



# IAP

International Association of Prosecutors

Guide to General Meeting  
by Electronic Communication

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## 2. Background

It was with great sadness that, because of the global COVID-19 pandemic, we were forced to cancel the 2020 Annual Conference, scheduled for Athens, 6-10 September 2020.

You will be aware that the IAP Constitution requires the Association to hold a General Meeting every year. Until now, the General Meeting has been held during each Annual Conference as this has been the single annual event at which the largest concentration of IAP members are present.

It should be noted at the outset that the COVID-19 pandemic will make the holding of a customary face to face General Meeting before the end of 2020 impracticable. International travel remains restricted and, travel that may be possible, is subject to conditions and onerous quarantine restrictions at most ports of arrival. It is also known that some of you are restricted from travel by your domestic authorities because of measures put in place by governments to deal with the effects of the virus.

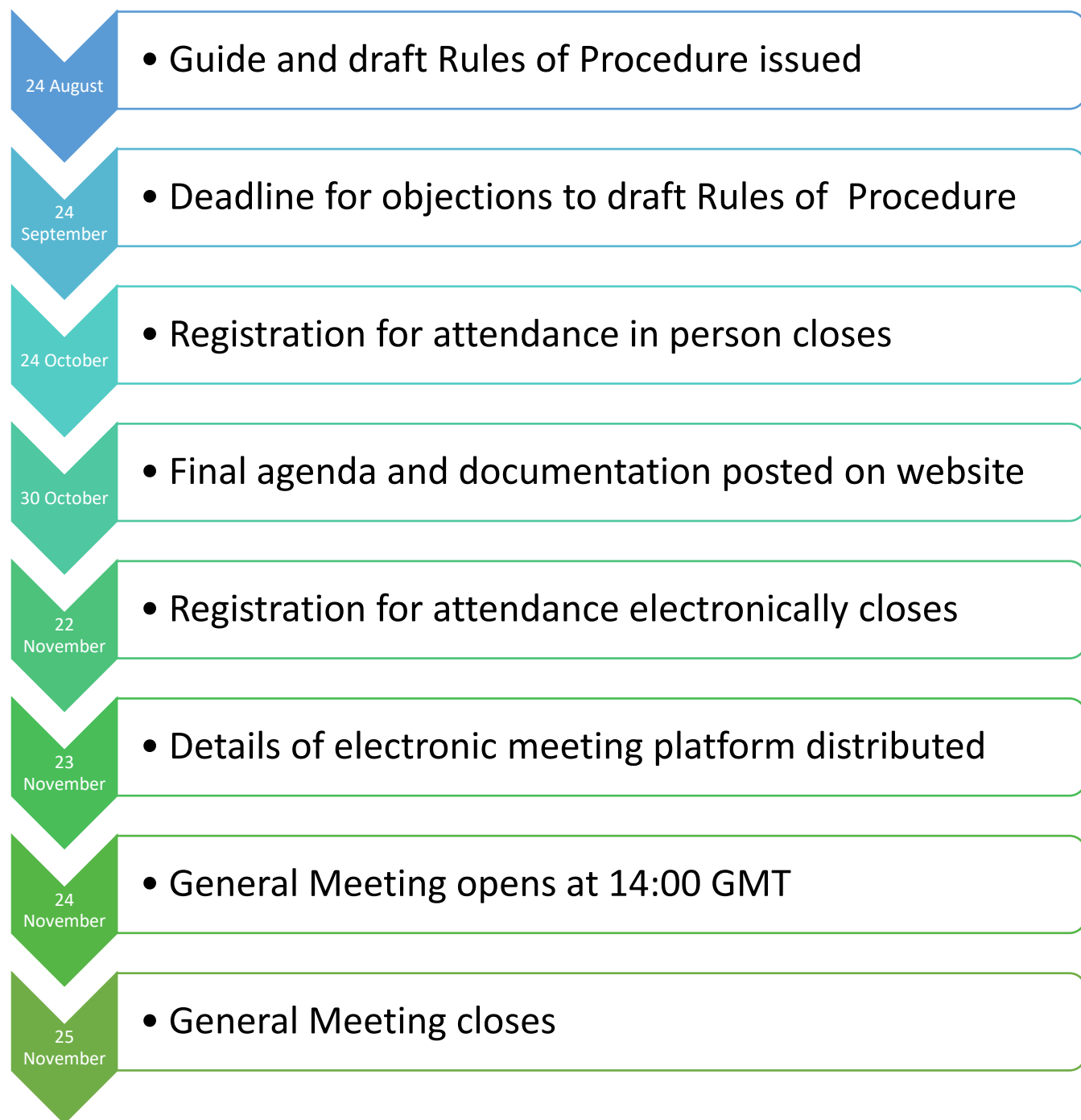
In light of the ongoing pandemic, the Executive Committee has approved a process, set out in this guide and the annexed Rules of Procedure, for holding this year's General Meeting by way of a combination of face to face and electronic meetings. While some way from the ideals of our customary general meetings, the proposed process:

- Ensures all members are consulted on, and can object to, the proposed Rules of Procedure before they are adopted by the General Meeting.
- Invites all members to attend the General Meeting, either in person or electronically.
- Enables all members that wish to participate in the General Meeting to vote, thereby maintaining the status of the General Meeting as the supreme authority of the Association.
- Ensures that only essential business is dealt with at the 2020 General Meeting with any non-essential and/or contentious business put over to the subsequent General Meeting.

While we would all prefer to be meeting in person, the Executive Committee hopes you will agree that the proposed form of meeting meets both the democratic requirements of the Constitution and your democratic expectations as members at this challenging time.

This **Guide to General Meeting by Electronic Communication ('the Guide')** provides the key dates for action, a summary of the meeting process, and the proposed Rules of Procedure.

### 3. Key Dates for Action



#### **4. General Meeting Process**

The Executive Committee has determined that the 2020 General Meeting will be held at **14:00 GMT** on the **24 November 2020** at International Development Law Organisation (IDLO), Hofweg 9E, 2511 AA, **The Hague**, the Netherlands.

The proposed **Rules of Procedure for General Meeting by Electronic Communication ('the Rules')** enclosed at **Annex A** were issued on 24 August 2020 by posting them on the Association website. Members were asked to carefully consider the draft Rules and provide objections, if any, within 1 calendar month of their issue. The consultation phase closed on 24 September 2020 and no objections were received.

**The Executive Committee has further considered the Rules and supports their adoption by the General Meeting as the first order of business.**

You are invited to attend the 2020 General Meeting, either in person or electronically. If you wish to attend, you must register for the meeting by sending an email to the Executive Director at [generalmeeting2020@iap-association.org](mailto:generalmeeting2020@iap-association.org) indicating whether you intend to join electronically or in person. Registration to attend the General Meeting **in person** closes **1 month** before the meeting is due to start. Registration to attend the General Meeting **electronically** will close **48 hours** before the meeting is due to start. These deadlines are required to enable the Secretariat to secure a suitably sized venue and enter participants details on the electronic meeting platform.

Twenty-four hours before the start of the General Meeting, the Secretariat will email details of the meeting platform and how to access it to all members who have registered their wish to participate in the meeting electronically.

The face to face meeting in The Hague will be chaired by the IAP President and attended by:

- The Secretary General,
- The General Counsel,
- The Executive Director,
- Such Executive Committee members and Senators that can attend, and
- Such members that can attend.

The finalised Rules will be adopted as the first order of business and then all motions will be posted on the electronic meeting platform. The General Meeting will then be adjourned by the Chair for 24 hours to allow members to vote electronically on the motions.

When the General Meeting resumes, vote results will be recorded and disseminated through the electronic meeting platform. It is anticipated that consideration of any motion, or any substantive amendment of an existing motion, from the floor of the General Meeting will be adjourned until the General Meeting in the following year, subject to the discretion of the Chair of the General Meeting.

## **Annex A**

### **Rules of Procedure for General Meeting by Electronic Communication**

#### *'The Rules'*

#### **Article 1**

##### *Hierarchy of Rules*

- 1.1. The Rules have effect for the period beginning with their adoption by the General Meeting and ending at the close of the same General Meeting.
- 1.2. Unless expressly varied by these Rules, in the event of a conflict between any provision of these Rules and any provision of the Constitution, the provision of the Constitution shall prevail.

#### **Article 2**

##### *Interpretation*

- 2.1. In these Rules, and unless otherwise specified herein, capitalised terms shall have the same meanings as ascribed to them in the Constitution.
- 2.2. For the purposes of these Rules, the term "meeting" is not limited in meaning to a meeting of persons all of whom, or any of whom, are present in the same place.
- 2.3. Any reference to "place" is to be interpreted as where the General Meeting is held, or to be held, and includes reference to more than one place including, electronic, digital or virtual locations such as internet locations and web addresses.

#### **Article 3**

##### *Participation in General Meetings through Electronic Communication*

- 3.1 Members who wish to participate in the General Meeting through electronic communication shall advise the Executive Director by electronic mail, to the address specified in the notice of General Meeting, no later than 48 hours before the time fixed for the General Meeting.
- 3.2 The Executive Director shall send by email to every member who wishes to participate, at least 24 hours before the General Meeting, details of the electronic platform that is available to participate in the General Meeting, as well as the necessary information to enable members to access such facility.

- 3.3 Participation in the General Meeting pursuant to these Rules shall constitute presence in person at such General Meeting.
- 3.4 Each member is responsible for his or her audio and Internet connections; no action shall be invalidated on the grounds that the loss of, or poor quality of, a member's individual connection prevented participation in the General Meeting.

#### **Article 4**

##### *Notice*

- 4.1 The following documents shall be sent to members in advance of the General Meeting by posting them on the Association's website:
- The Rules.
  - The agenda for the General Meeting.
  - Any proposal for consideration at the General Meeting; and
  - A guide to holding the General Meeting by Electronic Communication.
- 4.2 The documents referred to in paragraph 4.1 above shall be sent no later than fourteen calendar days prior to the date set for the General Meeting.

#### **Article 5**

##### *Motions*

- 5.1 The Executive Director shall designate an online area exclusively for the display of the immediately pending question and other relevant pending questions (such as the main motion, or the pertinent part of the main motion); and, to the extent feasible, the Executive Director, or any assistants appointed by her for this purpose, shall cause such questions, or any other documents that are currently before the meeting for action or information, to be displayed therein until disposed of.
- 5.2 Consideration of any motion, or any substantive amendment of an existing motion, from the floor of the General Meeting will be adjourned until the General Meeting in the following year, subject to the discretion of the Chair of the General Meeting.

#### **Article 6**

##### *Voting*

- 6.1 The rights of members to vote is the same as stipulated in Article 14.4 of the Constitution.
- 6.2 Votes shall be taken by use of the electronic voting system in the electronic meeting platform and the General Meeting shall take its decisions by the votes, counted in accordance with Article 14.4 of the Constitution, of a simple majority of members present and voting in accordance with these Rules.

6.3 The Chair of the General Meeting may also take the vote by affirmation of the General Meeting if there is no dissent.

## **Article 7**

### *Adjournments*

7.1 The Chair of the General Meeting may adjourn the General Meeting at any point during the meeting where he has good reason to do so and will specify the time and place of the adjourned meeting.