



IAP

International Association of Prosecutors

2018 – 2019
ANNUAL REPORT

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FOREWORD

Dear colleagues!

When you read this report, you will see that our organisation is in a very healthy state. The growth in membership and available budget, the numerous activities and the plans for the further development of the association show that everyone involved in our work is doing their best to make us proud of our global network. Please let me thank you all for playing an active part in the IAP. After six years as your President, it is time for me to hand over the reins to new and capable hands and I am certain that our future will be even better!



A handwritten signature in black ink, which appears to be 'Gerhard Jarosch'.

Gerhard Jarosch, IAP President

IAP EXECUTIVE COMMITTEE (2018 – 2019)

The Executive Committee is the managing and administrative body of the Association. In accordance with the IAP Constitution the Committee represents as far as possible the regions of the world which contribute members. There are at present thirty members and two supernumerary members representing 29 countries and 1 International Organisation (MICT).

PRESIDENT:

Gerhard Jarosch, National Member for Austria at Eurojust.

VICE PRESIDENTS:

1. Mohammed Hassan Abdul Rahim, General Advocate, Dubai, UAE;
2. Kamran Aliyev, Deputy Prosecutor General, Director of Anti-Corruption Directorate, Azerbaijan;
3. Satyajit Boolell, Director of Public Prosecutions, Mauritius;
4. Serge Brammertz, Prosecutor IRMCT, Belgium;
5. Luis Cevasco, Prosecutor General of the Autonomous City of Buenos Aires (**acting**);
6. Josip Cule, National Member for Croatia at Eurojust;
7. Manuel Pinheiro Freitas, Former Director of the Superior School of the Public Prosecution and former President of the Association of Prosecutors of the State of Ceará, Brazil ;
8. Cheol-Kyu Hwang, Chief Prosecutor, International Centre for Criminal Justice, Korea;
9. Nicola Mahaffy, Crown Counsel, British Columbia, Canada.

IMMEDIATE PAST PRESIDENT:

James Hamilton, Former Director of Public Prosecutions, Ireland.

MEMBERS:

1. Lloyd Babb, Director of Public Prosecutions, New South Wales, Australia;
2. Magdalena A. Boynton, Associate Director, DOJ, USA ;
3. Kemchai Chutiwongse, Attorney General, Thailand (**co-opted member**);
4. Mike Chibita, Director of Public Prosecutions, Uganda (**co-opted member**);
5. Giorgi Gogadze, Deputy Chief Prosecutor, Georgia;
6. Rodrigo Janot, Former Attorney General, Brazil;
7. Vitaliy Kasko, Former Deputy Prosecutor General and Vice-President of the Ukrainian Association of Prosecutors;
8. Michael Lauber, Attorney General, Switzerland;
9. Claire Loftus, Director of Public Prosecutions, Ireland;
10. Nayef Mahmood, Advocate General, Bahrain;
11. Mutembo Nchito, Former Director of Public Prosecutions, Zambia;
12. Jean Fils Ntamack, Prosecutor General, Court of Appeal of Yaoundé, Cameroon;
13. Edit Pocsai, Chief County Prosecutor, Hungary;
14. Nick Price, Chief Crown Prosecutor, United Kingdom (**co-opted member**);
15. Kathleen Roussel, Director of Public Prosecutions, Canada;
16. Britt Rønne, Head of the International Division, Denmark;
17. Jean-Francois Thony, Prosecutor General, Court of Appeal of Rennes, France;
18. Runar Torgersen, Senior Public Prosecutor, Norway;
19. Christopher Toth, Executive Director, National Association of Attorney Generals, USA;
20. QIU Xueqiang, Deputy Prosecutor General, People's Republic of China (**co-opted member**);
21. Vladimir Zimin, Special Counselor to the Prosecutor General, Russian Federation (**co-opted member**).



The 47th Executive Committee Meeting hosted in Oslo, Norway, 4-5 April 2019.

MEETINGS OF THE EXECUTIVE COMMITTEE

The IAP Executive Committee held two meetings since the last Annual Report presented in Johannesburg. The first one in connection with the 23rd Annual Conference and General Meeting in Johannesburg, South-Africa, in September 2018 and the second in Oslo, Norway, in April 2019. The next two chapters will give a brief summary of those two meetings.

46th Executive Committee Meeting, Johannesburg, South Africa, 8 September 2018

Present were 25 members, 5 substitutes for members, an observer from the Senate and the IAP Officials.

Several topics that are addressed elsewhere in this report (complaints, Prosecutors in Difficulties, composition of the Committee, succession planning staff members, activities of the Secretariat, financial affairs, conferences, etc.) were discussed during this meeting.

The Executive Committee expressed the need for a gift policy. Some members of the Executive Committee are already bound by their national policies on this subject. The members expressed that a new policy should avoid any conflict with other IAP principles. The policy should primarily focus on gifts received or offered by IAP officials as well as members of the Executive Committee. Consideration should be given to gifts offered to participants at conferences or other events. The Bureau of the Secretary-General will prepare a draft gifts policy.

The Financial Oversight Committee (FOC) oversees the financial work of the Secretary-General and the Secretariat, including compliance with IAP rules. Committee member Thomas Burrows (USA) stepped down from the FOC and was thanked for his years of accurate work. Due to the increasing work of the FOC, two new Committee members were elected to replace Tom - Chris Toth (USA) and Michael Lauber (Switzerland). They join current members Jean-Francois Thony (Chair, France) and Runar Torgersen (Norway).

The members of the Executive Committee unanimously adopted the IAP Protocol on Honorary Membership and IAP Protocol on Awards and decorations (Medal of Honour, Prosecutor of the Year and Special Achievement Award), stating the procedures and requirements for this membership and these awards. The protocols can be found on IAP's website. The Committee Members expressed the wish to have flexible rules to permit the giving of an award to, for example, an organisation or to prosecutors specialised in certain types of prosecutions. A new

Awards Committee was elected, consisting of Committee members Kathleen Roussel (Chair, Canada), Alexander Zvyagintsev (Russian Federation), Michael Lauber (Switzerland), Satyajit Boolell (Mauritius), Najef Yusuf Mahmood (Bahrain) and Luis Cevalco (Argentina).

The Executive Committee discussed various issues relating to the interactions between the IAP and Civil Society Organisations. Members agreed that further discussions and consideration were required to come up with recommendations and best practices. It was agreed that a working group tasked with drafting recommendations to the Executive Committee should be set up. Michel Lauber (Chair, Switzerland), Nick Cowdery (co-chair, Australia), Christopher Toth (USA), Nicola Mahaffy (Canada), Mutembo Nchito (Zambia), Vitaly Kasko (Ukraine), Edit Pocsai (Hungary), Mohammed Hassan Abdul Rahim (UAE) and Kamran Aliyev (Azerbaijan) volunteered to join the working group.

The IAP is legally represented in the country where it is officially based, the Netherlands, by a special foundation according to Dutch law, *Stichting Treasury IAP*, which is IAP's legal and financial vehicle. This foundation is governed by a Board. With the departure of Board member Sabin Ouellet (Canada), a new member was appointed by the Executive Committee, Claire Loftus from Ireland. The other two Board members are the Secretary-General (Chair, the Netherlands) and Josip Cule (Croatia).

47th Executive Committee Meeting, Oslo, Norway, 4-5 April 2019

Present were 28 members, 2 substitutes for members, an observer from the Senate and the AIPPF and the IAP Officials. Again, during this meeting several topics were discussed that are addressed elsewhere in this report.

A draft Memorandum of Understanding (MoU) about the partnership between the IAP (Network of Military Prosecutors, NMP) and the International Society for Military Law and the Law of war (ISMLLW) was discussed and after the meeting finalised and agreed by the Committee through an electronic voting (and signed in Geneva, Switzerland on 18 June 2019).

The Committee was updated about the huge work done by Senate Chair Nick Cowdery and Staff member Benn van Alphen in compiling information about the IAP's history from 2009 to date. This is the third and final tranche of information that has been compiled. The Executive Committee agreed to allocate funds to edit all the information into a history of the IAP suitable for publication and as a part of the celebration of the 25th Anniversary of the Association in 2020.

The Executive Committee also agreed to celebrate the 25th Anniversary of the IAP in 2020 during the 25th Annual Conference in Athens, Greece 6 – 10 September 2020.

The Committee discussed a change of the practice regarding the nomination of candidates for the Executive Committee (Art. 8.6.A Constitution). At the request of member Kathleen Roussel (Canada), the Secretariat proposed changes in the nomination procedures with a view to making the process more transparent. The idea is to give the membership the opportunity to propose candidates for a seat at the Committee ahead of the Executive Committee Northern Spring Meeting elections and to enable the Committee to consider those candidates during its meeting. This will increase and improve the involvement of the membership with the election of candidates for these very important positions of trust in the Association. The Committee decided not to wait for a formal change of the Constitution but to informally change the nomination procedure. In future, vacancies (for ordinary membership of the Committee) will be announced to the membership in January to allow the membership enough time to consider candidates. This announcement shall include details about the required regional, organisational and gender related distribution of seats. The Secretariat shall submit candidates proposed by membership to the Executive Committee for their consideration at the Northern Spring Meeting (usually in April). Where the Executive Committee decides not to nominate candidates proposed by membership, the submitter will be informed in time to allow the submitter the official nomination in accordance with Article 8.6.A of the Constitution at the General Meeting (in September).

Also, a change of practice for the co-option of members of the Executive Committee was discussed and agreed. Article 8.7 of the Constitution gives the Executive Committee the possibility to co-opt a member to fill in a vacancy occurring among ordinary members of the Executive Committee and such co-opted member shall serve until the termination of the next General Meeting. At the request of member Kathleen Roussel (Canada), the Secretariat proposed to change the co-option practise in the way that a vacancy will be posted on IAP's website to provide the membership 30 days to express any objection. A co-option by the Committee will have immediate effect, but with the possibility to terminate the co-option, should objection from membership be considered well-founded, The Committee intends to reflect these modifications in the ongoing review of the Constitution and protocols.

The Executive Committee agreed with pleasure on the re-appointment of the three members of the Standing Committee on Prosecutors in Difficulties (SCPID), Grenville Cross (Chair, Hong Kong SAR, China), Christopher Toth (USA) and Billy Downer (South-Africa) for a new three-year term (2019 – 2022).

Unfortunately, also a new member for the Conflict Committee was needed. Next to Senators Joon Gyu Kim (South Korea), François Falletti (France), Henk Marquart Scholtz (the Netherlands) and Oleksandr Shynalsky (Ukraine), also Senator Siri Frigaard (Norway) is a member, but her bad physical condition prevents her from continuing this task. After a consultation of the Senate, the President appointed Senator Wendy Stephen (Canada) as a new member of the Conflict Committee until the General Meeting in Buenos Aires. According to article 17.7 of the Constitution this new member will be proposed to the General Meeting for appointment for a term of one year. In that way, this new member fills the gap left behind by Siri Frigaard until the General Meeting in Athens, September 2020. The General Meeting in Athens will then appoint a whole new Conflict Committee.

The IAP Granting Committee is composed of the Secretary-General as chair and two members of the Executive Committee. At every Northern Spring, a member steps down and the Executive Committee appoints a new member. Member Nicola Mahaffy (Canada) stepped down and was thanked for her solid contribution. Next to member Mutembo Nchito (Zambia), new member Kathleen Roussel (Canada) was appointed to the Committee.

The Executive Committee agreed to recommend Mr. Zakir Garalov, Prosecutor General of Azerbaijan, for an honorary membership. The Committee further agreed that serving on the Executive Committee, even for a long period, should not ordinarily of itself entitle anyone to be recommended for an honorary membership.

The Committee discussed a change of the organisational (hierarchical) structure of IAP as proposed by the Secretary-General. The change would allow the Secretary General more capacity to promote the Association generally and amongst other relevant organisations; pursue external funding and oversee all aspects of the activities of the Association by handing over the daily responsibility for the administration of the affairs of the Association to the General Counsel and the Executive Director, with full authority to manage their supporting teams. Subject to established constitutional arrangements, both shall report through the Secretary-General and President to the Executive Committee. The discussions regarded topics as the spokesman, strategy of the Association, the organogram, etc. The Executive Committee agreed with a change of the roles of the Secretary-General, the General Counsel, Executive Director and their supporting staff, but required updated job descriptions, particularly of the Secretary-General.

The Executive Committee once more discussed the commitments with Civil Society Organisations and NGO complaints. The Ad-hoc Committee presented their recommendations. The Committee members expressed the need for balance. The IAP should be a visible and vocal leader on Human Rights issues and not simply be pressed into dealing with HR issues by CSO's.

The IAP should also proactively engage with CSO's and actively prepare for CSO criticism and publicity and not only respond to individual complaints. The Committee agreed to review the Complaints Protocol, to set up a new standing Complaints Committee and to draft a press, branding and communications strategy.

A Project Group led by IAP's Executive Director proposed a new structure of future Annual Conferences. The Executive Committee agreed with the Project Group to shorten the length of the conference from 4 to 3 days, to change the format of the plenary sessions, to downsize the number of parallel workshop sessions to have fewer but better speakers, to have fewer Special Interest Group Meetings, to be held at end of day and to invite the AIPPF and the Associations of Prosecutors (Global Forum) to host a full day meeting on the Sunday before the conference, but on their own budget.

Further, the Committee agreed to aim at a price reduction of 250 EUR per participant (625 Early Bird Rate/700 EUR Full Cost Rate), to let future hosts, based on the local culture and tradition, decide if they wish to offer partners Sight Seeing Tours and tours outside the conference period, to continue the practice of allowing partners and other accompanying persons to attend the night programme, except from the Professional Networking Night, to introduce a deadline for registration of partners (6 weeks before opening) and to leave it with the host (LOC) to consider if their budget allows for airport pick-up services and conference bags and other promotion material. These changes will have effect from the 26th Annual Conference in Tbilisi, Georgia 2021.

Future Executive Committee Meetings

49th Executive Committee Meeting 2020

Venue: **Mauritius**

Date: 1 – 3 April 2020

Host: Office of the Director of Public Prosecutions Mauritius

50th Executive Committee Meeting 2020

Venue: **Athens, Greece**

Date: Saturday 5 September 2020

Host: The Hellenic Association of Prosecutors

51st Executive Committee Meeting 2021

Venue: **St. Petersburg, The Russian Federation**

Date: Awaits date proposal from host

Host: Prosecutor General's Office of the Russian Federation

52nd Executive Committee Meeting 2021

Venue: Tbilisi, Georgia

Date: Saturday 11 September 2021

Host: The Prosecutor's Office of Georgia

IAP OFFICIALS AND STAFF

New IAP General Counsel

At the end of March 2018, the position of IAP's General Counsel became vacant. Great help came from Canada. Executive Committee member Kathleen Roussel, the Canadian DPP, offered to second one of her prosecutors to the IAP. Accepted with gratitude, **Manon Lapointe**, Senior Prosecutor and General Counsel of the Public Prosecution Service of Canada, worked as the acting IAP General Counsel, first until November 2018, and later extended to the end of March 2019.



In the meantime, the vacancy for General Counsel was opened and an application procedure was launched. The Secretariat received 15 applications, which led, after a sound selection procedure, to the appointment by the Executive Committee of **Mr. Gary Balch** as the new General Counsel as from 1 April 2019.

Gary Balch was a Deputy Chief Crown Prosecutor in the Crown Prosecution Service of England and Wales. Before joining the IAP he was deputy head of CPS Proceeds of Crime, a national team that handles all domestic and international restraint, receivership, confiscation and enforcement proceedings for the CPS. Prior to that he was the UK Liaison Prosecutor to the United States representing all UK prosecutors in criminal justice matters with a US nexus. Gary has held a number of operational roles in his 25 years as a prosecutor and has represented UK prosecutors in a variety of international fora and strategic activity including the Global Forum on Asset Recovery (GFAR) in Washington DC and the Financial Action Task Force (FATF) mutual evaluation of the UK.



IAP Legal Advisor (from volunteer to employee)



Last year, the Secretariat welcomed a new worker: **Ms. Gemma Moran** from Ireland. She reinforced the Secretariat as a volunteer from June 2018 on. Due to the resignation of several employees Gemma was offered a temporary employment which she accepted to our great pleasure. 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 changed Dublin for The Hague, due to the position of her husband with an international organisation.

IAP Management assistant

IAP's Management Assistant, **Ilse van den Bergh**, left the Secretariat by the end of February 2019. Ilse worked at the Secretariat of the IAP from 1 October 2017 until 28 February 2019 as our Management Assistant. The Secretariat would like to express its gratitude and respect for Ilse's work.

Ilse, in her turn looking back, told us: "I can definitely say it has been an interesting and worthwhile experience working with and for you all; the IAP truly is unique in many ways. I am thankful for the opportunity and for the many new contacts that I gained around the world. I wish you all the very best, both in your professional and personal lives!"



IAP GRANTING PROGRAMME 2019

The annual donation period follows the interim period between two General Meetings. Together with the standard allocated amount of 10.000 EUR (from the IAP budget) the IAP has received 1.300 EUR in private donations. The IAP expresses its gratitude to the 21 members who made a standard or special donation for the 2019 programme. Next to this 11.300 EUR, another 932 EUR on unused funds from 2018 was added, which makes the total budget reaching to 12.232 EUR. But also, the host of the Buenos Aires Annual Conference provided the Granting Programme with a very generous gift by granting up to 10 free registration fees, worth a maximum of 8.750 EUR.

For the 2019 granting programme the IAP received 19 applications from prosecutors all over the world. Of these 19 applicants, 6 were selected to be supported by the 2019 programme after the

IAP Granting Committee (Mutembo Nchito, Kathleen Roussel and the Secretary-General) discussed the eligibility of each applicant and agreed that these candidates best met the selection criteria. One of the 6 grantees was lucky to find other financial resources, which made it possible to select another prosecutor instead.

The following 6 prosecutors will be supported by the 2019 programme through a financial support (registration fee, flight and hotel costs):

Ms. Barbara Kawuma Bugemba, Uganda;

Ms. Elizabeth Maina, Kenya;

Mr. Dr. Eissa Qaid Saeed Mohammed Altharib, Yemen;

Ms. Adesola Adeyemi, Nigeria;

Mr. Shishir Lamichhane, Nepal;

Ms. Bett Rubia, Kenya.

The [IAP Newsletter 69](#) provided feedback from the 2018 granting recipients.

IAP WEBSITE AND NETWORKS

Community Software and Global Directory of Prosecution Services

The IAP Secretariat recently completed the last test of the new and updated version of the **IAP Community Software**, the digital tool which assists the IAP Secretariat to keep members and specialists contact details up to date and accurate, provides a platform for members to share their specialist skills with the global society of prosecutors and make themselves available to the network. The next step in the development process is data migration (moving data from one database into another) which can be rather complex and requires appropriate planning and a maintenance shutdown of systems while data is transferred. In October, when the Secretariat will have sufficient time available to ensure a successful outcome, an announcement will be distributed to members about a temporary shutdown of our website.

One cannot mention the community tool without also mentioning another prestige project, the digitalisation of the 1999 edition of the **IAP Directory of Prosecution Services**. The 1999 publication contained almost fifty country entries and was well received among prosecutors as a document that helped overcome the barriers of distance and diverse legal cultures which hindered prosecutors in the fight against transnational crime. The new digital version aims to deliver an easy

to access electronic address book containing contact details of IAP specialists and members. An Ad-hoc Committee was assigned the task of producing a new template based on (i) the format of the old directory from 1999, (ii) the Korean initiated Fact Sheet Project from 2004 and (iii) the 2015 Russian proposal for the creation of the database of country information on the IAP website.

The draft template was due to be discussed and approved at the April 2019 Oslo meeting at which point the new General Counsel, Mr. Gary Balch was given oversight of the project.

Having reviewed the background material and the operation of the Community Tool, further work was identified to rationalise the information requested from members; align and integrate the various contact databases and streamline the processes for population of the new database. These additional steps are required to avoid duplication of data requests and data input, minimise ongoing administration and maintenance of the database and to create the most user-friendly interface possible. A new template is being drafted and will be circulated for comment and approval before the Northern spring meeting together with details of any corresponding adjustments that need to be made to the Community Tool

The Secretariat expects to be able to publish this new tool before or during the Annual Conference in Athens, Greece in 2020.

Hacking attack on IAP virtual server

In May 2019, the IAP virtual server was exposed to 3 cyber-attacks.

After the first attack, our developers logged onto our virtual server and were greeted by a ransomware message. All files on the server had been encrypted and the ransomware demand offered to provide a decryption key upon payment of Bitcoins. After an initial analysis of the incident and on the guidance of our developers and webhost, the Secretariat took immediate action to restore the encrypted data and initiate a thorough examination of the attack with a view to identifying the method of the ransomware attack.

However, the process of restoring data and securing the server from subsequent attacks without knowing the source of the first attack, left the system potentially vulnerable to further attacks and a week after re-opening the website, the server was hit by a second attack. The message differed but the nature of the attack was the same. The Secretariat therefore instructed our developers to keep the website offline until a clean slate reinstall was performed and the source of the attack identified.

After a thorough examination of the server and databases our developers believe the infiltration point of the attack is a specific software package which is widely used by developers to build and test software projects and to integrate changes. Some versions of this software are known to be vulnerable to attacks and while this is generally known by developers, it was not known by the Secretariat. Based on a thorough investigation our developers believe that the attacks were not specifically targeted at the IAP and data extraction was neither an ambition nor a result. Rather the attacks were aimed at a vulnerability of that specific developing software. They conclude that it's highly unlikely that the databases were breached. The Secretariat have received a detailed explanation justifying these conclusions.

On 25 June 2019, the Secretary-General filed a complaint with the Dutch Police. Based on the extensive material provided, the Dutch Police came to the same conclusion as the developers. The investigating detective did not find any evidence to suggest the IAP was attacked in another way. On 11 July 2019, the Secretary-General reported the attacks to the Dutch Privacy Authority. On 27 August 2019, the Dutch Privacy Authority informed the Secretary-General that they will not take any further action in relation to the attacks.

Despite all investigations pointing to the fact that the Association has been exposed to random ransomware attacks that have targeted a software vulnerability generally rather than the IAP specifically and the perpetrators never had access to our databases, the Secretariat cannot completely discount the possibility of a security breach. Therefore, the following precautions were taken;

1. A high-quality scan of all our software to check for other malware.
2. The permanent removal of any vulnerable software.
3. The review and finalisation of the **IAP Privacy Statement** and **IAP Data Protection Policy** (see further below).

The IAP membership was informed about the hacking attack through e-mails distributed on the 28 May and 12 July 2019.

The IAP Data Protection Policy

The EU **General Data Protection Regulation** (GDPR) came into force in May 2018, replacing the existing data protection framework under the EU Data Protection Directive.

The regulation is designed to protect people's privacy. It confers rights on individuals in relation to the privacy of their personal data, as well as responsibilities on individuals and organisations holding and processing that data. Because the IAP is based in the EU and processes personal data it has certain obligations under the regulation.

At the 47th Executive Committee Meeting in Oslo the Committee approved a draft **Privacy Statement** and draft **Data Protection Policy** prepared by the IAP Legal Advisor for inclusion on the IAP website.

Following the Oslo meeting, the documents were reviewed and amended by the new General Counsel. The majority of the amendments are stylistic and designed to make the documents more accessible to the reader. Substantive amendments consist of:

1. **Privacy Statement** – adding a link to the Data Protection Policy.
2. Privacy Statement – clarifying the process for making a Subject Access Request.
3. Privacy Statement – adding a dedicated dataprotection@iap-association.org contact address.
4. Privacy Statement – identifying the Secretary-General as the contact point for complaints, liaison with the Supervisory Body and liaison with data subjects affected by a breach.
5. Privacy Statement – adding an internal complaints process to avoid all complaints going automatically to the Supervisory Body.
6. **Data Protection Policy** – consequential amendments as a result of the above.

The amended draft **Privacy Statement** (Annex 1) and **Data Protection Policy** (Annex 2) which require the approval of the Executive Committee are attached.

Next Steps for the IAP Secretariat

Following approval by the Executive Committee of the **Privacy Statement** and the **Data Protection Policy** the Secretariat will:

- Circulate the documents to all IAP Staff and provide them with online training to raise awareness of their data protection responsibilities.
- Upload the **Privacy Statement** and **Data Protection Policy** to the IAP website. There will be a Privacy Statement 'button' on the home page that will take the user to the Privacy Statement and users will receive a Privacy Statement 'pop-up' alerting them to the documents the first time they visit the website after the documents are uploaded.

- Complete and maintain a record of IAP personal data processing activities.
- Monitor data protection activity and the need for a **Data Protection Officer** which is not a requirement as the IAP is not a public body and our core activities fall outside the mandatory requirements of the GDPR.
- Monitor the ongoing resource requirements of GDPR compliance and recommend adjustments if required.

New IAP Web-facilitator

In addition to IAP's permanent staff, individual members and organisations also support the day-to-day operations of the Association by undertaking various project tasks and assisting with the facilitation and management of the many IAP sub-websites.



The Office of the Military Prosecution Service in Denmark has been assisting with the facilitation of the NMP website since it was launched in 2016 and in March, the IAP Project and Community Manager, Ben van Alphen visited the headquarters of the Danish Military Prosecution Service to meet the new web-master Anne Østrup and introduce her to her new role and duties.

In addition to Anne, the Secretariat has such web facilitators located in Argentina, Azerbaijan, Canada, Chinese Taipei, Dubai, Russian Federation, USA and the organisation MICT and the Secretariat owes them all a big thank you for their faithful and reliable work in support of the IAP projects and programmes.

News from IAP Network of Military Prosecutors (NMP)

MOU between the IAP/Network of Military Prosecutors and the International Society for Military Law and the Law of War.



The IAP/Network of Military Prosecutors has entered into a Memorandum of Understanding (MOU) with the International Society for Military Law and the Law of War (ISMLLW) with a view to furthering cooperation between the two organisations in areas of mutual interest and

The IAP Secretary-General, Mr. Han Moraal, the Co-chair of the Network for Military Prosecutors, Military Prosecutor General Mr. Lars Stevnsborg and the President of the ISMLLW, Dr. Wolff Heintschel von Heinegg at the MOU signing ceremony at the Geneva Centre for Security Policy on 18 June 2019.

concern, namely military law and international criminal law. The MOU was signed by IAP Secretary-General, Mr. Han Moraal, and the President of the ISMLLW, Dr. Wolff Heintschel von Heinegg, at a ceremony at the Geneva Centre for Security Policy on 18 June 2019 in connection with the ISMLLW XIII Seminar for Legal Advisors of the Armed Forces.

The International Society for Military Law and the Law of War (*Société Internationale de Droit Militaire et de Droit de la Guerre*) is an international non-profit association with consultative status at the United Nations and has English and French as official languages. The objectives of the Society are the study of military law and the law of armed conflict and peace operations; the promotion of military law and the law of armed conflict in accordance with the principles of human rights; research into harmonisation of internal systems of law in these respects.

News from IAP Prosecuting Sexual Violence Network (PSV)

From 8-12 April 2019 in Belgrade, Serbia, together with other senior prosecutors from the Mechanism, PSV Network Coordinator Najwa Nabti and Co-Focal Point for Knowledge Exchange Laurel Baig offered advanced training for the Serbian War Crimes Prosecutor's Office. This intensive, five-day peer-to-peer course on



prosecuting conflict-related sexual violence crimes included a series of exercises, court-room challenges and group discussions on developing a prosecution from investigation to appeal. The training offered a unique opportunity for participants to work through common challenges in sexual violence cases and practice in-court strategies together with their colleagues and experienced Mechanism prosecutors. Financial support was generously provided by the European Commission.

From 6-10 May 2019 in Abidjan, Côte d'Ivoire, PSV Network Co-Focal Point for Knowledge Exchange Barbara Goy integrated a module on sexual violence crimes in an advanced training course on investigating and prosecuting international crimes for participants from French speaking African countries. 26 prosecutors and investigative judges from the Côte d'Ivoire, Guinea, Mali, the Niger and Senegal and the Special Criminal Court in the Central African Republic participated in the training. The training followed an interactive model built around a fictitious case study which combined an introduction into the topic with group exercises followed by interactive discussions. This training was organised in cooperation with and funded by the International Nuremberg Principles Academy.

From 10-14 June 2019 in Nairobi, Kenya, PSV Network Co-Focal Point for Knowledge Exchange Barbara Goy and Coordinator Najwa Nabti participated in training 14 prosecutors from South Sudan on investigating and prosecuting international crimes, including sexual and gender-based violence. In cooperation with the UN Mission in South Sudan



(UNMISS), the Mechanism OTP developed a training program which focused on international criminal law as applicable in South Sudan, with a particular emphasis on sexual and gender-based violence. The training included lectures, exercises built around a fictitious case study as well as group discussions and courtroom simulations involving a mock victim-witness. The Konrad-Adenauer-Foundation provided generous financial and logistical support, together with UNMISS.

IAP WEBINARS

Global Prosecutors E-crime Network (GPEN)

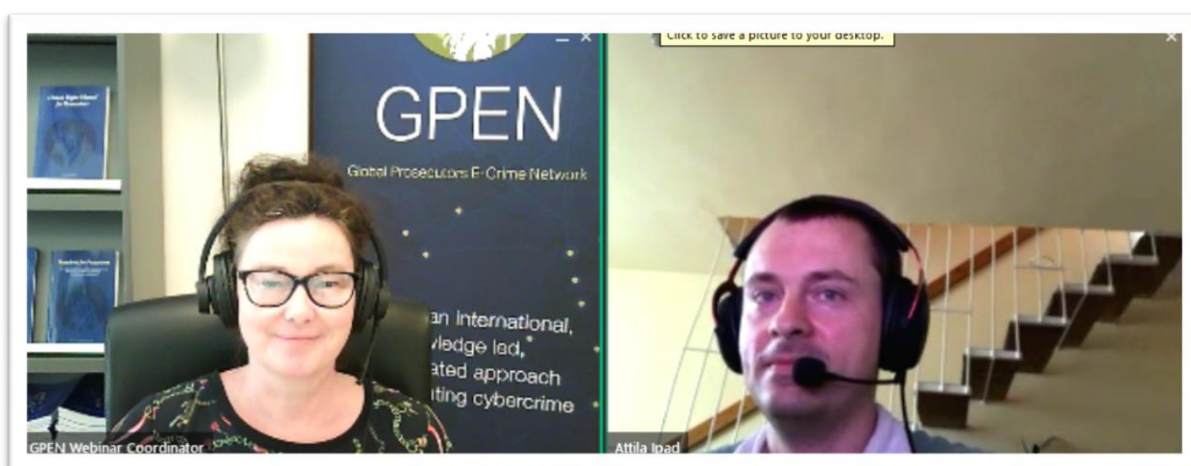
On 27 November, IAP Legal Consultant Danya Chaikel hosted a fascinating GPEN webinar on *Combatting International Human Trafficking: Challenges, Opportunities, and Technologies* which was presented by Carolina Holderness, Chief, Human Trafficking Unit, New York County District Attorney's Office. 65 IAP members from 23 countries signed up for this informative and practical webinar. Many members were particularly interested to hear more about the innovative DARPA Memex tool called TellFinder which is being used by law enforcement agencies around the world to successfully detect and prosecute perpetrators who facilitate sex trafficking.

On 15 February 2019, IAP Legal Consultant Danya Chaikel hosted a thought-provoking GPEN webinar on *The EU Commission's proposal to improve cross-border access to electronic evidence within the EU* which was presented by Dr Jean-Baptiste Maillart, Senior Research Fellow, Max-Planck Institute for Foreign and International Criminal Law.

On 30 April 2019, IAP Legal Advisor, Gemma Moran, hosted the GPEN Webinar, the topic was *Apple: Government & Law Enforcement Legal Process Guidelines* and was presented by Pat Burke. The presenter manages operations on Apple's Privacy & Law Enforcement Compliance

team. This webinar encompassed a discussion in relation to Apple's legal process guidelines for Government and Law Enforcement internationally, including making legal requests to Apple for available data. The session was of interest and utility to operational investigators, analysts, case managers, and prosecutors seeking to gain a greater understanding of the process of making legal requests for information to Apple.

On the 26th June 2019, IAP Legal Advisor, Gemma Moran hosted the GPEN webinar on the WHOIS database presented by Dr. Attila Kokenyesi-Bartos. The WHOIS is a vital tool for all investigations continued against crimes committed on the internet. This webinar explains the importance of the WHOIS database, how it works, and what kind of global impact the new EU legislation of data protection: the GDPR has on this database.'



Gemma Moran IAP Legal Advisor and Dr. Attila Kokenyesi-Bartos

The webinars can be accessed by IAP members on the IAP website - <https://www.iap-association.org/GPEN/GPEN-Learning-Centre/Webinars>.

HUMAN RIGHTS TRAINING AZERBAIJAN

From 15 to 17 May 2019 the IAP and the Prosecutor's Office of the Republic of Azerbaijan organised and hosted a 'Human Rights Considerations in the Criminal Justice System' seminar in Baku, Azerbaijan.

The participants were served by lecturers from several countries and IAP members: Mr. Stanislav Pavlovschi from Moldova, ex-justice of the European Court on Human Rights, Ms. Miranda de Meijer from the Netherlands, Senior Advocate General of the Public Prosecutors Office and Professor by special appointment of the Public Prosecution at the University of Amsterdam and Mr. François Falletti from France, former President of the International Association of Prosecutors, former Prosecutor General of Paris Appellate Court. The seminar was chaired by Mr. Elnur Musayev, anti-corruption expert from Azerbaijan.

The seminar covered complex issues related to the obligations of the European Convention on Human Rights, not only possible violations by governments but also the obligation of governments



to take active action against human rights violations between citizens. In addition, complex issues relating to Articles 6 and 8 of the European Convention and their impact on new technology and 'big data' were discussed.

35 participants from Azerbaijan attended the seminar: top-level prosecutors supervising local prosecutor's offices; police, tax, customs and other law enforcement agencies; judges from regional Serious Crimes Courts and Appellate Courts - all with at least 10-years of working experience. Before this seminar, many of the participants had already attended training sessions in the field of Human Rights, which the Azerbaijan Prosecution Service jointly organised with the Council of Europe. This stimulated lively and high-level discussions on Human Rights in the Criminal Justice System between the participants and lecturers.

NETWORK EXPANSION



During the last 5 years the IAP has grown substantially. Today the IAP network embraces Prosecuting Authorities in 114 countries and Associations of Prosecutors in 35 different countries/territories. Together with the Individual members, the IAP represents prosecutors in 177 countries.

Since September 2018 we welcomed the following 7 new Organisational Members:

- **Morocco**, The Office of the Attorney General
- **Uzbekistan**, The Office of the Prosecutor General
- **Nepal**, the Office of the Attorney General
- **Barbados**, Department of Public Prosecutions
- **Greece**, General Prosecutor's Office of the Supreme Court of Greece
- **United Kingdom**, UK Central Authority

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. During their 47th meeting in Oslo, Norway (April 2019) the Executive Committee approved the suspension of following organisations;

- **Brazil**, Associação Cearense do Ministério Público (ACMP)
- **Brazil**, Associação do Ministério do Estadod do Amapá (AMPAP)
- **Brazil**, Associação do Ministério Público do Estado de Rondônia (AMPRO)
- **Canada**, Criminal Law Division, Ontario Ministry of Attorney General
- **Macedonia**, Association of Public Prosecutors
- **Qatar**, Office of the Attorney General
- **USA**, Association of Prosecuting Attorneys

The following organisations chose to terminate the membership themselves:

- **Australia**, Director of Public Prosecutions, Northern Territory of Australia
- **Serbia**, War Crime Prosecutors Office of Serbia
- **Switzerland**, Prosecution Service of the Canton Bern
- **Philippines**, National Prosecution Service, Department of Justice.

Application and admission of members in disputed territories

From time to time, the Secretariat receives applications for membership from territories that are not or only partially recognised internationally. Over the years, applications have been handled on a case by case basis which can be both a time-consuming process and create discomfort for applicants and the members affected. In recent years, the Secretariat experienced an increase in applications and requests from such territories including Iraqi Kurdistan and Gibraltar. The increase necessitates the introduction of a general policy and some clear guidelines for the handling of such applications.

At the request of the Secretariat, the Executive Committee, with the President in the lead, has started drawing up guidelines for handling applications from non-recognised territories. The first draft of a policy was presented at the 47th meeting in Oslo, Norway (April 2019). Subsequently, a re-draft of the policy was circulated for approval, however the feedback from several Executive Committee Members showed the need for a more thorough review. An extended discussion will take place during the 48th meeting of the Executive Committee in Buenos Aires, Argentina (September 2019).

Recruitment visits

The IAP President, Executive Director and Executive Officer of the IAP Regional Office in St. Petersburg conducted a very successful recruitment visit to Uzbekistan, from 23 to 25 September 2018, where they met the (now former) Prosecutor General Mr. Otabek Murodov and a considerable number of the local prosecutors. The Office of the Prosecutor General was admitted membership early January 2019.

UN CONSULTATIVE STATUS

In May 2017, the IAP re-applied for the UN Consultative status, but it turned out that the UN rules prevented this application. The UN rules stipulate that an organisation whose consultative status was withdrawn cannot seek to obtain this status within three years from the withdrawal. This meant that the IAP could only re-apply for the consultative status after 20 July 2018 which the Secretariat did. In the meantime, the 2018 deadline of 1 July 2018 had passed, and the UN would only accept our re-application for the 2019 round of applications (1 July 2019). A final approval of the status is expected in the course of 2020.

REGIONAL IAP OFFICES

In 2017, the Secretariat presented data to the Executive Committee which demonstrated the positive network expansion and earnings growth in regions where English was widely used, while the opposite occurred in the regions where Arabic, French, Russian and Spanish were the dominant languages. The Committee shared the Secretariat's conclusion that previous initiatives in the regions, including regional conferences and training events, translation of core IAP publications and the launch of sub-websites in regional languages were in themselves insufficient to secure the desired traction and growth. Successful network expansion requires presence, focus and active engagement in regional projects, meetings and conferences.

Since 2005, IAP Officials have debated the introduction of Regional Offices to support the day-to-day administration of the Association and network expansion. During the Baku meeting in April 2017, the Executive Committee authorised the Secretary General to explore organisational member interest in joining a pilot project. The pilot would be time limited and used to assess the advantages and disadvantages of the concept and advise the general discussion on the establishment of regional offices at the 48th Executive Committee meeting in Buenos Aires.

Mr. Yuri Chayka, Prosecutor General of the Prokuratura of the Russian Federation offered to join the pilot project and provide office facilities in St. Petersburg and two members of staff (Regional Officers). This generous offer was accepted by the Executive Committee in Beijing (September 2017) subject to terms and conditions on co-operation and the exchange of information that were subsequently set out in a Co-operation Agreement between the IAP and the Prosecutor General's Office of the Russian Federation.

The objectives of the project were twofold: First, to strengthen the IAP Secretariat in relation to the management and recruitment of members in countries of Central and Eastern Europe, as well as Central Asia, where Russian is the lingua franca. Second, to provide a mechanism for assessing the benefits and added value (if any) of an expanded regional presence.

The Secretary General's recommendations on the introduction of regional offices, based on a thorough review of deliverables during the pilot project, will be presented to the Executive Committee at the 48th Meeting in Buenos Aires, Argentina (September 2019).

IAP PROFESSIONAL PROGRAMMES AND PROJECTS

JOINT UNODC - UN CTED - IAP Counter-Terrorism project on e-evidence and international cooperation

The project aims to strengthen the capacity of Central Authorities (CA's), prosecutors and law enforcement personnel to handle the most up-to-date procedures for requesting electronic evidence in CT and organised crime cases.

An important element of the project is to make the IAP's existing community tool for specialist CT prosecutors, the global Counter Terrorism Prosecutors Network (CTPN), more robust, up-to-date and sustainable.

In 2018, IAP and UNODC recruited a consultant to refresh and develop the network by contacting IAP Organisational Member Contact Persons to ensure that their national CT and MLA specialists details were both registered and up-to-date. Steps were taken to fill any gaps identified. All data will be uploaded onto the IAP's existing CTPN website which is maintained within the framework of the IAP and is password protected.

In 2019, the IAP, UN CTED and UNODC continued their joint project to enlarge the IAP's specialist network of Counter Terrorism (CT) Prosecutors and Mutual Legal Assistance (MLA) contact points. At present, approximately half of the IAP's organisational members have registered their CT and MLA specialists in the IAP database. While this is a promising start, all IAP organisational members are encouraged to ensure their specialists are both registered and up-to-date to help foster truly global cooperation in the sharing of digital evidence in terrorism and other cross-border crimes.

Practical Guide for the sharing of digital evidence across borders

In 2017, UNODC and CTED invited the IAP to join them in the development and implementation of a Practical Guide for the sharing of digital evidence across borders (the 'Guide').

During discussions between the then IAP General Counsel, UNODC and CTED during the 2016 Annual Conference, it was agreed that practitioners needed a tool to assist them in seeking and responding to requests, particularly in terrorism cases where time is of the essence. The initiative

was launched in 2017. Two consultants were hired to draft the Guide and versions were discussed at two expert meetings in Vienna (February 2018 and June 2018). In addition, a meeting with service providers took place in San Francisco in July 2018.

Although the Guide was officially launched in New York in September 2018, it was only actually finalised in January 2019. English and Spanish versions of the Guide are now available to IAP members on the IAP website.

To promote the Guide, it was expected that at least six regional training sessions would take place bringing together prosecutors, representatives from police services, Central Authorities and service providers in each region. Four of the training sessions have taken place in Kuala Lumpur, Johannesburg, Sydney and Colombia in 2018 and 2019, partially in conjunction with the Commonwealth Secretariat. The guide has been promoted during IAP events, including the Eastern Europe & Central Asia Regional Conference in Minsk, June 2019.

Future promotional activity

1. The Guide will be introduced at a special presentation at the 24th Annual Conference in Buenos Aires by senior representatives of UNODC, CTED & IAP.
2. The 24th Annual Conference includes a workshop session on the differences between intelligence and evidence based around the Guide and hosted by UNODC.
3. UNODC will host a stand in the margins of the 24th Annual Conference with flyers and hard copies of the Guide for delegates.
4. The outstanding regional training sessions are being planned for the Maldives (October 2019) and Uzbekistan (November 2019) at which there will be IAP representation.
5. A GPEN webinar based on the Guide is under consideration.

Updating the Guide

An expert panel made up of the original authors of the guide and representatives from the UNODC, CTED and IAP will meet at least once a year to review, update and refresh the Guide. The next Experts Group Meeting is being arranged for November 2019 in New York. The General Counsel will represent IAP at the meeting and have ongoing responsibility for keeping the Guide up to date.

The Guidelines on Victim Offender Mediation

The IAP Guidelines for Prosecutors regarding Victim-Offender Mediation aim to assist prosecution services to set and implement standards for victim-offender mediation (VOM) mechanisms.

The United Nations and other international organisations have supported restorative justice initiatives by developing policies, including the UN Basic Principles on the Use of Restorative Justice Programmes in Criminal Matters and the UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power. The IAP Guidelines have embodied the principles set out in these international documents.

These guidelines have been developed by the IAP, in collaboration with the Supreme Prosecutors' Office of Korea and in consultation with prosecutors who have specialist knowledge in mediation practices and victim issues. In September 2017, experienced prosecutors and relevant international organisations attended a dedicated workshop to discuss the draft. The guidelines have also benefited from comments made by UNODC Justice Division representatives.

For more information, please access the Good Practice Manuals page (password protected) [here](#).

PROSECUTORS EXCHANGE PROGRAMME (PEP)

2019 has been a productive year for the PEP as it had the inaugural exchange programmes take place under both last year's generous grant from the US National Association of Attorneys General (NAAG) and under the IAP / Commonwealth Secretariat capacity building exchange programme initiative. NAAG has agreed to continue to support the PEP and negotiations are continuing with the Commonwealth Secretariat. Support funding for PEP programmes makes them more accessible, especially for prosecution services in developing countries.

The PEP has continued to be guided by Nicola Mahaffy, Nicholas Cowdery, Chris Toth and Patrick Stevens.

Last year, NAAG very generously provided the PEP with a USD 15,000 grant which was used to fund two exchanges (USD 7,500 each). The details of the grant, the selection criteria and the selected grant recipients were reported at the Executive Committee meeting in Oslo in April 2019. Since that report, two exchanges have concluded, and reports have been provided by the participants.

(1) Australian Commonwealth Director of Public Prosecutions (CDPP) and Kiribati DPP's office: 18 February – 4 March 2019

In consultation with the DPP for Kiribati (Pauline Beiatou), Rodney Ferral-Smith, a senior prosecutor with the CDPP office in Perth, Australia, developed a training program for the Republic of Kiribati's

lawyers, police and investigators covering topics like the Commonwealth DPP, proceeds of crime in Australia, money laundering, cybercrime prosecutions and Commonwealth grants fraud.

The training programme took place between 18 February and 4 March 2019 in South Tarawa, the capital of Kiribati, and during that time Rodney worked closely with police, financial investigators and the DPP and staff.

Detailed reports have been provided by the participants and Rodney described the situation in the Republic of Kiribati has a keen appetite to use its limited law enforcement resources to combat transnational crime. The exchange re-invigorated this desire and the training planted seeds of recommended changes including much needed legislative change.

Since this exchange concluded, the Australian Attorney-General's Department has received a request from Kiribati to review its Criminal Procedure Code.

(2) Prosecutor General's Office in Mongolia with the PPSC (Federal Prosecution), Canada: 8-12 April 2019

Mongolia has recently undergone a transformation of its criminal justice system and the Mongolia/Canada exchange was set up so that the Prosecutor General's Office of Mongolia could learn about Canadian prosecution on corporate criminal liability is prosecuted in Canada; and the investigation and prosecution of high-profile corruption cases and organised crime.

Two senior Mongolian prosecutors travelled to Canada for the exchange which took place in both Ottawa and Toronto, Canada. The week was filled with presentations by many Canadian experts including experts in regulatory prosecutions, organised crime prosecutions and commercial cases. Detailed reports have been provided by the participants.

This is the fourth PEP exchange between Canada and Mongolia. Earlier exchanges focused on Canadian Criminal Procedure and the overall functioning of the Canadian Criminal Justice System. These previous PEP exchanges with Canada resulted in new criminal legislation in Mongolia which now has certain similarities to the Canadian Criminal Justice System. The Office of the Prosecutor General of Mongolia would like to invite Canadian prosecutors to Mongolia to conduct training with Mongolian prosecutors on Corporate Criminal Liability cases as well as on Prosecutorial Independence.

The **IAP/Commonwealth Secretariat Exchange Programme** was initiated over two years ago as a pilot project. The initial plan was for two exchanges to take place: one focused on domestic violence and one focused on economic crimes, including corruption, fraud and money laundering. Administrative challenges resulted in only one, albeit highly successful, exchange taking place.

The exchange took place from 1 April to 14 May 2019, between the ODPP of Turks and Caicos Islands and the Crown Office and Procurator Fiscal Service in Scotland (COPFS). Initially scheduled for four weeks, the exchange was extended to six weeks.

Rachael Weir, a senior prosecutor with the COPFS, participated in this exchange. She and the DPP (Eugene Otuonye QC) have provided very comprehensive reports about the outcomes: draft mission and vision statements for the DPP's office, a draft 5-year strategic plan for the DPP's office, a detailed action plan to implement the 5-year strategic plan and an ongoing mentoring programme.

While not an IAP organisational member at the time, the Office of the DPP of Turks and Caicos Islands has since applied for membership. The PEP and the Secretariat have agreed that for all future exchanges all parties participating in the exchange must be members of the IAP. The policy will be discussed with the Commonwealth Secretariat and any future sponsors.

The Siracusa Course

The Specialisation Course for Junior Prosecutors (SCJP) is co-organised by the IAP and the Siracusa International Institute for Criminal Justice in Italy. The 4th edition was held from 30 June until 13 July 2019. The highly practical SCJP prepares domestic prosecutors to work on cases involving core international and transnational crimes and offers specialised training in international legal cooperation. Sessions and interactive exercises are led by leading international practitioners from around the world. Topics covered include:

- Cooperating with Online Service Providers in Gathering Digital Evidence: Challenges, Tools and Opportunities
- Blockchain, Cryptocurrencies and Related Technologies: Challenges for Prosecution
- Counter-Terrorism Frameworks
- Wildlife Trafficking and Related Forms of Illicit Trade
- Practical perspectives on Prosecuting "Core" International Crimes and Transnational Crimes in Domestic Jurisdictions
- Introduction to International Criminal Justice: International Criminal Law, International Humanitarian Law and International Human Rights Law

The course was as popular as ever, however funding remains a challenge for many prosecutors and their home prosecution services and scholarships, which were always limited, are becoming scarcer.

NAGTRI International Fellows Programme



This June, the NAGTRI Center for International Partnerships and Strategic Collaboration (CIPS-C) hosted 20 attorneys in Washington, D.C., and New York, NY, from Australia, Brazil, Canada, Dominican Republic, Germany, Ghana, Hungary, Israel, Moldova, South Korea, Switzerland, Taiwan, Uganda, the United Kingdom, and the United States for its annual NAGTRI International Fellows Program. NAGTRI serves as the training and research division of the National Association of Attorneys General. This year's theme was Prosecutorial Strategies to Fight Cybercrime in the Era of Social Media and provided attendees the opportunity to meet federal officials, industry leaders, and Attorneys General from Connecticut, Delaware, New Jersey, and New York. Applications for the 2020 program will be opening shortly and focusing on domestic violence and sexual assault prevention and prosecutorial strategies.

The purpose of the NAGTRI International Fellows Program is to provide a forum for elite government attorneys from around the world to learn from each other, explore common issues together, and establish an International network to the mutual benefit of their respective offices. This scholarship programme, open for active IAP members, is free of cost to selected participants. Please contact CIPS-C Director Jeanette Manning (jmanning@naag.org) with any questions about the programme and collaboration or partnerships with NAGTRI's newly created international center. Applications for the 2020 program will be opening shortly.

SENATE ACTIVITIES

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, on request or on its own initiative, 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 elect (or not) to join the Senate and is asked if s/he wishes to remain active as a Senator and the uptake since then has been universally positive. There has also been inserted a fit and proper person test (unused so far) to cover the situation (fortunately very rare) where a Senator may need to be refused membership, resign or be removed.

The Senate had remained dormant until 2011, when Rules of Procedure were drafted (since amended) 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 reports are filed 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 and are renewable.

The Senate has met since at the time of the Annual Conferences in Bangkok (2012), Moscow (2013), Dubai (2014), Zurich (2015), Dublin (2016) when a record 11 Senators attended, Beijing (2017) and Johannesburg (2018). It has been represented (all at their own expense) by the Chair or Vice Chair at all IAP Executive Committee meetings since 2011, with the exception of the northern spring meeting in Quebec in 2014 and the northern spring meeting in Helsinki in 2016 when it was represented by Siri Frigaard.

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. With the appointment in January 2019 of Gary Balch as IAP General Counsel, he was appointed Honorary Secretary for the unexpired term (ie to 2020).

Retiring Executive Committee members have joined the Senate in this year: Ali Albuainan (Bahrain), Thomas Burrows (USA), Alexander Zvyagintsev (Russia) and Patrick Stevens (UK).

From time to time the IAP Executive Committee and Secretariat have asked the Senate to source persons to participate in programs of various kinds and to sit on committees of the IAP.

Following requests made at the Johannesburg Executive Committee meeting: Egbert Myjer took part in the selection committee for the appointment of the General Counsel; Alexander Zvyagintsev joined the Awards Committee; Martin Herschorn joined the working party on the IAP electronic world directory; Nicholas Cowdery joined the committee on relations with civil society groups; and following the Oslo northern spring meeting (April 2019) Wendy Stephen joined the Conflict Committee. Grenville Cross and Billy Downer continue to serve on the Standing Committee on Prosecutors in Difficulty. Nicholas Cowdery continues as Co-Chair of the Prosecutors Exchange Program Committee which has been joined by Patrick Stevens. Nicholas Cowdery also assisted in the compilation of the IAP History to be published at the time of the Athens conference in 2020.

The Senate has been involved in assisting with amendments to the IAP Constitution and has been consulted on 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. Senators also take opportunities (for example, when speaking at conferences and other events) to promote the interests and values of the IAP and to represent the Senate.

Virgil Ivan-Cucu was key senior expert on judicial cooperation in the EuroMed Justice Project (financed by the EU and with the involvement also of IAP officers); see: <https://www.euromed-justice.eu/>).

Between formal meetings Senate communications are made by email to and among a list described as Active Senators (see first paragraph above). Presently they number 46 from 26 countries.

IAP Awards 2018

Medal of Honour

The IAP Medal of Honour is the highest decoration awarded by the Association. It is awarded to a prosecutor who has exemplified, in the domestic or international context, the key attributes of the prosecutor and more particularly, the qualities of integrity, fairness and professional ethics set out in the IAP Standards and which are expected from a holder of this important office. It may also be awarded to a person who has made a significant contribution to the promotion of the IAP Standards and to the role of the prosecutor in the pursuit of justice under the rule of law in the domestic or international context.



In 2018 the Medal of Honour has been presented to the following person:

Mr. Benjamin B. Ferencz, for an outstanding and unique career started as a prosecutor with his involvement in the Nuremberg Trial - the "biggest murder trial in history", as it was called, at the age of just 27, and his impressive career has continued throughout his life.



Mr. Ferencz has become a fundamental voice of international law, of human rights and of peace [\(full citation\)](#).

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 2018 the IAP Special Achievement Award was presented to:

The Car Wash Task Force (Oleracea Lava Jato) from Brazil. This special recognition is deserved by a group of 47 Brazilian prosecutors from the so-called Carwash Task Force strengthened the Brazilian Rule of Law. Through their dedication and hard work, they became an international example for anti-corruption fights all over the world. Recovering the hope that justice will be done and that the rule of law must be respected by everyone ([full citation](#)).

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 2018 the IAP Prosecutor of the Year Award was presented to:

Mr. Nicholas K .Mutuku in recognition of his accomplishments in his fight against

IAP Secretary-General Han Moraal and IAP President Gerhard Jarosch congratulate Nicholas K Mutuku, IAP Prosecutor of the Year

and being put in the spotlights as an example for the younger generation of prosecutors, not only in Kenya, also far beyond its borders ([full citation](#)).



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.

- **The Office of the Prosecutor General of the Supreme People's Procuratorate of China**, for hosting the 22nd Annual Conference and General Meeting in September 2017 in Beijing.
- **The Chinese Taipei Prosecutors Association** for their tremendous work of translating the IAP website in Chinese.
- **The Prosecutor General's Office in Azerbaijan** for hosting the 45th Executive Committee Meeting in Baku, Azerbaijan in April 2018.

And leaving Executive Committee Members:

- **Mr Alexander Zvaginsev**, from the Russian Federation;
- **Dr Ali Albuainain**, from the Kingdom of Bahrain;
- **Ms Zejun HU**, from China,
- **Mr Tom Burrows**, from the United States
- **Mr Pongniwat Yuttapanboriparn**, from Thailand, and
- **Mr. Sabin Ouellet**, from Canada, who stepped down as a supernumerary member of the IAP Executive Committee.

COMPLAINTS AGAINST MEMBERS

2018 and current complaints

Between the last General Meeting in Johannesburg and the present General Meeting in Buenos Aires one new complaints was received.

December 2018, the IAP received a complaint from a non-member, a citizen of Scotland, United Kingdom, against our member, the Crown Office and Procurator Fiscal Service, Scotland's Prosecution Service.

Considering all aspects of this matter and given the ability of the IAP to research such matters in so far as is possible, the Executive Committee decided that no signs of a breach of the IAP standards to warrant suspension under Article 6 of the Constitution could be found, that no further investigation was needed and that the case should rest. The Executive Committee found it to be

important that the SCO&PFS well explained the discretionary power of the prosecution as well as the fact that the complainant was legally represented and convicted of the charge by an established court and by his own admission was out of time to appeal the conviction.

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 accessible from the [IAP website](#) (password protected).

PARTNERSHIPS AND COOPERATION

IAP partners with the Office for Democratic Institutions and Human Rights

Hate crimes are criminal acts committed with a bias motivation. Every hate crime has two elements: first, the act constitutes a criminal offence under ordinary criminal law; and, second, the offender chooses a target with a protected characteristic, be it ethnicity, race, religion or other status.



The Office for Democratic Institutions and Human Rights (ODIHR) has been partnering with the IAP in a two-year project, entitled '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 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 locally focused approach to hate crime, training for prosecutors in Greece followed, from 1 to 3 December 2017. 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 outcomes and experiences of the project's activities were presented and discussed at national workshops. This was followed by the development of toolkits, including training packages, methodologies and guidelines on the topic of hate crime.

The final products were presented and shared among practitioners and policymakers at a largescale final conference in Vienna on 14 November 2018.



IAP's Benn van Alphen with Ganzorig Gombosuren, IAP Member and national contact person hate crimes for Mongolia during the ODIHR conference in Vienna on 14 November 2018.

- To access the Manual on Joint Hate Crime Training for Police and Prosecutors please visit the [IAP website](#) or [this link](#).
- For more information about the project and to access the generic toolkits, please visit the [OSCE website](#).

Association internationale des procureurs et poursuivants francophones (AIPPF)



The close links between the IAP and the AIPPF, culminated in an MoU (2011) and an amendment (2015) signed by the two Associations, sharing the annual fees collected from Francophones members on a 50/50 base. The MoU underlines the mutual interest of both Association working close together.

The strong links are also stated in provisions in the Constitutions of both Associations, making a representation of one Association at the Executive Committee of the other Association possible.

In September 2018, a new AIPPF Committee Executive (COEX) has been elected, reinforced with new members and new functions, such as the Director in charge of organised crime and international criminal justice and the Director for communication. In addition to these two specific positions, the AIPPF COEX is now composed of a President, an Immediate Past President, five Vice-Presidents, a Secretary-General, a Deputy Secretary-General, a Treasurer, a Deputy Treasurer and two Ordinary Members.

Each year, the General Meeting of the AIPPF and a specific meeting about good francophone practices is organised, making it possible to exchange practices, to learn from each other and to inform the members of the initiatives of the AIPPF during the past year. Since its creation, the AIPPF developed various activities and initiatives, in conjunction with several organisations and actors. Several examples are mentioned below.

Participation in IAP activities

Information translated from the IAP Newsletter and the new IAP Brochure in French version

The new IAP Brochure has been translated in French. Each year, several AIPPF newsletters are elaborated, in order to inform the members about interesting activities of the AIPPF but of the IAP as well.

Participation of Francophone prosecutors in IAP Annual Conferences

Each year, thanks to financial support from the *Organisation Internationale de la Francophonie* (OIF), African prosecutors are able to attend the IAP Annual Conference. Some of them participate actively in the conference programme, giving the participants a better knowledge of the challenges of African prosecutors and their judicial systems. Prosecutors from other Francophone countries, such as Canada, Romania, France, etc. usually also attend this event.

In Johannesburg, in September 2018, 12 African prosecutors, financially assisted by OIF, could attend the IAP Annual Conference. They delivered several interesting francophone presentations, allowing them to speak about their current topics and to increase awareness and understanding of their challenges in the fight against criminality.

Activities in connection with the OIF and other Francophone Networks, organisation, etc.

Collaboration with the *Organisation Internationale de la Francophonie* (OIF)

With the support of the OIF, 5 AIPPF Regional Conferences were organised about terrorism and organised crime in Bamako (Mali) in 2013, Dakar (Senegal) in 2014, Yaoundé (Cameroon) in 2015 and Antananarivo (Madagascar) in 2016, and the last one in Djibouti, in 2017. Several recommendations have been made and notified to the African Union for developing.

Every other year, *les journées institutionnelles des réseaux du droit* (JIRD) took place in Paris, at the OIF Head office. In 2018, this event made it possible for all francophone international associations of barristers, notaries, constitutional courts, supreme courts, police training schools, etc. to meet each other and to gather around several topics, such as the fight against terrorism and transnational organised criminality, expertise and legal security via legal tools and training, modernisation or revitalisation of law for a best understanding and implementation of the rule of law.

Collaboration with other networks, international courts and organisations

The AIPPF is connected to several organisations like the Francophone Notaries Association, the International Police Training Association and the Francophone Bar Association. An MoU was signed between the AIPPF and the Office of the Prosecutor of International Criminal Court to exchange jurisprudence and to organise common trainings activities. It should also be mentioned that the AIPPF provides ad hoc supports to prosecutors attending international fora and trainings.

The 4th INTERPOL Digital Forensics Expert Group Meeting



During the event, our Vice President for Latin America received the first printed version of the Guidelines for Digital Forensics Laboratory from Ms. Anita Hazenberg, the Director of the INTERPOL Innovation Centre and Mr. Manuel Pinheiro gave a short speech about the main activities of the IAP and the possibilities of cooperation between both organisations.

The INTERPOL publication was introduced by Ms. Anita Hazenberg and by Mr. Fernando Fernández Lazaro, the Head of the INTERPOL Digital Forensics Laboratory, who explained that it provides guidelines to establish and manage a Digital Forensics Laboratory, as well as bringing technical guidelines to manage and process electronic evidence. They also commented that the document is aimed to ensure that electronic evidence produced in the laboratory has been

obtained in a way that ensures its quality, to make it admissible in member countries courts, and facilitate the exchange of evidence in transnational and cross border investigations.

In his speech, The IAP Vice President highlighted the importance of the INTERPOL Guidelines for Digital Forensics Laboratory (GDFL), saying that it will standardise and improve the quality of electronic evidence which are produced by digital forensic laboratories around the world and will facilitate the use of such evidence by investigators working in domestic and transnational investigations as well as the use by prosecutors before national and international criminal courts.

He also expressed that the IAP is strongly interested in improving its cooperation with INTERPOL because such organisations have very similar goals. *“Our organisations are gathering, supporting and training public officials (investigators and prosecutors) who perform different roles, but such roles are complementary and indispensable to the functioning of criminal jurisdiction and the rule of law as a whole”*, he said.

Finally, Manuel Pinheiro suggested that the INTERPOL Digital Forensics Expert Group and the IAP Global Prosecutors E-Crime Network could work together by promoting joint academic and professional events (courses, seminars, trainings, etc.) and invited the INTERPOL representatives to attend the 24th IAP Annual Conference in Buenos Aires, 15-19 September 2019.



Presenting of the Guidelines

IAP PUBLICATIONS

IAP Guidelines

The IAP Secretariat published with the help of a generous financial contribution from the Korean Prosecution Service the IAP Guidelines for Prosecutor for Victim-Offender Mediation (VOM). Access to the IAP Guidelines for the Victim-Offender Mediation (password protected) can be found [here](#).

IAP Booklets

IAP Standards: The IAP Secretariat made new lay-out and reprints of the IAP [Standards](#) and the [Standards for Protection and Security of Prosecutors](#) edition of March 2008.

NMP Factsheets – IAP Handbook on Military Justice Systems

The NMP (Network for Military Prosecutors) together with the IAP Secretariat published a Handbook on Military Justice Systems, which contains entries from 23 countries. The content is based on the outcome of a questionnaire distributed in 2015 which was intended to gain a better understanding of the respective jurisdictions criminal justice systems in relation to criminal cases involving military personnel, i.e. "military criminal cases". The latest entry was submitted in September 2019.

Access to the Handbook on Military Justice Systems (password protected) [here](#).

Newsletters from specialist networks

Unfortunately, the Secretariat had to stop producing two newsletters, the FICJ and the GPEN Newsletters.

The Global Prosecutors E-crime Network Newsletter could be produced commercially thanks to a generous yearly grant from the UK Commonwealth Foreign Office. Based on their development programme to reduce the risks of cybercrime, the IAP received from 2015 on a yearly grant to run the GPEN project, including local trainings, webinars and a monthly newsletter, which was well received by IAP's members. The agreement with the UK Commonwealth Foreign Office ended April of this year due to a shift in their focus. This reduction in funding led to a review of GPEN activities and it was decided to end the publication of the GPEN Newsletter and focus resources on the webinars as the most cost effective and well appreciated part of the GPEN project.

The Forum of International Criminal Justice had its own monthly newsletter commercially produced by IAP's freelance consultant Danya Chaikel. Unfortunately for the IAP but great for Danya, she could start with a promising job at the International Criminal Court. Confronted with Danya leaving, knowing that the FICJ Newsletter had a high professional level which was not easy to keep, also in a financial way, while on the other hand the reach of the Newsletter among IAP's members was limited, the Secretariat decided to end the monthly newsletter as from February 2019 on.

IAP CONFERENCES AND EVENTS

The 5th North American and Caribbean Regional Conference

Essential Elements: Prosecutor in the 21st Century

The 5th IAP Regional Conference was held in **Toronto, Canada from 16 – 18 October 2018**. This event was hosted by the Public Prosecution Service of Canada.

Prosecutors from Canada, the United States, Mexico and the Caribbean gathered to listen to presentations on “Essential Elements: Prosecuting in the 21st Century”.



These essential elements included presentations on specialised types of prosecutions such as corruption, terrorism, proceeds of crime and human trafficking, sessions. Other sessions focussed on recent technological developments which can assist investigators and

prosecutors. Many jurisdictions are facing serious challenges in bringing cases to completion in a timely fashion which can undermine the confidence which citizens have in their justice system. For this reason, one of the plenaries was dedicated to ways to gain trial efficiencies, from the point of view of the judiciary, the prosecution and the legislation.

Participants also got the opportunity to rise above the daily challenges of prosecutions by delving deeper into discussions on cross-cutting issues such as implicit bias, the prevention of wrongful convictions, approaches to mentally disordered offenders and the treatment of indigenous offender by the justice system.

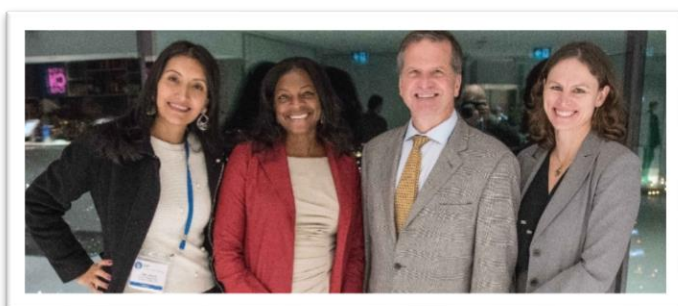
The well-prepared social programme allowed participants to make new acquaintances and visit such landmarks of the city of Toronto as the CN Tower.

Congratulations to the host, Kathleen Roussel, director and the Public Prosecution Service of Canada as well as the organising team for putting together this great event.

The Global Conference on Human Trafficking

Human Trafficking; Working Cooperatively to Protect and Restore Victims

The Global Conference on Human Trafficking was held in **Carolina, Puerto Rico from 17 – 19 January 2018**. The Event was jointly hosted with the National Attorneys General Training and Research Institute (NAGTRI).



Gina Cabrejo, Jeanette Manning, Chris Toth and Amy Ely

The conference program covered a wide range of topics including global cooperation, the prosecutor's role in taskforces, emerging issues related to money flows associated with human trafficking, approaches to better

understand and assist victims as well as strategies to prosecute complex cases. In addition to the plenaries, participants were afforded time to discuss, in smaller groups, best practices for efficient investigations and prosecutions of human trafficking cases. It was also a great opportunity for prosecutors to meet fellow prosecutors who are faced with the similar challenges. During the conference, one participant was able to meet with a prosecutor from another jurisdiction and obtain information about the availability and whereabouts of one of the witnesses in her case, demonstrating the importance of such events where prosecutors meet in person. The conference brought together prosecutors, private sector and non-for-profit organisations. Bibiana Ferraiuoli, Director of The Ricky Martin Foundation spoke about how vulnerable populations become more susceptible to trafficker enticement due to dire economic circumstances exacerbated by natural disasters.

The 1st IAP Middle East and North African Regional Conference

Combating Evolving Threat of Financing Terrorism and Money Laundering

The 1st IAP Middle East and North African Regional Conference was held in **Cairo, Egypt from 19 – 21 February 2019**. This event was hosted by the Prosecutor General's Office of the Arab Republic of Egypt and the IAP in coordination with the UN Office on Drugs and Crime and the European Union.

The Prosecutor General's Office of the Arab Republic of Egypt with full support of the state's leadership held an impressive conference. Its importance was emphasised by the participation of IAP President, Gerhard Jarosch and the IAP Secretary General, Han Moraal.



The 1st IAP Middle East and North African Regional Conference

More than 100 representatives from 29 states and 6 international organisations attended the conference, including Prosecutors General from 10 countries. The topics selected by the organisers are important and topical. It is also worthwhile to appreciate the high quality of presentations which varied from general theoretical to highly specialised and pragmatic ones.

All of these allowed participants to have an extensive exchange of views and experience and to actively discuss the challenging issues of cooperation. Multiple meetings were held on the side lines of the conference in order to strengthen bilateral relationships.

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The 17th IAP European Regional Conference

Effective Public Prosecution in Criminal Justice: Strategies and Organisational Aspects

The 17th IAP European Regional Conference was held in **Porto, Portugal from 16 – 17 May 2019**. The conference was hosted by the Sindicato dos Magistrados do Ministério Público (SMMP), the Portuguese Association for Prosecutors.

Over 150 participants from 23 countries, not only from Europe, listened to the many speakers and discussed the sub-themes around the main theme: Effective Public Prosecution in Criminal Justice, Strategies and Organisational Aspects. The daily pressure on the Public Prosecution Services within the criminal justice system calls for an increasingly effective organisational structure and working processes, is challenged by the nowadays complex and serious crime, while at the same time prosecutors always should be guided by the Rule of Law.



The conference was opened by Ms. Lucilia Gago, Portugal's Prosecutor-General, followed by speakers and discussions in a panel format.

Organisational aspects were discussed regarding effective and efficient prosecutions, how might prosecutorial and organisational structures make Public Prosecution Services better equipped to meet the expectations of their surrounding world, the Parliament, the Government and last but not least the public. Several national models were presented as good practices.

Another panel discussion touched the challenges between the Rule of Law and efficiency. Can these two go hand in hand or is an efficient prosecution the enemy of fair prosecutions? In this context, speakers and participants discussed strategies and organisational structures that could make Prosecution Services better equipped to face this reality.

A third sub-theme was spent on the best working methods in complex investigations. Which internal priorities and activities might help the prosecutors in fighting the increasing danger of international crime? Several national experiences were shared.

All of this should be accomplished within principles of a democratic Rule of Law. Only a fair but firm, objective, impartial and transparent prosecution shall meet the needs of society.

The 9th Eastern Europe and Central Asia Regional Conference

International Cooperation on Combating Crime in the Era of Global Digitalisation of Society

The 9th IAP Regional Conference for Eastern Europe and Central Asia took place in **Minsk, Belarus from 3 to 5 June 2019**. The host, the Prosecutor's General Office of the Republic of Belarus has recently joined as an organisational member of the IAP.

Prosecutors from 11 countries participated in this Conference (Azerbaijan, China, Estonia, Georgia, Kazakhstan, Latvia, Moldova, Poland, Russia, Romania and Uzbekistan). Experts from the Crown Prosecution Service, the Crown Office and Procurator Fiscal Service of Scotland, the University of the Prosecutor's Office of Russia, UNODC, Eurojust and various authorities and educational institutions.



The 2 days sessions with examples of best national and international practices of prosecutorial work and new trends in legislation pertaining to cybercrime combating and, of course, some heated friendly discussions occurred. More than once the importance of prosecutors keeping up with the progress of modern crime was highlighted, cybercrime, which is going to expand drastically in the nearest future. In his closing speech, the IAP Secretary General Han Moraal thanked Prosecutor General of Belarus and his staff for a wonderfully organised conference.

Future IAP CONFERENCES AND EVENTS

25th IAP Annual Conference and General Meeting 2020

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

Period: 6 – 10 September 2020.

Host: The Hellenic Association of Prosecutors.

Theme: Terrorists Across Borders: New Challenges in a Globalised World.

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

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 during the last 12 months.

Meeting of the CCGP of the CIS in Dushanbe, Tajikistan

The IAP was invited by the Prosecutor General's Office of Tajikistan to the meeting of the Coordination Council of the Prosecutors General of the Commonwealth of Independent States and the Shanghai Cooperation Organisation in Dushanbe (Tajikistan), 20th September 2018.



The 100th Anniversary Prosecution Service of Lithuania

On 16 and 17 January 2019, the Prosecution Service of Lithuania celebrated its 100th anniversary with a two-days conference. The IAP was represented by President Mr. Gerhard Jarosch.

Many Prosecution Services from the region were represented, while also Heads of Courts, representatives from the academic world and 650 other guests were present, with another 700 people watching the live broadcasting.

The Conference was not only to congratulate the Prosecution Service of Lithuania. The



participants of the Conference listened to nine reports and participated in two panel discussions on the influence now-a-days of the media and the impact of digital technologies on criminal prosecutions.

Several speakers and experts gave their views about the principles of independency of the prosecutor and international cooperation in the

context of justice and criminal prosecution. IAP's President delivered a presentation on international cooperation from the IAP perspective. The second part of the Conference was dedicated to less judicial but more social topics like stress, emotional intellect and leadership.

The 9th Palestinian Public Prosecutor's Annual Conference "Digital Evidences within the Context of the Requirements of Investigation and Human Rights" in Ramallah, Palestine



IAP General Counsel Gary Balch attends the joint conference in Ramallah

The Conference was held with the support of the Turkish Cooperation and Coordination Agency (TIKA). The IAP General Counsel, Gary Balch along with Executive Director, Janne Holst Hübner attended. The large number of international legal experts attending emphasised international cooperation and the importance of combating transboundary crimes such as cybercrime. This conference was supported by Palestinian and Turkish governmental efforts and justice sector institutions, to continue building legal institutions compatible with the standards of independent democratic states - the independence of the judiciary, and based on the rules of transparency, integrity, accountability, good governance, justice, equality, and promotion of human rights and the rule of law.

100 years anniversary of the Austrian Association of Prosecutors

The Austrian Association of Prosecutors celebrated its 100th birthday on the 23rd of May 2019 in the beautiful Justice Palace in Vienna, attended by several hundred of guests, with President Gerhard Jarosch, Secretary-General Han Moraal and Executive Director Janne Holst-Hübner representing the IAP.



The former President of the Austrian Association and current Chancellor of the Republic of Austria, Dr. Brigitte Bierlein gave a celebratory speech on the importance of the independence of the judiciary for the functioning of the Rule of Law and the invaluable part that prosecutorial associations have in this field.

During the same occasion, the Wolfgang-Swoboda Award for humanity in criminal proceedings was given posthumously to Dr. Robert Winterstein, the last Prosecutor General of the First Austrian Republic who was killed in the concentration camp Buchenwald. Although he had been threatened by the Nazis not to do so, he investigated the murder of the Austrian Chancellor objectively and in accordance to his outstanding code of ethics. Dr. Winterstein is a role model for all prosecutors who will not be forgotten.

The official celebration ended in Vienna form with a party in the Justiz Café, with the most beautiful view over the city.

VISITS AT SECRETARIAT, OF SPECIAL INTEREST

On 12 October 2018 Mr. Badraddin Karim Hamad Ameen, Consultant General Prosecutor, of the Investigator Organization for the Rule of Law and Pishawa Hesamaddeen Abdulla, Director of Public Relations of the Judicial Investigator in Erbil Investigation Court from the Kurdistan Region in Iraq, visited the office of the IAP in The Hague to meet the Project and Community Manager to acquire information about IAP membership.



Mr Khunan Jargalsaikhan, President of the Mongolian Bar Association, and 15 member lawyers of the Mongolian Bar Association met the Secretary-General, Executive Director and the Project and Community Manager on the 29 of April 2019.

On the 3 September 2019 a delegation from the International Cooperation Department of the Supreme People's Procuratorate of P.R. of China met the Secretary-General of the IAP. The delegation consisted of Mr. Ruan Dansheng, Director General of the International Cooperation Department of SPP, Mr. Han Xiaofeng, Deputy Director General of the Third Procuratorial Department of SPP and Ms. Wang He, Director of the General Office of the International Cooperation Department of SPP.



On 5 September 2019, a delegation from Gansu Provincial People's Procuratorate of the P.R. of China met the Secretary-General to learn more about the IAP; Prosecutors Training; promoting the rule of law, fairness, impartiality and respect for human rights and improving international co-operation to combat crime.



Mr. Li Baogang, First Deputy Chief Prosecutor of Gansu Provincial People's Procuratorate; Mr. Wei Gang, Chief Prosecutor of Gansu Longnan Municipal People's Procuratorate; Mr. Zhang Wenli, Director of Gansu Provincial People's Procuratorate of the Planned Finance & Equipment Department; Mr. Cao Yi, Permanent Member of Gansu Tianshui Municipal People's Procuratorate of the Procuratorial Committee; Mr. Zhang Xiaobo, Chief Prosecutor of Gansu Lanzhou Municipal New District People's Procuratorate; Mr. Li Qing, Principal Staff Member of Gansu Provincial People's Procuratorate of No.1 Public Prosecution Department.

FINANCIAL REPORT 2018

Introduction

This report covers the financial situation of the IAP and the financial activities of the Association with a focus on the budget year 2018. This report also explains developments in the 2019 budget.

Status on the new financial systems and processes

The ongoing professionalisation of the IAP financial procedures 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 (BT).

During 2018, the financial processes reached a higher level of professionalisation, with more transparent working structures and procedures in the financial management of the Association. Early 2019 the Secretariat integrated a fully digital bookkeeping system connected to IAP's bank system. With still some improvements to achieve, the Secretariat, supported by accountancy firm BT is finalising the professionalisation of the financial administration in 2019.

2018 Financial Status

The accuracy of the financial procedures and figures gave accountancy firm BT again full confidence in the accuracy of IAP's financial activities as stated in the 2018 financial statements. The **financial statements report** of BT is uploaded on the IAP website https://www.iap-association.org/getattachment/31bb9cae-b20b-45db-91ff-341efa2e7c36/Financial-Statements-2018_Stichting-Treasury-IAP_F.aspx

The draft Financial Statements report was discussed by the Secretary General and Executive's Committee Financial Oversight Committee (FOC) with the BT accountant on 6 March 2019. The FOC advised the Secretary-General on some clarification aspects. The FOC reported its findings to the Executive Committee during its 47th meeting in Oslo (April 2019). The Executive Committee adopted the 2018 Financial Statements report and discharged the Secretary-General for the fulfilment of his task in the 2018 financial year.

In the following paragraphs some financial aspects are highlighted.

Developments in membership fees

The income from organisational memberships rose from EUR 289.000 in 2015 to EUR 448.000 in 2018. In fact, raising the membership fees was the ongoing project of the Executive Director after she was appointed in her new role.

Again in 2018, as approved by the Executive Committee, the Secretariat was 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. The Secretariat was very strict in only allowing access to conferences and other benefits of membership to members who are up to date with their membership fees.

Together with the Secretary-General, throughout these years, the Executive Director also took a great effort in recruiting new organisational members. Also, in 2019 new efforts were launched by the Executive Director to raise the annual membership fees for organisational members. She reached out to many organisational members who were low in their annual dues compared against the Financial Protocol as agreed by the Executive Committee. The Executive Director discussed and negotiated new annual fees with dozens of organisational members. This will have a positive effect on the 2019 income on organisational membership fees.

When it comes to contributing to the capacities of the IAP, more than only the mandatory membership fees should be mentioned. The IAP is receiving extra voluntary support, either in resources or financial. The Netherlands (supporting with two secondments, the UK (CPS England & Wales), Denmark, Saudi Arabia, China and the US Department of Justice, raised their contribution well above the level of the regular fee in 2018. Again, other members raised their membership fee to EUR 10.000, while the IAP kept its support in 2018 from the Belgian, the Georgian and the Russian Prosecution Services, all seconding staff to the IAP. The Canadian Prosecution Service generously offered the IAP during 2018 the capacity of an acting General Counsel. Also 2019 will bring new free capacity for the IAP, as the CPS England & Wales is seconding the new General Counsel to the IAP.

Developments in 2018 income and expenses

The 2018 income of EUR 592.000 was about 23.000 higher than the 2017 income. By far, most income received in 2018 came from membership fees, EUR 480.000, compared to EUR 478.000 in 2017. EUR 448.000 came from organisational membership fees and EUR 32.000 from individual membership fees.

The IAP has about **669** individual members who are up to date with their payments. It has to be noted that while the number of organisational members is rising, the number of individual members is lowering throughout the years.

The 2018 financial statements show a net result of EUR 37,889, which is much higher than the 2017 (negative) net result of EUR -47.065. Apart from the above-mentioned development on membership fees, the following remarks can be made (only the major differences, all amounts in euros):

1. The **income** from the **Annual Conference (levy)** was lower than in 2017: 36,376 instead of 45.000, due to a lower number of participants at the Annual Conference in Johannesburg.
2. The **GPEN FCO grant** turned out to be higher than in 2017, but that does not have a major effect on the net result; a higher grant means also higher expenses.
3. At the **expenses side**, total costs on **salaries** were much lower mostly due to the resignation of the former General Counsel, who was employed by the IAP, while the acting General Counsel was free of charge seconded by the Canadian Prosecution Service.
4. **Office automation costs** rose to 15k, due to the Upgrade project of three IAP software components. These costs will be substantially higher in 2019 and 2020 due to this project. The total cost of this project will be a maximum of EUR 90.000, to be spread over three budget years.

The overall 2018 financial picture shows a healthy financial situation for the IAP.

Agreement IAP – AIPPF

In accordance with the agreement between AIPPF and IAP, both organisations share the income collected from members representing francophone jurisdictions, on a 50/50 ratio. In 2018 the IAP transferred EUR 11.850 to the AIPPF on 2018 membership fees. However, the IAP received in 2019 some late 2018 payments. This has led to an extra payment in 2019 to the AIPPF of EUR 11.840. Although the financial statement report suggests a lower contribution in 2018 to the AIPPF of 11.850 instead of the 17.175 in 2017, in fact the annual contribution rose to 23.690.

Stichting (Foundation) Treasury IAP

Since the 41st Executive Committee meeting in Helsinki the Board of the Stichting Treasury IAP, the Dutch legal body and financial vehicle of the Association, consists of the Secretary General as chair and two Executive Committee members. The current members are Josip Čule and Claire Loftus.

During the 46th Executive Committee meeting in Johannesburg (September 2018), next to the current members, Executive Committee member Kathleen Roussel was appointed as an extra co-signer to approved invoices (double signature requirements as described in the procurement rules).

2019 Financial Developments

The 2019 **income on membership fees** is expected to be on the same level as 2018, EUR 480.000. This seems relatively low against the special project of the Executive Director to raise the income on organisational memberships (see above) but is in fact a raise of EUR 30.000. This is caused by the lowering of the membership fee of the CPS England & Wales to the mandatory EUR 10.000, due to the free of charge secondment of the General Counsel by this organisational member.

On the expenses side the total costs on **salaries** in 2019 will be much lower than 2018, mostly due to the mentioned secondment of the General Counsel, while costs on office automation will rise (see above; the software update on IAP's IT systems), the same for the travel costs, office expenses and general expenses.

The net result for 2019 is expected to be about EUR 10.000 lower than the 2018 net result, but still shows a firm surplus.

The Hague, September 2019.