

Petition to the International Association of Prosecutors

The Hague, 5 September 2017

Dear members of the IAP Executive Committee and the Senate,
dear members of the IAP,

In the run-up to the annual conference and general meeting of the International Association of Prosecutors (IAP) in Beijing, China, the undersigned civil society organisations urge the IAP to live up to its vision and bolster its efforts to preserve the integrity of the profession.

Increasingly, in many regions of the world, in clear breach of professional integrity and fair trial standards, public prosecutors use their powers to suppress critical voices.

In China, over the last two years, dozens of prominent lawyers, labour rights advocates and activists have been targeted by the prosecution service¹. Many remain behind bars, convicted or in prolonged detention for legal and peaceful activities protected by international human rights standards, including the Universal Declaration of Human Rights. Azerbaijan is in the midst of a major crackdown on civil rights defenders, bloggers and journalists, imposing hefty sentences on fabricated charges in trials that make a mockery of justice². In Kazakhstan, Russia and Turkey many prosecutors play an active role in the repression of human rights defenders, and in committing, covering up or condoning other grave human rights abuses³.

Patterns of abusive practices by prosecutors in these and other countries ought to be of grave concern to the professional associations they belong to, such as the IAP. Upholding the rule of law and human rights is a key aspect of the profession of a prosecutor, as is certified by the IAP's *Standards of Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors*, that explicitly refer to the importance of observing and protecting the right to a fair trial and other human rights at all stages of work⁴.

Maintaining the credibility of the profession should be a key concern for the IAP. This requires explicit steps by the IAP to introduce a meaningful human rights policy. Such steps will help to counter devaluation of ethical standards in the profession, revamp public trust in justice professionals and protect the organisation and its members from damaging reputational impact and allegations of whitewashing or complicity in human rights abuses.

¹ As documented by a number of internationally renowned human rights organisations, including Human Rights Watch and the ICJ. See, for example, *the HRW World Report 2017, China and Tibet*, available at: <https://www.hrw.org/world-report/2017/country-chapters/china-and-tibet>; *China: call for action at UN on lawyers and other human rights defenders*, available at: <https://www.icj.org/wp-content/uploads/2017/02/UN-HRC34-China-JointLetter-Advocacy-2017.pdf>

² *The Functioning of the Judicial System in Azerbaijan and its Impact on the Fair Trial of Human Rights Defenders*, Helsinki Foundation for Human Rights and Netherlands Helsinki Committee 2016, available at: <http://www.defensorsviolators.info/judiciary-in-azerbaijan>.

³ See, for example: *Human Rights and the Professional Responsibility of Judges and Prosecutors in the Work of CCJE and CCPE. Observations to the CCJE-CCPE Joint Report on "Challenges for Judicial Independence and Impartiality in the Member States of the Council of Europe"*, Netherlands Helsinki Committee and Helsinki Foundation for Human Rights 2017, available at: <https://www.nhc.nl/assets/uploads/2017/06/20170331-Observations-to-CCJE-CCPE-Report.pdf>

⁴ *Standards of Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors* adopted by the International Association of Prosecutors on 23 April 1999.

For the second year in a row, civil society appeals to the IAP to honour its human rights responsibilities by introducing a tangible human rights policy. In particular:

We urge the IAP Executive Committee and the Senate to:

- introduce human rights due diligence and compliance procedures for new and current members, including scope for complaint mechanisms with respect to institutional and individual members, making information public about its institutional members and creating openings for stakeholder engagement from the side of civil society and victims of human rights abuses⁵.

We call on individual members of the IAP to:

- raise the problem of a lack of human rights compliance mechanisms at the IAP and thoroughly discuss the human rights implications before making decisions about hosting IAP meetings;
- identify relevant human rights concerns before travelling to IAP conferences and meetings and raise these issues with their counterparts from countries where politically-motivated prosecution and human rights abuses by prosecution authorities are reported by intergovernmental organisations and internationally renowned human rights groups.

Supporting organisations:

Amnesty International
Africa Network for Environment and Economic Justice, Benin
Anti-Corruption Trust of Southern Africa, Kwekwe
Article 19, London
Asian Forum for Human Rights and Development (FORUM-ASIA)
Asia Justice and Rights, Jakarta
Asia Indigenous Peoples Pact, Chiang Mai
Asian Human Rights Commission, Hong Kong SAR
Asia Monitor Resource Centre, Hong Kong SAR
Association for Legal Intervention, Warsaw
Association Humanrights.ch, Bern
Association Malienne des Droits de l'Homme, Bamako
Association of Ukrainian Human Rights Monitors on Law Enforcement, Kyiv
Associazione Antigone, Rome
Barys Zvozkau Belarusian Human Rights House in exile, Vilnius
Belarusian Helsinki Committee, Minsk
Bir-Duino Kyrgyzstan, Bishkek
Bulgarian Helsinki Committee, Sofia
Canadian Human Rights International Organisation, Toronto
Center for Civil Liberties, Kyiv
Centre for Development and Democratization of Institutions, Tirana
Centre for the Development of Democracy and Human Rights, Moscow
China Human Rights Lawyers Concern Group, Hong Kong SAR
Civil Rights Defenders, Stockholm
Civil Society Institute, Yerevan
Citizen Watch, St. Petersburg

⁵ See, for example, Options for Promoting Human Rights Compliance by the International Association of Prosecutors, policy brief, October 2016.

Collective Human Rights Defenders "Laura Acosta" International Organization COHURIDELA, Toronto
Comunidad de Derechos Humanos, La Paz
Coordinadora Nacional de Derechos Humanos, Lima
Destination Justice, Phnom Penh
East and Horn of Africa Human Rights Defenders Project, Kampala
Equality Myanmar, Yangon
Faculty of Law - University of Indonesia, Depok
Fair Trials, London
Federation of Equal Journalists, Almaty
Former Vietnamese Prisoners of Conscience, Hanoi
Free Press Unlimited, Amsterdam
Front Line Defenders, Dublin
Foundation ADRA Poland, Wroclaw
German-Russian Exchange, Berlin
Gram Bharati Samiti, Jaipur
Helsinki Citizens' Assembly Vanadzor, Yerevan
Helsinki Association of Armenia, Yerevan
Helsinki Foundation for Human Rights, Warsaw
Human Rights Center Azerbaijan, Baku
Human Rights Center Georgia, Tbilisi
Human Rights Club, Baku
Human Rights Embassy, Chisinau
Human Rights House Foundation, Oslo
Human Rights Information Center, Kyiv
Human Rights Matter, Berlin
Human Rights Monitoring Institute, Vilnius
Human Rights Now, Tokyo
Human Rights Without Frontiers International, Brussels
Hungarian Civil Liberties Union, Budapest
IDP Women Association "Consent", Tbilisi
IMPARSIAL, the Indonesian Human Rights Monitor, Jakarta
Index on Censorship, London
Indonesian Legal Roundtable, Jakarta
Institute for Criminal Justice Reform, Jakarta
Institute for Democracy and Mediation, Tirana
Institute for Development of Freedom of Information, Tbilisi
International Federation for Human Rights (FIDH)
International Partnership for Human Rights, Brussels
International Service for Human Rights, Geneva
International Youth Human Rights Movement
Jerusalem Institute of Justice, Jerusalem
Jordan Transparency Center, Amman
Justiça Global, Rio de Janeiro
Justice and Peace Netherlands, The Hague
Kazakhstan International Bureau for Human Rights and Rule of Law, Almaty
Kharkiv Regional Foundation Public Alternative, Kharkiv
Kosovo Center for Transparency, Accountability and Anti-Corruption - KUND 16, Prishtina
Kosova Rehabilitation Center for Torture Victims, Prishtina
Lawyers for Lawyers, Amsterdam
Lawyers for Liberty, Kuala Lumpur
League of Human Rights, Brno
Macedonian Helsinki Committee, Skopje
Masyarakat Pemantau Peradilan Indonesia (Mappi FH-UI), Depok
Moscow Helsinki Group, Moscow

National Coalition of Human Rights Defenders, Kampala
Netherlands Helsinki Committee, The Hague
Netherlands Institute of Human Rights (SIM), Utrecht University, Utrecht
NGO "Aru ana", Aktobe
Norwegian Helsinki Committee, Oslo
Pakistan Rural Workers Social Welfare Organization (PRWSWO), Bahawalpur
Pensamiento y Acción Social (PAS), Bogotá
Pen International, London
People's Solidarity for Participatory Democracy (PSPD), Seoul
Philippine Human Rights Advocates (PAHRA), Manila
Promo-LEX Association, Chisinau
Protection International, Brussels
Protection Desk Colombia, alianza (OPI-PAS), Bogotá
Protection of Rights Without Borders, Yerevan
Public Association Dignity, Astana
Public Association "Our Right", Kokshetau
Public Fund "Ar.Ruh.Hak", Almaty
Public Fund "Ulagatty Zhanaya", Almaty
Public Verdict Foundation, Moscow
Regional Center for Strategic Studies, Baku/ Tbilisi
Socio-Economic Rights and Accountability Project (SERAP), Lagos
Stefan Batory Foundation, Warsaw
Suara Rakyat Malaysia (SUARAM), Petaling Jaya
Swiss Helsinki Association, Lenzburg
Transparency International Anti-corruption Center, Yerevan
Transparency International Austrian chapter, Vienna
Transparency International Česká republika, Prague
Transparency International Deutschland, Berlin
Transparency International EU Office, Brussels
Transparency International France, Paris
Transparency International Greece, Athens
Transparency International Greenland, Nuuk
Transparency International Hungary, Budapest
Transparency International Ireland, Dublin
Transparency International Italia, Milan
Transparency International Moldova, Chisinau
Transparency International Nederland, Amsterdam
Transparency International Norway, Oslo
Transparency International Portugal, Lisbon
Transparency International Romania, Bucharest
Transparency International Secretariat, Berlin
Transparency International Slovenia, Ljubljana
Transparency International España, Madrid
Transparency International Sweden, Stockholm
Transparency International Switzerland, Bern
Transparency International UK, London
UNITED for Intercultural Action the European network against nationalism, racism, fascism and in support of migrants, refugees and minorities, Budapest
United Nations Convention against Corruption Civil Society Coalition
Villa Decius Association, Krakow
Vietnam's Defend the Defenders, Hanoi
Vietnamese Women for Human Rights, Saigon
World Organisation Against Torture (OMCT)
Zimbabwe Lawyers for Human Rights, Harare