

# IAP Newsletter May 2020

## 25th IAP Annual Conference cancelled

Last month, the IAP Secretariat officially informed all members that, due to the global health crisis caused by COVID-19, the 25th IAP Annual Conference in Athens has been cancelled. Overall, the degree of uncertainty concerning the spread of COVID-19, and the uncertainty about further lockdown restrictions and the limitations in the international flight connections, left the IAP Executive Committee and the Greek Local Organising Committee no other choice but to take this difficult decision.



We were truly looking forward to this conference and are saddened to deliver such disappointing news. However, given the current circumstances, we believe that this was the best course of action, as our priority lies with safeguarding the health and safety of our participants and staff. The IAP recognises all the hard work that so many have put into the preparation of this event. We are eternally grateful.

On behalf of the IAP, we wish everyone health and safety during these unpredictable times. We look forward to seeing you again in better circumstances at our 26th Annual Conference in Tbilisi, Georgia, in 2021.

## 11th Asia and Pacific Regional Conference of the IAP



Venue: **Kathmandu, Nepal**

Period: To be decided (possibly late autumn 2020)

Host: Office of the Attorney General of Nepal

Theme: Day 1: "Rehabilitation of Offenders"

Day 2: "The role of the Prosecutors in Combating Trafficking and Smuggling in Persons".

**About the venue:** Kathmandu is a city where ancient traditions are zealously guarded while at the same time embracing modern technology. Kathmandu's timeless cultural and artistic heritage still reveals itself in hidden temples overflowing with marigolds, courtyards full of drying chillies and rice, and tiny hobbit-sized workshops. This endlessly fascinating, sometimes infuriating city has enough sights to keep you busy for a week.

## Message from the IAP President

My dear fellow prosecutors!

Four months have passed since we welcomed the year of 2020 with great hope. Unfortunately, contrary to our New Year's wishes, the whole world is in a state of emergency amid the dire COVID-19 pandemic.

The IAP has also been affected by the pandemic. Responding to the urgent situation, our 49th Executive Committee meeting scheduled for April in Siracusa, Italy was duly replaced by an unprecedented digital consultation. It proceeded smoothly, thanks to all the members of the Executive Committee and the IAP Secretariat.

Despite the challenges worldwide, as the only international organisation of prosecutors across the globe, IAP remains committed to its missions. Particularly this year, we are shaping the "IAP Global Training Academy" project to strengthen education and training for all prosecutors around the world. In addition, we continue to promote the regional offices, based on the successful pilot project of St. Petersburg Regional Office for Eastern Europe and Central Asia.

Many experts predict that the COVID-19 pandemic will serve as a momentum to fundamentally change almost all of our lifestyles. The Korean equivalent of the English word 'crisis' is 'wigi'. 'Wi' literally means 'danger' but 'gi' ironically means 'chance'. It implies that if you overcome difficulties wisely, opportunities will come. So, I believe that if we help ourselves by gathering our wisdom and mobilising our love for humanity, we can turn this catastrophe into a new opportunity to build a better world.

Prosecutors have been leading the way in criminal justice and the rule of law while overcoming various challenges. Therefore, amongst these waves of changes, I am confident that we keep on playing a major role in realising those values to face the new-era post Covid-19. The IAP would like to pay tribute to all prosecutors around the world for their efforts to protect citizens and communities against crimes amidst chaos caused by the pandemic. Without doubt, the IAP will always be on your side and assist you with any necessary measures. At this critical juncture, I wish among other things, for the health and safety of my fellow prosecutors and their families. And I look forward to meeting you all again, bright and hopeful, in the near future.



Cheol-Kyu Hwang

IAP President



## Contents

25th IAP Annual Conference cancelled .....	1
11th Asia and Pacific Regional Conference of the IAP .....	1
Message from the IAP President .....	2
Editorial .....	4
IAP Membership News .....	5
Interview with Ladislav Harman, the President of Eurojust .....	5
The Second High Level Meeting of the Global Judicial Integrity Network in Doha, State of Qatar “Past, Present, Future” .....	8
Updates on staff at the IAP .....	10
The IAP President's visits to Myanmar and Cambodia .....	11
Congratulations to Dr. Kamran Aliyev on this appointment as Prosecutor General of the Republic of Azerbaijan .....	12
The IAP President visits the Russian Federation .....	13
The GPEN Webinar .....	15
The First Digital Consultation of the Executive Committee .....	17
Proposed Amendments to the IAP Constitution .....	18
Candidates for the IAP Conflict Committee .....	19
2020 Nominees for IAP Executive Committee .....	20
2020 IAP Granting Programme cancelled .....	20
Call for donations for the IAP Granting Programme 2020 postponed to 2021 .....	21
Call for nominations for the 2020 IAP Awards postponed to 2021 .....	21
Call to join the ILAC Syria Scoping Study-Reference Group .....	21
The Fifth Specialisation Course for Prosecutors is postponed to October 2020 .....	22
IAP Conferences and Events .....	23
26th IAP Annual Conference and General Meeting 2021 .....	23
In Memoriam .....	24
To contact us .....	25

## Editorial

### **Rationality or irrationality, that is the question**

Writing this column and at the same time working on the aftermath of the cancelling of the Annual Conference in Athens, the cancelling of the Executive Committee meeting in Syracuse and electronic consultations never seen before, as well as many other changes due to the Covid-19 outbreak, is everything but an illusion, it is hard work for the IAP Secretariat. It is the rational world of the IAP. Luckily in a good spirit and with fair discussions with the Executive Committee and the membership. Unfortunately, fair discussions more and more do not go without saying.

Nowadays, political correctness seems to demand for conformity to the mainstream 'correct' behaviour and opinions. Everything that is not within the limits of 'correctness' is attacked without even considering the background, a possible misunderstanding or misinterpretation. The digital era is amplifying this situation by offering easy, swift and broadly spread communication. Discussions seem to be outdated. Horizontal interactions are replaced by vertical powered relations, expressing that I am a better person than you are. Perhaps the worst thing is that it kills creativity. Creative minds become reluctant to express their out of bound ideas, they keep silent to avoid the digital rage of the correct ones.

At the same time irrationality is marching in. People more and more like to endlessly experience the slightest feelings. Rationality is replaced by illusions. I am not saying that illusions are bad, people are entitled to have their illusions, but it might be a symptom that the number of people believing that the earth is a flat disk is rising. For me it gets worrying when people try to turn you into a no-vax-er or when people just pray to overcome the corona outbreak. When science and expertise seem to be suspicious then rationality is on its way back. I can only hope that the Covid-19 crisis will help science and expertise to be ranked above conspiracy and gossip.

Prosecutors in general are practical and professional people. They know that criminality is not an illusion but a rational problem to be fought in a righteous way. We all know life is not always fair to people but IAP prosecutors should do their utmost to fight the real crime. Not by making illusions but by doing their job in a transparent and fair way. The IAP is willing to help them doing so.

Rationality is shall be,



Han Moraal

Secretary General



## IAP Membership News

We welcome the Association of Prosecutors for Order and Justice (APOJ), Moldova as a new organisational Member, which have joined the IAP in April 2020.

### Interview with Ladislav Harman, the President of Eurojust

Gemma Moran, IAP Senior Legal Advisor in conversation with Ladislav Harman

How is Eurojust coping with the current COVID-19 pandemic?

Since the outbreak of the pandemic in the Netherlands, the vast majority of Eurojust colleagues have been working from home. I have to say that I am incredibly proud of how we continue to be fully operational, despite the challenging circumstances. While prosecutors from all over the world used to meet face to face in our premises in The Hague, we now bring them together in a virtual way through videoconferencing. Unfortunately, we do see that criminals are quick to seize opportunities to exploit this crisis. In Germany, for instance, the authorities uncovered a large-scale fraud involving ten million face masks for a price of EUR 15 million. An advance payment of EUR 2.4 million was made, but on the day of the planned delivery in The Netherlands the masks were nowhere to be found. Thanks to the active support of the German desk at Eurojust and three other countries, two suspects have been arrested and EUR 2 million in assets have been frozen. We see more and more of these cases, but we are committed to ensure that justice is done under all circumstances.



Ladislav Harman, President of Eurojust

Please tell us about your background and what inspired you to become a prosecutor?

I have always wanted to become rich and famous, and travel around in fancy, chauffeured cars. I am only joking of course. The profession of prosecutor in Slovakia in mid-90's was neither glamorous nor lucrative. It was a mere coincidence that I ended up in the prosecution service, where I was lucky enough to meet many colleagues who inspired me and whom I admired for fighting for a fairer society. I never regretted the decision to become a prosecutor, as I believe that there are few things more rewarding than dedicating your professional life to helping victims and bringing perpetrators to justice.

You are the President of Eurojust and Eurojust is an organisational member of the IAP and we have strong links professionally. How can Eurojust and the IAP strengthen those links to improve and enhance international cooperation?

I am aware that the level of judicial cooperation we have achieved in the EU is unprecedented. I sincerely hope that our model will form a blueprint for similar cooperation in other continents, making it easier for judicial authorities to join forces at a global level. The IAP offers Eurojust a platform to share our experience - for example during the IAP's Annual Meeting that we are always honoured to attend.



When it comes to the cooperation between both organisations, it is also important to highlight that Eurojust's work does not stop at the borders of the EU. In fact, since 2015 we have witnessed a 74% increase in the number of cases at Eurojust involving a non-EU state. On several occasions, the IAP's direct access to a global network of prosecutors made a crucial difference in our efforts to connect jurisdictions from in and outside the EU. In the coming years, Eurojust aims to keep expanding its network of judicial contact points in non-EU States, which currently covers 52 countries. I hope and expect that throughout this process, we will continue to benefit from the synergies between the work of the IAP and that of Eurojust. We are in the fortunate position that many of the highly valued colleagues at Eurojust also play an important role within the IAP. Han Moraal, National Member for The Netherlands at Eurojust, is the IAP's Secretary General. Josip Čule is National Member for Croatia and the IAP's Vice-President. Paris Adamis is National Member for Greece and member of the IAP's Executive Committee. And Gerhard Jarosch is National Member for Austria and the former President of the IAP. This ensures that the strong bond between the IAP and Eurojust is not only institutional, but also personal.

In terms of international cooperation, what in your view and your experience is the most important thing an individual prosecutor can bring to the table to contribute to the development of international cooperation?

When it comes to international judicial cooperation, the single most important trait somebody can bring to the table is the ability to respect diversity. We all come from different legal systems, with different laws, customs, traditions, and practices. It is crucial that we find a way to bridge the gap between us, and this can only be done if we are willing to let go of the idea that our own approach is the only way forward. We have to make the conscious decision to work together despite our differences. That means respecting each other's sovereignty and being open to compromise. It means acknowledging that we may have different ways of working, but all share the same ambition of protecting our citizens and making this world a safer place.

What do you think are the most pressing issues facing prosecutors in a global context?

I believe that further globalisation is inevitable. It will not only lead to an increasing interconnectedness in the political, economic, and cultural domain, but also have a significant impact on how easily criminals join forces and what we can do to stop them. Together with key partners such as the IAP, Eurojust will continue to unite prosecutors and judges from all over the world.

Our goal is to carefully cultivate trust amongst them, with full respect for each other's national jurisdictions and legal traditions.

Another main challenge lies in digitalisation, which is profoundly affecting the criminal justice field. On a global level, cybercrime is the most rapidly expanding form of organised crime. Becoming a victim of cybercrime is no longer a remote risk and geopolitical tensions may well have repercussions for our virtual security. But digitalisation is not just a catalyst of cross-border crime, it is also part of the solution. The coming year will be decisive for Eurojust's Digital Criminal Justice initiative, with which we aim to give prosecutors across the EU the modern digital tools they need to work together even better.

If you could give one piece of advice to young prosecutors embarking on their career, what would that be?

Becoming a prosecutor in this day and age means that you will almost certainly deal with cases of a cross-border nature. As I mentioned earlier, this requires the ability to respect diversity and maintain an open mind. More in general, you have to be prepared for the high pressure that comes with this job. You will face long hours, conflicting interests and disappointment when you realise that justice does not always prevail in the way you thought it would. At the end of the day, what matters most is being able to look in the mirror, knowing that you kept your back straight and did the right thing.



The President outside the Eurojust building

# The Second High Level Meeting of the Global Judicial Integrity Network in Doha, State of Qatar

## “Past, Present, Future”



The GJIN meeting in progress in Doha

The Global Judicial Integrity Network is one of the key results of the efforts of the United Nations Office on Drugs and Crime (UNODC) Global Programme for the Implementation of the Doha Declaration, which aims to assist Member States in implementing key areas of the Doha Declaration adopted at the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice in 2015.

The High-Level Meeting of the Global Judicial Integrity Network (GJIN) being hosted by the Supreme Judiciary Council of the State of Qatar held under the title “Past, Present, Future”. The session was attended by Ministries, senior officials and heads of judicial bodies, representatives of the international organisations from around 118 countries, and a number of officials from UNODC, overall, 700 individuals took part in the meeting. At this significant occasion for the judiciary, the International Association of Prosecutors (IAP) was represented by the Vice President of the Association, Dr. Kamran Aliyev.

Several plenary sessions and a dozen thematic breakout sessions addressed the existing and emerging challenges related to judicial integrity, as they explored the different kinds of efforts made by judiciaries to address them and identified the priority areas for the Network.

During the plenary session dedicated to the “Use of Social Media by Judges”, the nature of the judiciary and the vital importance of public trust in the honesty and impartiality of the courts were discussed, amongst this, the use of social networks by judges, both individually and collectively, which raised specific questions on ethical risks that were considered as well. It is important to note that judges and prosecutors, like other citizens, are entitled to freedom of expression, belief, association and assembly, however they should always conduct themselves in such a manner as to preserve the dignity of their office and the impartiality and independence of the judiciary, inter alia, the way they use social networks can affect the public perception of their activities and confidence in the judicial systems generally.



The mentioned session emphasised that when using social media, judges should always be guided by the Bangalore Principles as well as the detailed accompanying Commentary. In this regard certain recommendations were made on the following issues: risk and opportunities in judges' awareness and use of social media, judges' identification on social media, content and behaviour on social media, friendships and relationships online as well as privacy and security.

It is worth noting that these recommendations should not only be used by a judge when using a social network, but also by prosecutors, given their special role in shaping the legal system. In addition to this, after a deep analysis of such a recommendation, prosecutorial societies should consider implementing such standards in their Code of Ethics in accordance with the Universal Declaration of Human Rights.

The "Gender-related Judicial Integrity Issues" session considered the role of women judges in judicial and administrative structures and their role in ensuring gender equality and in promoting judicial reforms. It was recognised that initiatives of enhancing the presence of women in the judiciary and their rights should take a more active form at all levels in order to achieve a greater balance that opens wide the doors for women in the judiciary.

When we talk about effective prosecution, gender balance plays a significant role in making a balanced decision. Thus, improving women's access to justice is ensuring equal rights and non-discrimination in the law, as well as such initiative which serve to achieve substantial progress in the global legal system.

In this context, the Chief Justice of the State of Qatar, Dr Hassan bin Lahdan Alhassan Almohanadi, and the Senior Judge of the District of Columbia Court of Appeals - President of the International Association of Women Judges, Mrs Vanessa Ruiz, agreed to submit a proposal to the United Nations General Assembly recommendation on the establishment of the International Day of Women Judges, which creates a platform for reflection on highlighting the interests and active participation of women prosecutors in the global legal system.

In the meantime, significant attention was paid to the "Use of Artificial Intelligence by Judiciaries". Throughout this session, existing and emerging issues related to artificial intelligence have been examined.

Other topics, such as judicial immunities, developing codes of conduct, the selection and appointment of judges, mainstreaming anti-corruption at the top, amongst others, were discussed in engaging breakout sessions.

On the thematic breakout session devoted to the "Mainstreaming Anti-Corruption at the top" Vice-President of the IAP Dr Kamran Aliyev stressed out the active role of the Association in improving judicial and prosecutorial activities and promoting prosecutors' integrity. In addition to this, by introducing the Network of Anti-Corruption Prosecutors (NACP), Dr Aliyev talked about the measures taken by the IAP to eliminate corruption in public administration, and pivotal role of the Network for the global prosecutorial bodies. The Vice-President recommended to the session members to create a bridge between the IAP and GJIN in order to deliver more effective awareness linked with the global legal system, inter alia, to ensure participation of the global prosecutors in the activity of the GJIN and to include issues related to their integrity and independency to the topics of the Network. It is vital to note that these very recommendations note with appreciation the Breakout Session dedicated to the GJIN relevant sessions outcomes.

To crown it all, this important international meeting was also marked by the adoption of "The Doha Declaration on Judicial Integrity".

## Updates on staff at the IAP

### Senior Legal Advisor

Gemma Moran started as the IAP's Legal Advisor in March 2019 and is now a Senior Legal Advisor working at the Secretariat in the Hague.

### Professional Programme Manager

Irina Beridze has been our Conference Supporting Officer for two years now and she will continue assisting the General Counsel with the professional programme for the Annual Conferences. Even more, as Irina is also involved in the broader professional programme, including the training activities. For that reason, her title changed to professional programme manager. Irina is seconded to the IAP by the Georgian Prosecution Service until the end of 2021 with the possibility to extend. Irina is working from Georgia.

### Conference Supporting Officer



To assist the Secretariat with the logistical preparation of the IAP conferences and to include handling the online registration system, the Secretariat has hired a Conference Supporting Officer, Mr. Luciano Juillet. Luciano was born in Argentina and is a former Protocol and Ceremonial Employee at the Buenos Aires Prosecutor's Office. Members attending the 24th IAP Annual Conference in Buenos Aires might remember Luciano from the IAP Secretariat Desk, where he supported the IAP Secretariat and established strong work and personal relationships with the IAP officials and staff. A Bachelor in Dramatic Arts, Luciano currently also works as an actor and playwright, and lives in the United Kingdom.

### Communication Manager



Another step in the professionalisation of the Association is to be able to more effectively promote the IAP objective mission and brand. During the meeting in Buenos Aires the Secretariat got the permission of the Executive Committee to hire a Communication Manager, who in general will be responsible for the strategic communication of the IAP brand and for the administration of the large group of IAP webmasters. The position was published through an online job recruitment portal and from the 70 applications received, 11 people were shortlisted for interviews. After 3 days of interviews, there was full agreement on the appointment of Mr. Lorenzo Di Francescantonio, starting April 14th.

Lorenzo was born in Rome, Italy. He moved to The Netherlands in 2010, where he completed his bachelor and master studies. He began working in the field of communications within the technology industry, before shifting, out of personal interest and passion, to NGO's and international organisations. Lorenzo currently lives in The Hague.

### New intern

Jacob Holst Willardsen, a Danish student, studying International Trade and Marketing at Copenhagen Business Academy, will have a four-month internship with the IAP. His aim is to prove theoretical techniques related to brand development and network expansion in an active and relevant environment. His competences and skills related to financial administration and building



brand identities will certainly support the professionalisation of the day-to-day management and might even bring new perspective and solutions.

Jacob has been engaged (unpaid) in IAP projects before, the last time during the Annual Conference in Beijing, when Jacob -together with another intern- ran the IAP Secretariat Desk. The internship will cover the period September – December 2020. However, Jacob is willing to already start in July.

## The IAP President's visits to Myanmar and Cambodia



**IAP President Cheol-Kyu Hwang(3rd from left) visits the Attorney General's Office of the Republic of the Union in Myanmar**

On February 10, 2020, President Cheol-Kyu Hwang paid a courtesy visit to the Attorney General's Office of the Republic of the Union of Myanmar in Naypyitaw, and had a bilateral meeting with Attorney General, Mr. Htun Htun Oo. President Hwang introduced the activities of the IAP with the benefits of joining the Association to the Attorney General and urged the Myanmar prosecution to become an IAP organisational member.

In response, Mr. Htun Htun Oo said that as the main task of the Myanmar prosecution was changing from legal counseling for the government into criminal prosecution, he felt the need

for close partnership with the IAP in the near future.

On February 12, 2020, President Hwang then visited the Extraordinary Chambers of the Courts of Cambodia (ECCC) in Phnom Penh and had a meeting with International Co-Prosecutor Ms. Brenda J. Hollis from the United States. The ECCC was established in 2006, to try serious crimes committed during the Khmer Rouge regime from 1975 to 1979, under the international assistance through the United Nations. President Hwang highly appreciated that the ECCC has recently been strictly punishing perpetrators of crimes against humanity and massacres, adding that it is a great feat in the history of international criminal justice in the region.

Prosecutor Hollis welcomed the IAP President's visit and said that she was already familiar with the IAP's activities. She also hoped that the ECCC Prosecution officers would attend a meeting hosted by the IAP in the future. On the same day,



**Ms. Brenda J. Hollis meeting IAP President at the ECCC**

President Hwang visited the Prosecutor General's Office of the Kingdom of Cambodia in Phnom Penh, and had a bilateral meeting with Prosecutor General, Ms. Chea Leang, whom he met already in Busan, Korea in May 2019.

President Hwang presented the major activities of the IAP to the Prosecutor General and asked her to participate in the international cooperation network led by the IAP.

The Cambodian Prosecutor General, as Co-Prosecutor for the ECCC, replied that she understood the necessity of the international cooperation through the IAP, and expressed the intention to take the steps required to join the Association



**IAP President meeting Prosecutor General  
Ms. Chea Leang**

## Congratulations to Dr. Kamran Aliyev on this appointment as Prosecutor General of the Republic of Azerbaijan

It is with great admiration that the IAP congratulate Dr. Kamran Aliyev on his recent appointment to the office of Prosecutor General of the Republic of Azerbaijan on the 1<sup>st</sup> of May 2020.

When one looks at his distinguished career as a Prosecutor, there can be no doubt that such an appointment is a professional and personal endorsement of him and his work.

The office of the Prosecutor General of Azerbaijan has a long association with the IAP. During that time, helped to promote IAP's vision in Azerbaijan.

All those who were present at the 45th Executive Committee meeting in April 2018 held in Baku will never forget that wonderful event and, not only, did that office promote our professional goals but also succeeded as an ambassador for the vast culture of Azerbaijan. It was for this reason that the IAP awarded a Certificate of Merit to the Prosecutor General's office in 2018 at our Annual Conference.

As far back as 2010, Kamran Aliyev has been an ordinary member of the Executive Committee and since 2018 he is Vice-President for the Eastern Europe and Central Asia Region. During his time as a member of the Executive Committee he has been actively involved in many IAP events. It is also commendable that he has promoted individual membership of the IAP within the Anti-Corruption Directorate amongst prosecutors in Azerbaijan during his tenure as Deputy Prosecutor General of that Directorate.



**Dr. Kamran Aliyev**

The IAP look forward to continuing our work with Dr. Aliyev as Prosecutor General in promoting the rule of law, fairness, impartiality, and respect for human rights as well as improving international co-operation to combat crime.

## The IAP President visits the Russian Federation



**Mr. Krasnov Igor Viktorovich with IAP President Cheol-Kyu Hwang**

In February 2020, the delegation of the International Association of Prosecutors, headed by President Cheol-Kyu Hwang, visited the Russian Federation.

During his stay in Moscow, President Hwang met with the new Prosecutor General of the Russian Federation, Mr. Krasnov Igor Viktorovich, who was appointed on January 22<sup>nd</sup>, 2020. During the meeting Mr. Hwang and Mr. Krasnov exchanged guarantees of further close cooperation between the IAP and the Prosecutor General's Office of the Russian Federation. Mr. Hwang was presented with the

regular issue of the magazine "Prokuror" (Prosecutor) – by officers of the Prosecutor General's Office of the Russian Federation, Mr. Krasnov especially thanked the delegation for agreeing to co-host, together with the Prosecutor General's Office of the Russian Federation and the Council of Europe, the Conference of heads of prosecutor's offices of Europe, which was planned for June 2020 in Saint-Petersburg. Unfortunately, due to spread of COVID-19, this event is postponed for July 2021.

On the 27<sup>th</sup> of February, the delegation visited the IAP Regional Office in Saint-Petersburg, where members were presented with the results of the work done since the opening of the Office in late 2017. President Hwang and IAP Executive Director Janne Holst Hübner, who was accompanying him, were satisfied with the achievements of the Office, and together with its officers drew plans for further development, including the possibility of establishing IAP regional offices in other regions in the future. On the same day, the IAP delegation also met with the Deputy Prosecutor General of the Russian Federation, Mr. Alexey Yurievich Zakharov, who is supervising the work of the prosecutor's office of Russia's South-Western Federal Region. Mr. Zakharov, in addition, was the head of the delegation of the Prosecutor General's Office during the 24<sup>th</sup> IAP Annual Conference in Buenos-Aires in 2019. Colleagues discussed the problems faced by international prosecutors, as well as how cooperation and strengthening of ties between the prosecution authorities of different states can be achieved with the support of the IAP and its upcoming events.



**The IAP delegation meeting Russian colleagues**

The Prosecutor of Saint-Petersburg Mr. Sergey Ivanovich Litvinenko received Mr. Hwang and Ms. Hübner in the building of the Prosecutor's Office of Saint-Petersburg and organised an excursion in the museum of the Prosecutor's Office. Guests saw the daily work conditions of prosecutors and learned about major milestones in the history of the Prosecutor's Office of Saint-Petersburg. Having shared his impressions from the participation in the Annual Conference in Buenos-Aires in 2019 with the President and Executive Director, Mr. Litvinenko discussed the way forward in hosting future IAP events in Saint-Petersburg, which already previously hosted IAP events successfully (in summer 2018 a GPEN seminar was hosted on the base of the IAP Regional Office). Future plans for St. Petersburg include hosting far larger IAP events, as well as the IAP Executive Committee meeting in Saint-Petersburg is planned in Spring 2021.

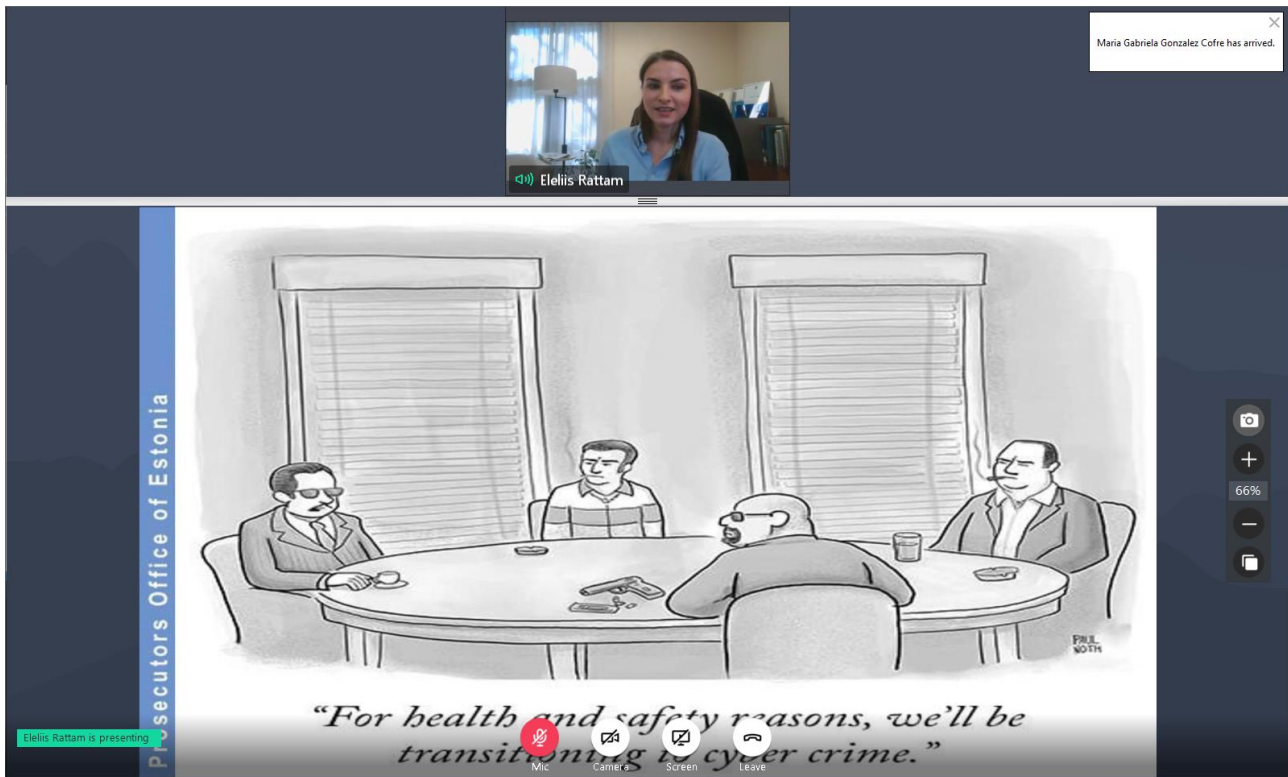


**Mr. Hermann Horn, IAP President, Mr. Sergey Ivanovich and IAP Executive Director Janne Holst Hubner**

Despite the busy work programme, members of delegation managed to touch upon the rich history and culture of Russia and its northern capital, which of course left an everlasting impression. In conclusion, it is very pleasant that the cooperation with the IAP is becoming one of good and standing traditions for the prosecutor's office of Russia, which very soon, in 2 years, will be celebrating its 300 years anniversary.

# The GPEN Webinar

## 'Cybercrime at times of Covid-Challenges for Prosecutors'



**Eleliis Rattam, State Prosecutor presenting the Covid Challenges IAP/GPEN webinar**

On the 30<sup>th</sup> April 2020, Senior Legal Advisors Gemma Moran and Edith van den Broeck hosted Eleliis Rattam State prosecutor in the Prosecutor's General Office of Estonia who presented "**Cybercrime at times of Covid – Challenges for Prosecutors**".

As during many other big events taking place before, cybercriminals are also using the COVID-19 pandemic for their own objectives. While the current crisis is affecting everyone and largely by fear, people are more vulnerable to these malicious activities. This webinar, conducted by the **State Prosecutor Eleliis Rattam from the Prosecutor's General Office of Estonia**, aims to give an insight into the cyber criminality trends during this difficult period and to point out the possible challenges for criminal investigations. As Estonia is renowned for its e-solutions and to illustrate the importance of the effective IT-developments at these extraordinary times, an overview about the digital criminal proceedings and its opportunities is also given. Participants were kindly welcomed to address their questions/comments and to initiate a discussion about their experience on the topic.

Our presenter is Eleliis Rattam is a State Prosecutor in the Office of the Prosecutor's General in Estonia with an expertise in cybercrimes, crimes against state security and terrorism. She is responsible for leading the pre-trial investigation and prosecutions in various high profile, grave and organised crimes. She is an enthusiast of the digital criminal proceedings and a member of many national and international working groups. She is also a contributor to the academic work of the University of Tartu.

There was a lot of interest in this [webinar](#) with 150 IAP members registered to attend.

## The Global Forum on Cyber Expertise (GFCE)



The Annual Meeting of the GFCE took place from 8 to 10 October 2019. As a member of GFCE, GPEN participated at this high level and very important event, hosted by the African Union Commission.

Our leading GPEN consultant **Esther George** represented us and participated in the workshop “*Implementing Anti-Cybercrime Operations and Capabilities*”.

Beneficiaries were provided with practical examples by different stakeholders on implementing operational capabilities such as Cybercrime Training, Legal Frameworks, Prevention tools but also on the need for International Coordination of cybercrime capacity building. Practical takeaways were shared on best practices related to operational capabilities for combatting cybercrime.

The workshop, moderated by Mr. Zahid Jamil, started with a presentation with an overview of UNODC’s Global Programme on Cybercrime, which focusses on local and regional implementation, of INTERPOL’s Cybercrime Programme, which supports member countries to prevent and investigate cyberattacks. The Programme uses an Intelligence-led Operating Model consisting of 3 phases, Data Collation, Data Analyses (Cyber Activity Report), and Operation (Sharing, Support, Action, Training). Next was a presentation of the US Transnational and High-Tech Crime Global Law Enforcement Network (GLEN), which entails several programmes such as the International Computer Hacking and Intellectual Property advisors (ICHIP), the Global Cyber Forensics Advisors (GCFAs), and the Long Term Skills Mentoring by Investigator Trainers. All programmes aim to have a long-term commitment in several regions in order to have a sustainable impact.

Esther George explained the activities of IAP’s GPEN (Global Prosecutors E-crime Network) such as webinars, and information letters to the community but focused in particular on the East Africa Regional Cybercrime Network (EARCN), a network of coordinators of 12 African states with shared objectives. Mr. Majigo shared his experience with EARCN and how it assists the Tanzania Prosecutor’s Office.

Finally, a demonstration was given of the range of free available tools developed by the Global Cyber Alliance such as Quad9, DMARC, and Cybersecurity Toolkit for Small Business.



## The First Digital Consultation of the Executive Committee



The worldwide outbreak of COVID-19, followed by the national social distancing rules and travel restrictions, strongly challenged the work of international organisations which rely on open borders and freedom of movement to conduct their work. Also the IAP had to face the challenges posed by the pandemic: for the first time ever, the pandemic forced the Secretary General to advise a cancellation of an Executive Committee meeting, the 49<sup>th</sup>, which was scheduled to be hosted at the Siracusa International Institute for Criminal Justice and Human Rights in Italy from 1 – 3 April. And, as Italy during March was hit hard by the coronavirus, the host of the meeting Jean-François Thony (IAP Senator), and the President of the Siracusa Institute, along with the members of the Executive Committee, supported the cancellation of the meeting in Siracusa. Faced by the question of how to host the meeting, IAP Secretariat found a solution in digital consultation. Whilst several agenda items were postponed to the next meeting in September, the Executive Committee successfully handled those items requiring an immediate discussion and decision through a digital consultation. The IAP Secretariat was able to host the meeting on the ExCo Discussion Forum on the IAP website, allowing members to discuss and take decisions on items of high relevance.

Among the items discussed was the IAP Global Training Academy, which is one of the main visions and focus areas of the IAP President Cheol-Kyu Hwang. This initiative is intended to turn the IAP into a global hub for training and education programs for prosecutors, in order to affirm the Association's position as an increasingly active and recognisable player in the capacity building of prosecutors. This would also allow the IAP to strengthen its position at the regional level and ensure the implementation of the IAP standards. To this end, the Executive Committee agreed to move forward with the project and to set up a training sub-committee to support the drafting of a strategy and project plan. In addition, the digital consultation covered discussions on some proposed IAP constitutional amendments, the presentation of the 2019 financial statements and operational budget for 2020, and a vote for the composition of the Executive Committee, the Conflict Committee and the Granting Programme Committee. In order to handle a digital vote, the IAP Secretariat devised a special voting format, similar to the classic postal voting system, whereby a neutral observer would collect the ballot papers and forward them to Voting Officer in an anonymised format. The secret ballot was not only successful in its purpose, but it also proved that the IAP was able, despite the challenges, to host and carry out the meeting in an innovative manner. Overall,

the 49th Executive Committee meeting has been a very positive and unique learning experience for the IAP Secretariat.

## Proposed Amendments to the IAP Constitution

### **Proposal to amend IAP Constitution Article 3.4 to be approved by the General Meeting**

During the development of a new digital membership administration system the IAP Secretariat became aware of some inconsistencies in the separation of powers in the processing of refusals of admission to membership of the Association. This motivated the Secretariat to submit a draft amendment of Article 3.4 for discussion by the Executive Committee during their 49th meeting which due to the Corona virus COVID-19 Outbreak was convened through a digital consultation in the first week of April 2020.

During the digital consultation, the Committee agreed to recommend to the membership an amendment of Article 3.4 of the IAP Constitution to allow for a clearer separation of powers and, as part of this, an introduction of a two-instance appeal system.

The IAP Constitution Article 3.4 currently reads:

"An application for individual membership may be refused if in the opinion of the Executive Committee, on referral of the matter to it by the Secretary-General, the admission to membership of the applicant would be inconsistent with or otherwise detrimental to the achievement of the objects of the Association. Appeal against the refusal may be made to the Conflict Committee by lodging a notice of appeal, setting out the grounds on which it is based, with the Secretary-General, who shall submit it to the Conflict Committee for decision."

**Proposal:** To replace the existing provision with the following version:

"An application for individual membership may be refused if in the opinion of the **Secretary General**, the admission to membership of the applicant would be inconsistent with or otherwise detrimental to the achievement of the objects of the Association. Appeal against the refusal may be made **within two months of being informed of the refusal to the Executive Committee by setting out the grounds of the appeal. The notice of the appeal is to be provided to the Secretary-General who shall submit it to the Executive Committee for their decision. An appeal against the decision made by the Executive Committee may be made** to the Conflict Committee **within two months of being informed of the decision of the Executive Committee by written notice to the Secretary-General**, who shall submit it to the Conflict Committee for **final** decision."

### **Proposal to amend IAP Constitution Article 6.3 and 6.4 to be approved by the General Meeting:**

During the development of a new digital membership administration system the IAP Secretariat became aware of some inconsistencies in the separation of powers related to the processing of deactivation and suspensions of membership due to lack of payment of membership subscriptions. This motivated the Secretariat to submit a draft amendment of Article 6.3 and 6.4 for discussion by the Executive Committee during its 49th meeting, which due to the Corona virus COVID-19 Outbreak was convened through a digital consultation in the first week of April.

**The current Article 6.3 reads:**

*“The Executive Committee may suspend the membership of or expel an organisational member who or which is two years in arrears in payment of annual dues and may reinstate the member to full membership on payment of the arrears.”*

**The current Article 6.4 reads:**

*“The Secretary-General may suspend the membership of or expel an individual member who is two years in arrears in payment of annual dues and may reinstate the member to full membership on payment of the arrears.”*

The IAP Secretariat is of the opinion that an “expulsion” as referred to in both articles is a permanent and too severe a punishment for simply not paying an annual subscription and does not fit subsequent dispensation rules mentioned in both articles; to reinstate a member to full membership after the payment of arrears.

During the digital consultation, the Executive Committee agreed to recommend to the membership to delete the wording “**or expel**” from the existing provision in Article 6.3 and Article 6.4. The Executive Committee further agreed to recommend to the membership to **replace a “may” with “shall” in Article 6.4.**

**Proposal:** to replace existing Article 6.3 with the following.

*“The Executive Committee may suspend the membership of an organisational member who is two years in arrears in payment of annual dues and may reinstate the member to full membership on payment of the arrears.”*

**Proposal:** to replace existing Article 6.4 with the following.

*“The Secretary-General may suspend the membership of or expel an individual member who is two years in arrears in payment of annual dues and **shall** reinstate the member to full membership on payment of the arrears.”*

## Candidates for the IAP Conflict Committee

In accordance with Article 17.5 the Conflict Committee shall consist of five members, of which the quorum shall be three, who shall be appointed by the General Meeting and shall serve for a term of three years. Members of the Conflict Committee shall be eligible for reappointment and may resign by notice in writing to the Secretary-General. Members of the Conflict Committee may not be Executive Committee members.

On behalf of the Executive Committee we are pleased to announce the candidates agreed by the Executive Committee to be nominated for election to the IAP Conflict Committee during the 25th General Meeting of the International Association of prosecutors:

- **Thomas Burrows**, IAP Senator, USA
- **Nick Cowdery**, Chair IAP Senate, Australia
- **Francois Falletti**, IAP Senator, France
- **Henk Marquart Scholtz**, IAP Senator, The Netherlands
- **Wendy Stephen**, IAP Senator, Canada

## 2020 Nominees for IAP Executive Committee

In 2020, six vacancies will arise in the Executive Committee. The Executive Committee nominated the following candidates for election during the 25<sup>th</sup> General Meeting of the IAP:

### Candidates for Vice-Presidents

- **Christopher Toth**, Executive Director, National Association of Attorney Generals (NAAG) USA (North America and the Caribbean)

### Africa and Indian Ocean

- **Shamila BATOHI**, National Director of Public Prosecutions, South Africa (1st term)

### Asia and Pacific

- **Wongsakul KITTIPOMWONG**, Attorney General, Thailand (1st term)

### Europe

- **Edina SOLTÉSZ**, Prosecutor, Head of International Division, Hungary (1st term)

### Latin America

- **Juan Bautista MAHIQUES**, Attorney General of the Autonomous City of Buenos Aires, Argentina (1st term)

### North America and Caribbean

- **Kate MATTHEWS**, Vice President, Association of Crown Counsels, Canada (1st term)
- **Bruce SWARTZ**, Deputy Attorney General, DoJ, USA

## 2020 IAP Granting Programme cancelled

This January, you were invited to apply for the **2020 IAP Granting Programme**. Unfortunately, due to the cancellation of the 2020 Annual in Athens, also the 2020 Granting Programme has been cancelled.

Early next year, the call for the 2021 Annual in Tbilisi, Georgia will open. Please keep an eye on the January 2021 Newsletter and our website.

If you are interested in learning more about the Granting Programme please visit the [IAP website](#). You can raise any question about the programme with the IAP Secretary-General [sg@iap-association.org](mailto:sg@iap-association.org).

## Call for donations for the IAP Granting Programme 2020 postponed to 2021

Also, in the January Newsletter, you were invited to donate money to the IAP Granting Programme through the online membership payment system.

Some of you already did and the IAP is very grateful for that. Now that the Annual 2020 has been cancelled, the already donated money will be reserved for the 2021 Granting Programme of the Annual in Tbilisi, Georgia. Together with a new round of donations in 2021, hopefully this will lead to even more participants of the Granting Programme in 2021.

Please do not hesitate to contact the Secretariat by email, Benn van Alphen [pcm@iap-association.org](mailto:pcm@iap-association.org), should you have any questions or need more information about the eligibility of the Granting Programme and you may also [visit the IAP website](#) to learn more.

## Call for nominations for the 2020 IAP Awards postponed to 2021

Unfortunately, also the call for nominations for the 2020 IAP Awards had to be cancelled, due to the cancellation of the 2020 Annual in Athens, Greece. No doubt, a new call for the 2021 IAP Awards will follow early 2021. Please keep an eye on the January Newsletter and IAP's website.

If you have any question, please contact the Secretary-General ([sg@iap-association.org](mailto:sg@iap-association.org)). More information can be found in the applicable protocols: [Awards and decorations Protocol](#) and the [Honorary Membership Protocol](#).

## Call to join the ILAC Syria Scoping Study-Reference Group

The [International Legal Assessment Consortium](#) is pleased to inform IAP members that ILAC will be undertaking a scoping study that aims to assess options for rule of law engagement in Syria. ILAC and some of its [member organizations](#) have worked in Syria for a number of years, providing technical assistance and capacity building to justice actors. Building on [ILAC's rule of law assessment in 2017](#), the study intends to inform Syrian and international actors on how and what needs to be done with regards to promoting rule of law and set standards for a future Syria.

In this regard, and as per the ILAC Secretariat's discussion with the Advisory Council, the Secretariat is reaching out to members in the consortium for nominations to the scoping study Reference Group. The Reference Group is envisioned to provide strategic guidance and input to the research process. As a member of the reference group, you will not necessarily be required to travel, but it may be relevant, should the current situation change.

The reference group is envisioned to provide strategic guidance and input to the research and writing process. The Terms of Reference is attached [here](#), along with the concept note for the [study](#).

For interested candidates, please contact Amina El Mahdhi ([amina.mahdhi@ilac.se](mailto:amina.mahdhi@ilac.se)), Mikael Ekman ([Mikael.ekman@ilac.se](mailto:Mikael.ekman@ilac.se)), or Guro Wiik ([guro.wiik@ilac.se](mailto:guro.wiik@ilac.se)) in the ILAC secretariat.

## The Fifth Specialisation Course for Prosecutors is postponed to October 2020

**Location:** Siracusa, Italy

The Siracusa International Institute for Criminal Justice and Human Rights (Siracusa Institute) and the International Association of Prosecutors (IAP) are co-organising **the 5<sup>th</sup> Specialisation Course for Prosecutors on International Criminal Justice, Transnational Crime and International Cooperation in Criminal Matters**. Unfortunately, due to the Covid-19 Pandemic, this course had to be postponed to 20 October – 4 November 2020.

This course is specially designed for prosecutors to gain expertise from leading legal experts in matters relating to the investigation and prosecution of core international crimes such as war crimes, crimes against humanity and genocide as well as transnational crimes including, among others, environmental crime, human trafficking and crimes involving new technologies. The course is also designed to provide participants with a solid foundation and expert insights into international legal cooperation frameworks and methods. In its practice-oriented approach to those topics, the course includes interactive lectures, and workshops and practical exercises.

## IAP Conferences and Events

Below you will find an introduction to forthcoming events hosted by the IAP and our partners. Please refer to the IAP website and sub-websites for details of other IAP supported events and activities.

Visit the IAP website to learn more or to register online.

### Who can register for IAP Events:

The IAP conferences are available to members of the IAP and those working for and representing Organisational Members of the IAP. Non-IAP Members are welcome to participate in Regional Conferences subject to availability, on the basis that they are expected to join the IAP upon attendance.

How to contribute to an IAP event: Those interested in contributing to an IAP event as speaker, chair or rapporteur should contact the IAP General Counsel at [gc@iap-association.org](mailto:gc@iap-association.org).

## 26th IAP Annual Conference and General Meeting 2021



**Venue:** Tbilisi, Georgia  
**Period:** 12 – 16 September 2021  
**Host:** Office of the Chief Prosecutor of Georgia

**About the venue:** Lonely Planet define Georgia as follows: "From its green valley's spread with vineyards to its old churches and watchtowers perched in fantastic mountain scenery, Georgia is one of the most beautiful countries on earth and a marvellous canvas for walkers, horse riders, cyclists and travellers of every kind. Equally special are its proud, high-spirited, cultured people, Georgia claims to be the birthplace of wine, and this is a place where guests are considered blessings and hospitality is the very stuff of life. A deeply complicated history has given Georgia a wonderful heritage of architecture and arts from cave cities to ancient cathedrals to the inimitable canvases of Pirosmani."

## In Memoriam

### Our colleague Carlos Eduardo de Oliveira Vasconcelos

Sadly, the IAP has received the news that our colleague CARLOS EDUARDO VASCONCELOS passed away on February 6th, in Quebec, Canada.

Carlos was an enthusiast of the IAP, and an active participant of many of our events, where he made many friends.

After graduating from Law School, he worked for a short time as a local prosecutor in Brasília, Brazil. In 1984 he was approved in a public selection test and began his successful career as a Federal Prosecutor. For many years he was also a professor at the Law School of



the University of Brasília. After his retirement in August 2017 he moved to Canada. Professor Carlos Eduardo Vasconcelos, who has published numerous articles internationally, which has helped train many generations at the University of Brasilia and other academies national and foreign, had his work also recognised by the International Association of Prosecutors for the work of the team of attorneys acting in the investigations of the so-called Mensalão Process.

He completed his PHD studies in Frankfurt under the guidance of Professor Wilfrid Hassemer, of whom he translated some works into Portuguese.

Carlos had an amiable personality and dedicated his life to the fight against social injustice. Carlos was a friend of the IAP and he promoted the standards of the IAP through his work and his writings. He will be missed by all his friends in the IAP.

This is a part of the legacy that Carlos Eduardo Vasconcelos leaves us and also to his sons Gabriel, Luiz and Flávio, his beloved children. The latter two younger ones, fruits of the union with his beloved Annie Lamontagne. The final request made by Carlos to those who wanted to pay him homage posthumously is to plant trees in the *cerrado* in central Brazil, to protect this threatened ecosystem.



## To contact us

### Office of the Association

Address: Hartogstraat 13, 2514 EP, The Hague, Netherlands  
Telephone: +31 70 363 03 45

Email: [info@iap-association.org](mailto:info@iap-association.org)



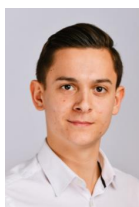
**Han Moraal**  
**Secretary-General**  
Telephone: +31 64 813 84 67  
Email: [sg@iap-association.org](mailto:sg@iap-association.org)



**Janne Holst Hübner**  
**Executive Director**  
Telephone: +45 2 214 66 46  
Email: [ed@iap-association.org](mailto:ed@iap-association.org)  
Skype: janne.holst.hubner



**Gary Balch**  
**General Counsel**  
Telephone: + 31 70 363 03 45  
Email: [gc@iap-association.org](mailto:gc@iap-association.org)



**Lorenzo Di Franciscantonio**  
**Communication Manager**  
Telephone: +31 63 411 15 28  
Email: [cm@iap-association.org](mailto:cm@iap-association.org)



**Edith van den Broeck**  
**Senior Legal Advisor**  
Telephone: +32 47 865 30 13  
Email: [sla@iap-association.org](mailto:sla@iap-association.org)



**Benn van Alphen**  
**Executive Administration Manager**  
Telephone: +31 68 316 56 41  
Email: [pcm@iap-association.org](mailto:pcm@iap-association.org) /  
[info@iap-association.org](mailto:info@iap-association.org)



**Gemma Moran**  
**Senior Legal Advisor**  
Telephone: + 31 70 363 03 45  
Email: [la@iap-association.org](mailto:la@iap-association.org)



**Luciano Julio**  
**Conference Supporting Officer**  
Telephone: +44 79 58 35 46 39  
Email: [cso@iap-association.org](mailto:cso@iap-association.org)



**Irina Beridze**  
**Professional Programme Manager**  
Telephone: +995 591 946 868  
Email: [ppm@iap-association.org](mailto:ppm@iap-association.org)

### IAP Regional Office for Eastern Europe and Central Asia

Address: Konnogvardeysky Boulevard 7, 190000, Saint-Petersburg, Russian Federation  
Telephone: +7 812 318 29 03

Web: [www.iap-association.org/Russian/Home.aspx](http://www.iap-association.org/Russian/Home.aspx)



**Hermann Horn**  
**Executive Officer**  
Telephone: +7 812 318 29 03  
Mobile: +7 915 060 32 06  
Email: [eoro1@iap-association.org](mailto:eoro1@iap-association.org)

*\*The views, findings and recommendations expressed in this newsletter do not necessarily reflect those of the International Association of Prosecutors\**