



LEADERSHIP PLANNING SUB-COMMITTEE

TERMS OF REFERENCE

1. Purpose

- 1.1. These Terms of Reference (the Terms) regulate the work of the Leadership Planning Sub-Committee (the Sub-Committee), which is a sub-committee of the Executive Committee of the International Association of Prosecutors (the IAP).
- 1.2. The purposes of the Sub-Committee are:
 - i. To develop Succession Plans in relation to the roles of Secretary-General, General Counsel, and Executive Director to assist the Executive Committee in their appointment of such IAP officials;
 - ii. To advise the Executive Committee on the appointment of the IAP officials following a recruitment process;
 - iii. To advise the Executive Committee on the suspension or dismissal of the IAP officials, or on any other reason to release them from their duties;
 - iv. To advise the Executive Committee on the temporary appointment of an IAP official; and
 - v. To advise the Executive Committee on the re-appointment of an IAP official.
- 1.3. The Sub-Committee shall act in accordance with these Succession Planning Sub-Committee Terms of Reference (the Terms), which regulate the work of the Sub-Committee.
- 1.4. For the purposes of these Terms of Reference, the term “IAP officials” relates to the Secretary-General, the General Counsel and the Executive Director collectively. The term “Secretariat” refers to the IAP officials and the other staff members of the IAP.

2. Membership

- 2.1. The Sub-Committee shall consist of at least five members, of which at least three must be members of the Executive Committee.
- 2.2. Members of the Sub-Committee shall be appointed by the Executive Committee.
- 2.3. Members of the Sub-Committee may be members of the Executive Committee or the Senate. IAP officials can assist the Sub-Committee in an advisory capacity, but are not deemed to be members of the Sub-Committee.
- 2.4. The Sub-Committee shall appoint one of its members as Chair. The term of office for the Chair is three years and may be renewed without limitation.
- 2.5. A member shall serve for a term of three years. Members shall be eligible for reappointment without limitation.

- 2.6. A member may resign from the Sub-Committee by providing notice in writing to the Secretary-General.
- 2.7. A member of the Sub-Committee may be dismissed by the Executive Committee if, after due enquiry, the Executive Committee decides by a majority that the member is unwilling to perform their duties as required by these Terms or has acted in such a way that is inconsistent with their continued membership of the Sub-Committee.
- 2.8. No member may remain on the Sub-Committee if that member ceases to be a member of the IAP.
- 2.9. Sub-Committee members shall disclose any conflict of interest relating to the work of the Sub-Committee to the Chair of the Sub-Committee. If requested to do so by the Chair, the member shall withdraw from the Sub-Committee or from any part of the Sub-Committee meeting as is deemed appropriate by Chair.

3. Procedure

- 3.1. The quorum for any meeting shall be a simple majority of the Sub-Committee's membership, and must include at least two members of the Executive Committee.
- 3.2. The Sub-Committee should aim for consensus on all decisions. If consensus cannot be reached, the Sub-Committee shall make its decisions by a simple majority of members who are present and voting. In those circumstances, majority and minority positions shall be noted in the minutes of the meeting and shall be reported to the Executive Committee.

4. Succession planning

- 4.1. The Sub-Committee shall meet at such intervals as they deem necessary to develop a Succession Plan and to ensure that it is kept under review as necessary. Meetings can be in-person, online, or in a hybrid format.
- 4.2. The responsibilities of the Sub-Committee include (but are not limited) to:
 - i. Evaluating and determining the capabilities, skills, knowledge and expertise required for each role;
 - ii. Determining the capacity/resource required to fully deliver in each role;
 - iii. Developing a framework for the selection process for each role;
 - iv. Identifying the potential appropriate financial arrangements to fund each role, in conjunction with the Stichting Treasury;
 - v. Determining the appropriate specific terms and conditions to be attached to each role;
 - vi. Running a recruitment process and evaluating candidates against the relevant criteria;
 - vii. Providing advice to the Executive Committee on the above matters and on any other matter that is deemed appropriate in relation to the recruitment of each role;
 - viii. Developing a Succession Plan to address the above factors;
 - ix. Ensuring that the Succession Plan is reviewed regularly and, in particular, prior to any new recruitment campaign being launched.

- 4.3. The Sub-Committee should record brief reasons for determining the main elements of the Succession Plans.
- 4.4. The Sub-Committee shall report its conclusions to the Executive Committee. The Executive Committee is not bound by the recommendations and decisions of the Sub-Committee.

5. Recruitment

- 5.1. Recruitment for an IAP official should commence no less than six months before the vacancy arises. If a vacancy arises unexpectedly or at short notice, then recruitment should commence as soon as is reasonably practicable and, in the interim, the Secretariat should make suitable arrangements for the duties of the IAP official to be covered pending a new appointment being made.
- 5.2. The Secretariat will prepare a draft job advertisement for consideration and approval by the Sub-Committee.
- 5.3. Vacancies for the IAP officials will be advertised as widely as possible to maximise the number of candidates.
- 5.4. The Sub-Committee will determine the recruitment process, including timeframes, format of applications and interviews, and the scoring system.
- 5.5. Members of the Executive Committee who are not members of the Sub-Committee may be appointed to the Sub-Committee on a temporary basis to conduct a specific recruitment campaign. If so appointed, these Terms are applicable to them.
- 5.6. Following the recruitment campaign, the Sub-Committee will provide a report to the Executive Committee containing a summary of all applicants, their recommendation/s for appointment, and brief reasons.
- 5.7. The recommendations of the Sub-Committee are not binding on the Executive Committee.
- 5.8. The Secretariat will be responsible for all administrative and logistical arrangements relating to the recruitment process, and for notifying candidates of the outcome of each stage of the recruitment process.
- 5.9. The IAP officials have an advisory role to the Sub-Committee in relation to the appointment of IAP officials, but may also each provide advice directly to the Executive Committee regarding the appointment of another IAP official.

6. Suspension or dismissal of IAP officials

- 6.1. The Sub-Committee may provide recommendations to the Executive Committee about the:
 - i. Suspension; or
 - ii. Dismissal of any of the IAP officials.

- 6.2. A recommendation may be made following a referral from an IAP member, from a member of the IAP Secretariat, or on the Sub-Committee's own volition.
- 6.3. A recommendation to the Executive Committee may be made if the continuation in office of the IAP official is considered to be detrimental to the IAP.
- 6.4. Before any recommendation is made, the IAP official must be provided with all information that forms the basis of the proposed suspension or dismissal, and must be given a reasonable time in which to submit a response. Where the complaint is against the General Counsel or the Executive Director, such information should be provided by the Secretary-General. Where the complaint is against the Secretary-General, such information should be provided by the IAP President.
- 6.5. The Sub-Committee may meet, in-person or online, with the IAP official who is the subject of the complaint or with any other relevant witnesses prior to making any recommendation if it deems that it would be useful to do so.
- 6.6. The IAP officials have an advisory role to the Sub-Committee in relation to the suspension and/or dismissal of IAP officials, but may also each provide advice directly to the Executive Committee regarding the suspension and/or dismissal of another IAP official.
- 6.7. When making a recommendation to the Executive Committee for suspension or dismissal, the Sub-Committee must include:
 - i. All material that forms the basis of the proposed suspension or dismissal;
 - ii. Any response provided by the IAP official who is the subject of the recommendation;
 - iii. Any information provided by any other IAP official;
 - iv. Whether their recommendation is for suspension or dismissal, and the terms of any such suspension or dismissal; and
 - v. Reasons for their recommendation.
- 6.8. The recommendations of the Sub-Committee are not binding on the Executive Committee.

7. Temporary appointment of IAP officials

- 7.1. The Sub-Committee may make recommendations to the Executive Committee regarding the temporary appointment of an IAP official in the event of:
 - i. Suspension, dismissal, resignation, incapacity or death of an IAP official;
 - ii. Any other circumstance where an IAP official has been relieved of their duties; or
 - iii. If, for any reason, the Executive Committee resolves that the appointment of the IAP official should be deferred for a limited period.
- 7.2. The recommendations of the Sub-Committee are not binding on the Executive Committee.
- 7.3. In urgent circumstances, the Sub-Committee may appoint an IAP official on a temporary basis, without consultation with the Executive Committee, pending completion of the process outlined in this section.

8. Rules of procedure

- 8.1. The Sub-Committee may make and vary its own rules of procedure, including these Terms.

9. Record keeping

- 9.1. A record should be kept of each Sub-Committee meeting. The record of the meeting should be sent to the IAP Secretariat for storage in the IAP archives.

Approved by the IAP Executive Committee on 28 September 2024 in Baku, Azerbaijan.
In force with immediate effect.

