

Report for 6th IAP Middle East and Asia-Pacific Regional Conference

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The 6th IAP Middle East and Asia-Pacific Regional Conference was held in Dubai, United Arab Emirates from 14-16 November 2009. The theme for the conference, "Public Prosecution in the 21st Century", was divided into two sub-themes, namely the use of information technology in public prosecution, and risk management, specifically addressing how prosecution services worldwide should evolve to remain relevant in this rapidly changing landscape. Close to 200 delegates from 46 different entities attended the conference, providing ample opportunities to learn from the best practices of different jurisdictions, as well as make valuable contacts through interacting with fellow delegates.

The conference commenced on 14 November 2009 with the opening ceremony at the Atlantis Resort. Graced by HH Sheikh Hamadan Bin Rashid Al Maktoum, Crown Prince of Dubai and Chairman of the Dubai Executive Council. Delegates gained an insight into the work of Dubai Public Prosecution via a multimedia presentation and François Falletti, President of the IAP, looked forward to the coming 2 days in his welcome address. The formal ceremony was followed by an al fresco buffet dinner, providing a taster to the multifaceted experience which was to come.

Conference Sessions

After the conference opening on 15th November, with opening speeches from Counselor Yousuf Hassan Al- Mutawa, Senior Advocate General of Dubai and Chief of the conference organising committee, Joon Gyu Kim, Prosecutor General of Korea and Vice President of the IAP and Henk Marquart Scholtz, Secretary-General of the IAP, the first of 5 conference sessions commenced. In total, there were 23 papers presented, running the gamut from protection of witnesses and anti-corruption measures, to the use of IT making for a more effective prosecution service.

Use of IT in Public Prosecution Work

The hosts Dubai Public Prosecution (DPP) have proved to be frontrunners in harnessing information technology for their work processes. With the use of electronic files in conjunction with paper files, and the institution of an electronic database, more efficient investigations of a higher quality are generated. The novel use of Radio Frequency Identification (RFID) to prevent files from going missing has resulted in other beneficial functions, such as the control of file access, and tracking of file movement. There is also transparency in their investigation process provided via search services available either online or on the "Ask Me Machines" located in convenient locations throughout Dubai. The

DPP has truly made extensive use of information technology in all aspects of their work, making for a prosecution service which is fully equipped to deal with the challenges of the digital era.

Speakers from Chinese Taipei and Palestine also presented how E-management of cases was done in their respective jurisdictions. Like Dubai, Palestine currently pairs paper and electronic files, such that there are backups available. Chinese Taipei has created an inter-institutional online inquiry system, to allow for the integration of processes involved in investigations and eventual prosecution. Chinese Taipei has also made provisions for the recording of statements via video-link, hence reducing the amount of time and resources expended in travel.

Apart from local case management, papers were also presented on how information technology could be used in combating crime generally. Nicholas Cowdery, past president of the IAP, encouraged delegates to join the IAP's Global Prosecutors E-Crime Network (GPEN), which would allow access to a useful database, as well as provide training via the Global Virtual E-Crime Prosecution College. Best practices on how electronic evidence should be preserved and admitted in court proceedings were presented. It was also brought across that international cooperation is critical in dealing with cybercrime, which is faceless and borderless in nature, since the sharing of intelligence is crucial in ensuring that criminals who may be residing in other jurisdictions can be brought to justice.

Risk Management

The papers presented on risk management can be divided into two broad areas: the protection of parties to a case, as well as anti-corruption measures. Regarding the protection of parties to the case, speakers from India and Jordan shared how accused persons and witnesses are protected in their jurisdictions. Patricia Gatling from the New York City Commission on Human Rights highlighted how it is important to balance the rights of the accused and the victim, especially when current laws generally favour the protection of the accused, often to the detriment of the victim. A formalised system to deal with repentant witnesses was also shared by Quebec, where only a select control board can negotiate with the repentant witness for benefits, consequent to them testifying against their accomplices and parent criminal organisations in court.

Another aspect of protection of parties was explored, that of protection of prosecutors. A Human Safety Plan has been instituted in British Columbia to deal with imminent threats directed towards prosecutors and their families, with relocation and round-the-clock protection if necessary. An introduction was also given by James Hamilton Director of Public Prosecution in Ireland and an IAP Vice President, to the Guidance on the Security and Protection of Prosecutors, which was issued by the IAP in 2008, showing that the protection of prosecutors

is a universal concern, with the hope that there would be consistency in adopting appropriate security measures worldwide.

Addressing the area of corruption, speakers from Indonesia and South Korea dealt with combating corruption in general, through international cooperation, as well as education and a broad inter-agency approach. It was stressed that the cooperation of commercial entities such as banks and accounting firms is critical in ensuring that suspicious transactions could be picked up and investigated. On the other hand, anti-corruption measures specifically for the prosecution service were addressed by David Khoo of Singapore, due to the integral importance of upholding the prosecution service as an impartial body with integrity, free from political and monetary influence.

The Conference outcomes delivered by IAP General Counsel Elizabeth Howe at the conclusion of the event, built on some of the main threads of the conference content and should provide a platform for continued exchanges and professional development within the region and beyond.

François Falletti the IAP President thanked our host the Attorney General of Dubai, The Counselor Essam Esa Al Humaidan, and the local organising committee most warmly for their generous hospitality and the excellent conference arrangements.

Social programmes and hospitality

Apart from the conference itself, there were social programmes organised, such that delegates would see another side of Dubai. A desert safari was organized on 15 November 2009. Starting off in a sport utility vehicle riding the sand dunes, which felt like an extended roller coaster ride, we also had the opportunity to ride on camels, and try smoking *shisha* (Arab water pipes). Our gracious hosts performed a traditional dance under the stars during the tented barbeque dinner, which made for a memorable evening.

Other social programmes, such as the informal farewell dinner, allowed us opportunities to mingle with other delegates and make contacts, and marvel at the development of this emirate. What was most memorable, however, was the graciousness of the hosts. They went to great lengths to make us feel at home with their Arab hospitality, from their personal welcome at the Dubai airport to their impeccable assistance throughout. I am truly honoured to have been their guest for the duration of the conference.

In conclusion, this conference was definitely a valuable one. Through learning and interacting with fellow counterparts from other countries, one gained an insight as to how the standards of prosecution can continue to improve. The purpose of such conferences was aptly summed up by the Secretary-General of IAP Henk Marquart Scholtz in his speech at the conference opening: prosecution in itself is important, but so are the ways and means by which it is done, and

whilst there are different systems of law in different countries, there is a common goal - the fair and impartial prosecution of offenders. One hopes that the spirit of cooperation and learning will continue to manifest itself through future IAP conferences, with prosecutors worldwide striving towards this common goal.