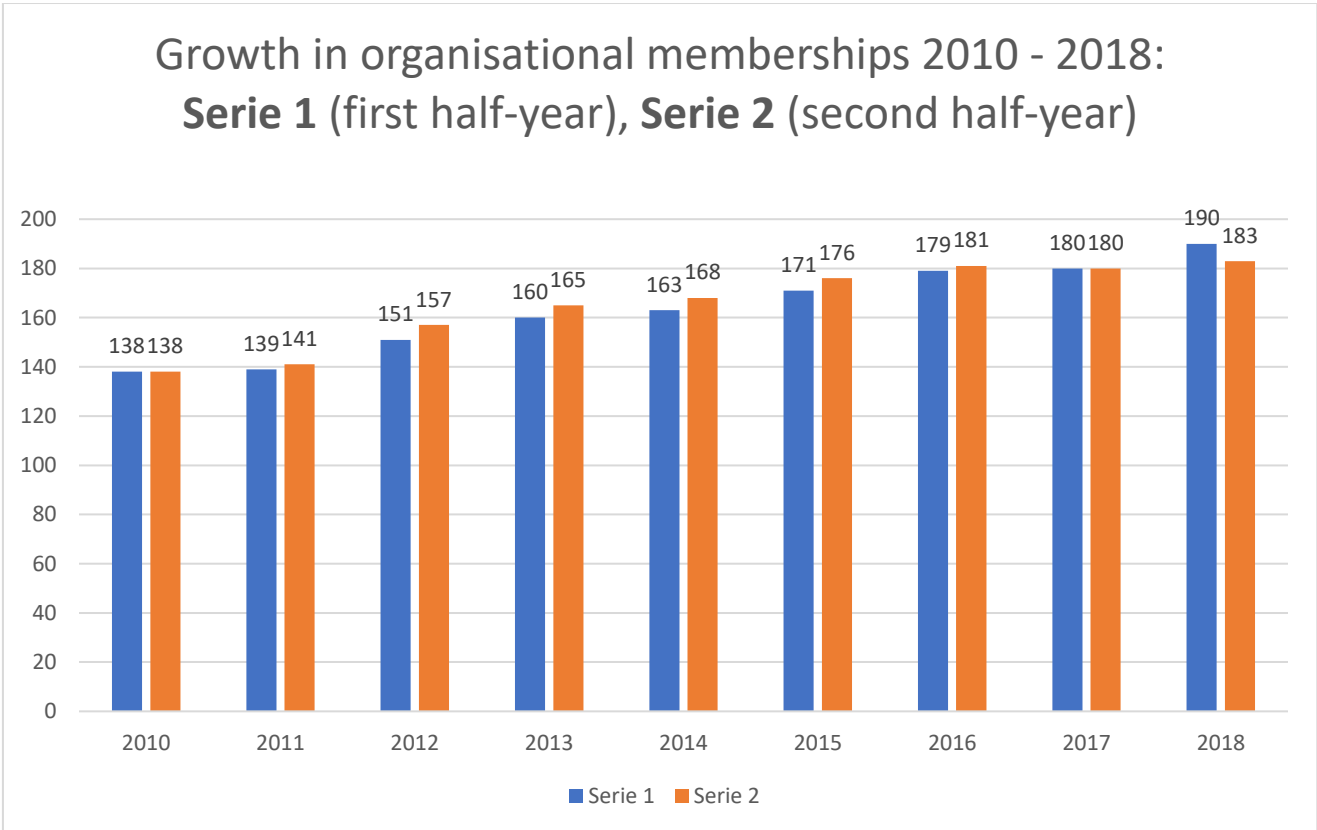
In accordance with the IAP Constitution Article 6.3: "The Executive Committee may suspend the membership of or expel an organisational member who or which is two years in arrears in payment annual dues and may reinstate the member to full membership on payment of the arrears."

The following 13 suspensions were approved by the Executive Committee during the 45<sup>th</sup> meeting in Baku, Azerbaijan (April 2018):

<b>Brazil</b>	<b>The National Association of Members of the Public Prosecution Service CONAMP</b>
<b>Brazil</b>	Ministério Público Estado do Rio Grande do Sul
<b>Brazil</b>	Conselho Nacional Procuradores-Gerais (National Ass. Of Prosecutor Generals)
<b>Cape Verde</b>	Prosecutor General's Office
<b>Cook Islands</b>	Crown Law Office
<b>Ghana</b>	Office of the Director of Public Prosecutions, Attorney Generals Department
<b>Mexico</b>	Procuraduría General de Justicia del Distrito Federal
<b>Papua New Guinea</b>	Office of the Public Prosecutor
<b>Rwanda</b>	Ministère Public
<b>Slovenia</b>	Society of State Prosecutors
<b>Suriname</b>	Office of the Prosecutor General with the High Court of Justice
<b>Swaziland</b>	Office of the Director of Public Prosecutions
<b>Zimbabwe</b>	The Attorney General's Office

Following the suspension of the above-mentioned organisations the Secretariat has been in contact with the Office of the Prosecutor General of Cape Verde, the National Association of Members of the Public Prosecution Service in Brazil (CONAMP) and the Office of the Public Prosecutor in Papua, New Guinea who expressed an interest in re-activating their organisational membership of the IAP.

The Secretariat received a cancellation of membership from the Romanian Military Prosecution Service.



## Regional spread

(updated 1 April 2018); this avoids recalculation.

	Africa and Indian Ocean	20,6 %
	Asia and Pacific	18,4 %
	Eastern Europe and Central Asia	16 %
	Europe	22,7 %
	Latin America	8 %
	Middle East and North Africa	9,5 %
	North America and Caribbean	4,4 %



# UN CONSULTATIVE STATUS

Last May the IAP applied again for the UN Consultative status, but it turned out that the UN requirements prevented this application, due to the violation of UN rules on the Consultative Status. According to UN rules, an organization whose consultative status was withdrawn cannot not apply again within three years. This means that the IAP was eligible for the consultative status after 20 July 2018.

Given the difficulties in applying for a new Consultative Status, the Secretary-General has been exploring with the Dutch Government possibilities to obtain the special status of Inter-Governmental Organization (IGO), which also could make the Stichting Treasury IAP superfluous.

After discussing the different options during the Executive Committee in Baku in April 2018, the Executive Committee agreed with leaving the idea of obtaining the special status of Inter-Governmental Organization (IGO).

The Secretariat started the process for the new application at the end of July 2018. The Secretariat will keep the Executive Committee updated on the progress of this application. A decision is not expected before the end of the year.

# REGIONAL IAP OFFICES

At the Busan meeting (April 2017) the Executive Committee discussed the idea of introducing Regional Offices in some IAP Regions. The Executive Committee recognised possible advantages such as overcoming linguistic barriers for more effective and efficient contacts between IAP officials and members, for



instance with the Arabic, Russian and Spanish speaking parts of the world. These barriers complicate information sharing, response to questions from members, building websites and outreach activities with potential new members. The Executive Committee

postponed any final conclusion on the need of introducing Regional Offices. The green light was given to the Secretary-General to search for pilot project partners within one of the regions where UN languages other than English are dominant. The outcome of such pilot project could determine if there are any advantages to the opening of Regional Offices. A pilot project was started in St. Petersburg, Russia, after the generous offer of Mr. Yuri Chayka, Prosecutor General of the Prokuratura of the Russian Federation, to provide the IAP with office space and staff capacity. This offer was accepted by the Executive Committee in Beijing (September 2017).



This has resulted in the formal launching of the pilot project at the end of November 2017 by IAP's President and Prosecutor General of the Russian Federation.

The IAP and the Prosecution Service of the Russian Federation have signed an agreement which set out the responsibilities of each party.

From the beginning, this pilot project has been carefully monitored. From the start, the Regional office was involved in translating IAP documentation and website, in recruiting new members and in supporting visits of IAP officials in the region.

It is also worth mentioning that a GPEN Cybercrime seminar was organised by the Regional office in cooperation with GPEN last June. Prosecutors from 6 countries attended two days of presentations from three Russian and two GPEN trainers, in Russian and English (with translation). This seminar was held next to the Regional Office in the beautiful building of the Russian Prokuratura.

The Secretary-General, upon the request of the Executive Committee, provided an update during the meetings in Baku (April 2018). He will do the same in Johannesburg (September 2018). He will provide a report once more in Oslo (April 2019). The Secretary-

General is planning to provide his final views on the Regional Offices pilot project to the Executive Committee in Buenos Aires (September 2019).

# IAP PROFESSIONAL PROGRAMMES AND PROJECTS

## Strategy and plan 2018 onwards

A professional programme overview can be found in a separate strategic three-year plan and activity overview. (The overview of the [IAP Professional strategy and activities 2016 – 2018](http://www.iap-association.org/Resources-Documentation/IAP-Business-Plans) is uploaded on the IAP website <http://www.iap-association.org/Resources-Documentation/IAP-Business-Plans>).

At the Helsinki meeting in 2016, we launched a three-year strategic plan to increase the focus and development of our professional programmes and projects. “Mutual Legal Assistance” and “Bringing the IAP Standards to Life to Safeguard the Role of Prosecutors” have been areas of special focus. Closely aligned with the strategic focus on memberships and community building from September 2015 onwards, these focus areas have allowed us to better define the goal of each activity, travel, resource allocation, special activities of the conferences, and to better decide which partnerships and projects to engage in and which ones to reject. Most importantly, it has allowed us to control the IAP brand in the global community of prosecutors, and in the international community of Rule of Law, Human Rights and legal collaboration.

It is now time to commence the work to define a new plan for our professional programmes and projects for 2018 onwards.

## The IAP partnership with UN CTED and UNODC on MLA and digital evidence in counter-terrorism cases

The IAP UN CTED and UNODC project on digital evidence aims to increase the efficiency of judicial cooperation, and to increase the capacity of prosecutors to prepare and carry out mutual legal assistance work in counter-terrorism and other related areas of

crime. The project received funding from the United States Department of State and, since the last Executive Committee, meeting from Japan. The funding will allow the completion of the first phase of the project in 2019 and the beginning of the second phase which will include activities such as:

- Creation of a database of central national authorities (CNA) for terrorist cases;
- Development of a global network and database of specialised counter-terrorism prosecutors (IAP database);
- Drafting of a practical guide on requesting and gathering electronic evidence;
- Capacity building in six regions;
- Developing e-learning material;
- Development of an MLA platform.

Since the meeting in Baku, the acting General Counsel has been involved in the following activities related to this project:

- Review and input on the draft Practical Guide for Requesting Electronic Evidence Across Border;
- Chairing a meeting of experts to discuss the draft Practical Guide I (Vienna, June 5 and 6, 2018)
- Presentation of the project to United States Mission to the United Nations (New York, June 27<sup>th</sup>, 2018);
- Review and input regarding the role of the IAP in various UNODC/CTED documents.

The Practical Guide will be officially launched at an event in New York on September 26, 2018. Six regional conferences will take place between October 2018 and the spring of 2019. The acting General Counsel will provide assistance in the organisation of these events by identifying prosecutors who will attend the event.

## New capacity for UNODC / CTED / IAP Project on Digital Evidence and International Cooperation

Ms. Danya Chaikel has been recruited by the IAP and UNODC as a Consultant (Digital evidence, International Cooperation) to build a more solid and sustainable global specialised IAP network and database of counterterrorism (CT) prosecutors and MLA contact points. The role of CT prosecutors continues to evolve in order to meet the increased demands placed on them, and the overall purpose of the UNODC/IAP project is to strengthen their capacity to request electronic evidence from global counterparts in CT and organised crime cases. The data of CT prosecutors and MLA contact points will be uploaded on the IAP's existing community tool for specialised CT prosecutors (IAP CTPN) and will be maintained within the framework of the IAP. The initial phase of this project will be carried out in 2018.



Ms. Chaikel is an independent legal consultant based in The Hague. She earned her Juris Doctor at the University of British Columbia, Canada and was called to the Bar in 2008. She worked as a trial lawyer in the areas of criminal defence, family, and human rights law. Since 2009, Ms. Chaikel has specialised in international criminal law, having worked for the ICC, the ICTY, the International Bar Association and several human rights NGOs. She has coordinated the IAP's FICJ since 2009 and currently supports GPEN and edits the IAP newsletter.

## The IAP Global Directory of Prosecution Services

The first and only edition of the IAP Global Directory of Prosecution Services was published in 1999. It contained entries from almost countries and was received among prosecutors as a document breaking down the barriers of distance and legal cultures, which previously inhibited prosecutors in the fight against transnational crime.

We are planning use of the advancement of technology by Integrating a modernised version of the Global IAP Directory of Prosecution Services in the IAP Community software. Such a system upgrade will provide members easy access to relevant

information to assist them in the fight against crime and to an electronic phone book of IAP specialists and members.

Gemma Moran, Legal Advisor at the IAP will hold the position of overall coordinator and director of this project. It is intended that an ad hoc committee of experts will be involved in the project to establish how the needs of prosecutors can be best served by this Global Directory. The goal of the project is to establish a tool for prosecutors which can be used on a day to day basis in the course of their work. The success of this project will also depend on the input of prosecutorial services worldwide.

## The IAP Data Privacy Protection Policy

Gemma Moran, Legal Advisor at the IAP, is drafting the policy document of the IAP in relation to Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, commonly referred to as the **General Data Protection Regulation (GDPR)**. It confers rights on individuals in relation to the privacy of their personal data, as well as responsibilities for individuals and/or organisations holding and processing that data. Because the IAP processes data of individuals, it has certain obligations under the regulation.

## The Guidelines on Victim Offender Mediation

As the Executive Committee is aware, Mr. Cheol-Kyu Hwang, IAP Vice President, Chief Prosecutor of Busan High Prosecutors' Office, Korea together with The Supreme Prosecutor's Office for Korea and the IAP has spearheaded the drafting of an IAP guidelines for victim offender mediation. The guidelines aim to set a standard for victim offender mediation mechanisms and to identify and emphasise the crucial principled decisions that need to be made in the process of implementing victim offender mediation mechanisms.

The development of the draft has benefitted immensely from the constructive comments from IAP members worldwide:



- Vitaliy Kasko, IAP Executive Committee member and former Deputy Prosecutor General, Ukraine;
- Runar Torgersen, IAP Executive Committee member and Senior Public Prosecutor, Office of the Director of Public Prosecutions, Norway;
- Ms. Guri Lenth, Office of the Director of Public Prosecutions in Norway;
- Ms. Karen Kristin Paus, Norwegian Mediation Service;
- Emmanuel Roberto Girão de Castro Pinto Gender-based crime Prosecutor in Fortaleza, State of Ceará, Brasil;
- Jean Fils Kleber Ntamack, IAP Executive Committee member and Prosecutor General, Court of Appeal of Yaoundé, Cameroon;
- Nicholas Cowdery, Adjunct Professor of Law; former IAP President; former DPP of NSW, Australia.

Since September 2017, the UNODC had been consulted and provided comments on the draft guidelines. Furthermore, the IAP has had the opportunity to present the content with the international human rights community at the restorative justice meeting of the International Commission of Jurists in Geneva, Switzerland. Subsequently, the drafting was finalized.

The acting General Counsel ensured their circulation to members of the Executive Committee and the gathering of comments. Due to comments received only recently, the document is still under review. If ready, a revised document will be presented during the Johannesburg meeting.

## The IAP Prosecutors Exchange Program

The IAP Prosecutors Exchange Program (PEP) has worked very hard during the last years to develop new partnerships, expand the program and to diversify the funding streams. Through collaboration with the Commonwealth began an initiative which partially funded two capacity building exchanges. This opportunity is available to PEP participants that from member countries of the Commonwealth. The PEP is now in the process of realizing the first exchange with the funding assistance.

In April 2018, NAAG, through Executive Committee member Chris Toth, has offered a very generous funding of \$15,000 USD to the program.

The acting General Counsel has assisted the IAP PEP in developing selection criteria to access the funding provided by NAAG for exchanges between prosecution services. In light of recent difficulties in implementing the prosecutors' exchange program with the Commonwealth Secretariat, members of the PEP were of the view that it would be helpful to develop a memorandum of understanding (MOU) setting out the roles and responsibilities of each entity to ensure that the exchange program take place according to plans. The draft MOU was sent to the Commonwealth Secretariat on July 26<sup>th</sup>, 2018. We are still awaiting the comments from the Commonwealth Secretariat and we will keep the Executive Committee apprised of the developments.

## Mutual Legal Assistance

Mutual Legal Assistance (MLA) continues to be a focus area within the specialised networks and communities and within the IAP in general. The attached programme overview describes the ongoing activities. Since the Executive Committee meeting in Helsinki 2016, when the Executive Committee discussed the three-year professional plans, we have worked in pursuit of the following three goals:

### *1) Strengthening the network of MLA & specialised contact persons in all jurisdictions*

Since September 2017, we have been continuing our outreach to secure updated and reliable contact points in our database, including general MLA contact points with prosecution services. This latter contact point has proven to be the most important one for operational purposes and the one that can best be aligned with other operational databases and networks. (see professional programme overview, pt. 1.2, goal 4).

### *2) Building partnerships to strengthen MLA networks and to explain the practical needs of MLA-prosecutors.*

Simultaneously, we are connecting our work with other networks and associations to solidify the IAP database and to make it the go-to database for Organisational members. Since September 2017 we have continued our outreach to the African continent bilaterally and by collaborating with the Africa Prosecutors Association (APA). Furthermore, we have been a key party to the EuroMed Justice IV project to strengthen

mutual legal assistance in the Mediterranean region. We have participated in three workgroup meetings to build the network of contact points in each of the jurisdictions and we have been part of the drafting of the declaration to establish a Prosecutors General Forum of the regions to support MLA. The IAP has become part of the solution in this project. Finally, the IAP – also by way of Executive Committee members - have participated in a number of international meetings on mutual legal assistance in counter-terrorism cases and securing digital evidence in particular.

### 3) *Supporting good practices*

IAP members have reiterated that existing MLA tools available from international organisations centered around Central Authorities often do not adequately respond to the practical needs of prosecutors. Since September 2017 we have taken part in a number of international meetings and workshops to implement projects of international organisations (UN primarily) and explain the operational needs prosecutors.

In this regard, the outcome report of the Annual Conference in Beijing was a new development. It contained a substantial list of practical needs of prosecutors for effective MLA, drafted by the rapporteur for the special session on MLA. The outcome report has been shared with our partners in international organisations.

## The Siracusa Course

More than 40 young prosecutors from 25 countries across the world, from Brazil to Kenya and Australia to the United States, attended from 25 June to 6 July the Specialisation Course for Junior Prosecutors (SCJP) on *International Criminal Justice and International Cooperation in Criminal Matters*. The 3<sup>rd</sup> edition, co-organised by the IAP and the Siracusa International Institute for criminal justice and human rights, was a success.

The SCJP is designed to highlight the most important synergies between international criminal law and the domestic prosecution of international crimes, including transnational crimes. Over the course of two week-long modules (A and B), the SCJP prepares prosecutors to work on cases involving core international crimes and transnational crimes, while also giving specialised training on international legal cooperation in criminal matters. The course employs a wide variety of interactive, practice-oriented, and experiential methods.

Participants were welcomed by Justice Mr. Jean-François Thony, Prosecutor General of the Court of Appeal of Rennes and President of the Siracusa International Institute (through a video-message); Mr. Tobias Freeman, Senior Legal Officer; Ms. Elizabeth Howe, President of the International Legal Assistance Consortium; Mr. Han Moraal, Secretary-General, and Ms. Edith Van den Broeck, Senior Legal Advisor of the IAP.

For two weeks the course proved to be “the global place to be” for young prosecutors eager to learn from experts, but also from each other. Ms. Edith Van den Broeck, represented IAP during the course and responded to many questions of the participants.



The 4<sup>th</sup> edition of the English course will be held in June-July 2019. A French version is being organised.

## NAGTRI Programme

Since 2011, the IAP assisted NAGTRI in recruiting suitable international candidates for their annual International Fellows Programme, by distributing “Calls for Application” to the IAP membership. Again, this year, international prosecutors received a grant to participate in the NAGTRI Programme.

## Building a Comprehensive Criminal Justice Response to Hate Crime

It is an obligation of state authorities to address the issue of hate crimes. Prosecutors play a crucial role in the process through the criminal justice system. Recognition of hate crimes, followed by the prosecution and sentencing of offenders, sends a clear message that these crimes will not be tolerated.



With this in mind, the Office for Democratic Institutions and Human Rights (ODIHR) is partnering with the IAP in a two-year project, [Building a Comprehensive Criminal Justice Response to Hate Crime](#), that attempts to improve the skills of and collaboration among criminal justice professionals working on hate crimes within each of four OSCE countries – Bulgaria, Greece, Italy and Poland. It involves training for police officers, prosecutors, civil society and lawyers working with victims of hate crimes.

After successful training for prosecutors organised in Italy on 5 and 19 May 2017, where the Lombardy region served as a laboratory for testing a local approach to hate crime, training for prosecutors in Greece followed, from 1 to 3 December 2017. Both events followed the standard methodology of ODIHR's [Prosecutors and Hate Crimes Training \(PAHCT\) programme](#).

In order to further strengthen co-operation between law enforcement and prosecution professionals, an innovative training course was designed and implemented in Bulgaria in early 2018. The pilot sessions were conducted in the cities of Sofia and Veliko Tarnovo, with support from the Bulgaria's General Prosecutors' Office and National Institute of Justice, and from the IAP.

The joint training was based on ODIHR's existing curricula of police and prosecutor training, tailored to Bulgaria's specific needs and realities. The two professional groups were given the opportunity to discuss and exchange views on their daily co-operation, providing valuable feedback relevant to the future work of both ODIHR and the IAP on hate crimes.

The need for raising awareness among police and prosecution professionals was repeatedly pointed out during the different training events, along with the need for training for all actors in criminal justice agencies on identifying bias indicators. The training events also demonstrated that internal biases must be set aside to ensure professional behaviour. Accurate and clear communication leading to the apprehension of perpetrators proved to be a key factor in responding to hate crime cases. Finally, it was clear that the proper reporting of hate crimes is essential to gaining a clear understanding of the situation regarding hate crimes, and to design and direct policies to address them.

The outcomes and experiences of the project's activities will be presented and discussed during national workshops. This will be followed by the development of toolkits, including

training packages, methodologies and guidelines on the topic of hate crime. Currently, the OSCE is reviewing the Manual on Joint Hate Crime Training for Police and Prosecutors <https://www.osce.org/odihr/385035> as well as the Agreement on Inter-agency Co-operation to Address Racist Crime in Greece <https://www.osce.org/odihr/383694>. The final products will be presented to practitioners and policymakers at a large scale final conference in Vienna on the 14<sup>th</sup> of November 2018 and will become valuable resources in addressing hate crimes for actors in criminal justice systems across the OSCE region.

The project is financed by the European Commission and the United States.

## BRINGING THE IAP STANDARDS TO LIFE TO SAFEGUARD THE ROLE OF PROSECUTORS

One of the focus areas of the professional program is to bring the professional standards to life. Strategically, our efforts are centered on the safety and security of prosecutors (pt. 3.1) and subsequently the standards pertaining to prosecutorial independence (pt. 3.2). Both are preconditions for a professional prosecution service. Where political pressure and lack of safety prevails, prosecutors will not be able to respect the rule of law or human rights and will not be able to deal effectively with cases of corruption.

### The safety and security of prosecutors

The safety and security of prosecutors is a central concern for prosecutors globally and a focus for IAP activities. In the professional programme, we aim to bring the IAP minimum security standards to life by developing and distributing practical tools.

Building on the pilot study and the sessions in Dublin 2016, we brought together a group of dedicated people to lead the development of the global survey and to begin the facilitation of a global survey on this matter.

The draft questionnaire was presented earlier this year and is now through second round of translation. The revised questionnaire should be distributed before the end of the year.

## Human rights in Prosecution Services

Given the increased attention to human rights in prosecution services and the role of the IAP, the IAP has prioritised participation in activities of the international human rights community. The IPA uses every opportunity to explain the role of the IAP, its work, and to constructively participate in the furthering of human rights.

First, the IAP has continued the collaboration with International Corporate Accountability Roundtable (ICAR) since the last two annual conferences and participated in a special session on investigation and prosecution of corporate liability in human rights violations organised by ICAR in Oslo, during the fall 2017. Particular emphasis was on the investigation phase and the relationship between state and non-state bodies.

Second, the IAP has continued its collaboration with the International Commission of Jurists (ICJ) and participated in the annual meeting of the ICJ on victim-offender mediation and human rights.

In both of these collaborations, the IAP received a unique opportunity to engage the international human rights community in a discussion about the role of prosecutors and prosecution services.

## MEETINGS OF THE EXECUTIVE COMMITTEE

The IAP Executive Committee held two meetings since the last Annual Report. The first in connection with the 22<sup>nd</sup> Annual Conference and General Meeting in Beijing, China, in September 2017 and the second in Baku, Azerbaijan, April 2018. In the next paragraph a brief summary of those meetings is provided.

### The 44<sup>th</sup> meeting of the Executive Committee, Beijing, China.

The Executive Committee discussed the relation between prosecution services and human rights standards, following requests and petitions from an NGO. The Committee

noted that the IAP takes human rights very seriously, but that blaming and shaming is seen as counterproductive. This might not only be a general point of view, but applies especially for organisations like the IAP, due to its non-political character and its strong focus on professional prosecution. It was also concluded that the IAP has no mandate to investigate internal circumstances in countries where organisational members are based, nor has the IAP a mandate to impose binding restrictions on its members other than directly related to the membership as laid down in the Constitution. Nevertheless, the IAP can do much in relation to human rights standards in terms of conferences, trainings, exchanging best practices, capacity building initiatives, etc.

The Executive Committee also discussed the possible ways to proceed with complaints from members and non-members, to be laid down in a new proposal drafted by the Bureau.

The Committee discussed a possible amendment of the Constitution to change article 8.3 (to make it possible to end membership of members who left the prosecution branch). It was decided not to amend the Constitution.

A proposed revised budget for 2018 was accepted: a more optimistic estimation of the income (more fees from organisational members) together with an increased expenditure on several posts. For the first time a half-year financial report was presented to the Executive Committee. It was agreed to continue working with half-year financial reports.

The Executive Committee also agreed on an amendment of the Financial Procurement Manual and the Financial Protocol.

The status of new networks was discussed: Network for Military Prosecutors, the Network of Prosecutors of Wildlife Crime and the Network for Consumer Protection Practitioners.

Also, several returning agenda topics were discussed and if necessary decided on: the composition of the Executive Committee, award recommendations and past and future conferences and meetings.



## The 45<sup>th</sup> meeting of the Executive Committee, Baku, Azerbaijan

The Executive Committee decided not to open the discussion on the organisational structure of the IAP. It was decided to stick with the outcome of a two-year discussion and the decision made in 2015 (Bahrain) to have an organisational structure of a Chief Executive Officer (Secretary General) and an Executive Director and a General Counsel reporting to the Secretary General.

Due to the leaving of the General Counsel Rasmus Wandall, the Executive Committee discussed the General Counsel's job description, vacancy announcement and application procedure.

The Executive Committee discussed the IAP Guidelines for prosecutors for victim – offender mediation. The guidelines aim to set a standard for victim – offender mediation mechanisms and to identify and emphasise the crucial principled decisions that need to be made in the process of implementing. The content was already discussed with UNODC and the International Commission of Jurist. The Executive Committee agreed with the amendments and decided to have a last written consultation.

A report was provided to the Executive Committee about the state of play of the pilot project regarding Regional Offices. The current experiment of a Regional Office in St. Petersburg has been laid down in an agreement between the IAP and the Office of the Prosecutor General of the Russian Federation.

The Executive Committee decided not to try to achieve the status of an Inter-Governmental Organisation, due to its negative side effects, but to stick with a re-application of the UN Consultative Status after July 2018.

Following the discussions in Beijing, the Executive Committee decided on a roadmap on how to deal with complaints from members and non-members, making it possible to set up an ad hoc committee in all situations.

The Executive Committee also discussed the (financial) requirements regarding future Executive Meeting Venues.

The extended annual report of the Standing Committee on Prosecutors in Difficulties was discussed. The Executive Committee praised the important work of the SCPID and asked the Secretary General to seek for more information regarding the situation of prosecutors in Turkey.

The Secretary General presented the 2017 financial figures and results. The 2017 Financial Statements of the accountant BTB was discussed and agreed. The Executive Committee also agreed with a revised 2018 budget and preliminary budget for 2019.

Based on the report of the activity of the Senators, the Executive Committee discussed an amendment of the Senate's rules of procedure and the Senate membership.

The status of several networks was discussed, among them the Counter Terrorism Prosecutors Network in relation to the partnership with UN CTEC and UNODC.

Also, several returning agenda topics were discussed and if necessary decided on: the composition of the Executive Committee, the membership situation, award recommendations, activity reports from Executive Committee members and past and future conferences and meetings.

## SENATE MEETINGS

The Senate of the IAP was created by article 9 of the IAP Constitution. It consists of all past members of the Executive Committee and has a broad mandate to assist the Executive Committee and the President and to make recommendations on any subject relevant to the objects and functioning of the Association.

The 7<sup>th</sup> Senate meeting was held on 10 September 2017 in Beijing, China at the time of the 2018 Annual Conference and General Meeting when ten Senators attended.

The 1<sup>st</sup> to 6<sup>th</sup> Meetings of the IAP Senate were reported upon in the 2017 Annual Report. This report adds the 7<sup>th</sup> Meeting in 2017 and Senate activities generally in the last year.

The Senate of the IAP was created by Article 9 of the IAP Constitution. It consists of all past members of the Executive Committee and has a broad mandate to assist the

Executive Committee and the President and to make recommendations on any subject relevant to the objects and functioning of the Association. In recent times there has been a requirement inserted that the retiring Executive Committee member agree to join the Senate and the uptake has been universal. There has also been inserted a fit and proper person test to cover the situation (fortunately very rare) where a Senator may need to be removed.

The Senate had remained dormant until 2011, when Rules of Procedure were drafted and a process put in place to hold a meeting of the Senate in conjunction with each Annual Conference and General Meeting of the IAP. Only brief references are provided here, but Agendas and Minutes of the meetings are held on file. Also on the Executive Committee meetings file are reports from the Senate (where written reports have been provided).

The first Senate meeting was held in Seoul, Korea at the time of the 2011 Annual Conference, when seven Senators attended. The Rules of Procedure were adopted. Nicholas Cowdery AM QC (President of the IAP, 1999-2005) was elected Chairman and Grenville Cross QC was elected Vice Chairman. Elizabeth Howe, IAP General Counsel, was appointed Honorary Secretary. All terms are for three years.

The Senate has met since at the time of the Annual Conferences in Bangkok (2012), Moscow (2013), Dubai (2014), Zurich (2015), Dublin (2016) when 11 Senators attended (a record) and Beijing (2017).

Nicholas Cowdery and Grenville Cross were re-elected in Dubai and Rasmus Wandall replaced Elizabeth Howe as Honorary Secretary when he came into office as IAP General Counsel. Those positions arose again for election/appointment at the meeting held in conjunction with the Annual Conference in Beijing, 2017 and all were re-elected/reappointed.

In January 2018 Rasmus Wandall announced his resignation as IAP General Counsel and so stood down as Honorary Secretary. He was replaced by Acting General Counsel, Manon Lapointe, when she took up that position.

Between formal meetings communications are made by email to and among a list described as Active Senators. As noted above, all Senators and those retiring from the Executive Committee have been and are requested to indicate if they wish to remain active in the IAP Senate and those who have so chosen are kept on the Active list. Presently they number 44.

From time to time the IAP Secretariat has asked the Senate to source persons to participate in international programs of various kinds and the Senate has been involved in assisting with amendments to the IAP Constitution and other matters of IAP policy and practice. It stands ready to assist the IAP by drawing on the deep and wide experience of its members in almost 30 countries.

## IAP AWARDS 2017

### Special Achievement Award

The Special Achievement Award is given to a prosecutor, whether a member of the IAP or not, who has demonstrated special dedication in the pursuit of his/her professional responsibilities, or who has discharged his/her professional responsibilities in the face of special hardship or adversity or under other circumstances which deserve special recognition.

In 2017 the IAP Special Achievement Award was presented to:

**Dr. Marco de Paolis**, The Military Prosecutor General of Rome. In recognition of his ardent work in the field of prosecution of Nazi war criminals in Italy (click here for [full citation](#)).

Mr. Marco De Paolis is considered to be one of the most authoritative experts in the field of military crimes investigation during the Second World War committed in Italy. He was in charge of the investigation of cases of genocide against the Italian civil population and homicide of



**Dr. Marco de Paolis receives his Special Achievement Award**

the Italian military personnel committed on the territory of Italy and abroad from September 8, 1943 onwards.

Furthermore, Marco de Paolis initiated inquiries into the most serious Nazi crimes committed against the Italian people during the Second World War. He conducted himself 17 of the investigations. During his tenure as Military Prosecutor of the Military Tribunal in La Sapienza, he conducted a larger number of investigations than any other prosecutor of the Italian Prosecution Service.

He has conducted 515 investigations of genocide against the Italian civil population and homicide of Italian military personnel, throughout his career, in different capacities, which adds up to a total number of 515 cases.

From 2003 until 2013, almost a hundred people were convicted as a result of judicial inquiries conducted by Marco de Paolis, of which 57 criminals were sentenced to life imprisonment.

The **Office of the Prosecutor of the International Criminal Tribunal for the former Yugoslavia**. In recognition of 24 years of investigation and prosecution related to the worst atrocities which occurred during the armed conflicts marking the violent disintegration of Yugoslavia in the 1990s (click here for [full citation](#)).

The Office of the Prosecutor of the International Criminal Tribunal for the former Yugoslavia has investigated and prosecuted many of the worst atrocities which occurred during the armed conflicts marking the violent disintegration of Yugoslavia in the 1990s.

The Office of the Prosecutor has indicted and prosecuted numerous individuals for genocide, crimes against humanity and war crimes, who were brought to trial before the International Criminal Tribunal for the former Yugoslavia in The Hague. The Office of the Prosecutor secured 83 convictions and 7 cases remain ongoing.

The Office of the Prosecutor further developed international criminal law and international humanitarian law, more specifically regarding the definition of crimes

against humanity, the law of conflict-related sexual violence offences and the crime of genocide.

The Office of the Prosecutor investigated and prosecuted many crimes, such as the Srebrenica genocide, the massive ethnic cleansing campaign in Bosnia and Herzegovina, Croatia and Kosovo, the siege of Sarajevo, war crimes by foreign fighters and several crimes of conflict-related sexual violence.

The Office of the Prosecutor was the first international prosecution service to implement the principle of complementarity in war crimes.

The International Criminal Tribunal for the former Yugoslavia and The Office of the Prosecutor have brought many war criminals to justice. They have carried a heavy burden with the highest standards of professionalism and in accordance with the IAP's principles.

## Prosecutor of the Year Award

The aim of the IAP Prosecutor of the Year Award is to give a special recognition and encouragement to front-line prosecutors, who have demonstrated an outstanding performance in their work, domestically or internationally.

In 2017 the IAP Prosecutor of the Year Award was presented to:

**Ms Susan Okalany** in recognition of her outstanding performance domestically and internationally in the fight against terrorism, by leading the team who performed the first successful prosecution in a terrorist case in Africa.

On July 11, 2010, two suicide bombers simultaneously detonated improvised explosive devices at two locations in Kampala killing dozens of people and seriously injuring many others. Al Shabaab, an offshoot of Al Qaeda in Somalia, issued a statement claiming responsibility for the bombings. Subsequently, Uganda police launched a massive criminal investigation into the bombings. Hundreds of items of evidence were collected and processed from the attack sites and other places. Hundreds of witness and subject interviews were conducted jointly with Ugandan, Kenyan, American, British, Israeli and Tanzanian law enforcement and intelligence partners.

The Director of Public Prosecutions immediately appointed a team of two prosecutors Joan Kagezi and Anguzu Lino to assist the police with the investigation. Through aggressive and committed investigative case work, under the able guidance of the late Joan Kagezi, the investigations produced information that detailed almost every aspect of the terrorist attacks including the identities of all the conspirators, the recruitment of the operational cell in Somalia, the transfer and storage of the suicide vests from Somalia through Kenya to Uganda, the setting up of safe houses in Nairobi, Mombasa and Kampala, the identification and selection of targets, the transfer of money from United Kingdom to Kenya and subsequently to Uganda to facilitate the bombings, the identities of the suicide bombers and the final execution of the bombing.

The investigations culminated into the arrest of 15 individuals in Kenya, Uganda and, Tanzania. These were subsequently indicted with over 90 counts of Terrorism, Murder and other related offences. As a result of a thorough investigations and compelling evidence elicited. In 2011, two defendants pleaded guilty and agreed to cooperate with prosecutors and offer testimony in this trial as well as in other terrorism cases. Both defendants provided crucial testimony during the subsequent trial and one provided information that contributed to the conviction of four defendants in the United States on terrorism charges.

Following a lengthy constitutional petition challenging their prosecution, the full trial of 13 defendants began in March 2015. Less than a month later, the lead prosecutor, Joan Kagezi, who had overseen the prosecution from the outset, was assassinated while driving home from her office with two of her children in the car, witnessing the murder of their mother. Up to now the perpetrators of that assassination were not brought to court and the investigation is still ongoing.

After a short recess, the Director of Public Prosecutions appointed **Susan Okalany** to lead the prosecution. The case involved 76 deaths, uncountable victims of injuries, involving victims from 9 countries. The 13 defendants were from 3 different countries namely Kenya, Uganda, and Tanzania. The team had little time to prepare and proceed with the trial. The prosecution called 82 witnesses.

On May 26, 2016 after 11 months of trial, the court convicted eight defendants including all those directly involved in carrying out the attack.

Susan Okalany was subsequently appointed to the high court of Uganda.

## Certificates of Merit

The IAP Certificate of Merit is awarded as an expression of the Association's gratitude to members of the IAP (individual or organisational) for their pursuit of the Objects of the Association. Certificates of Merit can also be awarded to non IAP members as an expression of the Association's gratitude for supporting the association.

- Resigning Executive Committee Member **Rory Field** (Vice-President of North America and Caribbean).
- **The Office of the Director of Public Prosecutions of Ireland**; for hosting the 21st IAP Annual Conference and General Meeting in Dublin, Ireland 11 - 15 September 2016.
- **The Office of the Director of Public Prosecutions of Jamaica**; for hosting the 4th North American and Caribbean Conference in Montego Bay, Jamaica from 2 - 4 November 2016.
- **The Supreme Public Prosecutors Office of South Korea and the Busan District Prosecutors Office**; for hosting the 43rd Executive Committee Meeting in Busan, South Korea from 3 - 5 April 2017 and for hosting the 10th Asia and Pacific Regional Conference in Busan, South Korea from 5 - 7 April 2017.
- **The Asociación Costarricense de Fiscales**; for hosting the 6th Latin American Regional Conference in San José, Costa Rica from 26 - 28 April 2017.
- **The General Prosecutor's Office of Albania**; for hosting the 16th European Regional Conference in Tirana, Albania from 22 - 24 May 2017.
- **The Association of Public Prosecutors and Deputy Public Prosecutors of Serbia**; for hosting the 3rd Global Forum for Associations of Prosecutors in Belgrade, Serbia from 25 - 28 May 2017.
- **The Office of the Chief Prosecutor of Georgia**; for hosting the 8th Eastern European and Central Asian Regional Conference in Tbilisi, Georgia from 26 - 28 June 2017.



# COMPLAINTS AGAINST MEMBERS

## 2017 and current complaints

An individual member, the same member who submitted a similar complaint in 2012, submitted a second complaint against Bahrein in 2017. The new complaint brought up new aspects but was mostly based on the same points which were raised in the first complaint. The Executive Committee decided to rest the case and not to take further action.

In September 2017, an individual member submitted a complaint, regarding inappropriate sexual behaviour, against a person representing an organisational member. The Secretary-General has set up an ad hoc committee to investigate the complaint. After investigating, the ad hoc committee recommended to expel the person from all IAP activities for a period of five years. The Executive Committee agreed with the recommendation of the ad hoc committee and the Secretary-General executed the decision.

The Netherlands Helsinki Committee filed a complaint on 7 March 2018. In accordance with the procedure set out in article 6.2 of the Constitution, Annex 3 of the IAP Constitution and the IAP Complaint Protocol, the complaint was sent to the Azerbaijan Public Prosecution Service for a response. The Executive Committee decided not to set up an ad hoc committee to review the complaint. In a written consultation the Executive Committee agreed on a proposed response, which will be officially noted at the Executive Committee meeting in Johannesburg.

## PROSECUTORS IN “DIFFICULTIES”

The Standing Committee on Prosecutors in Difficulties (SCPID) presented a detailed report to the Northern Spring Meetings of the Committee. The report of the Chair of PSPID, covering the period March 2017 to March 2018, is uploaded under item 12.

Next to SCPID matters, the Secretary-General dealt with matters, regarding prosecutors confronted with sensitive situations. These situations are mentioned below.

## Turkey

As reported before, the Executive Committee decided to keep the dialogue open regarding the dismissal of thousands of judges and prosecutors and the prosecution of hundreds of them. In Beijing, the President and the Secretary-General met with Mr. Mehmet Akarca, Prosecutor General of the Supreme Court of Appeal. The IAP reiterated the importance of the rule of law and expressed its concern about the many detained prosecutors and what appears to be an encroachment on the right to a fair trial. After a detailed explanation of the situation in Turkey, the Turkish delegation again confirmed the importance of fair trial and the rule of law.

The Secretariat received an invitation from the Turkish Association of Judicial Unity (YBD), to attend their Annual General Assembly in Ankara on 14 April 2018. Following a discussion with the Executive Committee in Baku, it was agreed to accept the invitation and attend the event as a non-contributing observer to address concerns during a bilateral meeting. The Secretary-General and the Executive Director had a bi-lateral meeting with the President of the Association. The IAP Officials reiterated the concerns regarding the treatment and prosecution of the dismissed Turkish prosecutors. On behalf of the Executive Committee, the IAP Officials asked the President of the Association to provide more detailed information about the number of dismissals, prosecutions, detentions and convictions. The President agreed to provide these figures to the IAP, to the extent possible. After returning, the Secretary-General reiterated the request in writing to the Turkish Association. No reply has been received yet.

## PARTNERSHIPS

Through our partnership project IAP CTPN we have been able to initiate discussions with two new organisations which could be of great benefit to the IAP. Firstly, the ICT4Peace, a Swiss foundation which focuses on the collaboration between private and public institutions in counter-terrorism related matters. Second, the Internet and Jurisdiction Policy Network, which is a major network foundation targeting knowledge sharing and reform of jurisdictional challenges as a result of the increasing role of the internet. Judy McKee from NAGTRI represented the IAP at their meeting in Ottawa on 26 February 2018.

On an operational level, we have continued our close collaboration with the UNODC and CTED. With the Counter-terrorism branch and the organizational crime division we are collaborating on MLA platforms and tools. With the UN CTED, we continue our collaboration to secure better tools for prosecutors in securing digital evidence in counter-terrorism cases.

Our ongoing partnership with the Siracusa International Institute, the OSCE and with EuroMed, are all progressing according to plan.

## IAP PUBLICATIONS

### New IAP Brochure

At the Baku meeting (April 2018) the Executive Committee approved the draft version of the new IAP brochure. The new brochure provides potential new individual members and organisations with the latest information. It has been uploaded on the [IAP website](#). Colleagues of the IAP Regional Office in Saint Petersburg translated the brochure into Russian and made it available on the [Russian IAP website](#).

### Newsletters from specialist networks

The GPEN and FICJ E-newsletters are consistently published on the specialist websites and distributed on a monthly basis to the enlisted members of these networks. The feedback from our members is very positive; this is clearly a product of high value.

The Governing Board behind NMP (Military Network) is considering publishing quarterly or half-yearly e-newsletters. This year, they will publish two. The first will go out in advance of the Annual Conference and will include a call to prosecutors dealing with criminal cases against military personnel to attend the sessions taking place in Johannesburg. The second newsletter will include a report of the conference and the round table discussions.

## Leaflets for Specialist Networks

The facilitators behind the newly established Consumer Protection Network (PCPN) created a special leaflet for their network. Please click here for the [PCPN Brochure](#).

## Reports from Past IAP Events

The 22<sup>nd</sup> IAP Annual Conference and General Meeting, Beijing, People's Republic of China 10 – 14 September 2018. Theme: ""Prosecution in the Public Interest - Facing the challenges and opportunities in changing societies". The Supreme People's Procuratorate of People's Republic of China hosted the unforgettable event.

Over the course of five days in Beijing, with plenary sessions and keynote speeches, workshops and special interest group meetings, 431 prosecutors from 99 countries and territories from all continents of the world joined together in a constructive comparative discussion. The available reports and contributions to the conference sessions are available on the IAP website. The outcome of the conference can be downloaded by this link: <http://www.iap-association.org/getattachment/Publications/IAP-Publications/collected-reports-Beijing-pdf5.pdf.aspx>.

## Future IAP CONFERENCES AND EVENTS

### 4th IAP Global Forum for Associations of Prosecutors



Venue: **Lesedi Cultural Village, South Africa.**

Period: 5 – 7 September 2018.

Theme: "Independence of Prosecutors' Associations"  
[Conference Programme.](#)

Host: Society of State Advocates of South Africa.

The IAP Forum for Associations of Prosecutors will be pre-launched during the 4<sup>th</sup> Global Forum.

## 5<sup>th</sup> North American and Caribbean Regional Conference



**Venue:** Sheraton Toronto, Canada.

**Period:** 16 – 18 October 2018.

**Theme:** “Essential Elements: Prosecuting in the 21<sup>st</sup> Century”  
[Conference Programme.](#)

**Host:** The Public Prosecution Service of Canada.

The acting General Counsel has assisted in identifying three prosecutors from Haiti and seeking funding from the Organisation de la Francophonie to ensure their participation.

## 11<sup>th</sup> IAP Asia & Pacific Regional Conference

We planned to host the next conference within the Asia & Pacific region in Port Vila, Vanuatu with the support of the Office of the Public Prosecutor. This event has been cancelled.

## 9<sup>th</sup> Eastern Europe and Central Asian Regional Conference

The Secretariat received a bid from the Office of the Prosecutor General in Belarus to host a regional conference of the IAP in Minsk in 2019

**Venue:** Minsk, Belarus.

**Period:** June 2019.

**Host:** The Office of the Prosecutor General of Belarus.

## 17<sup>th</sup> European Regional Conference

The Secretariat is in dialogue with Sindicato dos Magistrados do Ministério Público (SMMP) in Portugal regarding a potential bid to host a regional conference in Porto, Portugal in 2019.

**Venue:** Porto, Portugal.

**Period:** May 2019.

**Host:** Sindicato dos Magistrados do Ministério Público (SMMP).

## 7<sup>th</sup> Latin American Regional Conference

The Secretariat in dialogue with the Associação Nacional dos Procuradores da República (ANPR), Brazil and the Asociación de Agentes Fiscales del Ministerio Público del Paraguay regarding the hosting of a regional conference in The Triple Frontier (a tri-border area along the junction of Paraguay, Argentina and Brazil, where the Iguazú and Paraná rivers converge).

**Venue:** **Triple Frontier (Brazil and Paraguay).**

**Period:** November 2018 or February 2019.

## IAP/NAAG Human Trafficking Conference

**Venue:** **San Juan, Porto Rico.**

**Period:** 16 – 17 January 2019.

**Theme:** IAP NAAG Human Trafficking Summit. The following sub-themes will be explored in workshops and plenaries: trafficking of labourers, sexual tourism, the interplay between conflict zones and human trafficking, Investigation techniques in relation to proceeds of crime, use of crypto currencies, and "follow the money" techniques, as well as the role of social media and human trafficking.

## 24<sup>th</sup> IAP Annual Conference and General Meeting 2019



**Venue:** **Buenos Aires, Argentina (Centro de Convenciones Buenos Aires).**

**Period:** 15 – 19 September 2019.

**Theme:** "International cooperation across different legal systems" Each plenary will explore the differences and similarities between the various traditional legal systems relevant to international cooperation, with a view to understanding each other and to overcome challenges in international cooperation. These exchanges will allow each country to become more efficient in international collaboration, whether that is requesting cooperation or responding to others' requests. Four sub-themes have been identified: 1) The accusatorial and inquisitorial systems: differences and similarities; 2) The gathering and sharing of evidence; 3) The role of the prosecutor during the investigation and its impact on international cooperation; and 4) Recent developments and trends in sentencing.

**Host:** The Office of the Attorney General's Office of the Autonomous City of Buenos Aires.

## 25th IAP Annual Conference and General Meeting 2020



**Venue:** Athens, Greece (Great Britain Hotel / Classic Hall, University of Athens).

**Period:** 6 – 10 September 2020.

**Host:** \_\_\_\_\_The Hellenic Association of Prosecutors.

## 26th IAP Annual Conference and General Meeting 2021



**Venue:** Tbilisi, Georgia.

**Period:** 12 – 16 September 2021.

**Host:** Office of the Chief Prosecutor of Georgia.

# MEETINGS AND REPRESENTATIONS

Speaking engagements and conference participation provide a valuable opportunity to raise awareness of the IAP networks, programmes and projects among partnering organisations and potential funding sources. Engaging in regional and global discussions also present a unique opportunity for advocating the IAP standards and principles and making the voice of the global prosecutors being heard.

The IAP Officials and some individual members of the Executive Committee have represented the Association at a wide range of international seminars, events and meetings since Beijing meeting (September 2017). Here are brief reports on each activity:

## UN, New York, United States (September 2017)

- Who:** General Counsel
- What:** Presentation of the role of prosecutors and the current challenges on MLA in securing digital evidence. Special session with UN CTED and UNODC and communication service providers during UN General Assembly.
- Object:** Deliver presentation; meet with partners and with human rights office to ensure compliance with human rights s in the CTPN IAP/UNODC/CTED project; continued fundraising of project.
- Outcome:** Presentation and participation in special session; attended meetings with donor; received input on human rights concerns related to the project.

## Quebec, Canada (October 2017)

- Who:** General Counsel
- What:** Study visit to Quebec Prosecution Service and participation in the Quebec Association Conference dedicated to the ten years of independent Prosecution Service in Quebec. The meeting was attended by all Quebec prosecutors.
- Object:** Reach out to Quebec prosecutors; See the content and unfolding of the conference in light of the IAP Annual Conference in Johannesburg.
- Outcome:** Increased awareness of the IAP in Quebec. Developed the draft programme theme and identified possible plenary speakers.



## Oslo, Norway (October 2017)

- Who:** General Counsel
- What:** The Oslo Conference on Business and Human Rights Retreat with select legal and law enforcement experts on the investigation and prosecution of corporate crimes, organized by ICAR.
- Object:** To participate in the conference discussions, deliver presentation, and engage with the human rights community
- Outcome:** Participation and delivered presentation. Together with other prosecutors taking part in the meeting engaging with the community to explain the role of prosecutors, the strategy of the IAP to advocate high professional standards and to assist in capacity building. Furthermore, the meeting generated ideas for potential interaction between law enforcement and prosecution services and non-state bodies working in the area of documenting criminal behaviour.

## Buenos Aires, Argentina / Santiago, Chile (6–17 November 2017)

- Who:** Secretary-General, Executive Director and Project and Community Manager (only attended Buenos Aires programme)
- What:** To perform training of local team of prosecutors and web managers in the use of the IAP web Content Management System, 7 and 8 November 2017 (Spanish website project). Meeting with Prosecutor General of Santa Fee, Argentina (recruitment). Site visit at venue for the 24<sup>th</sup> Annual Conference and General Meeting in Buenos Aires, Argentina from 7 to 9 November 2017.  
Attending the 60<sup>th</sup> Annual Meeting of the International Association of Judges in Santiago de Chile from 12 – 16 November 2017 with courtesy visit to Attorney General Mr. Jorge Abbot and renewal of organisational membership of Chile.
- Object:** To transfer the administration and facilitation of the IAP Spanish Website to local team. Discussing expectations and settle on terms for Executive Committee Meeting and preparing for the Annual Conference with LOC.  
To reaffirm the close ties between Chile and IAP and to renew organisational membership
- Outcome:** Successful transfer of competences.  
Agreement reached regarding the selection of conference venue (Convention Centre).  
Agreement reached regarding overall terms for renewal organisational membership.

## Tallinn, Estonia (20 – 24 November 2017)

**Who:** Project and Community Manager

**What:** Fourth Session of the EuroMed Justice Expert Group in Criminal Matters (CrimEx).

**Object:** To represent the IAP and give a presentation about the IAP, and how the networks' objectives, functions, membership, challenges, best practices, and recommendations for EuroMed Justice Expert Group.

**Outcome:** Objectives achieved.

## Saint Petersburg, Russian Federation (28 – 30 November 2017)

**Who:** President, Secretary-General, Executive Director, Project and Community Manager

**What:** Opening ceremony of the regional office of the IAP in Saint Petersburg on November 30, 2017 and attending gala reception of Prosecutors General from 14 states, participating in the 27<sup>th</sup> Meeting of the Coordinating Council of Prosecutors General of the Commonwealth of Independent States and the 15<sup>th</sup> Meeting of the Prosecutors General of the Shanghai Cooperation Organization, on November 29, 2017.



**Object:** Opening of the regional office of the IAP in Saint Petersburg.

**Outcome:** Objects achieved.

## The ICJ Geneva Forum, Geneva, Switzerland (November 2017)

**Who:** General Counsel

**What:** The Geneva Forum of the International Commission of Jurists 2017 focusing on VOM and Human rights.

**Object:** To deliver a presentation on VOM and prosecution, and to engage with forum participants – many of which are significant members of the international human rights community.

**Outcome:** Presentation and dialogue –input on the IAP VOM guidelines and contact with UN Special Rapporteur office for keynote address in Johannesburg

## Maldives (November 2017)

- Who:** Sabin Ouellet, Executive Committee Member
- What:** Participation in UNODC/CTED/ROSA (regional office for South Asia)/ROSEAP (Regional Office for South-East Asia and the Pacific) regional capacity building meeting on Counter-terrorism MLA.
- Object:** Represent the IAP; presentation and input.
- Outcome:** Presentation and participation in meeting.

## APA meeting, Cairo, Egypt (December 2017)

- Who:** General Counsel
- What:** Participation in the APA annual meeting
- Object:** Deliver presentation, participate in the sessions and outreach to prosecution services of the continent. Further discussions with Egypt on possible regional conference in Luxor, Egypt.
- Outcome:** Delivered presentation (the potential role of APA in future MLA), discussed remaining diplomatic challenges (Qatar) with the Prosecutor General of Egypt concerning a regional conference, agreed arrangements for new lecturers for the Siracusa course, and solidified and extended our network in Africa.

## Mombassa, Kenya (24 – 27 January 2018)

- Who:** Executive Director
- What:** Meeting with Wildlife Justice Commission about potential network of prosecutors dealing with wildlife Crime
- Object:** To discuss details and finalize first draft concept note with a clear division of work and clarification of roles and responsibilities of all stakeholders involved. Furthermore, discuss joint fundraising and expertise proposal. Brainstorming session about the specific role of Strathmore. Research into viability of UNODC funding for the project
- Outcome:** as object

## Madrid, Spain (January 2018)

- Who:** General Counsel
- What:** EuroMed Justice IV Project, including Prosecutor General Forum and CrimEx workshop. Participation in CrimEx workshop with presentation on the use of cross-regional MLA and the role of informal networks; participation in the final drafting of the PG declaration and PG forum.

**Object:** Represent the IAP; participate in final drafting of PG forum declaration; presentation during CrimEx workshop; develop further use of the IAP contact database and collaboration with this initiative.

**Outcome:** Final declaration, workshop presentation and discussion on the use of IAP informal networks, outreach to North African prosecution services and align project work with IAP community building and database development.

## GCTF meeting, Valletta, Malta (January 2018)

**Who:** General Counsel

**What:** Representing the IAP at the Global Counter Terrorism Forum (GCTF) meeting focusing on digital evidence and MLA.

**Object:** To represent our projects and global networks to the 40+ state representatives and international organizations and to coordinate possible future collaborations.

**Outcome:** Presentation and coordination – and outreach the CT representatives present. Advocated for the development of practical tools developed by the international community and discussed possible collaboration with representatives from international organizations.

## Funchal, Madeira (January 2018)

**Who:** General Counsel (on behalf of the IAP President and SG)

**What:** Participation in Portuguese Association of Prosecutors biannual meeting.

**Object:** Keynote Address on the role of Associations in securing independent accountable prosecution under the main theme of the conference.

**Outcome:** Keynote address; outreach to new organizational members and to Portuguese prosecutors.

## Bangkok, Thailand (January 2018)

**Who:** Thomas Frøberg, Office of the DPP of Norway (contact through Runar Torgersen)

**What:** Participation in the regional capacity building meeting of UNODC and CTED to increase the dialogue between central authorities and prosecution services on MLA regarding counter-terrorism and related cases.

**Object:** Provide expert input to the regional meeting.

**Outcome:** Presentation and participation in the meeting.

## London, United Kingdom (1 – 2 February 2018)

- Who:** Executive Director and Project and Community Manager
- What:** Onsite website development meeting with ECRU-team and video conference call with Daniel Varab.
- Object:** To offer input for an IT-project proposal about the problems and needs to address IT-issues of the IAP's Community tool. Furthermore, discussion of maintenance agreement for the IAP website and upgrade to higher standards of security and succession planning.
- Outcome:** Objectives achieved.

## Vienna, Austria (14 – 16 February 2018)

- Who:** Secretary-General and Executive Director
- What:** Introducing 5 different organisations to the IAP Programmes, projects and benefits of membership
- Object:** . Recruitment of Austrian Prosecution Service
- Outcome:** Successful recruitment – Austrian Prosecution Service approved as members in May 2018.



## Washington, United States (26 February – 1 March 2018)

- Who:** Secretary-General and Executive Committee member Nicola Mahaffy
- What:** Meeting with National Association of Attorney Generals (NAAG).
- Object:** Inform the US Attorney Generals on IAP developments and the PEP programme, discussion about the setup of the Consumers Protection Network with NAGTRI.
- Outcome:** Possible new members and agreement on moderating website CPN.

## Wilton Park, England and Wales (February 2018)

- Who:** General Counsel
- What:** Summit, hosted by the CPS, on "Stepping up the level of prosecution for people trafficking, modern slavery, organised immigration crime and forced labor across Europe".
- Object:** To participate and contribute to the summit's ambition to identify future solutions – both short term and long term – and advance the operational use of the IAP TIPP.
- Outcome:** Participation and selected discussant of the conclusory session. Working together with active IAP TIPP members present to bring practical MLA challenges to the foreground in the discussion.

## Brussels, Belgium (February 2018)

- Who:** General Counsel
- What:** Euromed Justice IV Project. Participation in the 2<sup>nd</sup> conference and evaluation of the EuroMed Justice Project IV.
- Object:** Represent the IAP; comment on the draft handbooks for prosecutors and others; discuss the future use of the IAP network in the project.
- Outcome:** Evaluation and discussion of handbooks with all stakeholders. Discussion of future trajectory of project.

## Vienna, Austria (March 2018)

- Who:** General Counsel
- What:** 1<sup>st</sup> expert meeting (60+) to prepare handbook on securing digital evidence across borders (IAP CTPN/CTED/UNODC project).
- Object:** Opening address and facilitation of meeting with partner organizations.
- Outcome:** Provided input to the 2 consultants responsible for the drafting of the handbook. Further meetings with EuroMed Justice representative on alignment of handbooks and other activities; further coordination with project partners on funding activities and project progress.

## Brussels, Belgium (20 March 2018)

- Who:** Project and Community Manager and Senior Legal Advisor
- What:** Meeting with Mr Michael Korhonen, Communication Manager and Mr. Quentin Balthazart, Head of Office of the European Judicial Training Network (EJTN)
- Object:** To address various IT-platforms and plans: Website, Networking platform, the online participant systems, social media platforms and project management tool.
- Outcome:** Objectives achieved.

## Palestine (21 March 2018)

- Who:** President
- What:** Participation and presentation to the Palestine authorities about the unity and independence of the public prosecution (international models).
- Object:** Representing the IAP and addressing the conference
- Outcome:** as object

## Baku, Azerbaijan (4 – 6 April 2018)

- Who:** Executive Director and Project and Community Manager.  
**What:** Renewal of individual memberships.  
**Object:** To renew existing memberships and sign up new members.  
**Outcome:** 220 Individual Memberships renewed and 26 new members recruited.

## Baku, Azerbaijan (9 – 13 April 2018)

- Who:** President, Secretary-General, Executive Director, Acting General Counsel and Project and Community Manager.  
**What:** Executive Committee meeting.  
**Object:** Together with local host organising meeting of the Executive Committee.  
**Outcome:** As objects.

## New York, USA (9 – 10 April 2018)

- Who:** Colonel Bruce MacGregor, Canadian Director of Military Prosecutions and Co-Chair of the IAP Network for Military Prosecutors.  
**What:** Participation in the high-level expert meetings on “Bringing terrorists to justice before national courts: developing guidelines to facilitate the collection of information and evidence by military and other relevant criminal justice actors within a rule-of-law framework” at the United Nations in New York on behalf of the IAP.  
**Object:** The objectives of the meeting were (1) to facilitate the exchange of ideas with a view to exploring the possibility of developing United Nations guidelines for prosecutors, military actors, police officers and prison officials on the collection, sharing and use of evidence in high-risk situations, including conflict and post-conflict settings, for the purpose of the prosecution of terrorists suspects before national courts, and on the role of military actors in the arrest, detention and surrender of terrorist suspects; and (2) to identify and discuss related challenges, existing good practices, and recommendations.  
**Outcome:** The conclusions to the meetings and next steps will be prepared and will be made available by CTED in autumn 2018.

## Ankara, Turkey (14 April 2018)

- Who:** Secretary-General and Executive Director.  
**What:** The Second Plenary Assembly of the Association of Judicial Unity (YBD).  
**Object:** To attend the event, as a non-contributing observer, and to express the concerns of

the IAP for the treatment and prosecution of the dismissed Turkish prosecutors.

**Outcome:** The President of YBD, Birol Kirmaz committed to deliver more detailed information about the number of dismissals, prosecutions, detentions and convictions.

## Courtesy/recruitment visit in Minsk, Belarus (25 - 27 April 2018)

**Who:** President, Executive Director and the Executive Officer from the IAP Regional Office.

**What:** Introducing the Prosecutor General of Belarus, Alexander Konyuk to the IAP Programmes, projects and benefits of membership.

**Object:** Recruitment of the Belarusian Prosecution Service.

**Outcome:** Successful recruitment and bid to host the 9<sup>th</sup> IAP Eastern European and Central Asian Regional Conference in Minsk, Belarus in spring 2019.



## Lisbon, Portugal (25 - 26 April 2018)

**Who:** Secretary-General.

**What:** 6<sup>th</sup> Session of the EuroMed Justice Expert Group in Criminal Matters (CrimEx).

**Object:** To get familiar with EuroMed project and to find out what EuroMed means for the IAP. The EuroMed Justice IV project is about strengthening mutual legal assistance in the Mediterranean regions. Further discussions on CrimEx docs in particular the Handbook and the Road maps.

**Outcome:** As objects.

## Washington DC, United States (24 – 25 May 2018)

**Who:** Project and Community Manager.

**What:** Meeting with the Director of the NAGTRI Centre for Consumer Protection of NAAG, Ms. Abigail Stempson Facilitator for the Prosecutors Consumer Protection Network (PCPN).

**Object:** To perform training on the use of the IAP web Content Management System.

**Outcome:** Objectives achieved.





## Toronto, Canada (28 – 29 May 2018)

- Who:** Project and Community Manager.
- What:** Meeting with Ms. Kate Matthews of the Toronto Crown Attorneys' Office and the IAP Facilitator for the Forum for Associations of Prosecutors.
- Object:** To perform training on the use of the IAP web Content Management System.
- Outcome:** Objectives achieved.

## 100 Year Anniversary, Tbilisi, Georgia (29 – 31 May 2018)

- Who:** Secretary-General and Executive Director.
- What:** Deliver a presentation and attending the celebration of the 100 year anniversary of the Georgian Prosecution Service.
- Object:** Representing the IAP and nurture the good relationship with a strong supporter of the Association.
- Outcome:** Same as object.

## Euromed 7<sup>th</sup> Crimex Session, Luxembourg (20-21 June 2018)

- Who:** Senior Legal Advisor.
- What:** Euromed Partnership meeting.
- Object:** Identifying and prioritising the needs for judicial training on cross-border cooperation in criminal matters within the Euro-Mediterranean region.
- Outcome:** Delivering expertise to Euromed partners.

## GPEN Training, Saint Petersburg, Russian Federation (June 2018)

- Who:** Secretary-General and Executive Officer IAP Regional Office.
- What:** GPEN training seminar.
- Object:** Providing level 2 training for prosecutors.
- Outcome:** Prosecutors from 6 countries participated training by 5 lecturers.

## 100 Year Anniversary Celebrations, Yerevan, Armenia (29 June – 1 July 2018)

**Who:** President and Executive Director.

**What:** Delivering a presentation and attending the 100 years anniversary of the Armenian Prosecution Service.

**Object:** Representing the IAP and complying with a commitment to be more visible in the region.

**Outcome:** Dialogue with Executive Secretary of the Coordination Council of the Prosecutors General of CIS Member States regarding application for organisational membership.



## Siracusa, Italy (June - July 2018)

**Who:** Secretary-General and Senior Legal Advisor.

**What:** Siracusa training for young prosecutors.

**Object:** Co-organising training with the Siracusa Institute.

**Outcome:** Training attended by 40 participants from all over the world.

## Courtesy visit Astana, Kazakhstan (16 – 18 July 2018)

**Who:** President and Executive Director.

**What:** Courtesy visit.

**Object:** To learn about the present reform project and to discuss potential further involvement of the Office of the Prosecutor General of the Republic of Kazakhstan in the activities of the IAP.

**Outcome:** Same as object.

## Saint Petersburg, Russian Federation (17 – 20 July 2018)

**Who:** Project and Community Manager.

**What:** Meeting with Mr Hermann Horn, Executive Officer, IAP Regional Office for Eastern Europe and Central Asia.

**Object:** Official site visit to discuss cooperation with the IAP Secretariat and activities.

**Outcome:** Objectives achieved.



## SITES VISITS FROM SEPTEMBER

Next to the previous mentioned, more external, representation the IAP Officials also facilitated several regional IAP conferences as well as they paid some co-called "Site Visits" to a number of future IAP Conferences, with the purpose of matching expectations, establishing relationship between the IAP and the local host representatives and to agree on logistical arrangement (conference venue, hotels and social events). Any cost related to any such site-visits rest with the host.

### Destination: Athens, Greece (17 – 19 October 2017)

**What:** Potential venue for the 25<sup>th</sup> Annual Conference and General Meeting in 2020

**Whom:** Secretary General and Executive Director

### Destination: Johannesburg, South Africa (28 – 30 January 2018)

**What:** Visit 2<sup>nd</sup> proposed venue for the 23<sup>rd</sup> IAP Annual Conference and General Meeting 2018

**Whom:** Secretary-General and Executive Director

## VISITS AT SECRETARIAT, OF SPECIAL INTEREST

### International Justice Mission (16 April 2018)

**Who:** Secretary-General and Project and Community Manager.

**What:** Meeting with Claire Wilkinson and Anita Delhaas of the International Justice Mission.

**Object:** IJM appreciates the IAP's commitment to end human trafficking and is looking forward to discussing a range of mechanisms that can help both organisations more efficiently meet this goal together.

## Representative for the creation of a Latin American and Caribbean Criminal Court Against Transnational Organized Crime - COPLA (13 July 2018)

- Who:** Secretary-General, Acting General Counsel and Project and Community Manager.
- What:** Meeting with Mr. Fernando Iglesias, World Federalist Movement Council Chairman and Camila López Badra, Campaign Coordinator.
- Object:** Presentation of COPLA-initiative and requests for assistance and support in the further development of the COPLA.
- Outcome:** As objects and COPLA to submit an official letter to support and the setting up of a think-tank to take the COPLA initiative to an operational level.

# FINANCIAL REPORT 2017

## Introduction

The somewhat troublesome financial years 2012-2016 were closed – and left behind - with the financial statements of 2016 adopted by the Executive Committee during its 45th meeting in Busan, South Korea, in April 2017. Today the IAP Secretariat can ensure that all financial transactions and processes are managed in accordance with common practice and internationally accepted accounting standards, audited by our accountant firm Baker Tilly Berk (BTB). The ongoing professionalisation of the IAP financial procedures nevertheless continue to be a priority of the Secretariat.

## Status on the new financial systems and processes

Almost two years ago more transparent financial management structures and procedures were introduced to include an integration of a proper digital bookkeeping system, which meets common practice and internationally accepted accounting standards. This bookkeeping system was proposed by our new accountants Baker Tilly Berk (BTB) and implemented in the summer of 2016. Also, a new Financial Procurement and Expenditure Protocol was introduced, the last amendment to this protocol was approved by the Executive Committee in Beijing (September 2017).

The first full financial year 2017 under the authority of the new Secretary-General, showed that integration of new procedures and digital book keeping system requires constant focus and continuous "fine tuning". The closing of the 2017 Fiscal Year displayed a serious need for a better cost control system and thus BTB upgraded our bookkeeping system during 2018 to allow for entry of more detailed input. This will support the Secretariat in keeping track of and managing income and expenses. The new system is more user-friendly. This is why it was decided to return the bookkeeping to the Secretariat. Today, BTB only controls the posting process and the preparation of the annual financial statements.

The accuracy of the financial procedures and figures gave accountancy firm BTB full confidence in the accuracy of IAP's financial activities as stated in the 2017 financial statements. The [financial statements report](http://www.iap-association.org/Resources-Documentation/Financial-Statements) of BTB is uploaded on the IAP website <http://www.iap-association.org/Resources-Documentation/Financial-Statements>.

## Developments in membership fees

As approved by the Executive Committee, the Secretariat will be much stricter in the collection of membership fees. Late payers will be reminded regularly, and non-payers will be approached in order to re-activate a dormant membership. In 2017, the Secretariat was very strict in the enforcement of the rule according to which only members who are up-to-date with their payments will be allowed access to IAP conferences and training events. Others will be refused access to other benefits of membership.

When the IAP's Executive Director was appointed in her new role in 2015 she was made responsible for the administration and recruitment of the organizational members, which includes the collection of income. Due to the new focus on the collection of subscription from organisational members, the income from this group increased from EUR 289.000 in 2015 to EUR 437.000 in 2017.

In addition to mandatory membership fees, the IAP is receiving extra support, either in resources or financial.

Three former major contributors, the Netherlands (raised its support above EUR 150.000 in 2017), the UK and Denmark (respectively EUR 40.000 and EUR 43.000 in 2017) kept their strong support of the IAP. The same applies for Saudi Arabia, China and the US Department of Justice, who raised their contribution well above the level of the regular fee. Other members raised their membership fee to EUR 10.000. New support came in from the Belgian, the Georgian, the Russian Prosecution Services (2017) and the Canadian Prosecution Service (2018), all by providing the IAP with personnel capacity.

## Developments in the 2017 income

The 2017 income of EUR 570.000 is about the same as in 2016. But then 2016 was not a normal year, because of extra income and expenses due to financial irregularities in relation to the former Secretary-General. By far, most income received in 2017 came from membership fees, EUR 479.000, compared to EUR 429.000 in 2016.

Of the EUR 479.000 income, EUR 438.000 came from organisational membership fees and EUR 41.000 from individual membership fees.

The Executive Committee approved membership to a number of new organisational members in 2016, who started paying their fees in 2017. With the strict payment policy, some members payed their 2016 overdue membership fees. This explains the substantial raise in income.

The US National Association of Attorney Generals (NAAG) is paying the fee of the Afghan Association of Prosecutors, the UK Foreign and Commonwealth Office is supporting the Office of the Attorney General of Somaliland and the International Development Law Organization (IDLO) is paying the fee of the Office of the Attorney General of Afghanistan.

The IAP has about 850 individual members who are up to date with their payments. Of the re-activated individual members whose fees have been waived for 2017, the IAP expects to collect a few additional thousand euros in 2018.

## Developments in the 2017 expenses

As far as expenses are considered, 2017 showed an increase of EUR 43.000 compared to 2016, for a total of EUR 611.000 compared to EUR 568.000 in 2016.

One of the reasons was the ending of the contract with IAP Office Manager, Ms. Evie Sardeman, and the hiring of a new office manager through a contract agency.

Another important raise in IAP's expenditure was caused by travel costs, which went up by 50.000 EUR due to increased staff members (including several interns), more acquisition, representation travels, and more visits to (Regional) conferences. More funds were spent on IAP's Global Prosecutors E-crime Network (GPEN).

## Agreement IAP – AIPPF

In accordance with the agreement between AIPPF (L'Association Internationale des Procureurs et Poursuivants Francophones) and IAP, both associations share the income collected from members representing francophone jurisdictions, on a 50/50 ratio. In 2017 the IAP transferred EUR 17.325 to the AIPPF.

## Stichting (Foundation) Treasury IAP

At present, the Board members of the Stichting Treasury IAP, the legal body and financial vehicle of the Association, are the Secretary-General as chair and two current Executive Committee members, Josip Čule and Sabin Ouellet, who are also authorised to approved invoices (double signature requirements). In Busan (April 2017) the Executive Committee decided to appoint member Claire Loftus as an extra co-signer as described in the procurement rules.

## 2018 Budget

In 2018, the bookkeeping system will be re-developed to allow the Secretary-General to keep track of manage income and expenditures. This system upgrade will be also visible

in future financial statements as the accountant mirrors all postings in its financial statement.

Regarding to the 2018 budget itself, an increase in the organisational membership fees is expected. The Executive Director and Secretary-General, together with a number of active members of the Executive Committee, are still working on the recruitment of new members. Another factor which should raise the income is making the membership fees consistent with the financial protocol. In the past the IAP has attracted many new members with lower membership fees, also attributable to the strict former financial protocol. The new financial protocol provides theoretically a 30% increase of the organisational fees, which will over time generate a further raise of the income.

The salary budget posts of IAP's employees will be much lower in 2018, compared to 2017, due to the resignation of the former General Counsel and the generous Canadian offer to second an acting General Counsel free of charge.

The overall financial picture for 2018 shows a firm surplus, which will allow the IAP to achieve its future goals. One of these goals is investing in IAP's IT systems. Two IT development projects are in progress and a third one has been presented to the Executive Committee for approval. The total cost of these three projects will be a maximum of EUR 90.000, to be spread over the budget years of 2018, 2019 and 2020.

The Hague, September 2018



Gerhard Jarosch

President of IAP