

Sambia 3.3.2014

Your honour Mr. Vice President of the Republic of Zambia, Dr. Guy Scott, Dr. Charlotte Scott; Dear Member of the Executive Committee of the International Association of Prosecutors, hounorable Director of Public Prosecutions, Mr. Mutembo NChito; your Excellencies from all over Africa and the Indian Ocean Region and all around the world; dear Colleagues and friends

This is the third regional Conference for Africa and the Indian Ocean Region that the IAP is holding after Lagos, Nigeria, four years ago and Mauritius in 2012. Seeing how many of you attend and from how many countries you come from, I can already tell, that this conference will be a huge success. The main thing about the IAP is bringing professionals together to get to know each other for future cases and to learn from each other, and I am sure that this will happen here. For myself, this is a grand occassion to come back to one of my favourite places on earth: Exactly 25 years ago, in 1989 I came here on a trip through southern Africa and I fell in love with it; not only with the

astounding nature, being here at one of the seven natural wonders of the earth, but also with the gentle friendliness of the people and the fun we could have together. I can still remember how much I was awed by these majestic waterfalls, and I would have never thought, that I would return here as the President of the International Association of Prosecutors and deliver a speech to you, my colleagues. But the international family of prosecutors makes it possible to meet people from all nations sometimes go to their home countries.

The IAP also makes it possible to learn from each other and to find better ways to achieve common goals in different systems. The goals we are talking about at this conference are all about the role of prosecutors in combatting Corporate Financial Crime including Tax Evasion and environmental degradation in the extractive and other significant industries. Coming from a small country in the middle of Europe I myself won't have any readymade solutions to these problems but I can try to raise some points that might be important. Distance makes it impossible to see all the details, but can help you to see the bigger picture. The crimes we are talking about are committed by people who

wear suits that are more expensive than this one. They don't use guns, sell drugs or dwell in any other „normal“ kind of organised crime. They do business, which in itself is not a crime at all. But they do business in a way that harms the economy of developing countries, in a way that abuses cheap labour and doesn't give a damn about what happens to the environment. And after all of that, they most certainly aren't willing to pay their fair share of taxes in the places where they made their profits. All their gains are laundered and brought out of the country of origin to safe havens around the world. I am sorry to say, that my own country used to be such a safe haven for black profits, but I can promise you, that we are doing everything we can to stop that. Which brings me to what we should discuss during these coming days in Livingstone: Solutions.

Coming back to what I just said before, one main, maybe the most important way to tackle these problems is international cooperation. For the really big crimes, we are not talking about small local companies but huge international corporations who have branches in dozens of countries. And even more important, their money goes to so

many places around the globe. No matter whether you just want to find evidence or if you really want to hurt the criminals you are after, to follow the money, and take it from them if possible, is always the best, if not the fastest or easiest way. International cooperation gives you access to witnesses, documents and bank accounts that will help you prosecute your cases. Even if you reach invisible walls in some countries, there will be prosecutors in the international community who can share their expertise with you and maybe help you to achieve your aims. So on an international level I call on each and everyone of you to do everything you can to evolve the relations you have with other prosecution services in your region, but also on a global scale. We in the big family of the IAP will do everything to help you with that. Go to International conferences, meet people and make friends, get as much international training as you can and learn, what the competent authority needs in another country to help you with your legal request. And, whenever possible, write manuals for your prosecutors and wherever possible, specialise prosecutors for this kind of work. Send your young colleagues out of the country for as long as you can

afford, it will pay off in the long run. There are many possibilities to do something like that, but we as the IAP can offer you our own Prosecutors Exchange Program for that. I don't want to sound too much like a salesman, but for international contacts, best practices and other materials I can only advise you to go to the website of the IAP and find out, what we can do for you.

Apart from that there are many things you might try at your national level. In my own country, we had to change quite a few things during the last few years due to some white collar crimes and corruption cases that we had to deal with. Talking with my friends in other countries all around the world I found what I call a shopping list for the successful prosecutors office apart from petty crime. It contains the following things:

1. And more important than everything else on the list: No corruption among your prosecutors and police officers. If you have people on your payroll, which are also on somebody else's payroll, you won't win the important cases. So find decent people and pay them decent salaries. In our cases, we are not talking about monkeys,

that you get, when you pay them peanuts; we are talking about snakes that you get, when you feed them mice.

2. Have the best trained prosecutors that you can find for the job; send them to international seminars, possibly with the IAP. Try to keep them motivated by setting their aims at a level that can be reached at first, and slowly put that level higher up, but never ever ask the impossible and just frustrate them.
3. If you are a Prosecutor General or DPP, ask the impossible of yourself and swallow the frustration. If you don't aim for the highest aims, quit right now. The boss should have visions for the future, even if nobody else believed in these visions. If you don't believe that it you can change your society, because it seems impossible, let somebody else do it. There will be somebody who believes in it and will make it happen.
4. Going back to point 2. Get the best trained prosecutors, specialise them. But if the job is too complicated for a lawyer, get an expert. And don't try to rely on experts outside of your kitchen. Get young experts on accounting, banking, chemical and biological things, in short, get experts on everything that might be interesting in your big

cases. And while we're on it: if you are in a system in which the investigating powers of the police are important to your work, get them to do whatever I just said about your own service.

5. In some cases, all I have said so far won't help, because your laws will just hamper you. Simple if horribly difficult in practice: Try to change your legislation. I don't mean that you should take over Parliament, I mean that you should be in permanent communication with your members of parliament to show them what the needs of a functioning prosecution service would be. If necessary, be in touch with your media for that same goal.

I want to conclude with a very simple thought: due to scientist, our mother earth would be able to feed a lot more humans than currently living here and giving them a chance in the pursuit of happiness. It is just a question of the fair sharing of the earth's wealth. We as prosecutors can play a small part in that important topic. Let's start by helping each other. Let's start by learning from each other. Let's start.