

IAP 27th Annual Conference & General Meeting

Abstract - Special Session: Independence of Prosecution Services

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We are facing a deep structural problem with very serious consequences for the rule of law and in particular for judicial independence: prosecutors who investigate political power, criminal organizations or serious acts of corruption are being intimidated, they and their colleagues are being persecuted and irregularly removed from office or threatened and, at the very worst, assassinated.

In this scenario, two major challenges arise: on the one hand, training and judicial education are essential to ensure that proceedings are in line with international standards and consolidated best practices, especially in conducting investigations and respecting the rights of victims and persons under investigation in the proceedings.

On the other hand, it is necessary that there be a legal and institutional framework designed to defend prosecutors' functional autonomy. This demands not only strict requirements for their designation, but it is nowadays also necessary to protect the members of the Public Prosecution Service from persecution under the guise of legality, such as dismissals, sanctions and removals from office, and from threats and aggressions, especially when they come from large criminal organizations or political power.

We live in difficult times. The recent Covid-19 global pandemic exposed the inequalities and injustices that afflict the entire planet, especially the most vulnerable and marginalized members of our society; the structural problems that affect access to justice have been particularly evidenced. This context, in turn, is aggravated by the advancement of authoritarian governments that undermine democracy and the rule of law, along with organized crime and grand corruption. It is here where prosecutors have an essential mission to fulfill as guarantors of justice and social peace.