

IAP Constitution
Final Draft for Adoption at the Annual General Meeting in Riyadh

This draft incorporates all amendments agreed at the Executive Meeting held in Shanghai in April 2026 and has subsequently been reviewed and approved by the Review Board following its meeting on 12 June 2026.

Article 1

Name and Objects

- 1.1. The name of the Association is the “International Association of Prosecutors”.
- 1.2. The Association is a non-political and non-governmental organisation.
- 1.3. The objects of the Association are:
 - a) To promote the effective, fair, impartial and efficient prosecution of criminal offences in accordance with the rule of law;
 - b) To respect and seek to protect human rights as laid down in the Universal Declaration on Human Rights;
 - c) To promote high standards and principles in the administration of criminal justice, including procedures to guard against or address miscarriages of justice, in support of the rule of law;
 - d) To promote and enhance those standards and principles which are generally recognised internationally as necessary for the proper and independent prosecution of offences;
 - e) To set and uphold professional and ethical standards for prosecutors and prosecution services;
 - f) To assist prosecutors internationally in the fight against crime by promoting all types of international cooperation and by promoting the need for speed and efficiency in such international cooperation;
 - g) To promote measures for the elimination of corruption in public administration;
 - h) To promote the professional interests of prosecutors and to enhance recognition of their crucial role in achieving criminal justice;
 - i) To promote good relations between individual prosecutors and prosecution services and to promote and facilitate the exchange and dissemination of information, expertise and experience between them;
 - j) To support the professional development of prosecutors through the promotion, development and delivery of training, capacity building and guidance materials;

- k) To promote the examination of comparative criminal law and procedure and to assist prosecutors engaged in justice reform projects;
- l) To cooperate with international and juridical organisations in furtherance of these objects.

Article 2

Organisational Membership

- 2.1. Subject to the provisions of this Article, the following organisations shall be eligible for organisational membership:
 - (i) A prosecution service organised on the basis of a country, territory or a jurisdictional area, which includes a prosecution service with a specialised mandate; and
 - (ii) An association of prosecutors organised on the basis of a country, territory or a jurisdictional area.
- 2.2. An application for organisational membership by an association of prosecutors may be granted if, in the opinion of the Executive Committee, the association is representative of a substantial number of prosecutors in a country, territory or jurisdiction. Two or more associations of prosecutors may combine for the purpose of applying for organisational membership and may, for the purposes of this Article, be treated as constituting a single organisation.
- 2.3. Subject to the provisions of this Article, the following may be eligible for organisational membership:
 - (i) An organisation whose functions include, or are closely connected with, the investigation and prosecution of crime; or
 - (ii) An international body, organisation or forum established by a state(s) or by a prosecution service(s) to stimulate and improve coordination and cooperation between competent national prosecuting authorities; or
 - (iii) A specialised unit which is part of a prosecution service.
- 2.4. An application for organisational membership made pursuant to Article 2.3 may be granted at the discretion of the Executive Committee. In considering any such application, the Executive Committee must have regard to any nexus between the functions of the organisation who is seeking membership and the objects of the IAP.
- 2.5. Admission to organisational membership pursuant to Article 2 shall be made by the Executive Committee. An application for organisational membership may be refused if, in the opinion of the Executive Committee, the admission of the applicant would be inconsistent with, or otherwise detrimental to, the objects of the Association.

- 2.6. An appeal against a decision by the Executive Committee to refuse admission to organisational membership may be made to the Conflict Committee by lodging a petition in writing within two months of being notified of the decision of the Executive Committee, setting out the grounds on which the appeal is based, with the Secretary-General who shall submit it to the Conflict Committee for a decision.

Article 3

Individual Membership

- 3.1. An application by a prosecutor for individual membership may be granted by the Secretary-General.
- 3.2. An application by a non-prosecutor for individual membership may be granted by the Secretary-General with the express approval of the Executive Committee.
- 3.3. The application for individual membership shall be made in writing and shall contain sufficient information to enable the Secretary-General to determine the qualification for membership of the applicant.
- 3.4. The Secretary-General may request that the applicant supplies such further information as may be required to determine the qualification for membership of the applicant.
- 3.5. An application for individual membership may be refused if, in the opinion of the Secretary-General, the admission of the applicant would be inconsistent with, or otherwise detrimental to, the objects of the Association, or where the admission criteria are not met.
- 3.6. An appeal against a decision by the Secretary-General to refuse admission to individual membership may be made to the Executive Committee by lodging a petition in writing within two months of being notified of the decision of the Secretary-General, setting out the grounds on which the appeal is based, with the Secretary-General who shall submit it to the Executive Committee for a decision.

Article 4

Honorary Membership

- 4.1. On the recommendation of the Executive Committee, the General Meeting may elect as an honorary member of the Association any person who has made an outstanding

contribution to the Association's work and who, in the opinion of the General Meeting, is deserving of such distinction.

- 4.2. Honorary members are elected for life and shall have the same rights, privileges and obligations as individual members, save for the requirement to pay the annual membership subscription.

Article 5

Annual Membership Subscriptions

- 5.1. Organisational members and individual members shall pay an annual membership subscription of such amount, in such manner and at such time, as shall be determined by the Executive Committee.
- 5.2. In exceptional circumstances, the Executive Committee may postpone or waive, in whole or in part, the annual membership subscription of an organisational member or of an individual member.
- 5.3. Annual membership subscriptions shall be utilised for the purposes of the Association in accordance with Article 15.

Article 6

Suspension and Cessation of Membership

- 6.1. A member may resign at any time by giving notice in writing to the Secretary-General. Resignation shall not discharge a member from liability for the payment of any annual membership subscription which had become payable prior to the date of resignation.
- 6.2. The Executive Committee may recommend to the General Meeting that a member be suspended or expelled if it is considered that the member has acted in a way which is inconsistent with the objects of the Association, or if it is considered that the continuation of the membership is detrimental to the Association. If the Executive Committee considers that the circumstances so require it, they may suspend membership pursuant to this Article pending consideration by the General Meeting.
- 6.3. The Executive Committee may suspend the membership of an organisational member who is one year in arrears in payment of their annual membership subscription and may reinstate the member to full membership on payment of the arrears. Benefits of IAP membership can be withdrawn if an organisational member is in arrears in

payment. If payment of the annual membership subscription is not made for two years, then the membership may be cancelled.

- 6.4. The Secretary-General may suspend the membership of an individual member who is one year in arrears in payment of their annual membership subscription and may reinstate the member to full membership on payment of the arrears. Benefits of IAP membership can be withdrawn if an individual member is in arrears in payment. If payment of the annual membership subscription is not made for two years, then the membership may be cancelled.
- 6.5. The Secretary-General shall promptly notify the relevant member of any recommendation for suspension or expulsion, or any suspension or cancellation of membership, or of any withdrawal of the benefits of IAP membership, pursuant to this Article.
- 6.6. An appeal against a decision by the Executive Committee to recommend suspension or expulsion pursuant to Article 6.2 may be made by presenting a petition in writing to the Secretary-General within one month of notification of the recommendation to suspend or expel. The Secretary-General will then refer the matter to the Conflict Committee.

Article 7

Representation and Liability

- 7.1. The Association shall be represented in legal affairs by the President, or by a member of the Executive Committee nominated by the President, and by the Secretary-General acting jointly. The Executive Committee may, by resolution, grant an individual power of attorney to the Secretary-General to represent and act on behalf of the Association in particular legal affairs as specified in the resolution.
- 7.2. No member shall, by reason of membership of the Association, be liable for any debt or obligation of the Association in the absence of an express undertaking or agreement in writing to accept such liability.

Article 8

The Executive Committee

- 8.1. There shall be an Executive Committee of the Association, which shall be the managing and administrative body of the Association. Save for as specified elsewhere in this

Constitution, the Executive Committee shall have all necessary powers and duties as required to give effect to the objects of the Association.

8.2. Without prejudice to Article 8.1., the Executive Committee shall have the following powers and duties:

- (i) To control and supervise the affairs of the Association;
- (ii) To adopt annual budgets and financial statements;
- (iii) To adopt annual working programmes;
- (iv) To admit applicants to organisational membership in accordance with Article 2 and to individual membership in accordance with Article 3.2;
- (v) To make recommendations for the election of honorary membership to the General Meeting in accordance with Article 4;
- (vi) To determine annual membership subscriptions in accordance with Article 5;
- (vii) To suspend membership in accordance with Article 6;
- (viii) To make a recommendation to the General Meeting to suspend or dismiss a member in accordance with Article 6;
- (ix) To make nominations to the General Meeting for the appointment of members of the Executive Committee and for the election of the President and Vice-Presidents;
- (x) To appoint or dismiss the IAP Officials;
- (xi) To suspend a member from membership of the Executive Committee;
- (xii) To make a recommendation to the General Meeting to dismiss a member from membership of the Executive Committee, or to dismiss the President or a Vice-President;
- (xiii) To determine the time and place for the General Meeting, Annual Conference, Regional Conferences;
- (xiv) To propose the establishment of, and functions of, committees of the Association by the General Meeting and to determine the powers and procedures of such committees.

8.3. The Executive Committee shall consist of the President, the Vice-Presidents and, in addition, no fewer than ten and no more than twenty-one ordinary members. Membership of the Executive Committee shall reflect, as far as is reasonably possible, the regions of the world in which the Association has members.

8.4. Members of the Executive Committee shall:

- (i) Be appointed by the General Meeting;
- (ii) Be appointed in their personal capacity;
- (iii) Serve for a term of three years ending at the end of the General Meeting in the year in which their term of office expires;

- (iv) Be eligible for re-appointment, subject to the limitation that each member shall serve no more than two terms as a President, two terms as a Vice-President, and two terms as an ordinary member. This limitation may be varied if exceptional circumstances apply;
 - (v) Cease to be a member of the Executive Committee if they cease to be a member of the Association;
 - (vi) Cease to be a member of the Executive Committee if they cease to be a prosecutor.
- 8.5. On expiration of their term in office, the President shall immediately become a supernumerary member of the Executive Committee until the conclusion of the first full term served by the succeeding President. This Article does not apply to a President who has been dismissed pursuant to Articles 10.5 and 17.2.
- 8.6. Nominations for election to ordinary membership of the Executive Committee, or for any vacancy as President or Vice-President, may be made by the Executive Committee. Nominations shall be notified to the members of the Association not less than one month before the General Meeting at which any vacancy is to be filled. Nominations can be notified to the members of the Association within one month of the relevant General Meeting if exceptional circumstances apply.
- 8.7. Nominations for election to ordinary membership of the Executive Committee may also be made by not less than five of the organisational members or by not less than ten individual members from four or more different countries. No member may nominate more than one candidate at the same time. Nominations shall be notified to the IAP Secretariat at least two months before the General Meeting at which any vacancy is to be filled and shall then be notified to the members of the Association in accordance with Article 8.6.
- 8.8. Where the number of candidates for election to ordinary membership is equivalent to the number of vacancies, a vote will take place by a show of hands at the General Meeting, in line with Article 17.4. A candidate will be deemed to be elected if at least 50% of the votes cast at the General Meeting vote in favour of the candidate.
- 8.9. Where the number of candidates for election to ordinary membership exceeds the number of vacancies, a ballot shall take place at the General Meeting for each vacancy. Each individual and organisational member shall have one vote. The vote of each organisational member shall be equivalent in value to the vote of ten individual members. Elections will be determined on the basis of the highest number of votes received, in descending order that equates with the number of vacancies.

- 8.10. At any time, the Executive Committee may co-opt a member to fill a vacancy occurring among ordinary members of the Executive Committee. Such co-opted member shall serve until the termination of the next General Meeting.
- 8.11. By a resolution adopted by two-thirds of its members, the Executive Committee may suspend a member of the Executive Committee from membership of the committee until the next General Meeting if their continued membership of the committee is considered to be detrimental to the Association or if they have failed to comply with their duties pursuant to this Article or any other rules of procedure. By a resolution adopted by two-thirds of its members, the Executive Committee may recommend the dismissal of such member of the Executive Committee to the General Meeting.
- 8.12. The Executive Committee shall meet at least once every year, at a time and place to be agreed by them and shall hold such other meetings as they may consider to be necessary. The business of the Executive Committee, including the conduct of votes, may also be carried out between meetings by electronic communication.
- 8.13. Decisions of the Executive Committee shall be by a simple majority of its members present and voting, unless otherwise stated in the Constitution.
- 8.14. The Executive Committee may adopt its own rules of procedure and may elect sub-committees to carry out its functions effectively.
- 8.15. The Executive Committee may enter into arrangements with organisations of prosecutors whose membership is based on regional, cultural, linguistic or other links between their members. Such arrangements may include enabling a representative nominated by such organisation to become a supernumerary member of the Executive Committee, subject to the approval of the General Meeting. The Executive Committee may make such rules necessary to facilitate such arrangement, including for the termination of such arrangement.

Article 9

The Senate

- 9.1. There shall be a Senate comprised of all past members of the Executive Committee who:
- i) Elect to join the Senate upon their departure from the Executive Committee; and
 - ii) Are, at the time of such departure, considered by the Executive Committee to be fit and proper persons of good standing and repute in the Association.

- 9.2. If the Senate or the Executive Committee consider that a member of the Senate may no longer be a fit and proper person of good standing and repute in the Association, then the Senate or the Executive Committee may, after proper consideration, expel them from the Senate.
- 9.3. The Senate shall have the following mandate:
- i) On request or on its own initiative, to provide recommendations to the President or to the Executive Committee on any subject that is relevant to the objects and functioning of the Association; and
 - ii) To assume any responsibility assigned to it by the President or Executive Committee in pursuance of the objects or functioning of the Association.
- 9.4. Subject to Article 9.2, members of the Senate shall serve for life or until they resign, and shall have the same rights, privileges and obligations as individual members, save for the requirement to pay the annual membership subscription.
- 9.5. The Senate may adopt its own rules of procedure, subject to the approval of the Executive Committee.
- 9.6. A past member of the Executive Committee who has been suspended or dismissed from the Executive Committee pursuant to Article 8.11 or Article 17.2. is not entitled to become or remain a member of the Senate.

Article 10

The President

- 10.1. There shall be a President of the Association. The functions of the President include, but are not limited to:
- i) Providing strategic leadership to the Executive Committee;
 - ii) Representing the IAP externally in national and international fora;
 - iii) Presiding over Executive Committee meetings and General Meetings;
 - iv) Ensuring that the IAP Constitution is upheld.
- 10.2. The President shall be elected by the General Meeting. At the time of election, the President must be an existing member of the Executive Committee.
- 10.3. The President shall serve for a term commencing immediately after the termination of the General Meeting at which their election took place, and ending at the termination

of the third Annual General Meeting thereafter. The President shall be eligible for re-election in accordance with Article 8.4(iv).

- 10.4. Nominations for election as President are made by the Executive Committee. Nominations for election as President may also be made by not less than 10% of the organisational members or by not less than one hundred individual members. Such nominations by the membership shall be submitted to the Secretary-General not less than two months before the General Meeting at which the election is due to be held. If only one candidate is nominated, the election shall be held at the General Meeting in the same manner as the procedure in Article 8.8. Where more than one nomination is received, the election shall be held at the General Meeting in accordance with the procedure in Article 17.
- 10.5. By a resolution adopted by a two-thirds majority of its entire membership, the Executive Committee may recommend the dismissal of the President to the General Meeting if the Executive Committee considers that the President has acted in a way which is inconsistent with the objects of the Association or if it considers that the continuation of the presidency is detrimental to the Association. In the interim, the Executive Committee must consider whether to suspend the President and may do so with the agreement of two-thirds of its entire membership.
- 10.6. In the event of the President's suspension, dismissal, resignation, permanent incapacity or death, the Executive Committee shall appoint one of its members who shall serve as President until the termination of the next General Meeting.
- 10.7. Save for in the circumstances as outlined in Article 10.6, the Executive Committee may select one of its members to exercise the powers and functions of the President if the President is unable to act at any time, unavailable to act at any time, or if the President considers that it would be appropriate to refrain from acting in relation to any particular matter.
- 10.8. The President shall normally preside at Executive Committee meetings and at the General Meeting. In the absence of the President from an Executive Committee meeting, or if the President so requests, the Executive Committee may appoint a Vice-President or, if none is available or willing to accept the appointment, one of its other members to preside at all or part of such meeting. In the absence of the President from a General Meeting, or if the President so requests, the General Meeting may appoint one of the Vice-Presidents or the Secretary-General to preside at all or part of such meeting.

Article 11

The Vice-Presidents

- 11.1. The exact number of Vice-Presidents shall be determined by the Executive Committee.
- 11.2. The functions of the Vice-Presidents include, but are not limited to:
- i) Supporting the President to provide strategic leadership to the Executive Committee;
 - ii) Representing the IAP externally in national and international fora, particularly within their region;
 - iii) Presiding over Executive Committee meetings and General Meetings in the absence of the President;
 - iv) Ensuring that the IAP Constitution is upheld.
- 11.3. Insofar as is possible, the Vice-Presidents should reflect the regions of the world in which the IAP has members.
- 11.4. The Vice-Presidents shall be elected by the General Meeting. At the time of election, the Vice-Presidents must be existing members of the Executive Committee.
- 11.5. Vice-Presidents shall serve for a term commencing immediately after the termination of the General Meeting at which their election took place, and ending at the termination of the third Annual General Meeting thereafter. Vice-Presidents shall be eligible for re-election once, unless exceptional circumstances apply.
- 11.6. Nominations for election as Vice-President are made by the Executive Committee. Nominations for election as Vice-President may also be made by not less than 10% of the organisational members or by not less than one hundred individual members. Such nominations by the membership shall be submitted to the Secretary-General not less than two months before the General Meeting at which the election is due to be held. If only one candidate is nominated per vacancy, the election shall be at the General Meeting in the same manner as the procedure in Article 8.8. If more than one candidate is nominated per vacancy, the election shall be held at the General Meeting in accordance with the procedures outlined in Article 17.
- 11.7. By a resolution adopted by a two-thirds majority of its entire membership, the Executive Committee may recommend the dismissal of a Vice-President to the General Meeting if the Executive Committee considers that the Vice-President has acted in a way which is inconsistent with the objects of the Association or if it considers that the continuation of the vice-presidency is detrimental to the Association. In the interim,

the Executive Committee must consider whether to suspend the Vice-President and may do so with the agreement of two-thirds of its entire membership.

- 11.8. In the event of a Vice-President's suspension, dismissal, resignation, permanent incapacity or death, the Executive Committee may appoint one of its members who shall serve as Vice-President until the termination of the next General Meeting.

Article 12

The Secretary-General

- 12.1. There shall be a Secretary-General of the Association who shall manage the overall affairs and delivery of the objectives of the Association, and who shall have the primary responsibility to safeguard the Association's funds and ensure accurate financial records.
- 12.2. The Secretary-General shall have such powers and duties as established in the Constitution and as shall be determined by the Executive Committee.
- 12.3. The Secretary-General has direct management responsibilities for the General Counsel and the Executive Director.
- 12.4. The Secretary-General shall be a member of the Association.
- 12.5. The Secretary-General shall be appointed by the Executive Committee, by a resolution adopted by a simple majority of its members present and voting.
- 12.6. Unless otherwise determined by the Executive Committee, the Secretary-General shall be appointed for a term of six years, and shall be eligible for re-appointment, for consecutive or non-consecutive terms, without limit.
- 12.7. The Executive Committee may release the Secretary-General from their role and responsibilities if there are reasonable grounds to do so, by a resolution adopted by a simple majority of its members present and voting.
- 12.8. The Executive Committee may dismiss the Secretary-General if it considers that the Secretary-General has acted in a way which is inconsistent with the objects of the Association or if it considers that the continuation in office of the Secretary-General is detrimental to the Association. The Executive Committee may suspend the Secretary-General for any interim period whilst any enquiry into dismissal proceedings, including

any appeal against a decision to dismiss, takes place. A resolution adopted by a simple majority of its members present and voting is required for any suspension or dismissal.

12.9. In the event that the Secretary-General is:

- i) Unable, on a temporary or permanent basis, to fulfil their role and responsibilities;
 - ii) Suspended;
 - iii) Dismissed;
 - iv) Has resigned;
 - v) Has been released from their role and responsibilities for any other reason; or
 - vi) Where the appointment of a Secretary-General is deferred,
- then the Executive Committee may appoint a member of the Association as Secretary-General for such period as the Executive Committee may determine.

12.10. Appeals against the decision of the Executive Committee under Article 12.8. should be made to the Conflict Committee pursuant to Article 20 of the IAP Constitution.

12.11. The Secretary-General shall be paid such emoluments as may be determined by the Executive Committee.

12.12. Where there is a formal contract of employment in place between the Association and the Secretary-General, the terms of the formal contract of employment and any relevant and applicable laws governing the contract of employment will take precedence over the Articles of the IAP Constitution.

Article 13

The General Counsel

13.1. There shall be a General Counsel of the Association who shall be responsible for the development and implementation of the professional programme of the Association and for the provision of legal support to the Association.

13.2. The General Counsel shall have such powers and duties as established in the Constitution and as shall be determined by the Executive Committee.

13.3. The General Counsel shall be directly managed by the Secretary-General but also retains a right to report directly to the Executive Committee where appropriate. The General Counsel and the Executive Director are of equal standing to one another within the Association.

- 13.4. The General Counsel shall be a member of the Association.
- 13.5. The General Counsel shall be appointed by the Executive Committee, by a resolution adopted by a simple majority of its members present and voting.
- 13.6. Unless otherwise determined by the Executive Committee, the General Counsel shall be appointed for a term of six years, and shall be eligible for re-appointment, for consecutive or non-consecutive terms, without limit.
- 13.7. The Executive Committee may release the General Counsel from their role and responsibilities if there are reasonable grounds to do so, by a resolution adopted by a simple majority of its members present and voting.
- 13.8. The Executive Committee may dismiss the General Counsel if it considers that the General Counsel has acted in a way which is inconsistent with the objects of the Association or if it considers that the continuation in office of the General Counsel is detrimental to the Association. The Executive Committee may suspend the General Counsel for any interim period whilst any enquiry into dismissal proceedings, including any appeal against a decision to dismiss, takes place. A resolution adopted by a simple majority of its members present and voting is required for any suspension or dismissal.
- 13.9. In the event that the General Counsel is:
- i) Unable, on a temporary or permanent basis, to fulfil their role and responsibilities;
 - ii) Suspended;
 - iii) Dismissed;
 - iv) Has resigned;
 - v) Has been released from their role and responsibilities for any other reason; or
 - vi) Where the appointment of a General Counsel is deferred,
- then the Executive Committee may appoint a member of the Association as General Counsel for such period as the Executive Committee may determine.
- 13.10. Appeals against the decision of the Executive Committee under Article 13.8. should be made to the Conflict Committee pursuant to Article 20 of the IAP Constitution.
- 13.11. The General Counsel shall be paid such emoluments as may be determined by the Executive Committee.
- 13.12. Where there is a formal contract of employment in place between the Association and the General Counsel, the terms of the formal contract of employment and any relevant

and applicable laws governing the contract of employment will take precedence over the Articles of the IAP Constitution.

Article 14

The Executive Director

- 14.1. There shall be an Executive Director of the Association who shall be responsible for the day-to-day management and administration of the Association.
- 14.2. The Executive Director shall have such powers and duties as established in the Constitution and as shall be determined by the Executive Committee.
- 14.3. The Executive Director shall be directly managed by the Secretary-General but also retains a right to report directly to the Executive Committee where appropriate. The Executive Director and the General Counsel are of equal standing to one another within the Association.
- 14.4. There is no requirement for the Executive Director to be a member of the Association.
- 14.5. The Executive Director shall be appointed by the Executive Committee, by a resolution adopted by a simple majority of its members present and voting.
- 14.6. Unless otherwise determined by the Executive Committee, there is no limitation on the term of appointment for the Executive Director. However, continued appointment is contingent on regular satisfactory performance reviews and compliance with the terms of any contract of employment or secondment agreement.
- 14.7. The Executive Committee may release the Executive Director from their role and responsibilities if there are reasonable grounds to do so, by a resolution adopted by a simple majority of its members present and voting.
- 14.8. The Executive Committee may dismiss the Executive Director if it considers that the Executive Director has acted in a way which is inconsistent with the objects of the Association or if it considers that the continuation in office of the General Counsel is detrimental to the Association. The Executive Committee may suspend the Executive Director for any interim period whilst any enquiry into dismissal proceedings, including any appeal against a decision to dismiss, takes place. A resolution adopted by a simple majority of its members present and voting is required for any suspension or dismissal.
- 14.9. In the event that the Executive Director is:
 - i) Unable, on a temporary or permanent basis, to fulfil their role and responsibilities;

- ii) Suspended;
 - iii) Dismissed;
 - iv) Has resigned;
 - v) Has been released from their role and responsibilities for any other reason; or
 - vi) Where the appointment of an Executive Director is deferred,
- then the Executive Committee may appoint a member of the Association as Executive Director for such period as the Executive Committee may determine.

14.10. Appeals against the decision of the Executive Committee under Article 14.8. should be made to the Conflict Committee pursuant to Article 20 of the IAP Constitution.

14.11. The Executive Director shall be paid such emoluments as may be determined by the Executive Committee.

14.12. Where there is a formal contract of employment in place between the Association and the Executive Director, the terms of the formal contract of employment and any relevant and applicable laws governing the contract of employment will take precedence over the Articles of the IAP Constitution.

Article 15

The Treasury of the Association

15.1. There shall be a Treasury of the Association which operates in accordance with the Foundation Treasury International Association of Prosecutors Deed.

15.2. All funds generated by the membership fees, conferences and all other activity of the Association shall be deposited into the Treasury. Funds which are generated or donated for a specific purpose may be apportioned in the Treasury for that purpose.

15.3. The Secretary-General shall manage the Treasury for the benefit of the Association and to deliver the objects of the Association in line with all relevant policies and procedures as approved by the Executive Committee.

Article 16

The Bureau of the Association

16.1. There shall be a Bureau of the Association.

- 16.2. The Bureau of the Association shall be located at such place as is determined by the Executive Committee.
- 16.3. The purpose of the Bureau is to assist the IAP Officials to deliver the objects of the Association and to manage the day-to-day affairs of the Association.

Article 17

The General Assembly

- 17.1. The General Assembly shall be the body of supreme authority of the Association. It consists of the organisational members, the individual members, honorary members and members of the Senate.
- 17.2. The functions of the General Assembly shall, in accordance with the Constitution and subject to the operation of any other Article, be as follows:
- i) To carry out the duties laid down in the Constitution;
 - ii) To elect persons to perform the functions set out in the Constitution;
 - iii) To suspend or dismiss persons from their functions;
 - iv) To suspend the membership of, or expel a member, on the recommendation of the Executive Committee pursuant to Article 6.2;
 - v) To determine the financial policy of the Association;
 - vi) To approve the establishment of, and functions of, committees of the Association; and
 - vii) To amend the Constitution.
- 17.3. The General Assembly shall meet annually at such time and place as shall be determined by the Executive Committee for an Annual General Meeting. It may meet in extraordinary session at the request of two-thirds of the Executive Committee or at the request of a majority of the members. The place and time of such meeting shall be determined by the Executive Committee. Notice of at least seven days must be provided prior to any such meeting.
- 17.4. Save as for otherwise provided, members shall have voting rights as follows:
- (i) The vote of an organisational member shall be equivalent in value to the votes of ten individual members and shall be cast by a person nominated to represent the organisational member and present at the General Meeting;
 - (ii) Each individual member present at the General Meeting shall have one vote.

- 17.5. Unless otherwise determined by the Constitution or Rules of Procedure, the General Assembly shall take its decisions by the votes, counted in accordance with Article 17.4., of a simple majority of members present and voting.
- 17.6. Any issue to be voted on at the General Meeting must be notified to the Secretary-General in writing not less than six weeks before the date fixed for the General Meeting. The Secretariat must give notice of any issue to be voted on at the General Meeting to the membership not less than four weeks before the date fixed for the General Meeting. The Secretary-General can shorten the timeframe set out in this sub-Article if the Secretary-General deems it appropriate to do so, provided that the rationale for doing so is documented and explained to the Executive Committee and to the General Assembly.
- 17.7. The General Assembly may adopt its own rules of procedure. It shall ensure that the general principles of justice are met and that members who are liable to be affected by its decisions have an adequate opportunity to be heard in advance of any decision being taken.

Article 18

Conferences

- 18.1. An Annual Conference shall be held at a time and place determined by the Executive Committee to further the objects of the Association.
- 18.2. Regional and other conferences may be held at such times and places determined by the Executive Committee to further the objects of the Association.
- 18.3. Where appropriate or necessary, a conference can be held remotely if so determined by the Executive Committee.
- 18.4. Every member of an IAP organisational member and every individual IAP member shall have the right to attend any IAP conference, subject to:
- (i) Their membership payment (or that of their organisation) and status being up to date;
 - (ii) Availability of places; and
 - (iii) Payment of any required fee.
- 18.5. The Secretariat may approve the attendance of any non-member organisation or individual at all or parts of a conference where such attendance supports the objectives of the Association. Where the proposed attendance raises, or potentially

raises, issues of political sensitivity, reputational concern, or broader governance implications, the matter shall be referred to the Executive Committee for approval.

Article 19

Amendment of the Constitution

- 19.1. The Constitution may be amended on the proposal of either the Executive Committee, or by not less than 10% of the organisational members, or by no fewer than 100 individual members.
- 19.2. Any proposal for amendment shall be lodged with the Secretary-General not less than six weeks before the next General Meeting. Notice of any proposed amendment shall be communicated to members not later than four weeks before such General Meeting.
- 19.3. All amendments to the Constitution shall be approved by the General Meeting by a majority of not less than two thirds of the votes, counted in accordance with Article 17.4, of the members present and voting.
- 19.4. Amendments shall have effect on such date or subject to such terms as determined by the General Meeting.

Article 20

Conflicts

- 20.1. There shall be a Conflict Committee. Any conflict with regard to the application and/or interpretation of this Constitution may be brought before the Conflict Committee who shall resolve the conflict after considering any submissions made to it by any of the parties concerned. The test to be applied is whether the original decision was a reasonable one in all the circumstances.
- 20.2. Any member shall have the right to bring a conflict to the Conflict Committee by presenting a petition in writing to the Secretary-General, who will then refer the matter to the Conflict Committee as soon as possible and within one month at the latest.
- 20.3. The Conflict Committee shall also:
 - (i) Decide an appeal against a decision by the Executive Committee regarding an application for organisational membership in accordance with Article 2.6;
 - (ii) Decide an appeal against a decision to recommend suspension or expulsion of membership in accordance with Article 6.6;

- (iii) Decide an appeal against a decision to recommend the suspension or dismissal of an IAP Official in accordance with Article 12.10., Article 13.10., or Article 14.10.;
- (iv) Consider any other matters which may be referred to it by the Executive Committee.

20.4. The Conflict Committee may adopt its own rules of procedure.

Article 21

Non-compliance with the Constitution

21.1. Non-compliance with any provision of the Constitution resulting from oversight or inadvertence shall not in itself invalidate any action taken in furtherance of the objects and interests of the Association or in discharge of a function or duty by any officer or organ of the Association, whether taken before or after discovery of such oversight or inadvertence, provided that all necessary steps are taken as soon as reasonably practicable after such discovery to achieve compliance with such provision insofar as is possible.

Article 22

Dissolution of the Association

- 22.1. A motion to dissolve the Association can only be proposed by the Executive Committee.
- 22.2. Any motion to dissolve the Association can only be passed by a majority of not less than two thirds of the votes, counted in accordance with Article 17.4, of the members present and voting.
- 22.3. Any assets remaining after the satisfaction of any proper debts and liabilities shall be distributed to an organisation or organisations with similar objects to the Association, as determined by the Executive Committee.

Article 23

Interpretation

23.1. In this Constitution:

‘Association’ means the International Association of Prosecutors.

‘Constitution’ means this Constitution of the Association.

‘General Meeting’ means a meeting of the General Assembly.

‘Detrimental to the Association’ means anything which may cause harm to the Association and may include (but is not limited to) issues relating to misconduct, reputational harm, or performance.

‘Electronic communication’ means communication by means of telephone, email or other electronic means.

‘Exceptional circumstances’ can include, but not be limited to:

- (i) Extent of financial or other contribution to the IAP;
- (ii) Extent of contribution to advancing the objectives of the IAP;
- (iii) Balance of experience on the Executive Committee;
- (iv) Geographical / regional representation;
- (v) Gender diversity;
- (vi) Linguistic diversity;
- (vii) Suitability and / or availability of alternative candidates.

‘IAP Official’ means the Secretary-General, General Counsel or Executive Director.

‘Jurisdictional area’ means an area within a country or territory which has a system of criminal law and jurisdiction which is separate from another area or areas within that country or, which by reason of it being a state, province or territory in a federation, operates a system of criminal jurisdiction which is separate from that operated in another area within that country.

‘Member’ means an organisational, individual, or honorary member of the Association.

‘Month’ means a calendar month.

‘Officer of the Association’ means any member of the Executive Committee or an IAP Official.

‘Organ of the Association’ means the Conflict Committee, the Executive Committee, the Financial Review Committee, the General Meeting, the Senate or the Standing Committee on Prosecutors in Difficulty.

‘Prosecutor’ means a lawyer who is or has been appointed by or on behalf of a state or other public authority, including an international public authority to institute or conduct criminal proceedings or to perform other functions in a prosecution service in accordance with the law, or who is elected for that purpose. It includes a lawyer who has regularly been retained by a prosecutor so appointed or elected to conduct or assist in the conduct of criminal prosecutions and also includes an examining magistrate.

23.2. In this Constitution, the singular includes the plural.