



INTERNATIONAL
ANTI-CORRUPTION
ACADEMY



MEMORANDUM OF UNDERSTANDING
BETWEEN
THE INTERNATIONAL ANTI-CORRUPTION ACADEMY
AND THE
INTERNATIONAL ASSOCIATION OF PROSECUTORS

The International Anti-Corruption Academy (hereinafter referred to as "IACA") and the International Association of Prosecutors (hereinafter referred to as "IAP"), collectively referred to as "the Sides", for the purpose of jointly fostering the prevention of and the fight against corruption;

Seriously concerned about the significance of threats posed by corruption to the stability and security of societies, undermining the institutions and values of democracy, ethical values, justice and public trust, and jeopardizing sustainable development, social and economic prosperity, and the rule of law;

Concerned also about the global outreach of corruption and the significant challenges it poses for developed, emerging, and developing countries alike;

Recalling the numerous international conventions and mechanisms on promoting good governance and the prevention of and the fight against corruption, especially the United Nations Convention against Corruption (UNCAC) as well as other relevant international and regional instruments;

Reiterating the responsibility to ensure transparency, accessibility, accountability, legitimacy, impartiality, and integrity in all the systems created for anti-corruption work;

Promoting the respect for the rule of law and human rights in all anti-corruption activities;

Emphasizing that corruption is a challenge that cannot be fought successfully by governments, businesses or non-governmental organizations alone, but needs stable and strong inter-sectoral cooperation and alliances;

Acknowledging the efforts of IACA, an international organization with its seat in Laxenburg, Austria, originally a joint initiative by the United Nations Office on Drugs and Crime (UNODC), the Republic of Austria, the European Anti-Fraud Office (OLAF), and other stakeholders, which is now a pioneering institution with an ever-growing

membership consisting of Member States of the United Nations and International Organizations from all corners of the globe, that aims to overcome current shortcomings in knowledge and practice in the field of anti-corruption by a four-pronged approach, i.e. prevention, education, law enforcement/compliance, and cooperation; *noting*, in this respect, that in pursuing this aim IACA will function as an independent centre of excellence in the field of anti-corruption education, training, networking, cooperation, and academic research, following a holistic approach which is international, inter-disciplinary, inter-sectoral, integrative, and sustainable;

Acknowledging the efforts of the IAP, a non-political and non-governmental organization, that has been established since 1995 and is the first and only worldwide organization for prosecutors with membership in over 155 countries, made in respect of its objects, as set out in its constitution, including particularly: to promote the effective, fair, impartial and efficient prosecution of criminal offences, to promote high standards and principles in the administration of criminal justice, including procedures to guard against or address miscarriages, in support of the rule of law, to assist prosecutors internationally in the fight against organized or other crime, and for that purpose to promote international co-operation in gathering and providing evidence, in tracking, seizing and forfeiting the proceeds of serious crime, and in the prosecution of fugitive criminals, as well as to promote speed and efficiency in such international co-operation, to promote measures for the elimination of corruption, in particular, in public administration, to promote examination of comparative criminal law and procedure and to assist prosecutors engaged in justice reform projects, and to co-operate with international and juridical organizations in furtherance of the foregoing objects. Further the IAP is committed to advancing preventative and enforcement measures in respect of all areas of criminality associated with corruption;

Noting that both Sides were granted special consultative status to the Economic and Social Council of the United Nations;

Noting that a lack of expertise and capacity are major obstacles in the fight against corruption;

Sharing common goals with regard to the delivery of technical assistance for capacity-building, a crucial element in the prevention of and the fight against corruption and a key component of the UNCAC, and *noting* that research and training are important parameters in this respect;

On the basis of mutual respect and mutual benefit both Sides intend, as appropriate and within the scope of their mandates, to cooperate closely and consult with each other on a regular basis and therefore share the following understanding:

1. PURPOSE AND SCOPE

1.1 This Memorandum of Understanding (MoU) creates a framework of cooperation between both Sides and sets out their intended role and participation.

1.2 This MoU is neither intended to create any obligations for either Side nor to contradict the political, institutional or legal frameworks, including policies, rules and procedures, binding upon the Sides. In the event of any inconsistency between provisions of this MoU and such frameworks, the latter shall prevail.

1.3 The cooperation under this MoU is non-exclusive. Nothing contained in this MoU shall be deemed a waiver of the privileges and immunities enjoyed by either Side.

2. FORMS OF COOPERATION

Within the framework of this MoU, both Sides will cooperate to promote their common objectives in good faith. The forms of cooperation, under this MoU, may include support and/or joint activities in areas of mutual interest. In this respect both Sides may undertake, in particular the following:

- a. Joint activities to prevent and combat corruption, including the provision of training and research activities for anti-corruption stakeholders, such as through (joint) courses, seminars, events, and conferences, involving experts from both Sides' networks;
- b. Joint efforts to foster and promote capacity and institution building programmes in the anti-corruption field by, inter alia, collaborating in the development of trainings, curricula, and course materials, and making best use of both Sides' network of expertise;
- c. Exploring possibilities of providing scholarships for IACA's trainings and academic activities to qualified candidates coming from the IAP's members and originating from Least Developed Countries;
- d. Promoting anti-corruption research and training projects, sending personnel to visit each other, studying and discussing issues arising from international co-operation against corruption, e.g., providing for a forum in which ideas and further studies are discussed.

3. CONSULTATION AND EXCHANGE OF INFORMATION

3.1 Both Sides may exchange anti-corruption information as well as information on relevant activities which are organized by either Side and could be of common interest concerning their cooperation under this MoU.

3.2 The Sides will meet periodically, at such intervals as deemed appropriate, to identify possible priority areas for cooperation that present common objectives, to review the progress of activities being carried out under this MoU and to plan future activities.

3.3 The Sides designate the following contact points to facilitate communication between them:

- a. IACA: Ms. Elisabeth Täubl, Policy Advisor;
- b. IAP: General Counsel

4. SUPPORT

4.1 This MoU does not create or imply any obligations of a financial nature for the Sides. Any commitment undertaken by either Side within the scope of this MoU will be subject to the availability of resources. Each Side will bear its own costs and expenses incurred in the implementation of this MoU, unless otherwise agreed to by the Sides in writing.

4.2 The Sides will inform each other, as appropriate, of possibilities for IACA to act as a technical assistance provider.

5. PROPRIETARY RIGHTS

5.1 The Sides hold sole ownership over the course materials, publications and other such documentation which they respectively produce under this MoU, unless otherwise agreed to by them. The use of the above-stated documentation in joint efforts, will not infringe upon the sole ownership rights of the Sides.

5.2 The Sides may, as appropriate, use their communication tools to promote the existence, development and objects of the respective other Side, including the advertisement of this MoU.

5.3 The Sides may also establish hyperlinks between their websites and may add to their website brief reference material of the respective other Side.

5.4 Except for the purposes expressly mentioned in Paragraphs 2 and 3 above, any use by either Side of the name, including its acronym, and emblem or official seal, of the respective other Side will require the prior written consent of the latter. In no event will authorization be granted for commercial purposes.

6. SETTLEMENT OF DISPUTES

Any dispute concerning the interpretation or application of this MoU shall be settled by consultations or another mode of settlement agreed between the Sides.

7. FINAL CLAUSES

7.1 This MoU will come into effect upon the date of its signature by both Sides and will remain in effect until cancellation in accordance with the following paragraphs.


7.2 The Sides may cancel this MoU at any time upon their mutual written consent.

7.3 Alternatively either Side may cancel this MoU by giving written notification to the other Side. Such cancellation will become effective 90 (ninety) days after the receipt of such notification by the other Side. Upon such notice the Sides will agree upon measures for the orderly conclusion of ongoing activities.

7.4 Amendments to this MoU require the written consent of both Sides.

Signed in duplicate, in the English language, on the date and at the place written below.

**For the International Anti-Corruption
Academy**

Signature: 

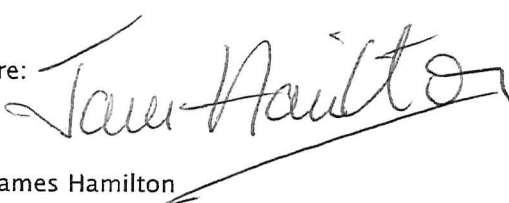
Name: Martin Kreutner

Title: Dean

Place: Moscow

Date: 9 September 2013

**For the International Association of
Prosecutors**

Signature: 

Name: James Hamilton

Title: President

Place: Moscow

Date: 9 September 2013