IAP INTERNATIONAL ASSOCIATION OF PROSECUTORS

# Annual Report 2022

Raising standards for prosecutors worldwide; Improving international cooperation to combat crime

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# Introduction

## **About the IAP**

he International Association of Prosecutors (IAP) is a nongovernmental organisation and the only worldwide organisation of prosecutors. It was established on 06 June 1995 at the United Nations offices in Vienna and was formally inaugurated in September 1996 at its first general meeting in Budapest.

The initial idea for an international association of prosecutors followed from discussions at the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1990 on the role of prosecutors. Delegates recognised that although "the Universal Declaration of Human Rights enshrines the principles of equality before the law, the presumption of innocence and the right to a fair and public hearing before an impartial tribunal, frequently there still exists a gap between the vision underlying those principles and the actual situation". They also recognised that prosecutors play a crucial role in the administration of justice and in ensuring compliance with these principles. The UN Congress subsequently adopted Guidelines on the Role of Prosecutors, designed to assist Member States in securing and promoting prosecutors' effectiveness, impartiality and fairness in criminal proceedings. There was also a growing recognition amongst prosecutors of

the need for greater international cooperation between prosecutors and for greater speed and efficiency in the use of mutual legal assistance, asset tracking and other international cooperation measures to tackle the rapid growth in serious transnational crime, including drug trafficking, money laundering and fraud.

Since its inception, the IAP has been committed to setting and raising professional conduct and ethical standards for prosecutors worldwide and promoting the rule of law, fairness, impartiality, and respect for human rights. The IAP also aims to improve and strengthen international cooperation to combat crime by building networks between prosecuting agencies and supporting an increased pace and efficiency in transferring information and providing mutual legal assistance.

The IAP delivers its objectives through three principal strands of activity:

1. To safeguard the prosecutor's role and their role as a legal officer, the IAP actively advocates for prosecutors' functional independence and legal accountability and develops practical responses to challenges to that independence. The IAP monitors threats to the safety and security of prosecutors and supports the development of practical strategies for relevant authorities to respond to those threats. The IAP also manages a worldwide programme for prosecutors in difficulty, responding to their requests for assistance when they report facing challenges due to carrying out their prosecutorial duties.

2. The IAP builds and maintains a worldwide community, enabling prosecutors to share experiences and challenges in a trusting professional environment. Through annual conferences and regional meetings, training sessions, workshops and webinars, the IAP routinely brings together frontline prosecutors, specialists, and heads of prosecution services to network, collaborate, cooperate, and share best practices and knowledge. Through its rapidly growing online network, the IAP provides a digital database and platform of prosecution contact points and specialists to facilitate information exchange and casework assistance.

3. The IAP produces the world's leading statements of professional prosecution standards, best practices, and guidelines concerning a wide range of criminal activity. The IAP also facilitates specialised learning programmes in international criminal justice. Areas of focus include mutual legal assistance, counterterrorism, cybercrime, financial crime, trafficking in persons, international crimes and crimes of sexual violence.

Today the IAP brings inspiration, networking, and education to more than 250,000 prosecutors in 172 countries and territories across the globe. In addition to individual members, the network includes 133 prosecuting agencies, 47 Associations of prosecutors and 8 international organisations, including the International Criminal Court (ICC), the United Nations International Residual Mechanism for Criminal Tribunals (IRMCT), and Eurojust. The IAP also holds special consultative status with the United Nations.

#### **IAP Vision Statement**

To support and empower prosecutors worldwide to uphold the rule of law and fully implement the IAP Standards.

#### **IAP Mission Statement**

We are committed to promoting and safeguarding the role of prosecutors in maintaining and advancing the rule of law to deliver fair and just outcomes and to setting and raising standards of professional conduct and ethics through training, networking and the exchange of knowledge and expertise.

#### **IAP Objectives**

The objectives of the IAP are as follows:

- 1. To promote the effective, fair, impartial, and efficient prosecution of criminal offences.
- 2. To respect and seek to protect human rights as laid down in the "Universal Declaration of Human Rights" proclaimed by the General Assembly of the United Nations on 10 December 1948.
- 3. 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.
- 4. To promote and enhance those standards and principles which are generally recognised internationally as necessary for the proper and independent prosecution of offences.
- 5. To assist prosecutors internationally in the fight against organised or other serious crimes, and for that purpose: (i) to promote international cooperation in gathering and providing evidence, in tracking, seizing, and forfeiting the proceeds of serious crime, and in the prosecution of fugitive criminals and (ii) to promote speed and efficiency in such international cooperation.

- 6. To promote measures for the elimination of corruption in public administration.
- 7. To promote the professional interests of prosecutors and to enhance recognition of their crucial role in achieving criminal justice.
- 8. To promote good relations between individual prosecutors and prosecution agencies, to facilitate the exchange and dissemination among them of information, expertise and experience and, to that end, to encourage the use of information technology.
- 9. To promote examination of comparative criminal law and procedure and to assist prosecutors engaged in justice reform projects.
- 10. To co-operate with international juridical organisations in furtherance of the foregoing objects.

## **About the IAP**







Networking

The International Association of Prosecutors (IAP) is the only worldwide organisation of prosecutors.

Since its inception in 1995, its network has grown to welcome 133 Prosecuting Agencies, 47 Associations of Prosecutors and 8 international organisations from over 172 different countries and territories. Our activities include:

- The IAP Annual Conference, where our members can network and share experiences and expertise on specific prosecutorial topics
- IAP Regional Conferences
- Specialised discussion forums for the exchange of best practices
- Quarterly newsletters
- The Prosecutor's Exchange Programme
- The IAP Granting Programme, which allows prosecutors from low-and-middle income countries to attend our Annual Conference
- Training and webinars
- Supporting prosecutors in difficulty

### different countries

### 250.000 prosecutors



organisational members

### Membership benefits



Access to specialist training and webinars



Access to our online contact database to facilitate the exchange of information and progress casework



Build global networks to share best practice and exchange knowledge and expertise



Opportunity to apply to participate in the Prosecutors Exchange Programme and for the Granting Programme



Quarterly newsletters and updates on IAP activities and announcements



Ability to participate in the IAP Annual and Regional conferences



Access to the IAP Specialist Networks



Access current and archived IAP publications, including the IAP Standards, the IAP Human Rights Manual, training material and Specialist Network materials

## **The Executive Committee**

he Executive Committee is the IAP's managing and administrative body responsible for providing leadership and direction to the Association and governing the affairs of the Association on behalf of its members. The powers and duties of the Executive Committee members are set out in Article 8.2 of the IAP Constitution.

The members of the IAP Executive Committee (2022-2023) are as follows:

#### President

Juan Bautista Mahiques, Attorney General of the Autonomous City of Buenos Aires, Argentina

#### **Vice-Presidents**

- 1. Mohammed Hassan AbdulRahim, Advocate General, Dubai Public Prosecution, UAE
- 2. Kamran Aliyev, Prosecutor General of the Republic of Azerbaijan
- 3. *Lloyd Babb*, Director of Public Prosecutions, Northern Territory, Australia
- 4. Josip Cule, Deputy Attorney General and National Member for Croatia at Eurojust, State's Attorney Office of the Republic of Croatia, Croatia
- 5. *Giorgi Gogadze*, Deputy Chief Prosecutor, Office of the Chief Prosecutor, Georgia
- 6. Kathleen Roussel, Director of Public Prosecutions and Deputy Attorney General, Canada



7. *Tong Jianming*, First Deputy Prosecutor General, Supreme People's Procuratorate, People's Republic of China

#### Immediate Past President

*Cheol-Kyu Hwang*, President from 2019 to 2022. Chair Professor of Kyonggi University and Attorney-at-Law

#### **Ordinary Members**

- 1. *Jane Abodo*, Director of Public Prosecutions, Uganda
- 2. Djama Souleiman Ali, Prosecutor General, Djibouti
- 3. Abdulaziz Farhad Alqorony, Head of the International Division, Public Prosecution Service of the Kingdom of Saudi Arabia, Saudi Arabia
- 4. Shamila Batohi, National Director of Public Prosecutions, South Africa
- 5. Sally Dowling SC, Director of Public Prosecutions, New South Wales, Australia

- Frédéric Fèvre, Prosecutor General and President of AIPPF, France
- 7. Manuel Pinheiro Freitas, Prosecutor General, Public Prosecution Service of the State of Céara, Brazil
- 8. *Noordin M. Haji*, Director of Public Prosecutions, Kenya
- 9. Max Hill KC, Director of Public Prosecutions, England and Wales
- Wongsakul Kittipomwong , Former Attorney General, Thailand
- 11. Michael Leitner, Deputy Prosecutor General, Prosecutor General's Office, Austria
- 12. Nayef Mahmood, Advocate General, Bahrain
- 13. Jeanette Manning, Director of NAGTRI, National Association of Attorneys General, United States of America
- 14. *Kate Matthews*, Vice President of the Canadian Association of Crown Counsels, Canada

- 15. *Catherine Pierse*, Director of Public Prosecutions, Ireland
- Ip Son Sang, Prosecutor General, Macao SAR of People's Republic of China
- 17. Woo Jung Shim, Chief Prosecutor, Incheon District Prosecutor's Office, Prosecution Service of the Republic of Korea, Republic of Korea
- Edina Soltész, Public Prosecutor, Central Chief Prosecution Office of Investigation, Hungary
- 19. Bruce Swartz, Deputy Assistant Attorney General/Counsellor for International Affairs, US Department of Justice, USA

The following people retired from the Executive Committee at the General Meeting in 2022 and were elected to join the IAP Senate:

- 1. Paris Adamis, former National Member at Eurojust for Greece
- 2. Satyajit Boolell, former Director of Public Prosecutions, Mauritius
- 3. *Serge Brammertz*, Prosecutor of MICT, Netherlands
- 4. *Claire Loftus*, former Director of Public Prosecutions, Ireland
- 5. Gerhard Jarosch, former IAP President, Austria
- 6. Christopher Toth, former Executive Director of NAAG, USA

The following people retired or resigned from the Executive Committee in 2022:

- 1. *Jorge* Abbott, former Attorney General of Chile
- 2. Petr Gorodov, Deputy Prosecutor General, Russian Federation
- 3. Jean Fils Ntamack, Prosecutor General of the Court of Cassation, Cameroon.



The 54<sup>th</sup> Executive Committee was held in Tbilisi, Georgia.

### **Message from the President**



Dear fellow prosecutors,

I hope this message finds you well and in good spirits. It is a real pleasure to present you with the IAP 2022 Annual Report. 2022 certainly marked a turning point on so many different levels within the IAP and even on a global scale. The challenges we faced were unprecedented, but our commitment to the IAP Standards remained steadfast.

The gravity of the events in Ukraine demanded rapid and concerted decisions regarding the IAP's response. Taking a stand towards upholding the rule of law and the protection of human rights often comes at high costs. Still, the IAP did not waver when faced with such a challenge.

As COVID restrictions were progressively being lifted around the world, the IAP was able to successfully carry out the 4<sup>th</sup> IAP African and Indian Ocean Regional Conference together with the East Africa Association of Prosecutors in the city of Mombasa, in May 2022. And then, of course, the Annual Conference and General Meeting in Tbilisi in September, the first one in person since the beginning of the pandemic. It was an enriching experience being able to shake hands, see each other, and renew our friendships after two very hard years.

On that note, 2022 was the year of making up for lost pandemic time, and the IAP worked hard in providing training courses, including a series of webinars on the Second Additional Protocol to the Convention on Cybercrime, along with the Council of Europe. Another highlight was the IAP-UNESCO Course for Prosecutors Investigating and Prosecuting Crimes against Journalists and the Protection of Freedom of Expression, in partnership with the Siracusa International Institute (SII) for Criminal Justice and Human Rights.

While continuing with the efforts to help our Afghan colleagues, the IAP has also been monitoring the safety of prosecutors in other regions, particularly in Latin America, where several prosecutors were attacked and even murdered merely for fulfilling their responsibilities.

In short, in a complex, challenging year, the IAP has delivered outstanding results and managed to regroup and adapt to a new normality, charging into 2023 with a robust structure and renewed strategy. Though certainly bittersweet, 2022 has set the foundations for a very promising future for the Association.

I would like to thank the Secretariat and former IAP President Cheol-Kyu Hwang for their hard work and I hope this report will give you an overview of their efforts and the value the IAP brings to the table.

Juan Bautista Mahiques IAP President

# 2022 In Review

## IAP Awards 2022

he IAP's Special Achievement Award is presented to a prosecutor or a team of prosecution duties in the face of hardship or adversity or to recognise other outstanding achievements, including special dedication to the rule of law. In 2022, there were two recipients of the IAP Special Achievement Award.

Mr ST Burhanuddin, Attorney General of the Republic of Indonesia, received a Special Achievement Award for developing a restorative justice programme. Previously, minor crimes led to mandatory prison sentences with no restitution for victims. Mr Burhanuddin implemented a new regulation in 2020 called "the Dismissal of Prosecution Based on Restorative Justice", allowing such cases to be diverted to a restorative justice system. Over a thousand cases have been settled this way, facilitated by 182 restorative justice houses. Prosecutors ensure the suitability of cases and the approach has gained wide acceptance both publicly and by the victims of crime.

**Mr Sean Moody**, a prosecutor at the Crown Prosecution Service of England and Wales, also received an IAP Special Achievement Award. He successfully used account freezing and forfeiture provisions to seize 29 million pounds, the largest amount forfeited in England and Wales. Mr Moody employed novel powers granted to the DPP of England and Wales in cases where a prosecution couldn't be initiated in England. By tracking funds and discovering a web of money laundering operations



Mr Arya Wicaksana, Head of International Organization and Treaty Sub-division of the Attorney General's Office of The Republic of Indonesia, receiving a Special Achievement Award on behalf of Attorney General ST Burhanuddin.



Max Hill KC, Director of Public Prosecutions, Crown Prosecution Service, England and Wales, accepting the IAP Special Achievement Award on behalf of Mr Sean Moody.

in multiple countries, he agreed with the account holder that they would forfeit 90% of the frozen funds. His work required legal assistance from several countries where funds flowed to and from the account to gather evidence that could be presented to the court. It tested the limits of the United Kingdom's new legal assistance agreement with the European Union. Enthused by the results, the CPS and police intend to use this model in the future, where an offence cannot be proven in England and Wales, but funds can be traced that are used to commit crimes elsewhere.

We congratulate the recipients of the IAP Special Achievement Award and thank them for their invaluable contributions.

## IAP Granting Programme 2022

he IAP is committed to ensuring that its activities and programmes are inclusive and accessible to all members of the Association. All members, regardless of seniority, gender, religious, or cultural background are eligible to participate in all IAP projects and programmes and are encouraged to do so actively.

The IAP Annual Conference is one of the most effective platforms for prosecutors to better their understanding of international cooperation and meet and build relationships with counterparts from around the globe. During this event, prosecutors can learn from others, share knowledge, and discuss challenges and ideas in an open and friendly environment.

Lack of access to high-level specialist training in some jurisdictions and limited financial resources to allow prosecutors to attend global training programmes and events are significant impediments to successful crossborder cooperation in the fight against organised crime. To fill this void, the IAP established the IAP Granting Programme in 1996, which allows the IAP to financially support prosecutors from developing (UN DAC) countries to attend IAP Annual Conferences to further their education and exposure to the international best practices of prosecutors. Prosecutors with significant experience and a promising future career as a prosecutor are given preference, as are those who can demonstrate that participation in the conference will add considerable value to their

work as prosecutors and/or the organisation for whom they work.

The annual donation period takes place between two General Meetings. In addition to an earmarked reserve of 10,000 EUR from the annual budget, the IAP Granting Programme is financially supported by generous donations from individual Association members as well as income from the sale of IAP merchandise. In 2022, 32 individual and organisational members very generously donated money to the granting programme, and the IAP Secretariat would like to extend a special and heartfelt thanks to them.

The programme has previously received financial support from the governments of Denmark, Ireland and Norway, and the IAP encourages its members to look into whether their national governmental organisations, including the Ministry of Foreign Affairs or Ministry of Justice, may be able to provide additional funding to this programme through their development aid and reform project programmes. For more information, please get in touch with the IAP Secretary-General (email: sg@iapassociation.org).

The IAP Granting Programme Protocol governs the Granting Programme. On behalf of the Executive Committee, a Granting Programme Committee comprised of the Secretary-General (chair) and two members of the Executive Committee considers and selects suitable candidates for the programme.



Marcelo Ribeiro de Oliveira Federal Prosecutor in Brazil, Deputy Head of the International Cooperation Unit and 2022 Grantee.

Below is a summary of the 2022 numbers:

- Total number of grantees: 8
- Total amount spent: 12,560 EUR

Recipients of a grant were:

- 1. Gantuvshin Ganbaatar, prosecutor, Mongolia
- 2. Yasser Hammad, Deputy Attorney General, Palestine
- 3. Paul Thomas Kadushi, Director of Asset Forfeiture, National Prosecutions Service, Tanzania
- Domingo Martins, President of Sindicato dos Magistrados do Ministério Público (SIMAMP), Guinea-Bissau
- 5. Edward Muhumuza, Chief State Attorney, Uganda
- 6. Nataraj J. Muneesamy, Principal State Counsel, Mauritius
- 7. Armen Oganesean, prosecutor, Moldova
- 8. Marcelo Ribeiro de Oliveira, federal prosecutor, Brazil

You may read <u>the full reports</u> from the grantees.

## **IAP Membership**

#### Membership recruitment visits

With an important objective to assist prosecutors in fighting cross-border criminality, it is crucial that the IAP's network is constantly strengthened and expanded. While digital outreach methods like targeted recruitment campaigns and social media engagement positively affect network expansion, one should always appreciate the importance of personal contact and relationships.

Whilst the IAP officials use all opportunities to promote the benefits of membership when attending conferences and meetings around the world, they also arrange some targeted recruitment visits to regions of the world where the network can be further strengthened. In 2022 such visits were carried out to the UAE, Uruguay, Peru, Luxembourg, India and Paraguay.



IAP Executive Director, Janne Holst Hübner in Abu Dhabi with IAP Vice-President, Mohammed Hassan AbdulRahim.

#### **United Arab Emirates**

In February 2022, IAP Vice-President of the Middle East and North African region, Mohammed Hassan AbdulRahim, and the IAP Executive Director, Janne Holst Hübner, visited the Judicial Department (ADJD) in Abu Dhabi to discuss a potential strengthening of the relationship through organisational membership. Negotiations are ongoing.

#### Uruguay

In February 2022, IAP Vice President for Latin America, Juan Bautista Mahiques, initiated discussions with the Attorney General of Uruguay, Juan Gómez, regarding Uruguay's potential membership of the IAP. The focus was on training in cybercrime investigation techniques, which piqued the interest of the Prosecution Office of Uruguay.

#### Peru

IAP Vice-President for Latin America, Juan Bautista Mahiques, gave the opening speech at the UNODC course on "Oral Litigation and Digital Evidence" held from 7-11 March in Lima, Peru. He also had a bilateral meeting with Senior Prosecutor Aurora Castillo Fuerman to discuss inviting her institution, the Public Prosecution Service of Peru, to join the IAP as an organisational member.

#### Luxembourg

IAP Secretary-General Han Moraal visited the Office of the European Public Prosecutor in Luxembourg on 13 June 2022 to discuss a possible contribution to the IAP Annual Conference in Tbilisi, Georgia, as well as future cooperation between the Office and the IAP, including membership.



IAP President (in the middle); AIPA President Mangal Meena (2nd from left); AIPA Vicepresident Padma Lao Lakkaraju (2nd from right).

#### India

On 15 July 2022, IAP President Cheol-Kyu Hwang visited New Delhi, India, at the invitation of the All India Prosecutors Association (AIPA). Discussions were held with AIPA President Mangal Meena, Vice-President Padma Rao Lakkaraju, and Indian prosecutors on topics of mutual interest. They explored AIPA's potential organisational membership with the IAP, participation in information exchange platforms and training programmes, and the prospect of India hosting an IAP Asian regional conference. AIPA members who are already involved in IAP activities were encouraged to pursue organisational membership.

#### Paraguay

On 29 August 2022, IAP Vice-President for Latin America, Juan Bautista Mahiques, met with the Attorney General of Paraguay, Dr Sandra Quiñonez Astigarraga. The meeting emphasised the importance of promoting security and cooperation among prosecutors in Latin America. Both prosecutors acknowledged the need for unity in facing challenges and threats to the justice system. The Attorney



IAP Vice President for Latin America, Juan Bautista Mahiques with the Attorney General of Paraguay, Dr Sandra Quiñonez Astigarraga.

General invited Dr Quiñonez Astigarraga to the upcoming IAP Annual Conference, highlighting the significance of Paraguay's involvement in promoting regional cooperation. He also expressed his intention to foster regional participation in the IAP during his presidency to strengthen ties and address shared concerns.

#### **Membership expansion**

The following organisations joined the IAP network in 2022:

- 1. *Serbia*, Republic Public Prosecutors Office of the Republic of Serbia
- 2. Ghana, Prosecution Division, Office of the Attorney General and Ministry of Justice
- 3. India, All India Prosecutors Association (AIPA)
- 4. England and Wales, HM Crown Prosecution Service Inspectorate
- 5. Nigeria, Economic and Financial Crime Commission, Legal and Prosecution Department
- 6. *Nigeria*, Association of Trained Prosecutors and Investigators
- 7. Mongolia, Office of the Prosecutor General

The following organisations left the IAP in 2022:

- 1. New Zealand, The Crown Law Office
- 2. Russia, Russian Federation's Prosecutor General's Office



New IAP organisational members signing the Standards commitment form during the 27<sup>th</sup> IAP Annual Conference in Tbilisi.

#### The Office of the Prosecutor General of the Russian Federation resigns from the IAP

On 23 March 2022, ahead of a hearing by the IAP Executive Committee to discuss potential suspension or expulsion, the Prosecutor General of the Russian Federation (OPG) resigned from the IAP. The OPG also terminated the agreement for the IAP Regional Office in St. Petersburg. The IAP regrets the OPG's decision to resign before engaging in discussions with the Executive Committee. While acknowledging 25 years of cooperation with the OPG, the IAP remains focused on condemning Russia's invasion of Ukraine, which violates international law and Ukraine's sovereignty.

### New organisational members commit to the IAP Standards

Previously, organisational members committed to the IAP Standards by ticking a box on the digital application form, which was deemed insufficient given its importance. The Executive Committee decided to reinstate the practice of signing a commitment form during official ceremonies at future General Meetings. At the 27th General Meeting in Tbilisi, new organisational members were invited on stage to sign the declaration, symbolising their commitment to upholding and enforcing the IAP Standards.

The following members attended the signing ceremony:

- Padmaraou Lakkaraju, Vice-President of the All India Prosecutors Association
- Chile Okoroma, Director of the Economic and Financial Crime Commission, Nigeria
- Anthony Rogers, Deputy Chief Inspector, HM Crown Prosecution Service Inspectorate, England and Wales.

### The 25<sup>th</sup> Anniversary Booklet of the IAP published

Delayed by the pandemic, the 25<sup>th</sup> Anniversary of the International Association of Prosecutors was proudly celebrated by the launching of the IAP History Booklet during the IAP's 27<sup>th</sup> Annual Conference and General Meeting in Tbilisi, Georgia.

The events described in the History Booklet bear witness to the IAP's quarter-century endeavour to improve prosecutors' standards and crime-fighting prowess through safeguarding and enhancing the role of prosecutors globally. It describes how the concept of a global association of prosecutors evolved from a dream to a reality.

The History Booklet walks you through the early years, from its inception in 1995 to the official adoption of the IAP Standards in 1999. It then takes you through the IAP's journey into the new millennium, the ever-evolving challenges, the setbacks, and the victories it achieved up to 2020. The Booklet covers the following topics:

- The history of the IAP and its current and future strategic direction
- Details of significant historical events, such as the publication of the Human Rights Manual for Prosecutors and receiving consultative status with the United Nations
- The work of the IAP over a 25year period and the impact on prosecutors worldwide
- The achievements of the IAP in improving international cooperation to tackle transnational crime
- Members can <u>read the IAP History</u> Booklet online or download a copy



## **Events 2022**



Conference of the Prosecutors General of the Countries of the Council of Europe 05-06 May 2022, Palermo, Italy

#### Siracusa, Italy

International course for prosecutors on "Investigating and Prosecuting Crimes against Journalists and Protection of Freedom of Expression" – February 2022, Siracusa, Italy

#### Siracusa, Italy

The Siracusa International Institute for Criminal Justice and Human Rights (the Siracusa Institute) and the IAP sign an MOU *April 2022, Siracusa, Italy* 

#### Vienna, Austria

IAP delegation attends the 13<sup>th</sup> Nadal Network Conference 11-13 May 2022, Vienna, Austria

#### Vienna, Austria

En

Protecting Media to Protect Democracy Conference 03-05 November 2022, Vienna, Austria

#### Siracusa, Italy

The National Association of Attorneys General (NAAG) and the IAP sign an MOU *April 2022, Siracusa, Italy* 

#### The Hague, Netherlands

Webinar: Joint Investigation Teams and Joint Investigations on Cybercrime and Electronic Evidence 15 February 2022, The Hague, Netherlands

Webinar: Data Protection Safeguards and Principles in Cybercrime Investigations 23 May 2022, The Hague, Netherlands

Webinar: Good Practices in the Investigation of Illicit Trafficking of Narcotic Drugs *November 2022, The Hague, Netherlands* 

Webinar: Prosecuting Crimes Against Journalists December 2022, The Hague, Netherlands

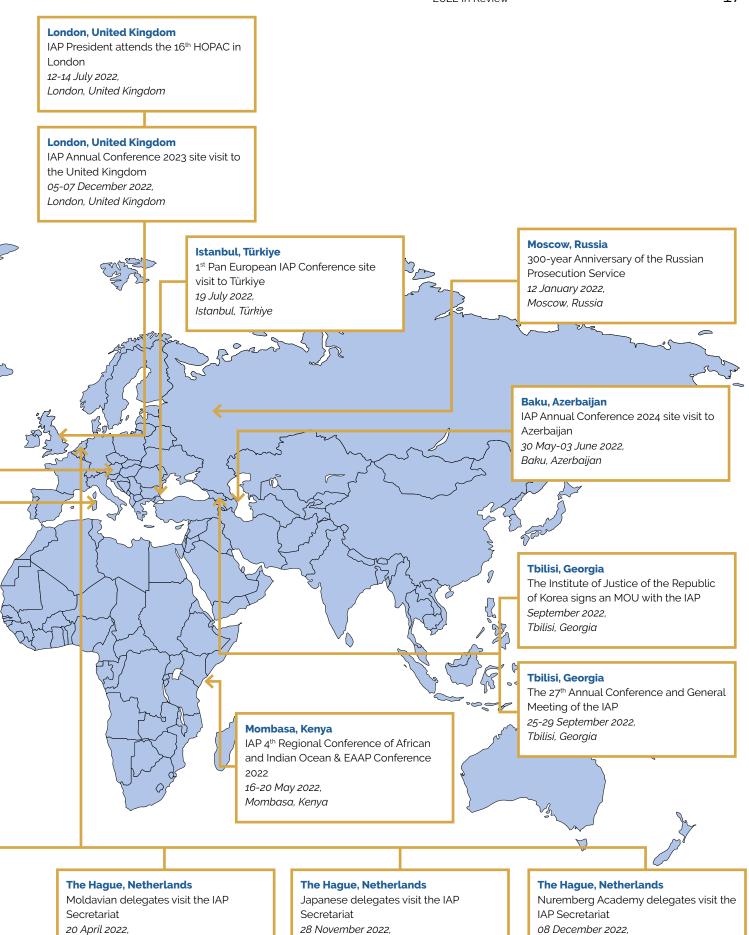
#### **Ramallah**, Palestine

Palestinian Public Prosecution 10<sup>th</sup> Annual Conference *16-18 June 2022, Ramallah, Palestine* 

#### The Hague, Netherlands

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IAP and Eurojust – Global cooperation in prosecuting crimes against humanity 31 August 2022, The Hague, Netherlands



The Hague, Netherlands

28 November 2022, The Hague, Netherlands 08 December 2022, The Hague, Netherlands

## Collaboration and Partnerships

hether through delegate visits to the Secretariat in The Hague or the IAP officials travelling abroad, the Association's unwavering commitment to cultivating partnerships to uphold the rule of law culminated in significant milestones to support collaboration with relevant bodies, including signing contracts and MOUs with international organisations, such as the United Nations.

#### UNICRI and the IAP collaborate against chemical and biological crimes



Talgat Toleubayev, UNICRI's Regional Coordinator within the CBRN Risk Mitigation and Security Governance Programme for South East & Eastern Europe (SEEE).

In 2021, the United Nations Interregional Crime and Justice Research Institute (UNICRI) invited the IAP to take part in the development of the Prosecutor's Guide to Chemical and Biological Crimes in collaboration with the Organisation for the Prohibition of Chemical Weapons and experts from the European Union's CBRN Centres of Excellence Initiative.

The Prosecutor's Guide aims to provide prosecutors and investigative agencies with an overview of the challenges related to the intentional use of chemical and biological agents. It offers tools and technologies to aid the investigative process and guidance for successfully prosecuting such incidents.

The Prosecutor's Guide was published in early 2022. In addition to the original version in English, it has also been translated into Arabic, French, Russian, Spanish, and Ukrainian. All versions of the Guide can be found on the IAP website. Building on this collaboration, a new initiative is underway to create a Prosecutor's Guide to Radiological and Nuclear Crimes. The IAP is contributing fully to this initiative.

#### Protecting the freedom of expression for journalists with UNESCO

February 2022

In February 2022, building upon the IAP's and UNESCO's "Guidelines for Prosecutors on Cases of Crimes Against Journalists", these two organisations and the Siracusa International Institute (SII) organised an international training course in Siracusa, Italy. It brought together 23 prosecutors from 13 countries in Africa, the Middle East, Asia, Eastern Europe, and Latin America. The course aimed to enhance expertise



From left to right: Guilherme Canela, Chief of the Freedom of Expression and Safety of Journalists Section, UNESCO; IAP President Cheol-Kyu Hwang; and Jean-Francois Thony, President of the Siracusa International Institute for Criminal Justice and Human Rights.



IAP President Cheol-Kyu Hwang and Jean-François Thony, President of the Siracusa International Institute for Criminal Justice and Human Rights after signing the MOU.

in "Investigating and Prosecuting Crimes against Journalists and the Protection of Freedom of Expression".

The purpose of the course was to provide participants with operational tools for investigating and prosecuting crimes against journalists and media workers and to explore mechanisms for protecting journalists and their sources, victims and witnesses. The course contributed to enhancing international and regional cooperation by facilitating the establishment of an informal network of prosecutors specialised in the field.

The IAP President emphasised the importance of prosecutors' expertise and international cooperation in combating transnational crimes against journalists during the training course.

The training was delivered in a series of plenary sessions and workshops. High-level trainers addressed the key thematic areas, while invited experts (prosecutors, investigators, investigative journalists and media experts) led discussions to foster the exchange of best practices between the participants.

These collaborative efforts between the IAP, UNESCO, and the SII seek to

combat crimes against journalists, promote justice, and raise awareness of international judicial cooperation mechanisms in cases involving media professionals. The IAP and UNESCO created guidelines for prosecutors prior to the training course. A special session also took place during the Annual Conference in Tbilisi, Georgia, in September 2022.

#### The Siracusa International Institute for Criminal Justice and Human Rights (the Siracusa Institute) and the IAP sign an MOU April 2022

Following approval by the Executive Committee, an MOU was signed between the IAP and the Siracusa International Institute for Criminal Justice and Human Rights. The Siracusa Institute is an Italian-based not-for-profit foundation dedicated to education, training and research in international and comparative criminal justice and human rights. Under the MOU, the IAP and the Siracusa Institute agreed to strengthen their cooperation and partnership to facilitate capacity-building, technical assistance, outreach and support for prosecutors and legal practitioners.

#### The National Association of Attorneys General (NAAG) and the IAP sign an MOU April 2022



IAP President Cheol-Kyu Hwang and NAAG Executive Director signing the MOU.

Following approval by the Executive Committee, an MOU was signed between the IAP and the National Association of Attorneys General (NAAG) through its training and research arm, the National Attorneys **General Training and Research** Institute (NAGTRI). NAAG serves as the national forum for Attorneys General in the United States to protect the rule of law and the United States Constitution. Through NAGTRI, NAAG provides training, technical assistance, curricular development and research assistance to domestic and international government attorneys. It seeks to promote security and enhance capacity for prosecutors and representatives in the United States and around the world in a variety of procedural areas, including the rule of law, the role of prosecutors, criminal investigation, corruption, money laundering, teamwork, interviewing witnesses, and assisting victims, forensics, and trial advocacy. Under the MOU, the IAP and NAAG/ NAGTRI agreed to strengthen their cooperation and partnership to facilitate capacity-building, technical assistance, outreach and support for prosecutors and legal practitioners.

IAP President meets with a delegation from NAAG 07 June 2022



From left: Albert Lama, acting Executive Director of NAAG; Lawrence G. Wasden, Idaho AG; Holly T. Shikada, Hawaii AG; IAP President; Sean D. Reyes, Utah AG; Edward E. Manibusan, Northern Mariana AG.

On 07 June 2022, IAP President Cheol-Kyu Hwang met with a delegation from the National Association of Attorneys General (NAAG), USA, in Seoul, Republic of Korea.

President Cheol-Kyu Hwang thanked NAAG for supporting the IAP's Global Training Academy (GTA) project and signing an MOU with the IAP in April to strengthen cooperation. He praised former NAAG Executive Director and current IAP Vice President Christopher Toth for his significant contribution to IAP and NAAG activities.

The NAAG delegation emphasised that NAAG and the IAP have a long history of collaboration to combat transnational crime by training prosecutors worldwide. The delegates presented some successful international cooperation cases in human trafficking and consumer fraud, which they hoped to share globally with the assistance of the IAP as examples of best practice.

The two parties also agreed that to strengthen the IAP-NAAG relationship, a representative from NAAG should continue to serve on the IAP Executive Committee.

IAP and Eurojust – Global cooperation in prosecuting crimes against humanity 31 August 2022



IAP President Cheol-Kyu Hwang and Eurojust President Ladislav Hamran.

IAP President Cheol-Kyu Hwang and Eurojust (European Union's Criminal Justice Cooperation Organisation) President Ladislav Hamran held a bilateral meeting on 31 August at the Eurojust headquarters in The Hague, Netherlands. They agreed that the IAP and Eurojust would work more closely to strengthen global cooperation on crimes against humanity and advance international criminal cooperation between prosecutors.

Strengthening global cooperation to fight crimes against humanity means recognising the need for a coordinated response to crimes against humanity, such as war crimes, and actively collaborating with prosecutors worldwide to support the exercise of universal jurisdiction.

#### The Institute of Justice of the Republic of Korea signs an MOU with the IAP

September 2022 In September 2022, the IAP signed a Memorandum of Understanding (MOU) with the Institute of Justice of the Republic of Korea (IOJ). The Institute of Justice is the integrated educational and research organisation of the Republic of Korea that provides education and training for public officials assigned to the Ministry of Justice in the Republic of Korea, including prosecutors and legal professionals. Under the MOU, the parties agree to strengthen cooperation and partnership to facilitate capacitybuilding, technical assistance, outreach, and support to achieve their shared objectives.

The IAP President Cheol-Kyu Hwang stated, "An IAP Training Center in the Korean Institute of Justice has been built by the Korean Ministry of Justice and Prosecution in commemoration of my IAP





IAP Secretary-General and Ms Nam-Soon Kim, acting President of the Korean Institute of Justice signing the MOU.

presidency and will be used for a joint programme between IAP and IOJ. Once the MOU is approved and signed, the Korean prosecution will invite leading international professionals for lecturers and prosecutors needed for various trainings. I look forward to your visits to Korea as lecturers or participants, and I will surely be more than happy to be with you in Korea soon".

## Training

he IAP's collaboration with international organisations worldwide yields significant benefits, including valuable training opportunities for prosecutors globally.

#### International course for prosecutors on "Investigating and Prosecuting Crimes Against Journalists and Protection of Freedom of Expression"

February 2022 In February 2022, the IAP, the Siracusa International Institute, NAAG and UNESCO held an in-person training course in Siracusa, Italy, on investigating and prosecuting crimes against journalists and the protection of freedom of expression. See above for more details (page 18).

#### **GPEN** webinars

February-May 2022

During the Covid pandemic, GPEN (the Global Prosecutors' E-crime Network) closely collaborated with the Council of Europe. The Council of Europe and the IAP/ GPEN organised a series of webinars in 2021 and 2022. These webinars focused on exchanging views and sharing experiences regarding cooperation for access to electronic evidence and solutions proposed by the Second Additional Protocol to the Budapest Convention.

Two thematic webinars were held in 2022 on the following topics:

- 15 February 2022: Joint Investigation Teams and Joint Investigations on Cybercrime and Electronic Evidence
- 23 May 2022: Data Protection Safeguards and Principles in Cybercrime Investigations

During the webinars, participants were informed about current proposals for enhanced international cooperation and access to electronic evidence under the future Second Additional Protocol to the Budapest Convention. Additionally, the training focused on ensuring that criminal justice authorities from parties and observers to the Budapest Convention will be better prepared to initiate internal procedures to utilise the toolkit provided by the Second Additional Protocol once it is adopted and open for signature. The webinar series drew approximately 450 people from 75 countries around the world.

For more information visit the Council of Europe website.

View recording and materials.

#### Webinar: Good Practices in the Investigation of Illicit Trafficking of Narcotic Drugs

November 2022

Organised by the IAP, the Network of Anti-Drug Prosecutors of Ibero-América (RFAI) and the Ibero-American Association of Public Prosecutors (AIAMP), this webinar focused on the main challenges in the criminal prosecution of drugtrafficking criminal organisations. Topics included Joint Investigation Teams, controlled deliveries and the direct exchange of information.

#### Webinar: Prosecuting Crimes Against Journalists

December 2022 In December 2022, the IAP and UNESCO held a webinar for prosecutors, investigators and other legal professionals focused on the Global Online Training Course for prosecutors and legal professionals on the freedom of expression and prosecution of crimes against journalists. The webinar was a precursor to the Massive Open Online Course that will be held in 2023.



## IAP Meetings and Conferences

The IAP hosts conferences in all regions of the world. The conferences provide a forum for prosecutors to join in discussions with colleagues from other countries/jurisdictions and legal systems to gain inspiration and new insights into tackling challenges which they face on a daily basis.



IAP Delegates.



Remarks by Hon. Satyajit Boollel, (now former) Vice President of the IAP and Representative of the Africa and Indian Ocean Region.



Remarks delivered by the Director of Public Prosecutions, Kenya, Mr Noordin Haji.



Heads of National Prosecution Authority with His Excellency Hon. Uhuru Kenyatta, President (now former) of the Republic of Kenya.



Remarks delivered by the Secretary, Public Prosecutions, Ms Dorcas Oduor.

#### IAP 4<sup>th</sup> Regional Conference of African and Indian Ocean and EAAP Conference 2022 – Mombasa, Kenya

#### 16-20 May 2022

From 16 May to 20 May 2022, the Office of the Director of Public Prosecutions in Kenya hosted the 4<sup>th</sup> IAP African and Indian Ocean Regional Conference and the East African Association of Prosecutors Extra-Ordinary General Meeting in Mombasa, Kenya. The conference brought together heads of prosecution authorities from 35 states and international criminal justice experts to address emerging crimes and transnational organised crime in the region.

Key areas of concern identified during the conference included cybercrime, identity-related crimes, trafficking, corruption, drug trafficking, money laundering facilitated by cryptocurrency, and online child exploitation. Resolutions were proposed to combat these crimes, emphasising the need for enhanced international cooperation, adopting alternatives to prosecution and trial mechanisms, and legislative reforms.

The conference also highlighted the importance of joint capacitybuilding exercises and information sharing among national prosecution authorities to address crossborder organised crime effectively. The aim is to ensure uniformity and competence in handling emerging crimes and to facilitate a coordinated response through resource pooling and intelligence sharing.

Overall, the conference served as a platform for prosecutors and criminal justice practitioners to develop strategies and collaborations to mitigate the prevalence of emerging crimes and transnational organised crime in the African and Indian Ocean region.



IAP Secretary-General Han Moraal and Prosecutor General of Georgia, Irakli Shotadze.

#### The 27<sup>th</sup> Annual Conference and General Meeting of the IAP – Tbilisi, Georgia

25-29 September 2022 The 27<sup>th</sup> Annual Conference and General Meeting of the IAP was held in Tbilisi, Georgia, in September 2022.

The IAP owes substantial thanks to the conference host, Georgian Prosecutor General Irakli Shotadze, and his formidable team for hosting one of the most successful IAP events – and the first in-person annual conference since the Covid pandemic - despite some difficult and unexpected circumstances. The IAP also expresses its heartfelt gratitude to all 311 individual prosecutors and 17 partners who flew in from 63 different countries, defying negative travel recommendations and the fear of a new variant of Covid.

The 27<sup>th</sup> Annual Conference theme was "Global Phenomena Reshaping Criminal Justice Systems". It was introduced by the keynote speaker, Bruce Swartz, Deputy Assistant Attorney General and Counselor for International Affairs at the U.S. Department of Justice.

The participants discussed the impact of the pandemic on criminal justice systems. They examined whether the strategies and digital technologies deployed to ensure business continuity are both desirable and sustainable in the long term. Attendees discussed the rapid growth in the prevalence and sophistication of cybercrimes and the enormous challenges these bring to criminal justice actors.

The conference examined prosecutorial responses, including engagement with the private sector and information technology solutions. It further explored prosecution authorities' forensic capacity, resources, legislative and organisational solutions, and the private sector's role in preserving and recovering digital evidence. As with evidence, there had been a substantial rise in the number and value of digital assets. Attendees explored the role of prosecutors



The Annual Conference featured speakers from across the globe.



Audience members at the Annual Conference in Tbilisi

in national money laundering risk identification and mitigation with a focus on virtual assets, the essential investigative techniques, strategies, and best practices for investigating, seizing, and confiscating virtual assets.

Before the President closed the meeting by thanking all members for their active contribution to the various discussions, the Executive Director updated the attendees on upcoming events, including the Annual Conferences in London in 2023 and in Baku, Azerbaijan, in 2024 and the regional conference in Istanbul, Türkiye, in May 2023.

### New IAP President presents his vision

29 September 2022 Juan Bautista Mahiques was elected President of the IAP during the General Assembly on 27 September. He is the Attorney General of the Autonomous City of Buenos Aires, Argentina, and previously served as Vice-President for the Latin American region. At the conference's closing ceremony, Juan Bautista Mahiques highlighted the efforts and achievements of the Secretariat and his predecessors and expressed the intention of honouring that legacy. In his vision statement, he emphasised the importance of upholding human rights, providing continuous training for prosecutors, enhancing international cooperation through PICP and the specialist networks, and expanding the IAP's membership and regional offices.

### Other meetings and conferences

#### 300-year Anniversary of the Russian Prosecution Service 12 January 2022

On 12 January, an IAP delegation was invited to Moscow to commemorate the 300th anniversary of the Russian Federation's Prokuratura. The IAP was represented by President Cheol-Kyu Hwang, Secretary-General Han Moraal, Executive Director Janne Holst Hübner, and General Counsel Gary Balch. Russian President Putin addressed a special meeting of the heads of the Russian Prokuratura, foreign prosecution services, and international organisations. A few weeks later, President Putin decided to invade Ukraine, sparking a debate within the IAP about the Russian Prokuratura's membership, resulting in the Russian organisation's withdrawal from the IAP.



Vision Statement Speech by Juan Bautista Mahiques - the incoming IAP President.

#### Conference of the Prosecutors General of the Countries of the Council of Europe in Palermo 05-06 May 2022

The Secretary-General Han Moraal and Executive Director Janne Holst Hübner attended the Conference of the Prosecutors General of the Countries of the Council of Europe, which was hosted by the Prosecutor General's Office of the Italian Supreme Court in collaboration with the Italian Ministry of Foreign Affairs and International Cooperation. The conference addressed the topic of public prosecutors' independence as a prerequisite for judges' autonomy and effective impartiality. The conference was held in Palermo on 05-06 May in memory of the judges' Giovanni Falcone and Paolo Borsellino's significant contribution to the fight against the Italian mafia. As a result, the opening session was held in the Palermo Court's bunkerstyle courthouse (Aula Bunker), where the historic Maxi Trial (Maxiprocesso) against the Cosa Nostra took place.

#### IAP delegation attends the 13<sup>th</sup> Nadal network conference in Vienna

11-13 May 2022

On 11-13 May 2022, IAP President Cheol-Kyu Hwang and Executive Director Janne Holst Hübner attended the 13th Network of Public Prosecutors or Equivalent Institutions in Supreme Courts of the European Union conference in Vienna, Austria.

The Network of Public Prosecutors or Equivalent Institutions in Supreme Courts of the European Union is colloquially known as the "Nadal Network" after its founding



IAP President delivered a keynote speech at the opening session of the 13<sup>th</sup> Nadal-network conference.

member, then-French Prosecutor General Jean Louis Nadal, in 2008. The network's main activity is to bring together the heads of prosecution agencies from all over the European Union. Topics of concern are discussed each year, including significant areas of crime, EU legislative developments, and updates on emerging jurisprudence in the ECHR and ECBA.



From left: Michael Leitner, Austrian Deputy Procurator General; Franz Plöchl, Austrian Procurator General; IAP President; IAP Executive Director Janne Holst Hübner.

In addition to the 27 Prosecutors General from EU member countries, delegates from non-EU member countries, including the UK, and organisations, including the IAP, Eurojust, and the EJTN (European Judicial Training Network) attended the meeting. The conference covered two topics: the European Public Prosecutor's Office and cooperation between the European Public Prosecutor's Office, Eurojust, and national public prosecution offices, and the future of the Nadal network.

#### Palestinian Public Prosecution 10th Annual Conference

16-18 June 2022 The Palestinian Public Prosecution invited the IAP, represented by Secretary-General Han Moraal, to attend their 10th Annual Conference in Ramallah, Palestine, from 16-18 June 2022. Several topics were discussed, and expertise was exchanged on various subjects related to access to justice and the rule of law, as well as the framework of international law and national legislation, with high officials, prosecutors, legal professionals, and experts from various countries worldwide in attendance. The Italian Agency for Development Cooperation (AICS) funded the conference.

IAP President attends the 16<sup>th</sup> HOPAC in London 12-14 July 2022



HOPAC group photo - Max Hill KC, DPP of CPS (centre in the 1<sup>st</sup> row); IAP President (from left, 1<sup>st</sup> in the 4<sup>th</sup> row).

IAP President Cheol-Kyu Hwang attended the 16th Heads of Prosecuting Agencies Conference (HOPAC) in London on 12-14 July 2022, hosted by the Crown Prosecution Service. Around 20 senior prosecutors and heads of prosecution agencies from Commonwealth countries attended the conference.

The attendees discussed three main topics:

- 1. Covid: Challenges and Responses and Digital Transformation
- 2. Emerging Crime Types and Their Threats
- 3. Economic Crimes and Freezing and Confiscation of Assets

During the conference, IAP President Cheol-Kyu Hwang emphasised the organisation's strategy and urged prosecutors and prosecuting agencies to actively participate in and support the Prosecutors' International Cooperation Platform (PICP) once launched, which is a priority initiative for the IAP.

#### Protecting Media to Protect Democracy Conference, Austria 03-05 November 2022



On the invitation of UNESCO and the Office of the High Commissioner for Human Rights, Secretary-General Han Moraal visited Vienna from 03-05 November for a conference on the safety of journalists titled, "Protecting Media to Protect Democracy". The Secretary-General briefed the conference on the joint IAP-UNESCO project, "Prosecuting Crimes Against Journalists", which ran from late 2021 to spring 2023 and consisted of in-person and online meetings and training.

### IAP Secretary-General visits Saudi Arabia

18 November 2022 Sheikh Saud Abdullah Almuajeb, Attorney General of the Kingdom of Saudi Arabia, invited the IAP to the 2nd Arab Attorneys General Meeting, which took place in Jeddah from 15-18 November. The IAP, represented by Secretary-General Han Moraal, participated in meetings on financial fraud, cybercrime, and their links to transnational organised crime. The host and the IAP Secretary-General discussed the possibility of holding an IAP conference in Saudi Arabia during a bilateral meeting.

#### Delegate and site visits

The longstanding tradition of delegates visiting the Secretariat, located in the heart of The Hague, often referred to as the world's legal capital, has been an integral part of the IAP's efforts to cultivate partnerships with prosecutors worldwide. The year 2022 continued this tradition without exception.

#### Moldavian delegates visit the IAP Secretariat 20 April 2022



Mr Iuri Lealin and Mr Dumitru Obadă of APOD at the IAP Headquarters.

On 20 April 2022, representatives from the General's Prosecutor Office of the Republic of Moldova visited the IAP headquarters.

The discussions focused on the situation in the Republic of Moldova regarding potential reforms in the Prosecutor's Office and the experiences of other countries in this field. The participants also explored opportunities for faster information exchange between the Association of Prosecutors for Order and Justice (APOD) and other IAP members.

APOD is currently undertaking a project to implement a random distribution system for criminal cases in the Prosecutor's Office of the Republic of Moldova. They requested assistance from the IAP in obtaining positive practices from other states in this area, which was provided.

The concept of vetting, specifically the external evaluations of prosecutors and judges in the Republic of Moldova, and the application of international principles in such procedures were also discussed. The importance of ensuring prosecutors' functional independence was repeatedly emphasised during the meeting.

#### IAP Annual Conference 2024 site visit to Azerbaijan

30 May-03 June 2022 The Annual Conferences, preceded by a long and intensive preparation phase, are part of the highlights of the activity cycle of the IAP each year. As part of this preparation, Secretary-General Han Moraal, Executive Director Janne Holst Hübner, and Executive Administrative Manager Benn van Alphen paid a site visit to Azerbaijan's Office of the Prosecutor General from 30 May - 03 June. During a constructive and fruitful meeting, several issues concerning organising the 29th Annual Conference in Baku in 2024 were discussed with Prosecutor General Kamran Aliyev.

#### 1<sup>st</sup> Pan European IAP Conference site visit to Türkiye

19 July 2022 Secretary-General Han Moraal travelled to Istanbul, Türkiye, on 19 July to meet General Prosecutor Mr Bekir Şahin to discuss the details of the first IAP Pan European Regional Conference, which will be held in Istanbul from 02-05 May 2023.

### Japanese delegates visit the IAP Secretariat

28 November 2022 On 28 November, a Japanese delegation visited the IAP Secretariat. Prosecutors Ms Minea Tsuchiya and Mr Uga Hiromichi met with Secretary-General Han Moraal and Executive Director Janne Holst Hübner. During this courtesy visit, several aspects of the long-lasting membership of the Office of the Supreme Public Prosecutors Office of Japan were also reviewed.

### IAP Annual Conference 2023 site visit to the United Kingdom

05-07 December 2022 From 05-07 December, the IAP visited the Crown Prosecution Service in London in connection with the 28th IAP Annual Conference and General Meeting, which will be held in September 2023. The Local Organising Committee, led by Shenaz Muzaffer (now IAP General Counsel), met with Secretary-General Han Moraal and Executive Director Janne Holst Hübner to discuss logistics, venues, themes, and other issues.

### Nuremberg Academy delegates visit the IAP Secretariat

o8 December 2022 On o8 December, Secretary-General Han Moraal met with Mr Klaus Rackwitz, Director of the International Nuremberg Principles Academy, in The Hague. They discussed collaboration between the IAP and the Nuremberg Academy, which is dedicated to the legacy of the Nuremberg trials and the promotion of several international law principles. ●

## **The IAP Standards**

he IAP Standards for Prosecutors, officially called the "Standards for the Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors", are at the core of IAP's existence. Traditionally, at every General Meeting, the Secretary-General reminds the members of the IAP Standards by underlining some important aspects that prosecutors should keep at the forefront of their minds when exercising their professional duties. He encourages the members to act according to these standards and to promote them among their colleagues. This was also the case during the General Meeting in Tbilisi, Georgia, on 28 September 2022.

One year after the IAP was established, the General Meeting approved the Objects of the Association, which are written down in Article 2.3 of the Association's Constitution. One of the most important of these Objects is to "...promote and enhance those standards and principles which are generally recognised internationally as necessary for the proper and independent prosecution of offences".

A special committee of the Association produced a first draft set of standards for prosecutors in 1998, following which the Executive Committee approved a final version at its Spring meeting in Amsterdam in April 1999. The International Association of Prosecutors' "Standards for Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors" were born. Since that time, the Standards have served as an international benchmark for the conduct of individual prosecutors and prosecution services.

The full Standards are on our website. In summary, the Standards require prosecutors, prosecution services, and governments to act according to the following principles:

- a. Prosecutors have a duty to uphold the honour and dignity of their profession, to always conduct themselves professionally and in accordance with the law and the ethics of their profession, to be consistent, transparent and independent, and to protect the rights of the accused to a fair trial.
- b. Prosecutors should be impartial, objective, and have regard for all relevant circumstances of the case, irrespective of whether they are to the advantage or disadvantage of the suspect.

- c. Prosecutors should perform their duties fairly, consistently, and expeditiously.
- d. Prosecutors should cooperate effectively with national and international colleagues to ensure the fairness and effectiveness of prosecutions.
- e. Prosecutors should be empowered and protected against arbitrary actions by governments. A prosecutor should have a fair chance of advancing their career, and governments should secure the safety of prosecutors and their families.

It is intended that the Standards are not merely a statement but a tool for prosecution services to develop and enforce their own standards. It is for the IAP to make efforts to promote the Standards and their use by prosecutors globally.

# Governance

## IAP Operational Structure

#### **General Meeting**

The General Meeting takes place annually and is open to all IAP members. The members elect representatives to serve on the Executive Committee. The members can also vote and decide on several other organisational matters.

#### **Executive Committee**

The Executive Committee is the strategic governing body of the Association, subject to the authority of the General Meeting, which is the body of supreme authority in the Association. The Association elects a President, up to nine Vicepresidents and twenty-one ordinary members. They represent IAP members in all world regions. The Executive Committee appoints the IAP Officials, namely the Secretary-General, the General Counsel, and the Executive Director of the IAP.

#### Secretariat and IAP officials

The Secretariat performs the IAP's day-to-day administrative and professional work. The Secretariat is led by the Secretary-General, who is the chief executive. The Executive Director is responsible for the Association's day-to-day management, including finances, technical support, communication, membership administration, and community outreach. The General Counsel is the principal professional representative of the Association and is responsible for the professional programme and providing legal advice to the Association. These three officials lead the IAP administrative organisation. They are assisted by a Communication Manager, an

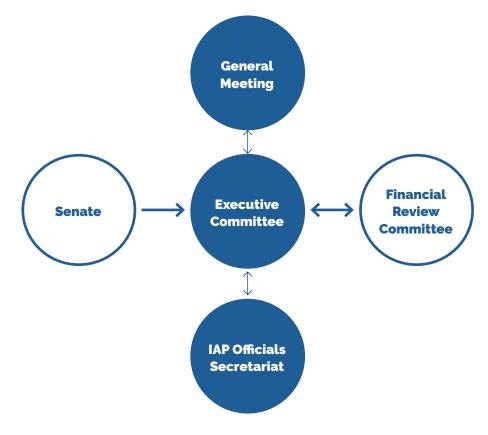
Executive Administration Manager, and a Community Engagement Officer, all working under the Executive Director, and a Senior Legal Advisor and an Executive Programme Manager, both working under the General Counsel.

#### The Senate

The Senate of the Association consists of past Executive Committee members. They elect to join the Senate upon their departure from the Executive Committee and are eligible if, in the opinion of the President and the Executive Committee, they are fit and proper persons of good standing and reputation in the Association. The Senate is an advisory body and executes powers to promote the IAP Objects.

#### The Financial Review Committee

This Committee safeguards the Association's financial interests and assists the Executive Committee in fulfilling its duty to oversee the Association's financial management, including its financial sustainability. The Committee ensures the highest level of accountability and transparency in the Association's financial administration. It is authorised to oversee Treasury operations to ensure the Association acts in accordance with its Constitution, Protocols, governance documents, and established accounting principles.



## **Executive Meeting Reports 2022**

#### 53<sup>rd</sup> Executive Committee Meeting Report, Siracusa, Italy, 06-07 April 2022

#### Introduction

Between 06-07 April, the IAP Executive Committee met in person. The President welcomed 18 members or substitutes present at the Siracusa International Institute, while six members joined online. There was only one absent member.

The President thanked the host, Jean-Francois Thony, and the Siracusa Institute team for organising the meeting, and for the warm welcome and their hospitality.

After formally adopting the minutes of the previous meeting, the Executive Committee discussed the complaint against the IAP member, namely the Office of the Prosecutor General of the Russian Federation (OPG), who withdrew its membership before any decision could be taken regarding its suspension. No further action was therefore taken.

The Committee went on to underline that the membership should be involved in selecting candidates for the Executive Committee based on the Constitution. It was agreed that for now, the yearly nomination procedure will go ahead with an informal consultation round before the formal nominations made by the Committee during the Northern Spring meeting, as agreed in 2019.

#### **Election of new nominees**

A major item of the Meeting was the election of the following candidates for the 2022 vacancies on the Executive Committee for election by the General Meeting in Tbilisi, Georgia, in September as outlined below:

Nominee for President

Juan Bautista Mahiques, Attorney General of the Autonomous City of Buenos Aires, Argentina

Nominees for Vice-President

1. **Lloyd Babb**, Director of Public Prosecutions, Northern Territory, Australia (Asia and Pacific)

- 2. **Giorgi Gogadze,** Liaison Officer at Eurojust for Georgia (Eastern Europe and Central Asia)
- 3. Kathleen Roussel, Director of Public Prosecutions, Canada (North America and Caribbean)
- 4. **Jianming Tong,** First Deputy Attorney General, China (Asia and Pacific)

Nominees for Ordinary Membership

- 1. Jorge Abbott, Attorney General of Chile
- 2. **Paris Adamis**, National Member of Eurojust for Greece
- 3. **Manuel Pinheiro Freitas**, Prosecutor General of Ceara, Brazil
- 4. **Abudlaziz Fahad Alqorouny,** Head of International Division, Saudi Arabia
- 5. **Sally Dowling SC**, Director of Public Prosecutions, New South Wales, Australia
- 6. Noordin M. Haji, Director of Public Prosecutions, Kenya
- 7. **David Harvie**, Crown Agent, Scotland, United Kingdom
- 8. **Michael Leitner**, Deputy Prosecutor General, Austria
- 9. **Catherine Pierse**, Director of Public Prosecutions, Ireland
- 10. **Ip Son Sang**, Prosecutor General Macao SAR, People's Republic of China
- 11. Woo Jung Shim, Chief Prosecutor, South Korea
- 12. Iryna Venediktova, Prosecutor General, Ukraine
- 13. Djama Souleymane, Prosecutor General, Djibouti
- 14. Frédéric Fèvre, President of AIPPF, France

#### **IAP** Awards

Regarding the 2022 Award and Honorary Member round, no recommendation for Honorary Membership was received. Meanwhile, on the recommendation of the IAP Award Committee, the Committee agreed not to award any of the submitted candidates with an award and to distribute the last call for nominations for IAP Awards and Honorary Memberships.

Any member of the IAP may make nominations for IAP Awards and decorations in accordance with the terms stated in the <u>IAP Awards and decorations Protocol and</u> <u>Honorary Membership Protocol</u>.

#### Financial Year 2021

The Secretariat provided insight into the financial report, a joint effort by the IAP Secretariat, Baker Tilly (BT) accounting firm, and the Financial Review Committee (FRC).

Baker Tilly (BT) reviewed the bookkeeping records and the FRC confirmed that financial procedures were followed, and that the IAP budget remained stable despite the pandemic and the absence of conference income.

The full report of the FRC can be accessed through this <u>link</u>

The Executive Committee agreed with both the accountant's report and the FRC report and expressed its satisfaction by relieving the Secretary-General of his financial responsibilities for 2021.

### Standing Committee on Prosecutors in Difficulty (SCIPD)

The Secretariat mentioned that it handled a total of 12 cases from 11 countries, namely the Philippines, Korea, Paraguay, Honduras, Zambia, Ecuador, Guatemala, Nepal, South Africa and Argentina, with a significant focus on Afghanistan.

The IAP received and processed over 7,000 emails, telephone calls, and WhatsApp messages from Afghan prosecutors. Furthermore, the IAP has provided individual Afghan prosecutors with more than 2,000 personalised reference letters tailored to their needs. Upon request, 133 prosecutors have been supplied with personal supporting letters, while 97 prosecutors have received direct assistance with their visa and asylum procedures.

#### Other talking points

• After two years of Covid restrictions, the Prosecutors Exchange Programme (PEP) restarted its activities in early 2022.



53rd Executive Committee Meeting held in Siracusa, Italy

- The Committee meeting considered the 2021 report of the IAP Francophone sister organisation, the AIPPF, the report of the Senate and the activity reports of the Committee members.
- The closure of the St. Petersburg Regional Office followed the resignation of the Russian Prosecutor General's Office. The Committee assigned the Regional Offices Standing Committee (ROSC) to propose the next language region for a regional office at the Tbilisi meeting.

#### New MOUs agreed

Two draft MOUs were discussed and approved by the Committee. An MOU between the IAP and the Siracusa Institute and an MOU between the IAP and NAAG were signed as the last point of order of the meeting.

#### 54<sup>th</sup> Executive Committee Meeting Report, Tbilisi, Georgia, 24 September 2022

#### Introduction

On Saturday 24 September 2022, the departing IAP President, Cheol-Kyu Hwang, presided over the meeting. Sixteen members attended the meeting in person, five online, and two apologised for not attending.

The meeting was hosted by the Prosecutor General of Georgia, Irakli Shotadze, at the Headquarters of the Georgian Prosecution Service. After the opening by the IAP President, Mr Irakli Shotadze extended a warm welcome to the participants. In return, the departing President thanked the Prosecutor General of Georgia for his warm welcome.

#### Vacancies on the IAP Executive Committee

During the Meeting, the Executive Committee withdrew the candidacy of the former Prosecutor General of Ukraine, Ms Iryna Venediktova, after she was suspended from her position. Meanwhile, Mr David Harvie withdrew his candidacy due to his appointment as Sheriff of Scotland.

The Executive Committee discussed the possibility of involving more observers in its work regarding future composition. The Committee directed the Secretariat to begin discussions with two international organisations, subject to further discussion at the 55th Meeting in Athens. The Chair of the Special Achievement Awards Committee emphasised the need for Executive Committee members to be more active in the search for suitable candidates for awards.

#### Annual Report 2021

The Secretariat presented the printed version of the first edition of the Annual Report 2021, explaining that a digital version is available for IAP members online.

#### **Prosecutors in difficulty**

The Secretariat went on to provide a brief update on the Prosecutors in Difficulty report reminding the Meeting of recent prosecutor assassinations in Honduras, Columbia, and Ecuador. The Meeting was also updated on recent political, legal, and social media attacks on a South African prosecutor leading the former President's corruption case. The Meeting decided to issue a statement on the subject. Also, the Meeting was given an update about the support that the Secretariat is providing to Afghan prosecutors.

#### Succession planning and staff situation

The Executive Committee discussed the current General Counsel's long-term sick leave and decided to release him from his post. The Meeting accepted an offer by the Crown Prosecution Service to provide a temporary General Counsel for one year.

### Network expansion and membership situation

The Executive Director updated the Meeting that the resignation of the Prosecutor General's Office of the Russian Federation did not impact the membership situation.

The Meeting discussed revisiting individual membership fees. The Secretariat proposed instituting a reduced fee for prosecutors from the least developed countries, which would play an essential role in expanding the IAP's network into more parts of the world.

The Executive Committee agreed, based on the UN-DAC list, to a new hierarchy of individual fees with immediate effect as follows:

10 EUR: Least developed countries
20 EUR: Low-income countries
30 EUR: Lower middle-income countries
40 EUR: Upper middle-income countries
50 EUR: Standard rate

The Executive Committee agreed to amend membership fees in some cases where an organisation could not pay due to short-term restrictions, with more discussions on discounted registration fees to follow.

#### The professional programme

The President asked for active participation and utilisation of the Prosecutors' International Cooperation Platform (PICP), noting that the PICP will be a game changer for international cooperation among prosecutors across the globe and a hallmark of the IAP. He then briefly explained the MOU between the IAP and the Korean Institute of Justice (KIoJ), which was prepared following MOUs with UNESCO, NAAG, and the Siracusa International Institute (SII) as part of the GTA project.

#### **Specialist Networks update**

The Secretariat emphasised the importance and significance of IAP Specialist Networks, on which the Prosecutors' International Cooperation Platform (PICP) is built. The Meeting was then informed that there was currently a dialogue between the IAP and the coordinator of the Network of Anti-Drug Prosecutors of Ibero-America (RFAI) regarding a potential drug trafficking Specialist Network.

#### The financial mid-term report and budgets

The Financial Review Committee's Chair elaborated on their report on the mid-term financial report. The FRC is satisfied that IAP staff and the Secretary-General strictly adhere to financial procedures and that income and expenditures align with the projected 2022 budget.

#### The budget for 2023

The Executive Director focused on the increase in budgeted conference-related income as well as on the revenue from organisational members that has more than doubled since 2014 ( $\leq$  193.500 / $\leq$  480.500), but the IAP is not yet financially independent of other external support to cover the salaries of its key employees. However, the launch of the Prosecutors International Cooperation Platform (PICP) will hopefully be a watershed moment, and a renegotiation of financial agreements will inevitably follow the successful delivery of this ground-breaking platform for prosecutors.

#### IAP regional offices

The Chair of the Regional Offices Standing Committee (ROSC) stated that the next step in this project will be to select the next region suitable for establishing a regional office. He noted that language barriers limit further network expansion in the Middle East (Arabic) and Latin America (Spanish), and thus the ROSC considers both regions suitable.

## General Meeting Report 2022

Report of the 27<sup>th</sup> General Meeting of the IAP, Tbilisi, Georgia, 27 September 2022

#### Introduction

The meeting was chaired by the IAP President, Cheol-Kyu Hwang. The Secretary-General, Han Moraal, and the Executive Director, Janne Holst Hübner, were also on the panel. The President welcomed the attendees and thanked the conference host and their team. He highlighted the constitutional requirement for an annual General Meeting.

The President introduced the adoption of the Rules of Procedure as the first agenda item. The Secretary-General clarified that the General Meeting has the authority to establish its own rules according to Article 14.8 of the IAP Constitution. The proposed rules were shared with members via the IAP newsletter and website, and no objections were received. The President confirmed the adoption of the rules, emphasising that the General Meeting represents the highest authority within the Association.

The Secretary-General emphasised the importance of the Standards of Professional Responsibility and Essential Duties and Rights of Prosecutors, explaining that they serve as an international benchmark for prosecutors' conduct. He summarised key professional conduct, independence, fairness, and cooperation aspects of the Standards. The Secretary-General also announced a change in the signing ceremony process for new members and invited representatives to commit to the IAP Standards. Representatives from the All India Prosecutors Association, the Economic and Financial Crime Commission of Nigeria and the HM Crown Prosecution Service Inspectorate all formally committed to upholding the IAP Standards.

The President discussed the adoption of the minutes from the previous meeting in St. Petersburg in 2021 and asked the Meeting to provide feedback or corrections, but none were received. The minutes were recognised as accurate and officially adopted by the General Meeting.

#### Annual Report 2021

The first point of discussion pertained to the Annual Report of 2021. The Secretary-General explained the closing of the Regional Office in St. Petersburg and the withdrawal of the Prosecutor General's Office of the Russian Federation.

The Executive Director provided an update on membership, mentioning a decrease in the number of individual members due to Covid-19 restrictions. A new multi-level individual membership fee was implemented according to the United Nation's list of developing countries.

- 1. 10 EUR: Least developed countries
- 2. 20 EUR: Low-income countries
- 3. 30 EUR: Lower middle-income countries
- 4. 40 EUR: Upper middle-income countries
- 5. 50 EUR: Standard rate

The Executive Director listed the new organisational members admitted since the previous General Meeting:

- HM Crown Prosecution Service Inspectorate, England and Wales
- All India Prosecutors Association
- Prosecution Division of the Office of the Attorney General and Ministry of Justice of Ghana
- Economic and Financial Crimes Commission (Legal and Prosecution Department), Nigeria
- Association of Trained Prosecutors and Investigators in Nigeria (ATPIN)
- Republic Public Prosecution Office of the Republic of Serbia

### Working programme of the Association (project update)

Updates were also provided on the Association's projects and focus areas. The Prosecutors' International Cooperation Platform (PICP) was introduced as a tool to promote and facilitate global prosecutor engagement and collaboration. The importance of user participation for the PICP's success was emphasised.

The Meeting was informed that the IAP's Global Training Academy experienced a decrease in webinars due to the absence of the General Counsel. However, efforts such as webinars during the 6th North American and Caribbean Regional Conference and the publication of guidebooks

#### Financial statements 2021

The Secretary-General briefly updated the membership on the findings from the FRC (Financial Review Committee).

The President invited members to comment on the financial statements for 2021 or seek clarification from the Secretary-General and/or the Executive Director. No issues were raised.

#### Election of members of the Executive Committee and other committees

The Executive Committee elected candidates for several positions on the Committee, who all, except for two (whose candidacy was withdrawn) were deemed to be elected as no counter-candidates were nominated by the membership. Those elected candidates were:

#### For President

1. Juan Bautista Mahiques, Attorney General of the Autonomous City of Buenos Aires, Argentina

#### For Vice-President

- 1. *Lloyd Babb*, Director of Public Prosecutions, Northern Territory, Australia (Asia and Pacific)
- 2. *Giorgi Gogadze*, Liaison Officer at Eurojust for Georgia (Eastern Europe and Central Asia)
- 3. *Kathleen Roussel*, Director of Public Prosecutions, Canada (North America and Caribbean)
- 4. Jianming Tong, First Deputy Attorney General, China (Asia and Pacific)

#### For Ordinary Membership

- 1. Jorge Abbott, Attorney General of Chile
- 2. Paris Adamis, National Member of Eurojust for Greece
- 3. Manuel Pinheiro Freitas, Prosecutor General of Ceara, Brazil
- 4. Abudlaziz Fahad Alqorouny, Head of International Division, Saudi Arabia
- 5. Sally Dowling SC, Director of Public Prosecutions, New South Wales, Australia
- 6. Noordin M. Haji, Director of Public Prosecutions, Kenya
- 7. Michael Leitner, Deputy Prosecutor General, Austria
- 8. *Catherine Pierse*, Director of Public Prosecutions, Ireland
- 9. Ip Son Sang, Prosecutor General Macao SAR, People's Republic of China
- 10. Woo Jung Shim, Chief Prosecutor, South Korea

- 11. Djama Souleymane, Prosecutor General, Djibouti
- 12. Frédéric Fèvre, President of AIPPF, France

Next to the members of the Executive Committee, Runar Torgersen, an IAP senator from Norway, was elected for a vacancy on the Financial Review Committee. The President congratulated the successful candidates and thanked the departing Executive Committee members for their contributions.

#### Awards Ceremony

During the Awards Ceremony, the Secretary-General presented the following recipients with the IAP Certificate of Merit for organising IAP events:

- Office of the Prosecutor General of the Russian Federation
- Kathleen Roussel from the Public Prosecution Service of Canada
- Bruce Swartz from the United States Department of Justice
- Jeanette Manning from the National Association of Attorneys General
- Siracusa International Institute for Criminal Justice and Human Rights (received by President Jean-Francois Thony)
- Noordin Haji from the Office of the Director of Public Prosecutions of Kenya

He also presented the IAP Certificate of Merit to retiring members of the Executive Committee.

#### Future conferences and meetings

The Executive Director presented the upcoming conferences and meetings during the session:

#### 1<sup>st</sup> Pan European Conference in Istanbul, Türkiye

- Theme: "Targeting Effective Investigation in the Age of Digitalization"
- Period: 02-05 May 2023

7<sup>th</sup> Latin American Regional Conference in Fortaleza, Brazil:

- Theme: "Perspectives and Challenges to Prosecution Services"
- Period: 28-30 June 2023

28<sup>th</sup> Annual Conference and General Meeting in London, England:

- Theme: "The Changing Nature of Crime in the 21<sup>st</sup> Century: Challenges and Responses"
- Period: 24-27 September 2023

29<sup>th</sup> Annual Conference and General Meeting in Baku, Azerbaijan:

• Period: 15-18 September 2024. 🔵

## **Other Reports**

### Standing Committee on Prosecutors in Difficulty (SCPID) Report

#### Introduction

Since its inception in 2013, the IAP's Standing Committee on Prosecutors in Difficulty (SCPID) has operated in accordance with The Protocol for the Conduct of Cases of Prosecutors in Difficulty (the Protocol), which the IAP adopted in 2012 (and revised in 2021).

Throughout 2022, the SCPID worked closely with the IAP Secretary General and his staff.

#### Caseload

In 2022, the SCPID was involved in 12 cases arising from 11 countries:

#### Philippines

On 6 January 2022, the IAP was informed about the murder of Assistant City Prosecutor Edilbert Mendoza in the Philippines. A total of 11 prosecutors have been killed in the country between July 2016 and December 2021. The SCPID recommended writing a letter to President Duterte, emphasising the need for improved protection for prosecutors, copied to the Chief Justice, the Secretary for Justice, and the UN Special Rapporteur on the Independence of Judges and Lawyers. On 13 January 2022, the IAP sent the letter, and Chief Justice Alexander G Gesmundo assured the IAP that it would be forwarded to the Supreme Court's Committee on Human Rights.

#### **Republic of Korea**

On 19 April 2022, the Prosecutor General of the Republic of Korea contacted the IAP regarding legislative proposals affecting prosecutors. The SCPID reviewed the matter and advised that the IAP should not intervene as the reforms were being processed democratically and had majority support in the National Assembly. The SCPID stated that the proposed reforms did not violate IAP Standards and suggested that the Korean Prosecution Service could challenge them in court if they were deemed illegal or unconstitutional. The IAP responded to the Prosecutor General on 27 April 2022, following the SCPID's recommendations.

#### Paraguay

After the SCPID was notified, on 12 May 2022, that a Paraguayan prosecutor, Marcelo Pecci, had been murdered on 09 May, it drafted a public statement of condemnation for the IAP to issue and a letter to the Paraguayan president, Mario Abda Benitez, expressing condolences and calling for existing arrangements for prosecutorial safety to be reviewed and, if necessary, updated.

#### Honduras

On 31 May 2022, the SCPID was informed about the murder of special environmental prosecutor Karen Herrera in Honduras. The SCPID drafted a condemnation statement, which the IAP issued, and a letter to President Iris Xiamora Castro Sarmiento, requesting an urgent review of safety arrangements for prosecutors due to the apparent link to organised crime.

#### Zambia

On 14 September 2022, the SCPID alerted the Secretary-General to Lilian Siyunyi, the Chief Prosecutor of Zambia, who was in dispute with the government and had been suspended from office. The SCPID invited Siyunyi to provide information and requested if the IAP could assist. After considering her situation, the SCPID concluded that the IAP could not help as Zambia has an independent judicial system, and disputes like hers are best resolved through the courts. The SCPID assured Siyunyi of its willingness to contact the appropriate authority regarding her security concerns.

#### Ecuador

In 2022, two Ecuadorean prosecutors, Federico Estrella and Edgar Escobar, and three other prosecutors in unrelated cases were assassinated. The SCPID advised the IAP of the response, resulting in two letters to President Guillermo Lasso requesting an urgent review of security arrangements and "dramatic action" to protect prosecutors in real danger.

#### Guatemala

On 29 October 2022, the SCPID was asked to advise on the IAP's response to an attack on Miriam Reguero, a public prosecutor in Guatemala City, resulting in her severe injury and the death of her security guard. The SCPID recommended that the IAP write a letter to Attorney General Maria Consuelo Porras Argueta, expressing condolences and offering assistance if requested.

#### Nepal

On 22 September 2021, the IAP received a complaint from a senior prosecutor in Nepal regarding personnel changes and the transfer of an Assistant District Attorney, Mr Sanjel. The SCPID concluded that the personnel changes resulted from a new Attorney General's appointment and could not be pursued. However, concerns were raised about the transfer of Mr Sanjel, and the Attorney General was asked to respond. After the IAP's intervention, Mr Sanjel was posted back to Kathmandu, and the matter with the Attorney General was deemed unnecessary.

#### South Africa

On 14 September 2022, lead prosecutor Billy Downer requested assistance from the IAP due to a private prosecution initiated against him by ex-president Jacob Zuma. The SCPID, in collaboration with the Secretariat and the President, decided to send a letter of support to the NPA DPP and issue a public statement expressing support (completed on 29 September 2022). Mr Downer recused himself from the SCPID's deliberations as a member.

#### Afghanistan

After the Taliban takeover in Kabul on 18 August 2021, Afghan prosecutors sought assistance from the IAP. The SCPID provided ongoing advice on various matters, including drafting public statements and letters, facilitating visa and asylum procedures, and coordinating with NAAG and US government.

The Secretariat was key in assisting Afghan prosecutors, with the SCPID providing input as needed.

More than 2,000 individual Afghan prosecutors received a personal unique IAP reference letter, 133 prosecutors received a personal supporting letter upon additional request, and 97 prosecutors were directly assisted with their visa and asylum procedures.

#### Argentina

On 30 December 2022, the SCPID was asked to consider issuing a public statement of support for prosecutors threatened in Argentina. However, the SCPID concluded that no action was needed as local authorities handled the situation and the prosecutors received the necessary protection.

The SCPID recommended monitoring the situation for potential future action if needed.

#### Conclusion

The SCPID had a productive year, handling cases efficiently with support from the Secretariat. It proactively addressed a prosecutor's situation and provided generally accepted unanimous advice. The existing mechanisms functioned effectively, allowing the IAP to assist prosecutors in need.

#### Prosecutor Exchange Programme (PEP) Report

The COVID-19 pandemic led to ongoing travel restrictions and limited operations for the PEP in the first half of 2022.

#### Introduction

In 2019, NAAG agreed to fund just over \$20,000 for PEP exchanges in 2020, but due to the COVID-19 pandemic, the exchanges could not take place. The funding was rolled over to 2021 and then to 2022, but travel restrictions prevented the exchanges. The participants were informed about the funding situation each year.

#### Exchanges

In 2022, only one out of the three planned exchanges funded by NAAG took place. One set of participants could not proceed and requested the funding to be rolled over to 2023, but NAAG advised that the funding is no longer available. The reasons for the third exchange not taking place are unknown. The participants are still deciding how to proceed after being informed about the unavailability of funding.

#### Funding

In 2022, NAAG funded one exchange, providing an additional \$5,000 to cover increased travel costs. However, NAAG is unable to provide funding for exchanges in 2023. The PEP received increased inquiries about the programme as travel restrictions eased, redirecting interested parties to the appropriate contacts. Nicholas Cowdery and Nicola Mahaffy will step down as Chairs of the PEP but remain on the committee until at least the 2024 Annual Conference. The new Chair and committee members were selected during the 55th Executive Committee meeting in Athens. NAAG's support for the PEP and its funding impact on justice systems is greatly appreciated.

Association Internationale des Procureurs et Poursuivants Francophones (AIPPF) Report

In 2022, the AIPPF actively collaborated with the Siracusa International Institute and the IAP to organise the first French-language edition of the Specialization Course for Junior Prosecutors on International Criminal Justice. During the IAP Annual Conference in Tbilisi, Georgia, the AIPPF held a conference on public interest criteria in prosecutions. Members of the AIPPF attended a meeting at the International Organization of the Francophonie (OIF) headquarters in Paris, where they presented on prosecutorial independence. They also developed a training programme for prosecutors in Moldova on international cooperation, anti-corruption, money laundering, and proceeds of crime.

Alongside these events, the AIPPF carried out regular activities such as promoting the IAP Standards, connecting prosecutors from different jurisdictions, publishing a newsletter, and assisting international organisations in finding francophone experts in the criminal justice system.

Overall, the AIPPF had an active year, conducting training programmes, participating in conferences, and contributing to discussions on essential topics in criminal justice.

#### Report of the Senate 2022

#### Introduction

The Senate Report covers IAP Senate activities between the IAP Executive Committee's last northern spring meeting in Siracusa, Italy, on 06-08 April 2022, and the meeting in Athens, Greece, on 22-24 March 2023.

#### Senate meetings

Due to scheduling conflicts, the formal meeting of the Senate did not take place during the 25<sup>th</sup> Annual Conference and General Meeting in Tbilisi, Georgia. However, six Senators were present, and James Hamilton represented the Senate at the Executive Committee meeting on 24 September as the nominee of the Chair. The next Senate meeting is planned for London in September 2023, where new Senate officers will be elected. The current Chair and Vice-Chair, Nicholas Cowdery and Grenville Cross, remain in office until the London meeting. An online election process will determine their successors before the next meeting.

#### Senate membership

- The position of the Honorary Secretary of the Senate is vacant.
- There have been five new Senators appointed since 2022: Satyajit Boolell (Mauritius); Serge Brammertz (Belgium); Claire Loftus (Ireland); Jean Fils Ntamack (Cameroon) – inactive; and Christopher Toth (USA).
- Upon re-election to the Executive Committee in Tbilisi, one Senator resigned: Manuel Pinheiro Freitas (Brazil).

#### Automatic facilitated registration

One issue raised in the Senate meeting on 15 September 2019 (Item 7) was the prospect of automatic or facilitated registration for Senators at IAP Conferences and priority seating. Although this has become a matter of lower priority during the pandemic, the Senate invites the Secretariat and Executive Committee to keep this in mind at the appropriate time.

#### Committees

Jean-Francois Thony chairs the IAP Financial Review Committee with Runar Torgersen and Christopher Toth.

Satyajit Boolell, Luis Cevasco and Alexander Zvyagintsev serve on the IAP Awards Committee.

Billy Downer and Christopher Toth serve on the IAP's Standing Committee on Prosecutors in Difficulty (SCPID), chaired by Grenville Cross.

The Chair of the Senate serves as co-Chair of the IAP's Prosecutors Exchange Program (PEP), with Nicola Mahaffy, Patrick Stevens, and Christopher Toth being committee members. The Chair also serves on the IAP committee addressing relations with civil society organisations along with Claire Loftus (Chair of the committee) and Christopher Toth, and is involved in developing IAP prosecutor training in human rights and serves on the IAP Training Committee with Jean-Francois Thony and Christopher Toth.

The following Senators constitute the IAP Conflict Committee:

- Thomas Burrows, IAP Senator, United States of America
- Nicholas Cowdery, Chair of IAP Senate, Australia
- Carlos Donoso Castex, IAP Senator, Argentina
- Francois Falletti, IAP Senator, France
- Wendy Stephen, IAP Senator, Canada

#### Senator activities

#### Thomas Burrows

Thomas Burrows, elected to the IAP Conflict Committee in 2020, spoke at the Tbilisi conference on access to digital evidence and chaired a panel on challenges in obtaining electronic evidence abroad.

#### Oleksandr Shynalskyi

Oleksandr Shynalskyi expressed his gratitude for the support and help he received while assisting prosecutors and their families from Ukraine, starting from 24 February 2022.

### **IAP Standing Committees**

ommittees are an integral part of IAP's governance. While the General Meeting is the IAP's highest legislative power, and the Executive Committee is the executive body dealing with the key issues and main policy lines, many subtopics are dealt with by committees of all kinds. Some are temporary committees primarily related to projects, and others are standing committees for the long term. Some of those standing committees are of such importance for the IAP that the General Meeting grants them an official establishment.

#### Prosecutors in Difficulty Committee

In 2021, the Executive Committee proposed to the General Meeting a new Prosecutors in Difficulty (PID) Protocol that established the Standing Committee on Prosecutors in Difficulty (SCPID) as an official committee of the Association, in accordance with article 8.2.m of the IAP Constitution.

The new Protocol was adopted by the General Meeting in 2021, underlining the importance of the SCPID for the Association. In this Annual Report, you can find more information about the work of this Committee.

#### Financial Review Committee

In 2021, the Executive Committee agreed with the newly drafted Financial Review Committee Protocol, and the official establishment of the new Financial Review Committee (FRC).

The FRC oversees reviewing the Association's financial situation and advising the Executive Committee regarding their financial auditing of the Secretary-General.

The 26<sup>th</sup> General Meeting approved the FRC Protocol, underlining the importance of the FRC in the same way as for the SCPID. Furthermore, other than the SCPID, given its importance for the general whereabouts of the Association, the Protocol also put the appointment of the FRC members in the hands of the General Meeting.

During the 26<sup>th</sup> General Meeting, Chair Jean-Francois Thony and members Christopher Toth and Kathleen Roussel were appointed for a three-year term.

#### **Global Training Committee**

Although not a standing committee, the Global Training Committee is key to the Association's operational work. Potentially a long-term commitment, the Executive Committee decided to extend the Global Training Committee with two members. This Committee, dealing with the development of the IAP's training facilities and the partnerships with third parties regarding training, learning, and documentation, consists of Christopher Toth (Chair), Nicholas Cowdery, Nicola Mahaffy, Jean-Francois Thony, Cheol-Kyu Hwang, Shamila Batohi, Manuel Pinheiro Freitas, and Juan Bautista Mahiques.

### IAP Finances

#### Report of the Financial Review Committee

To fulfil its duties, the Financial Review Committee (FRC) receives the financial statements issued by the IAP Secretariat twice a year (mid-year review) or from Baker Tilly, the accounting firm (annual statements). After reviewing the documents, the Committee routinely holds a meeting in The Hague to discuss the financial statements with the Secretary-General and the staff of the Secretariat. It conducts checks of the bookkeeping and will also hold a meeting with officers from Baker Tilly to discuss and clarify the accounting documents.

The conclusions of the Financial Review Committee were:

• Financial procedures are strictly followed by IAP staff and Secretary General

- The finances of the International Association of Prosecutors are in good shape
- The internal book-keeping is managed in a thorough and rigorous manner
- Random checks did not demonstrate any variations from the financial procedures

View <u>full report</u> of the FRC

#### **Financial Statement 2022**

The FRC notes with satisfaction that the reserves have been reduced in 2022 to more satisfactory levels.

Financial Statement 2022 can be viewed  $\underline{\text{digitally}}$  or view the annexed copy. lacksquare

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