



IAP

International Association of Prosecutors

Newsletter December 2017

Welcome Message from the President

Dear members of the IAP!

We are coming close to the end of this year, which was full of outstanding events for our Association. Our Annual Conference in Beijing was one of the best due to the untiring preparations of our Chinese colleagues, the professional cooperation with our secretariat and due to all speakers and participants. If you missed this splendid



conference, make sure that you can come to one of the upcoming IAP events next year. So far, we have planned Regional Conferences in Toronto and Vanuatu, and our Annual Conference and General

meeting will be held in the rainbow nation of South Africa in September 2018. For two weeks in June and July Junior Prosecutors from all around the world will also come together in Siracusa to learn more about International Criminal Justice and International Cooperation in Criminal Matters. And the IAPs representatives will be at many other events hosted by other organisations.

Apart from the harsh difficulties some of our members had with their respective governments in several countries, the worst news for the IAP this year was that our Honorary Member and second IAP President Eamonn Barnes died in November. His dedication to the IAP from its beginning helped to form the rock on which we are now standing. He shall never be forgotten as an outstanding member of our profession and as a great personality.

I sincerely hope that you could all achieve your professional goals in 2017, and I wish you the best with your work projects and plans in the year ahead. Hopefully we will meet each other within the IAP!

Gerhard Jarosch, IAP President

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From the Secretary General

On 29 November, I was running in a gym somewhere abroad on one of those running belts. Breaking news on the TV screen in front of me: former Bosnian Croat commander commits suicide at ICTY during a court session. Almost unknowingly, I started running faster and faster, this is most terrible news, for the ICTY and for justice.

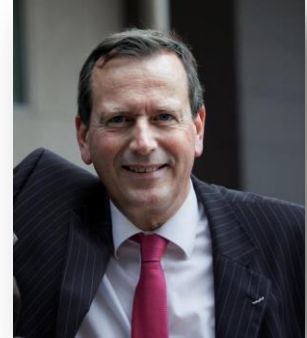
My thoughts went back to IAP's Annual Conference in Beijing, where the Office of the Prosecutor of the International Criminal Tribunal for the former Yugoslavia (ICTY) was granted IAP's Special Achievement Award for its everlasting efforts to bring justice after the terrible crimes that were committed in the Former Yugoslavia. After 24 years of operations the ICTY will officially close its doors at the end of this December.

The Tribunal concluded its final two cases in November – Ratko Mladić was convicted for mass crimes, including genocide, and sentenced to life imprisonment. The very last hearing in The Hague took place on 29 November in the *Prlić et al.* case and this last hearing ended in a media storm when defendant Slobodan Praljak drank a vial of cyanide and committed suicide in the courtroom. This dramatic incident cannot overshadow the enormous legacy of the first war crimes court established by the UN and the first international war crimes tribunal created since the Nuremberg and Tokyo tribunals.

One of our IAP workers was present in the courtroom during that last hearing. IAP consultant, Danya Chaikel, moderator of the IAP and FICJ newsletters, was in the courtroom in her capacity as an Associate Legal Officer in the Appeals Chamber. Danya told me that the incident “touched many of us that day at a core human level.” For Danya, the international criminal justice is already a highly emotive field to work in involving a close evaluation of extreme violence, but witnessing such violence and apparent angst in a UN courtroom was still a big shock. This kind of work is certainly not for the faint-hearted! Danya was struck by all of the legal practitioners, whether prosecutors, defence counsel, judges, translators or security personnel, who dedicate their lives to the prosecution of atrocity crimes and the toll it takes on them – at these particularly difficult and stressful moments. We can only have great respect for this critical and historic work.

And one of the involved parties is IAP's member, the Office of the Prosecutor of the ICTY, certainly worthy of the Special Achievement Award! They are our heroes. And Danya also. Finally my running slowed down, this time the sweating was not only because of the exercise itself.

Han Moraal, Secretary General



IAP Membership News

We welcome the following two new Organisational Members, who have joined the IAP since the publication of our last IAP Newsletter (September 2017) and the prosecutors working within or being represented by these organisations:

- **Office of the State Prosecutor General of the Republic of Slovenia**



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■ **Sindicado dos Magistrados do Ministério Público (SIMAMP), Guinea Bissau**

We also welcome the **79** new individual members who have joined the IAP during same period. Access the [IAP website](#) to learn more about the benefits of Individual or organisational membership and the difference between the two types of membership – one does not exclude another.

Do you want to train prosecutors around the world?

The IAP is able to offer its members the opportunity to be part of expert groups who train prosecutors and other law enforcement officers around the world. Many global and regional international organisations, several of them UN agencies, rely on the IAP to share the experience of its members and frequently reach out to the IAP for assistance with expert assistance in all areas of criminal justice. Just in the last month, the IAP has been asked to provide expert trainers in areas of financial crime, counter-terrorism, cyber-crime, human trafficking, and professional standards of prosecution.

If you would like to be notified about these great opportunities to share your knowledge – and strengthen your own – update your membership profile on www.iap-association.org and you will be among those contacted when experts are needed.

If you have further questions, you are welcome to contact the IAP Project and Community Manager, Benn van Alphen (pcm@iap-association.org).

Interview with UN CTED's new Executive Director Michèle Coninsx



Before taking up her mandate as Executive Director of the UN Counter-Terrorism Executive Directorate (UN CTED) in November 2017, Ms Michèle Coninsx was President of Eurojust from May 2012 until October 2017. During her time at Eurojust, Ms Coninsx also fulfilled the roles of National Member for Belgium and Chair of Eurojust's Counter-Terrorism Team. She also has more than 25 years of experience as a prosecutor. Former roles include Vice-President of Eurojust from 2007-2012, expert in aviation security for the International Civil Aviation Organization and Belgian National Prosecutor combating terrorism and organised crime from 1997-2002. Danya Chaikel from the IAP had the opportunity to interview Ms Coninsx before she took up her new post in New York:

Please describe your role as the President of Eurojust – including some of the rewards as well as the challenges you have faced



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Eurojust is composed of 28 National Members, one from each of the European Union's Member States. Together, these National Members form the College of Eurojust, supported by over 250 staff members from the Administration. My main tasks as President were to direct the work of the College, ensure effective management of the organisation and represent Eurojust in external fora. Making a difference in the context of this hybrid organisational structure, decreasing budgets and ever-evolving security threats has certainly proven to be challenging. Despite these challenges, the operational work of Eurojust has steadily increased from 1,804 cases in 2014 to 2,306 in 2016, attesting to the good reputation and trust that the organisation has built with the Member States and the added value it has been able to offer. As I think back of where we started and where Eurojust is now, I feel very proud of the way the organisation has secured its role as a key player in cross-border judicial cooperation. Having been part of this achievement feels like a genuine privilege.

Tell us about your new appointment as Executive Director of the UN CTED

The UN CTED was established in the wake of 9/11 terrorist attacks in the USA. It is an expert body supporting the Security Council's Counter-Terrorism Committee (CTC) by carrying out policy decisions, conducting assessments of States Parties' implementation of counter-terrorism measures and facilitating technical assistance at national level. It goes without saying that I am deeply honoured by my appointment as Executive Director and highly motivated to contribute to the work of CTED. While I am certain that my years of experience in the field of counter-terrorism will prove to be useful, I believe it is too early to comment on specific issues that I will be tackling. I will take up my duties with an open mind and suggest that you ask me this question again at the same time next year.

What drew you to the criminal justice sector, and what drives you now?

My answer is simple: I strongly believe in justice and in the importance of giving a voice to innocent victims. Our role as actors in the fields of justice and law enforcement is to hold terrorists and criminals responsible for their illegal and unacceptable deeds, ensure that victims get the justice they deserve and prevent future terror attacks and crimes from happening. This is my motivation, every day.

Can you offer some insight on female leadership, as a woman leader in an era when women remain underrepresented in justice leadership roles? How can barriers to equality continue to be broken down, particularly in our sector?

Throughout my career, I was fortunate to be accepted, respected and recognised for my hard work by both male and female co-workers. Nonetheless, it is a fact that the majority of high-level positions in the judiciary are still occupied by men. While I am certainly not arguing in favour of reverse discrimination, I do believe that it is important to acknowledge the different professional approaches of men and women and the way they can complement each other. Generally speaking, women tend to be intuitive, pro-active and driven by the general interest. These are important elements in creating an optimal professional environment and should be valued as such.

Tell us about one of your most memorable or inspiring experiences while working as a prosecutor

Without a shadow of a doubt, my most memorable experience as a public prosecutor was the first terrorism case I was assigned to back in '95. At that time, the legal framework offered few possibilities to prosecute suspects of terrorism and I could not rely on any best practice from



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previous cases. Add to that the threats to my personal security and negative media coverage, and you can imagine that the experience was challenging, to say the least. Instead of allowing this to demotivate me, I made the conscious decision to derive strength from it. It became the powerful driving force behind my continuous efforts to strive for a better legal framework and greater judicial cooperation among all relevant parties. Looking back, I am fairly certain that without this particular case, I wouldn't have become President of Eurojust nearly two decades later.

Since joining the IAP, how have you seen the organisation advance, and how might it develop further in the future?

The only way we can successfully bring terrorists and perpetrators of serious organised crime to justice is by working together. Or, to put it simply, it takes a network to beat a (terrorist or criminal) network. The unique strength of the IAP lies just there: as a nearly worldwide network of prosecutors, it offers an invaluable platform for the much-needed exchange of information and best practice. Over the years, I have witnessed how initiatives developed in the realm of the IAP have led to tangible progress in cross-border judicial cooperation. For example, I applaud the establishment of specialised networks such as the Counter-Terrorism Prosecutors Network (CTPN) and the Global Prosecutors E-crime Network (GPEN). While we certainly have come a long way, much work still remains to be done. In a complex world with increasing security threats, we need to remain proactive, innovative and adaptable to change. I am confident that the IAP is ready for this challenge and will continue to play a crucial role in the enhancement of cross-border judicial cooperation.

IAP Members Take on New Positions

The IAP extends warm congratulations to two of our Peruvian and Australian members who have been recently appointed to honourable new positions in The Hague and Geneva:

Dr Ibañez Carranza elected as ICC Judge



Peruvian Prosecutor, Dr Luz del Carmen Ibañez Carranza, has been elected to serve as a judge for a nine-year term at the International Criminal Court (ICC) in The Hague. At the 16th session of the ICC's Assembly of States Parties (ASP) (the Court's governing body) states parties elected Dr Ibañez Carranza in the first round of voting on 4 December in New York. According to Peru's Ministry of Foreign Affairs, this is the first time a senior Peruvian expert has joined the ICC. Moreover, the election acknowledges Peru's commitment to the rule of law, international

law and the fight against impunity. It also recognises Dr Ibañez Carranza's esteemed professional qualifications.

An IAP member since 2006, Dr Ibañez Carranza has served as a Senior Criminal Prosecutor, for the specialised system for prosecuting terrorism and grave human rights violations. She prosecutes high profile and complex cases of serious human rights violations, genocide, crimes against humanity, torture, forced disappearance, summary and extrajudicial executions and terrorism, as well as



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cases of organised crimes such as kidnappings and extortion. She is also the Coordinator of the National Sub System of Prosecutorial Agencies on human rights, terrorism, and crimes against humanity. Dr Ibañez Carranza is well known for her intense activity as a specialised Prosecutor in successfully taking to trial historic cases of violations of human rights which occurred decades ago.

Michelle Jarvis appointed Deputy Head of IIMM

Michelle Jarvis, Coordinator of the IAP's Prosecuting Conflict-related Sexual Violence (PSV) Network, has been recently appointed by UN Secretary-General António Guterres as the Deputy Head of the new International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of those Responsible for the Most Serious Crimes in Syria (IIMM) in Geneva, Switzerland. She joins French judge, Ms Catherine Marchi-Uhel, who was appointed as the Head of the IIMM in August. The IIMM was established by the UN General Assembly in December 2016 in order to collect, consolidate, preserve and analyse evidence pertaining to violations and abuses of human rights and humanitarian law in Syria. It is also mandated to prepare files in order to facilitate and expedite fair and independent criminal proceedings, in accordance with international law standards, in national, regional or international courts or tribunals that have or may in the future have jurisdiction over these crimes, in accordance with international law.



Ms Jarvis is an Australian lawyer with extensive international experience and a diverse career covering litigation, rule of law, women's access to justice and senior management roles. She worked at the International Criminal Tribunal for the Former Yugoslavia (ICTY) for over 17 years and until earlier this month, served as the Deputy to the Prosecutor of the ICTY and the Mechanism for International Criminal Tribunals (MICT). Ms Jarvis also played a leading role on gender issues at the ICTY. She oversaw an extensive legacy project within the Office of the Prosecutor on prosecuting conflict-related sexual violence, culminating in the publication of a book through Oxford University Press: 'Prosecuting Conflict-Related Sexual Violence at the ICTY'.

IAP Members Activities with Diverse Global Partners

- **Carole Sheppard**, Senior Counsel, Regulatory and Economic Crime and Management Branch, Canada, represented the IAP in the UN expert meeting 'Combating Crimes that Have a Serious Impact on the Environment', in September 2017. The IAP is now in contact with the United Nations Environment Programme





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(UNEP) with a view to explore the possibilities of further collaboration in support of global professional communities of practitioners under the framework of the IAP.

- IAP Vice President **Alexander Zvyagintsev** represented the IAP at the [Consultative Council of European Prosecutors](#) (CCPE) General meeting in Strasbourg in November 2017.
- IAP Executive Committee member **Sabin Oullet**, Procureur en chef Directeur des poursuites criminelles et pénales, Quebec City, Quebec, Canada, represented the IAP in the UN expert meeting for South and South East Asian countries on effective Central Authorities for international judicial cooperation in terrorist cases, including cases involving Foreign Terrorist Fighters (FTFs), in November 2017. His participation also ensured that the particular point of view of practicing prosecutors was represented.
- **Han Moraal**, IAP Secretary General and **Janne Holst Hübner**, IAP Executive Director participated in the Annual International Association of Judges' Meeting in Chile, in November 2017.
- **Janne Holst Hübner** also represented the IAP in Kalingrad, Russia, in November 2017, at an international meeting of the Prosecutors General of the Baltic States.
- **Rasmus Wandall**, IAP General Counsel, participated in the International Corporate Accountability Roundtable (ICAR) roundtable in Oslo in October 2017 together with other non-state agencies and civil society organisations for discussions on corporate accountability in matters of human trafficking and how to organise transnational investigations and prosecution.
- **Rasmus Wandall** also represented the IAP at the Annual African Prosecutors Association's Meeting with a presentation on the possibilities for developing better MLA support functions on the African continent and beyond.
- **Benn van Alphen** represented the IAP at the Tallin CrimEx meeting under the Euromed Programme, in which the IAP is a contributing partner, in November 2017. The IAP and the EuroMed IV work closely together to strengthen the professional contact points in the Mediterranean jurisdictions and to ensure that practitioners have seamless communication across borders in support of effective formal mutual legal assistance.

Building a roadmap towards a EuroMed Judicial Platform

On the occasion of the 4th Session of the EuroMed Justice Expert Group in Criminal Matters (CrimEx) in Tallinn, Estonia from 21-23 November 2017, **Benn van Alphen, Project and Community Manager of the IAP**, actively participated in discussions on the possibilities for establishing a 'EuroMed Judicial Platform', and gave a presentation on his experience in developing formal and informal networks, maintaining the connection between justice professionals and its global outreach.



A programme funded by
the European Union

EUROMED JUSTICE

EuroMed Justice has a regional scope, encompassing the European Neighbourhood South Partner Countries: Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestine and Tunisia. EuroMed's objective is to build a foundation for a Euro-Mediterranean, cross-regional mechanism of judicial



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law and law enforcement cooperation composed of criminal justice professionals (judges, prosecutors, legal advisors from the Justice Ministries and law enforcement officers).

Participants at the 4th CrimEx Session agreed that the main purpose of the potential 'EuroMed Judicial Platform' would be to improve the transmission and processing of mutual legal assistance requests and the expeditious judicial and law enforcement cooperation between South Partner Countries, and South Partner Countries and the European States, since terrorist organisations and transnational organised criminal networks exploit the region's porous borders.

The potential platform would be directly connected with and supported by Eurojust and the European Judicial Network. Besides Eurojust and EJM, some of the activities would be developed in cooperation with United Nations Office on Drugs and Crime (UNODC), United Nations Counter Terrorism Executive Directorate (UN CTED), Council of Europe – European Committee on Crime Problems and the International Association of Prosecutors.

- For more information, please visit the [EuroMed website](#)

In Focus: IAP Member Jasmina Krštenić, Deputy Public Prosecutor, Serbia



It is an honour to be a member of this important professional association, the IAP, and to have had an opportunity to visit the Secretariat in The Hague, The Netherlands in October 2017. I hope that my professional work and experience will be useful for other members. I would like to present myself as a Deputy Public Prosecutor with legal practice of more than 14 years, as a certified trainer and consultant for prosecutors and a member of the Consultative Board of the [HELP Programme](#) (European Programme for Human Rights Education for Legal Professionals)



УДРУЖЕЊЕ ЈАВНИХ ТУЖИЛАЦА
И ЗАМЕНИКА ЈАВНИХ ТУЖИЛАЦА СРБИЈЕ

of the Council of Europe, Focal Point of HELP Programme for Serbian prosecutors.

I live and work in the Republic of Serbia, a beautiful country with pleasant and kind people and good legal system which is in the process of harmonisation with the EU's legal rules and standards. In my daily work I deal with domestic legal acts and certified international conventions. The work of legal professionals in Serbia has to be in accordance with European Convention on Human Rights and with the Case law of the European Court for Human Rights. My colleagues and I are familiar with our national and international legal obligations, but professional challenges make us aware of our constant need to improve our knowledge and for continuous training in order to improve our professional skills.

I have been working for three years as PR in the Public Prosecutor's Office, 10 years as Public Prosecutor's Deputy in charge of training assistants in the Public Prosecutor's Office. For more than 15 years I have been researching and publishing legal articles and actively taking part at the



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national and international conferences and seminars and trainings. I am the author of the HELP course [International Cooperation in Criminal Matters](#), available on the HELP platform.

Researching and implementing human rights, and the protection of human rights are my professional preoccupation besides my daily work. I would like to help professionally in supporting the implementation of the European Convention on Human Rights (ECHR) and other European human rights standards at the national level in Serbia and other European countries. Ensuring a harmonised body of case law at the national level is as a precondition for the coherent implementation of European human rights standards, all in order to prevent new applications being brought before the ECtHR.

HELP has the aim to support implementing the European Convention on Human Rights at the national level. This is done by enhancing the capacity of prosecutors to apply the ECHR in their daily work. They have to be up to date with the ever-evolving standards and case law of the European Court of Human Rights.

I recommend to all members of the IAP to visit www.coe.int/HELP and to enrol in distance learning courses. There are so many interesting on line courses which can help us in our daily work. I will be glad to help you all in that process.

Jasmina Krštenić, Deputy Public Prosecutor, IAP Member, Member of The Association of Public Prosecutors and Deputy Public Prosecutors of Serbia. Contact: jasmina.krstenic@la.os.it.rs

General Counsel's Comment

Ristening to prosecutors...

The IAP was invited when all the prosecutors of Quebec came together on the outskirts of Montreal for two days of discussions on competence, respect and integrity and with the ideal of independent prosecution taking centre stage – all in the celebration of the ten-year anniversary of the profound legal reform of the Quebec prosecution service.

It is not rare any longer to read statutory laws reflecting the ideal of independent prosecution. However, it is one thing for the law to idealise about independent prosecution, yet it is quite another to bring this ideal into practice – in order to translate the law into real activities in the daily life of justice administration. Events in the recent year have again confirmed that we still have a distance to go. Some places a long distance.

International organisations, both governmental and non-governmental, are aware of the challenge. The UN special rapporteur has issued several reports drawing attention to challenges, as has the Venice Commission. The Consultative Council for European Prosecutors is preparing a draft paper on the ideal and its implementation in the European region, and the Open Society Initiative is, in collaboration with NYU Public Interest Law Center, preparing a comparative research project into the independent roles of heads of prosecution services. The Foundation for Justice and the Democratic State based on the Rule of Law recently published the 'International Standards on the





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Autonomy of Prosecutors and Prosecutors' Offices. And of course, the IAP is paying special attention to independent prosecution in its professional programmes of 2016-2018 and will have independent prosecution as the main theme for the 23rd Annual Conference in Durban in 2018. On the academic front, this year the volume 'Prosecutors and Democracy: A Cross-National Study' by D. Sklansky and M. Langer (eds) from Cambridge University Press, 2017 was published.

The many issues and practical questions that need addressing to bring the ideal of independent prosecution to life were well covered during the Quebec Conference; an approach to independent and accountable prosecution that both the IAP standards and the IAP-UNODC Handbook ascribe to. I want to highlight one particular aspect – one which is sometimes neglected and one which is certainly often underestimated: **actively involving the many individual prosecutors in the continuous dialogue translating the ideals of independent prosecution into realistic practices.** It is only when the ideal becomes accepted among all, in all its aspects, that it can truly become an organisational reality.

There was a moment, a significant moment during the Quebec Conference, when the Director of Public Prosecutions invited to the stage those who with a significant role in realising the legal reform of an independent prosecution service. One could reasonably expect a few people – the lawmaker and the key drafters perhaps – but the DPP invited all the stakeholders and all those recognised to make the reform a reality. The stage was packed as an unmistakable symbol of the wide inclusion and ownership of the ideal. Also, the conference discussions of what this ideal of independent prosecution means practically and how to balance it with political, judicial and public accountability, was an inclusive dialogue with all the many prosecutors present. For example, the full plenary was asked if there is a breach of principle of independence if the Council of Ministers discuss cases with the Prosecutor General? 49 % of the prosecutors answered 'yes' while 38 % answered 'no' followed by an impressively open and free discussion. Another question addressed to the delegates was: Is there a breach of principle if the Director wants to participate in the decision to charge. 71 % answered 'no' while 14 % answered 'yes'. What matters here is not the outcome, nor the divided views, which is to be expected in most, if not all, jurisdictions. What matters is the process and the lively involvement of the views of individual prosecutors as part of the organisation and the ideals that define it.

The IAP and the local organising committee in South Africa are in these weeks finalising the professional programme for the 2018 annual conference around the main theme of independent prosecution. Hopefully, we will be able to engage all delegates in similarly lively cross-country dialogues in an effort to develop further how we define and practically support independent and accountable prosecution.

Dr Rasmus H. Wandall, IAP General Counsel

New IAP Victim Offender Mediation Guidelines

Victim offender mediation is becoming a constructive alternative to prosecution in some cases in a growing number of jurisdictions. Over the course of 2017, the IAP has drafted new guidelines on how to organise and practice Victim Offender Mediation. Prosecutors and experts from every region of the world have been involved, and it was presented in a discussion session at the 22nd Annual Meeting in Beijing. Jee Young Kim, from the Supreme Prosecutors' Office, South Korea,



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presented the draft IAP guidelines at the UNODC expert meeting on restorative justice in Ottawa, Canada in November 2017. Rasmus Wandall, IAP General Counsel, also had the opportunity to present the guidelines and the related issues at the IJC meeting November 2017 with a specific focus on the human rights dimensions of introducing restorative justice practices in criminal justice systems. Participants at both meetings gave useful feedback for the finalisation of the draft guidelines, which we will present to the IAP executive committee in the spring 2018.



UNODC expert meeting on restorative justice in Ottawa

Kim and Wandall have authored an essay on the drafting of the guidelines, which the American National Association of Attorneys General (NAAG) has published in the National Attorneys General Training & Research Institute (NAGTRI) journal. It is available [here](#).

3rd Siracusa Specialisation Course for Junior Prosecutors open for applications

Dates: Sunday 24 June 2018 – Saturday 7 July 2018

Location: Siracusa, Italy

The **Siracusa International Institute for Criminal Justice and Human Rights** (Siracusa Institute) and the **International Association of Prosecutors (IAP)** are calling for applications for the 3rd Specialisation Course for Junior Prosecutors on International Criminal Justice and International Cooperation in Criminal Matters.



This **globally-oriented course** is specially **designed by prosecutors for prosecutors**. It provides an invaluable opportunity for junior prosecutors to learn directly from leading experts in the field as well as build networks with their peers from around the world.

SCJP 2018 comprises **two modules** on the investigation and prosecution of 'core' international crimes and transnational crimes, and international legal cooperation. Each module is highly



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interactive with a variety of expert presentations, panel discussions, case study analysis, workshops and practical exercises.

Why participate?

- As a Prosecutor, you will be offered a unique setting to network and exchange experiences and good practice with your peers from all over the world.
- You will benefit from lectures and practical exercises based on case studies to enhance your knowledge and skills.

How to apply?

- Applications open on Monday 11 December 2017. You can apply via the [Siracusa Institute's website](#)
- Applicants must complete the online registration form and upload their curriculum vitae and a short motivation letter as indicated.
- A limited number of scholarships will be available.

Application deadline: 31 March 2018

IAP opens Pilot St Petersburg Office

The idea of having footholds in other regions has always been a wishful thought within the International Association of Prosecutors. As the English language is the IAP's working language the IAP realises, and in fact experiences every day, that the English working language has its limits in reaching out to several regions of the world. It is for that very reason that the IAP has already set up sub-websites in other languages, such as French, run by our francophone colleagues, but also in Arabic, Chinese and of course Russian. A Spanish sub-website is also underway. But a website can



only provide a one-way form of communication, and the IAP is striving for more two-way communication with its members, in order to reach out in a more active way. Besides that, the IAP's sub-websites contain only a limited amount of information because it is practically impossible to translate all of the content of the IAP's main English language website.

For these reasons, the IAP has been thinking for quite some time about how to improve communication with members in regions where English is not widely spoken. Since 2016, the Bureau of the IAP has been working to make the idea of creating Front Offices or Regional Offices for the IAP a reality. In April 2017, in Busan, the Executive Committee of the IAP had its first discussion on the idea of these Front Offices as they were called that time. Then in September 2017, in Beijing, the Executive Committee embraced the idea and approved a try-out. A try-out to see if a Regional



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Office could have added value. By that time the Prosecutor General of the Russian Federation, Mr Yuri Chayka, generously offered the IAP to help with this try-out, by providing the IAP office space and working capacity.

On 30 November 2017, IAP's President Mr Gerard Jarosch and the Prosecutor General of the Russian Federation Mr Yuri Chayka started the pilot project by officially opening the office of the Regional Office in St Petersburg. With this opening started a unique phase in IAP's history, the start of a pilot project to see how an IAP Regional Office can provide added value, the best way for it to work in practice, and which kind of work can best be done by a Regional Office.

The main function of the try-out is clear: to support IAP officials in recruiting new members and in expanding the network within the region, including:

- Receiving individual membership applications in the Russian language
- Assisting the IAP Project and Community Manager in the update of specialist contacts
- Assisting the Bureau of the Secretary-General in the collecting of membership fees and reactivation of dormant members
- Assisting the facilitation of IAP sub-websites or assisting monitoring such websites
- Assisting the translation of relevant IAP documentation, website and newsletter articles and material in general

Stay tuned to hear more about this new initiative. The day-to-day governance is being organised by Janne Holst Hübner, IAP's Executive Director, and Benn van Alphen, IAP's Project and Community Manager. The day-to-day work at the regional office will be executed by Mr Hermann Horn, senior prosecutor with the Prokuratura.

Invitation to Financial Action Task Force (FATF) Workshop for Judges & Prosecutors

Shenzhen, China, 11-12 January 2018



On behalf of the [Financial Action Task Force \(FATF\)](#) we are pleased to invite prosecutors and judges from your jurisdiction/organisation to participate in the **FATF/APG/EAG Workshop for Judges and Prosecutors: Experiences, Challenges and Best Practices** to be held from 11 to 12 January 2018. The meetings will take place at the Shenzhen Wuzhou Guest House, Shenzhen, China.

By way of background, in line with the [FATF President's priorities](#) for the year, the FATF is organising a [set of workshops for judges and prosecutors](#) to discuss issues relevant to money laundering and terrorist financing. The workshops are aimed at experienced prosecutors and judges coming together to openly discuss best practices in prosecuting offences, as well as seizing, freezing and confiscating related assets. The first workshop was held in Quito, Ecuador in September 2017.

The workshop will be aligned more to civil law countries where judges and prosecutors play a role in the investigative process however, for common law countries, investigators (law enforcement) tend



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to carry out this function. Experienced experts from both systems are welcome and encouraged to attend as, despite the differences in procedure.

The overall objective of the FATF is to prepare a report that identifies experiences, challenges and good practices of prosecutions based on the outcomes of the regional workshops. The focus will be on the factors that can result in an effective system for prosecution and confiscation and for this reason, only experienced delegates are sought for the workshop. The final draft report will be presented to the FATF Plenary in June 2018.

- For more information on the Workshop, please contact the FATF Secretariat: JPW@fatf-gafi.org

Thai Prosecutors visit the AGC of Singapore

Nattachak Pattamasingh Na Ayuthaya, Inspector General, and Wongsakul Kittipromwong, Director General, Office of the Attorney General of Thailand (OAG), led a Thai prosecutor delegation for an official visit to the Attorney General's Chambers of the Republic of Singapore (AGC) during 19-21 October 2017. Kwen Mean Luck, Solicitor General, and Ivan Chua, Senior State Counsel, represented the AGC and welcomed the OAG delegation. The heads of two delegations discussed and exchanged views on



cooperation to combat transnational crimes in the region, in particular cooperation under ASEAN Mutual Legal Assistance in Criminal Matters Treaty (ASEAN MLAT), and the relationship between two agencies under the ASEAN Community scheme. In addition, the two delegations shared and learned of the organisation and functions of one another's Prosecution Services . At the end of mission, the Thai prosecutors left Singapore with nostalgia and special bond with the Singaporean counterparts.

Jumpon Phansumrit, Executive Director, Office of the Attorney General of Thailand



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The Key Enemy of the Italian Mafia

IAP's Vice-President Alexander Zvyagintsev and former Deputy Prosecutor-General of the Russian Federation recently interviewed Mr Pietro Grasso, former Italian anti-mafia prosecutor, and current President of the Italian Senate.

Mr Grasso explains in the interview how his career developed from judge to one of Italy's most important anti-mafia fighters. However, as Mr Grasso underlines, the red line of justice always was the same: from fighting the injustice he faced in his native city Palermo, to anti-mafia campaigns as a prosecutor. But also in his political life, his objectives stayed the same – the triumph of law, truth and justice – as the cornerstones for a better future of Italy. As a judge Mr Grasso dealt with one of the largest anti-mafia landmark cases, a milestone in Italy, but his major contribution fighting the mafia was his nearly 43-year career as a prosecutor. In the interview Mr Grasso tells about the history of the Italian mafia.



The interview ends with Mr Grasso explaining about the lack of criminal investigations and trials against war crimes committed by the Nazi regime in Italy in the Second World War.

- You can read the full interview [on the IAP website](#).

Reports from Past Events

Collected Outcome Reports from 22nd IAP Annual Conference, Beijing, China, September 2017



The 22nd IAP Annual Conference brought together prosecutors from every region of the world: 431 prosecutors from 99 states and territories. The goal was to strengthen the transnational communities of prosecutors and prosecution services and to strengthen our platforms for transnational cooperation, to raise the capacity of prosecutors in particular important areas of crime and punishment and to raise the awareness of the professional standards governing criminal justice. The special theme of the 22nd IAP Annual Conference was 'Prosecution in the Public Interest' and how we, as prosecutors, can adapt to global developments and maintain prosecution in the interest of



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the public. Three questions were addressed: How can we, in our investigation and in our prosecution work best respond to (1) the increasing *digitalisation* of public and private life, (2) to the *increasingly transnational nature of crime* and (3) to the fact that an *ever-increasing proportion of people live in cities*?

The numerous delegates were deeply involved in the four-day long professional programme. 160 speakers, chairs and rapporteurs facilitated 36 plenary and parallel sessions, workshops and roundtables. Furthermore, as a testament to the strong partnerships the IAP has with other international governmental and non-governmental organisations, the conference benefitted from co-sponsored workshops and sessions with the International Association of Judges, ICT4Peace, ICAR, Open Society, United Nations Counter-Terrorism Executive Directorate and the United Nations Office on Drugs and Crime.

- Read all the rapporteurs' reports from the plenary and parallel sessions on the [IAP website](#).

IAP Granting Programme – Recipient feedback

Ezmarai Osmany, Office of the Minister of Justice Advisor, Kabul, Afghanistan

In order to enable prosecutors from developing countries to attend the IAP's annual conferences, the Secretary-General has entered into agreements with the Australian, Canadian, Danish, Dutch, Finnish, French, Irish, Norwegian, Swedish and United Kingdom governments and the Organisation Internationale de la Francophonie and others including private industry for financial assistance, which has facilitated the attendance of up to 25 prosecutors annually. One of the 2017 recipients of the granting programme Ezmarai Osmany, Office of the Minister of Justice Advisor, Kabul, Afghanistan, explains his experience attending the IAP's 22nd Annual Conference, held in Beijing, China in September:

I am so grateful of the IAP for sponsoring my participation to the 22nd Annual Conference and General Meeting in Beijing, Peoples' Republic of China through its granting program. This conference provided me with the great opportunity to share Afghanistan's experience on anti-corruption, counter-terrorism and more specially, trafficking in human beings and migrant smuggling in the related workshops and special interest groups, and to learn how other countries deal with the these issues in their jurisdictions. In addition, I attended the workshop on "Radicalisation and subcultures in the big cities" and shared my thoughts about the radicalism in Afghanistan and the need for a mutual assistance towards de-radicalisation. Protection and the security of prosecutors was another issue that I talked about during the conference.

I found this well-organised conference a unique platform for sharing my country's experience in the related topics, explore common problem with the fellow prosecutors around the world and learn from their experience, especially in terms of anti-corruption and combating trafficking in persons efforts. Networking was another great opportunity this Conference provided me with. Through my participation, I could build my global professional network and take with me new insights to share with prosecutors, judges, legislators and other related officials in Afghanistan.

Once again I would like to thank IAP for the generous financial support which allowed me to attend the 22nd Annual Conference and General Meeting in beautiful city of Beijing, People's



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Republic of China. I am looking forward to actively take part in the IAP's future events and conferences.

IAP's Specialised Communities

The IAP hosts several specialised networks and communities, including the: Forum for International Criminal Justice (**FICJ**); Prosecution of Conflict Related Sexual Violence (**PSV**); Global prosecutors E-crime Network (**GPEN**); Network for Anti-Corruption Prosecutors (**NACP**); Counter-Terrorism Prosecutors Network (**CTPN**); Trafficking of Persons Platform (**TIPP**); Network of Associations of Prosecutors; Prosecutors Exchange Programme (**PEP**); Network of Military Prosecutors (**NMP**); the Environmental Prosecution Network (**explorative**); and the Prosecutor's Consumer Protection Network (PCPN) (**new**).

In this newsletter, we include updates from the GPEN, NMP and PCPN:

Global Prosecutors E-crime Network

5th Global Conference on Cyberspace – GCCS 2017, hosted by India on 23-24 November 2017 in New Delhi

Edith van den Broeck, IAP's Senior Legal Advisor and GPEN representative, recently participated in the GCCS 2017 conference in New Delhi, India as well the Global Forum on Cyber Expertise (GFCE) pre-conference meeting.

The GFCE is a global platform for countries, international organisations and private companies to exchange best practices and expertise on cyber capacity building. The aim is to identify successful policies, practices and ideas and expand these on a global level. Together with partners from NGOs, the tech community and academia, GFCE members develop practical initiatives to build cyber capacity.



Indian Prime Minister Narendra Modi

Before and during the GCCS 2017 conference, the GFCE co-chairs presented the 'Delhi Communiqué on a GFCE Global Agenda for Cyber Capacity Building'. The Delhi Communiqué reaffirms the GFCE's shared commitment to strengthen cyber capacity and expertise globally and will provide a common global platform for implementing the Global Agenda for Cyber Capacity Building (GACCB). Over the next few months, the GFCE Secretariat will coordinate the efforts of the GFCE community to develop a GACCB Action Plan, which will be presented at the GFCE Annual Meeting in June 2018.



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The goal of GCCS 2017, inaugurated by Indian Prime Minister Narendra Modi, is to promote an inclusive Cyber Space which focuses on policies and frameworks for inclusivity, sustainability, development, security, safety & freedom, technology and partnerships for upholding digital democracy, maximising collaboration for strengthening security and safety and advocating dialogue for digital diplomacy. Delegates from around 120 different countries attended this large and impressive Cyber event.

- Would you like to learn more? Visit the [GFCE website](#), the [GCCS 2017 website](#), read the '[Delhi Communiqué on a GFCE Global Agenda for Cyber Capacity Building](#)' and see the [webcast of the opening ceremony](#).

Network of Military Prosecutors

On 3 November 2017, the co-chairs of the Network for Military Prosecutors, Lars Stevnsborg and Bruce MacGregor were invited to speak at the Annual Conference of the Canadian Council on International Law in Ottawa, Canada. The topic was National Military Justice Systems as Accountability Mechanisms for Enforcing Compliance with the Laws of Armed Conflict. Mr Stevnsborg and Colonel MacGregor along with Major Bas van Hoek, a legal advisor in the Dutch Public Prosecution Service and the Head of the Expertise Centre for Military Criminal Law, provided the sold out audience a global and comparative perspective on some of the



different approaches that are used within military justice systems that are created under domestic laws, as tools for promoting and enforcing compliance with international humanitarian law on military operations. By tracing the evolution of many of these systems over time, the panel provided a better sense of the history of their respective military justice systems, and of their likely future.

- Read more on the IAP's [NMP website](#)

*New Prosecutor's Consumer Protection Network

A new IAP network is forming regarding consumer protection prosecution across the globe. Jurisdiction over consumer fraud and deceptive trade practice schemes differs in each country and is often handled by multiple factions of government. Some nations generally prosecute these types of cases civilly, others criminally, and many nations do so through a mixture of both, depending on the type and severity of the scheme being prosecuted. With jurisdiction over these schemes varying so greatly between nations, developing a network of prosecutors is a step toward protecting consumers worldwide. The network, which is titled, 'Prosecutor's Consumer Protection Network' (PCPN), will work to provide a much needed forum for practitioners to



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communicate, exchange ideas and experiences, stay informed and collectively innovate and problem solve to advance approaches and techniques, and undermine fraudulent enterprises that harm consumers. The PCPN plans to provide the following as the network develops:

- Development of a webpage and newsletter containing information about current trends in schemes, investigations, court cases, legislation, media coverage, and other relevant issues;
- Data compilation of the types and amounts of consumer complaints being filed around the world;
- An interactive forum for exchanging questions, ideas and precedents;
- Creation and maintenance of a database/contact list of:
 - Enforcers to facilitate inter-state and inter-agency cooperation and long-lasting professional partnerships,
 - Experts for use in investigations and cases, and
 - Private industry representatives with resources available to assist in protecting the public; and
- Periodic specialised conferences, webinars, and workshops addressing transnational investigations and cooperation, mutual legal assistance, emerging trends, and other relevant issues.

If you work on consumer protection prosecutions and are interested in joining the PCPN, or know someone else who would be interested, please contact IAP Project and Community Manager, Benn van Alphen (pcm@iap-association.org).

Do you wish to join the IAP Executive Committee?

In 2018 six vacancies will arise. If you are interested in joining the Executive Committee you can seek nomination in accordance with the IAP Constitution, Articles 8.6 and 8.6 A. For more information about how to join, criteria for application and the requirements of office - contact the IAP Secretariat at sg@iap-association.org





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Conferences & Events

11th IAP Asia & Pacific Regional Conference 2018



Venue: Port Vila, Vanuatu
Period: **POSTPONED TO NOVEMBER 2018** – specific dates to be announced ASAP. We greatly appreciate your support and understanding. If any inconvenience caused please contact the IAP Secretariat at ma@iap-association.org.
Limitation: 100 participants
Fee: 300 AUD

The Office of the Public Prosecutor, Government of the Republic of Vanuatu is hosting this event. More information about this event will be published on the IAP website during 2018.

23rd IAP Annual Conference and General Meeting 2018



Venue: Durban, South Africa
Period: 9 – 13 September 2018

About the venue: The South African National Prosecuting Authority will host the 23rd IAP Annual Conference and General Meeting of the IAP in Durban, which is the largest city in the province of KwaZulu-Natal (South Africa's Zulu Kingdom). Durban is situated on the East Coast of South Africa and is seen as a vibrant city that is truly in touch with its African identity. The KwaZulu-Natal province offers two World Heritage Sites: The uKhahlamba Drakensberg Park and the iSimangaliso Wetland Park. More information about this event will be published on the IAP website during 2017.

5th North American and Caribbean Regional Conference



Venue: Sheraton Toronto, Canada
Period: 16 – 18 October 2018

The Public Prosecution Service of Canada, the Canadian Association of Crown Counsel and Criminal Law Division, and the Ontario Ministry of Attorney General will be hosting this event. More information about this event will be published on the IAP website in 2018.



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24th IAP Annual Conference and General Meeting 2019



Venue: Buenos Aires, Argentina
Period: Autumn 2019

The Office of the Attorney General's Office of the Autonomous City of Buenos Aires will host the 24th IAP Annual Conference and General Meeting in the autumn of 2019.

About the venue: The conference will be hosted in Buenos Aires, also called the 'Paris of South America', due to its soaring architecture and rich European heritage. The city is a study in contrasts: European sensibilities and Latin American passion; wide boulevards and cobblestone alleys; steamy tango and romping rock and roll; sidewalk cafés and soccer fanatics. More information about this event will be published on the IAP website during 2017 and 2018.

IAP Members in Memoriam

Eamonn Barnes

It is with great sorrow that we inform you of the unexpected death of our greatly appreciated Eamonn Barnes on the 2nd of November 2017.

The IAP community all around the world mourns the passing of an extraordinary personality with genuine concern for universal justice and humanity. Eamonn is warmly remembered as a much respected member of the IAP and also one of the co-founders of our Association, as the 2nd President (1996 – 1999). In 1999 he was appointed as Honorary Member.

Eamonn began his longstanding career in 1958. Following a period in private practice as a barrister, he joined the Attorney General's Office of Ireland in 1966. On the passing of the Prosecution of Offences Act 1974, Eamonn was appointed as the first Director of Public Prosecutions of Ireland and established his





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Office in early 1975. He served as Director until his retirement in September 1999.

Eamonn's profound vision and continued dedication to the IAP have been essential to the success of the IAP as it has grown as an organisation. To all of us he was a true friend and a mentor. He will be sorely missed but never forgotten. Our heartfelt condolences go out to Eamonn's children, extended family and friends. May he rest in peace and that we keep him our best memories.

Gerard Jarosch, President of the IAP

"I, along with fellow prosecutors in Ireland and internationally, had the greatest admiration for Eamonn Barnes as a public servant and as a Director of Public Prosecutions. In establishing the role in Ireland he asserted its statutory independence, and adopted the highest prosecutorial standards which we still adhere to today." – **Claire Loffus (IAP Executive Board Member & Director of Public Prosecutions, Ireland)**

"I am sure that the inspiration for the IAP came from Eamonn's personal qualities – the ideas of collaboration between colleagues, assistance to the struggling, sharing of knowledge and experience, improving society, combining to increase positive impact – and, of course, clothing all of that in fun, in the convivial sharing of time and place." – **Nick Cowdery (Chair of the IAP Senate & Former IAP President)** ([please click on this link for Nick's personal story on Eamonn Barnes](#))

"He was a real man with open heart and mind and a joyful friend. His contribution to the foundation and promotion of the IAP cannot be forgotten." – **Alexander Zvyagintsev (IAP Vice President, Russian Federation)**

"He was a prominent public figure not only for Ireland but for the whole prosecutorial community of the world, being one of the co-founders of the IAP. And we will remember him as an energetic and wise man." – **Yuri Chayka (Prosecutor General, Russian Federation)**

"As one of the first Presidents, Mr. Eamonn Barnes stood at the founding of the IAP and always advocated for the promotion of its image and role in the world, as well as sought expansion of the IAP geography." – **Fikrat F. Mammadov (IAP Honorary member and Senator, Minister of Justice of the Republic of Azerbaijan)**

"A man equally excellent in his professional competency and in his warm hearted humanity. He was the right man in the right place to navigate the IAP in its early stormy days." – **Werner Roth (IAP Senator, Germany)**

"I have respected him for his long dedication for the rule of law. Especially his contribution to founding IAP should be remembered for long time." – **Nae Hyun Lim (Former Prosecutor General of South Korea)**

"His warmth and kindness made us all feel that we were - and are - part of a family. An outstanding public servant." – **Sir David Calvert-Smith (Former Director of Public Prosecutions England & Wales)**

"Eamonn was the force and inspiration for the infant IAP and we all owe him a great debt. He will be sorely missed around the world by the IAP family. A great man, our inspirational president and a good friend." – **Barry Hancock (Former General Counsel IAP, United Kingdom)**

"Eamonn's passing away means a great loss to the Association. A real character blessed with an unsurpassed sense of humour." – **Henk Marquart Scholtz (Former IAP Secretary General, The Netherlands)**



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"Even while dealing with very serious matters, Eamonn always had this shining smile on his face, a clear invitation for sympathy and friendship! Thanks to that, working with him on the Executive committee was a great pleasure." – **Basile Elombat (Former Executive Board Member & Member Court of Appeal, Cameroun Nord)**

"The outpouring of grief from the IAP family is testament to what he meant to all of us and, especially, to the Association." – **Salvatore Vasta (Former Vice-President of the IAP Executive Committee and Federal Judge, Australia)**

José Manuel Maza



José Manuel Maza, Attorney General of Spain, died unexpectedly on Saturday, 18 November 2017, while attending a meeting of the Ibero-American Association of Public Ministries (AIAMP) in Buenos Aires, Argentina.

Mr Maza is leaving behind an impressive judicial career as a lawyer, judge, criminologist and writer. In 1978, he first started working as an attorney of law, and later he became a magistrate where he worked at the Regional as well as the Supreme Court of Spain. In addition to his daily work as a magistrate he wrote the "Handbook of Legal and Forensic Psychiatry", "Circumstances that exclude or modify Criminal

Responsibility" and "Criminal Penalty Practices". He was also known for several other publications related to the link between criminal law and medicine. In November 2016 Mr Maza was appointed Attorney General of Spain.

The Office of the Attorney General of Spain is an Organizational Member of the IAP and we offer our most sincere condolences and sympathies to his family, friends and colleagues in these times of sadness.

Minoru Shikita



It is with deep sadness and sorrow that we have learned of the passing of Mr Minoru Shikita, former Chairperson of Asia Crime Prevention Foundation (ACPF). I personally knew Mr Shikita and his wonderful wife and have many great memories of his professionalism, strong leadership and very kind, generous and tolerant personality. He will always stay strong in our memories and in the history of the International Association of Prosecutors.

Mr Shikita was one of the founding fathers of the IAP. He was one of the 11 country representatives who attended the meeting on 6 June 1995 in the United Nations Offices in Vienna, where the IAP was



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formally established. Mr Shikita served as a Vice-President of the IAP from February 1996 to September 2008, and he was elected as Honorary Member of the IAP by the General Membership in 2006.

Han Moraal, Secretary General

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