



IAP
INTERNATIONAL
ASSOCIATION OF
PROSECUTORS

Reports from the IAP 2022

Granting Programme

Tbilisi, Georgia, 2022

A Conference of Professional Enrichment and Entertainment

I'm a Prosecutor in the Office of Director of Public Prosecutions, Uganda. I was privileged to attend the 27th IAP Annual Conference and Meeting held in Tbilisi, Georgia. The IAP granting Programme 2022, fully funded my attendance and I'm forever grateful for the generosity and kindness. I'm humbled and honoured to share my experience in this short report.

The generosity and hospitality of the Georgian community is something I have not experienced anywhere in the world so far.

I had the opportunity to network and make friends with whom we have stayed in touch, and I am certain that these networks and contacts will go a long way in growing my professional path and assist me in finding solutions to challenges encountered while executing my professional duties.

The most exciting, challenging, and yet controversial subject was "Tracing, Seizing, and Freezing Virtual Assets". Virtual Assets is a fertile area exploited by criminals globally, therefore, the need for International effective cooperation with other law enforcement personnel in different countries is imperative.

The launch of the Prosecutors International Cooperation Platform was a key milestone for the IAP. As a matter of fact, the need for direct contact and identification of the right Prosecutor in the requested state is critical in the successful Investigation and Prosecution of International crime.

The independence of the prosecution services of any country is very important in effectively fighting crime. Among other factors, the tenure of service of the DPP or Prosecutor General of any given country is paramount. In Uganda, there is no tenure of service for the Director of Public Prosecutions. The executive can appoint and dismiss the DPP at any given time without notice.

Regarding the subject of Institutional Challenges and Response to COVID 19, most jurisdictions resorted to technological solutions to prevent the spread of COVID 19 within the criminal justice system. Whereas this seemed to be the solution during the lockdown, in Uganda, access to a computer and internet for every Prosecutor has not yet been attained.

For effective investigation and Prosecution of Cybercrime, I learnt among other things that it's important to have close corroboration with other partners; have a law on mutual legal assistance, appoint qualified cybercrime investigators and prosecutors; set up national databases to identify cybercrime linkages; improve research methods; and join networks for international cooperation.

Asset recovery is an effective tool in fighting crime. Most jurisdictions have legislation on civil forfeiture, and it has been found to be more effective in the recovery of proceeds of crime. Unfortunately, in Uganda, we have not attained this milestone of having civil forfeiture in our laws.

Lastly, joint investigation teams are critical in overcoming obstacles faced in investigating international crime and has been adopted by the International Criminal Court.

In a nutshell, my experience was a trip of exposure, entertainment, networking, professional enrichment and an opportunity to share experiences with prosecutors from other jurisdictions.

My profound appreciation to IAP Granting Programme 2022.



Edward Muhumuza
Chief State Attorney/Legal Manager to Director of Public Prosecutions.
OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS UGANDA

“... my experience was a trip of exposure, entertainment, networking, professional enrichment and an opportunity to share experiences with prosecutors from other jurisdictions. ”

A Milestone in the Evolution of Prosecution Services

My attendance at the 27th IAP Annual Conference and General Meeting in Tbilisi, Georgia, was one of the highlights of my 16 years of experience as a prosecutor.

In addition to being a very well-organised event, the sessions were able to bring together top professionals to discuss current topics, share best practises, effective solutions to emerging problems, and share challenges and difficulties.

Among the various panels, I highlight the first plenary session "COVID, Institutional Challenges & Response," the panel "Public Health Responses to Crime," on which I worked as a rapporteur, and the panel "Public Health Responses to Crime," on which several of the good and diverse practises of prosecution services were presented in the challenging scenario of the COVID-19 pandemic. In addition, I highlight the relevant panels "International Cooperation Directly through Prosecution Authorities," "Evolution of Cyber-Crime Typologies," "Prosecuting Crimes on the Darknet," "Challenges of E-evidence Across Borders," "Money Laundering through Virtual Assets," "Tracing, Seizing, and Freezing Virtual Assets," and "IAP's Anti-Corruption and Financial Crime Network."

I also highlight the existence of award ceremonies for practises recognised as globally relevant, which serves as a strong incentive for innovation and the dissemination of good results. The launch of the Prosecutors International Cooperation Platform (PICP) is a milestone in the evolution of prosecution services at a global level and is reflected in the themes of the panels that I highlighted.

The opportunity to hold bilateral meetings with representatives of participating countries' prosecution services was extremely valuable. Aside from the flawless structure and organisation that allowed the meetings to take place, the opportunity to meet the parties (which Brazil anticipated) allows us to clarify any misunderstandings that written, or telephone contacts can sometimes produce. The advantages include increased responsiveness and the implementation of concrete and immediate measures.

Another highlight was the social agenda, which included events in relevant Tbilisi locations, which allowed for interaction, networking, and, even with a tight schedule, getting to know a little bit about the beautiful location chosen for the event.

Finally, the hospitality and efficiency of the local governments that engaged with the event, as well as the efficient staff of the IAP, who ensured that all demands were fully met through their availability and promptness. It is a highly recommended professional and personal experience.



Marcelo Ribeiro de Oliveira
Federal Prosecutor in Brazil,
Deputy Head of the International Cooperation Unit

"The launch of the Prosecutors International Cooperation Platform (PICP) is a milestone in the evolution of prosecution services at a global level..."

A Truly Fascinating Conference

The 2022 International Association of Prosecutors Annual Conference and General Meeting did not disappoint. This year the IAP featured an impressive line-up of expert prosecutors and practitioners speaking on topics ranging from Covid-19 challenges to effective responses to war crimes, cybercrime, e-evidence, crimes against media workers, and money laundering through virtual assets. Some of the key points and takeaways from the discussions are listed below.

Prosecutors shared their experiences and thoughts on the impact of Covid-19 on investigations and prosecutions at the start of the Conference.

Prosecutors used virtual tools and remote working to overcome sanitary restrictions and lockdowns. This kept the wheels of justice turning and prevented a halt in prosecutorial activities. The use of virtual systems or e-evidence also allowed for cost savings. Efficiency was ensured by digitalisation. Some people are concerned about the massive amount of material that can be easily digitalised. Digital files are easier to collect and store than physical files. As a result, meeting disclosure obligations and deadlines may become more difficult logistically.

The importance of cooperation is a recurring theme. This year's conference emphasised the importance of collaboration both locally and globally. This is critical in transnational and international criminal cases (war crimes or crimes against humanity). Colleagues discussed their encounters with sensitive information. In addition to using technological tools, it is critical to pool and share experience, skills, and talent to combat impunity.

Journalists and media professionals play a significant role in informing the public. They are equally concerned with the pursuit of truth and justice as prosecutors are. Over 600 journalists have been imprisoned solely for revealing information about corrupt government officials. This is a source of concern and an affront to free expression.

Given the dominance of technology and the cyber world, cybercrime will remain pervasive. Investigating cybercrime is difficult due to the associated complexity, anonymity (for example, by Virtual Private Networks [VPN]), and jurisdictional implications. Terrorists are among the cybercriminals who target not only individuals but also public institutions. To combat this crime, law enforcement officials must be well-equipped and appropriately staffed, as well as share information locally and internationally.

Similarly, virtual assets (crypto-currencies and non-fungible tokens [NFT]) also pose a serious threat with transactions increasing by more than 500 per cent to \$15.8 trillion in 2021. More importantly, virtual assets have value for criminals and should, consequently, be a concern for us. Criminals can use cryptocurrencies to further their illicit enterprises or can launder their proceeds by converting money into virtual assets. Technically, the tracing of virtual assets is easier because of the public nature of blockchain technology. However, some cryptocurrencies are embedded with encryption technology that makes tracing difficult. Once again, the key to successfully investigating and prosecuting such illicit activities is cooperation.

This year's conference was truly fascinating. All the topics and discussions centred on common concerns. It provided attendees with opportunities to network (both formally and socially) and, more importantly, cooperate.



Nataraj J Muneesamy, Principal State Counsel, Mauritius

"This year's conference was truly fascinating. All the topics and discussions centred on common concerns. It provided attendees with opportunities to network (both formally and socially) and, more importantly, cooperate."

An Event That Will Propel a New Generation of Prosecutors in The Republic of Moldova

On September 25-29, 2022, the International Association of Prosecutors held its 27th Annual Conference and General Meeting, titled "Global Phenomena Reshaping Criminal Justice Systems," in Tbilisi, Georgia.

It was an honour to meet colleagues from the IAP and other organisations, collaborate with their teams, and offer my services, experience, and ideas for common development. In the future, I will fully contribute to the advancement of the principles and standards that underpin the IAP. I can confirm that such an experience will be extremely beneficial to the development of Moldova's Prosecution Service and will contribute to the formation of a completely new generation of prosecutors in our country.

During the 27th IAP Conference, I had the opportunity to form long-term partnerships and plans for joint projects between the Moldavian Prosecution Service and colleagues from other jurisdictions.

The General Meeting was attended by over 300 prosecutors from all continents, as well as regional associations from all over the world and various eminent representatives of international organisations.

The most recent global events in the sphere of reforming criminal justice systems and intensifying the interaction of prosecutors were discussed. Members of professional associations from various jurisdictions were nominated within the framework of the Global Forum of Prosecutors' Associations.

The event that will facilitate interaction with colleagues from all continents was the launch of the PICP (Prosecutors International Cooperation Platform), which, once implemented, will be available for members of the Association of Prosecutors for Order and Justice (youth prosecutors Association from Moldova [represented by me]).

Also, I had a unique opportunity to participate in the Annual Conference as a rapporteur in the workshop: “Digital Transformations in Criminal Justice Systems”.

Among the key topics discussed during the plenary sessions and working groups, I attended the following special sessions and workshops: “Independence of Prosecutors”; “Digital transformations in criminal justice systems”; “Distribution of powers between investigators and prosecutors”; “Effective solutions to war crimes”; “The evolution of typologies of cybercrime”; “The challenges of obtaining electronic evidence from abroad”; Presentation of the IAP partner programs by: Siracusa International Institute for Criminal Justice and Human Rights; UNICRI; UNESCO; EUROJUST; NAGTRI, the National Association of Attorneys General; “The practical importance of parallel financial investigations” and “IAP network against corruption and financial crime”.

Without a doubt, in the Republic of Moldova, all legal opportunities to interact with IAP and its members have yet to be explored in the practical sphere. That is why it is critical that we maintain strong relationships with the Association in our daily professional activities and establish efficient contact points.

It was an honour for me to attend the 27th Annual Conference of the International Association of Prosecutors in Tbilisi, which is the leading event for global legal progress and innovation. I had the honour of meeting great prosecutors and lawyers from around the world, people who have dedicated their lives to the rule of law and the protection of human rights. The 27th Annual Conference of the International Association of Prosecutors provided me with an excellent opportunity to learn from the best practises of the world's leading prosecutors.

In my future career, I will gain new professional knowledge and skills in world-leading legislative processes, prosecution and investigation innovations, complex trial practises, mutual legal assistance for the recovery of illegal assets, intensifying cooperation on transnational crime investigations, and efficient prosecution networking.



Armen Oganesean
Prosecutor, Chisinau municipal Chief Office, National Institute of Justice Trainer,
PhD in Law, Chisinau, Armeneasca

“I can confirm that such an experience will be extremely beneficial to the development of Moldova's Prosecution Service and will contribute to the formation of a completely new generation of prosecutors in our country.”

An Honour to Have Been in Georgia

I was honoured to be among the speakers in Workshop Session H on tracing, seizing, and freezing virtual assets during the 27th International Association of Prosecutors Annual Conference and General Meeting held in Tbilisi, Georgia on 25th – 29th September 2022. The session featured experienced prosecutors from various jurisdictions who shared their practical experiences relating to the topic. Speakers in this session gave practical cases in tracking virtual assets including recovering evidence from blockchain, the use of analytical tools in chain analysis, collection of evidence from suspect's devices (online vs offline data capture), and key aspects relating to seizure of crypto assets.

All speakers expressed concern about the changing nature of business transactions, which has resulted in more seizures of cryptocurrency in some jurisdictions in terms of value than other conventional assets. It was further observed that, while developed nations are grappling with this rapidly changing technology, the lack of expertise, thorough regulation, and capacity to cope with the ongoing trends of blockchain technology have made the developing world even more vulnerable. Common challenges faced by all jurisdictions in tracing and seizing virtual assets include Rapid, Irreversible Transactions; Anonymity by transaction, which is exacerbated by using VPN and Darknet; and Lack of a Conventional Regulatory Framework including applicable CDD and Reporting Obligations under the Anti-Money Laundering Regime.

In my submission, I noted that tracing and seizing virtual assets require expansive and dynamic legislations which can stand the test of time. In one of the success stories, the United Republic of Tanzania was able to seize assets emanating from one of the biggest scams perpetrated by Dr Ruja Ignatova who was dubbed “the Cryptoqueen”. In this pyramid scheme case, Dr Ignatova claimed to have created a new crypto asset called “One Coin” which attracted investments of more than 4 billion US Dollars around the world. It however came to light that promises of enhanced personal fiscal control and OneCoin’s very own Blockchain, were entirely fabricated. It was further revealed that the alleged Blockchain never existed and there was no mechanism in place to exchange OneCoin for any other form of currency, meaning the subscribers could not cash out. OneCoin’s founder Dr Ruja Ignatova disappeared in 2017, and she remains a fugitive criminal as of today. In June this year, FBI added Dr Ignatova to its list of ten most wanted fugitives. Several jurisdictions initiated criminal investigations including tracing of proceeds of crime, which were laundered in complex multiple layers of shell companies across jurisdictions.

In Tanzania, two suspects, a British and a German national registered and incorporated a company, with its objectives indicated as the provision of marketing services. They further procured business licenses which allowed them to operate marketing services within Tanzania. At the time, OneCoin operations were declared illegal and therefore closed in many jurisdictions. With assistance of the Financial Intelligence Unit, the Financial Crimes Unit in Tanzania was able to investigate on the reports issued by FIU which showed links between three companies namely: OneCoin Ltd, which was incorporated in Gibraltar with offices in Bulgaria, the United Arabs Emirates (UAE) and Hong Kong, IMS Co Ltd incorporated in Tanzania and IMS International Marketing Services incorporated in Singapore.

The investigation revealed multiple wire transfers between IMS Tanzania and IMS Singapore, where the IMS Singapore submitted sham invoices to initiate the transfers under the false

pretext that it had rendered services to IMS Tanzania. It was further revealed that the funds which were transferred emanated from the sale of cryptocurrencies and subscriptions paid by individuals in Tanzania and other countries in the Ponzi or Pyramid Scheme. The Director of Public Prosecutions was able to secure a Restraint Order against the remaining funds which were yet to be wired to Singapore. Currently, we are working on MLA Requests which were submitted in relation to this case.

In another case, Tanzania promptly registered a Foreign Restraint Order issued by a British Court which resulted in freezing of proceeds of drug trafficking syndicate operated by a British National, Paula White. The prompt registration of the British Court Order resulted in freezing of her eight bank accounts of eight shell companies maintained at the defunct Federal Bank of the Middle East (FBME) which was, later, declared a **foreign financial institution of primary money laundering concern by FINCEN**. In February 2021, the High Court of Tanzania registered a Foreign Confiscation Order issued by a British Court against Paula White, resulting in ultimate confiscation of all funds in the eight bank accounts.

Speakers and other discussants in the session underscored the importance of international cooperation in tracing, seizing, and freezing virtual assets. It was, however, noted that this critical link of cooperation continues to be hampered by common challenges of: cumbersome procedures; delayed/Lack of response from the requested state and loss/misplacement of documents, and language barriers. However, novel measures taken by various states have mitigated some of these challenges. The obstacles effect electronic transmission of MLA Requests between states and direct transmission of requests between Central Authorities without going through diplomatic channels.



Paul Thomas Kadushi
Director of Asset Forfeiture, Transnational and Specialised Crimes
– National Prosecutions Services of the United Republic of Tanzania

“... tracing and seizing virtual assets require expansive and dynamic legislations which can stand the test of time.”