

OSLOBOĐENJE

INTERVIEW

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Renaud van Ruymbeke: Prosecutors must not allow themselves to be dependent on political powers

A recently retired French investigative judge tells Oslobođenje how to successfully investigate large corruption cases involving firms and politicians

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BiH Prosecutors and investigators must be independent and free, and must take care how they conduct investigations to ensure they are successful

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Experienced investigative judge Renaud van Ruymbeke, who has over the years become very well known in the French justice system, pointed out to Oslobođenje that prosecutors must not allow themselves to become dependent on political powers.

Complex process

“A prosecutor specialised for corruption cases, as well as an investigative judge, must be completely independent. That is the first precondition for their work,” said this recently retired judge, also pointing out that fighting corruption is a complex endeavour.

In his rich 40-year-long career, Van Ruymbeke has led a number of large investigations, some notable for their media coverage and some for the large amounts of internationally embezzled money. He visited our country last week to transfer at least some of his extensive knowledge about complex financial and economic criminal investigations to our prosecutors. He participated in the round table on the Strategy and Key Investigative Tools in Complex Financial and Commercial Criminal Investigations, organised by the EU4Justice project – Support to Fighting Corruption and Organised Crime, with a total value of 2.2 million euros.

“I am here as part of a European programme in the area of justice that is being run by an agency of our justice ministry, and I am here to share my experience with your judges and prosecutors. Perhaps I was lucky or unlucky to have such extensive experience in this area and to have worked on many cases involving offshore companies, getting through secretive systems and finding out what was behind them. Up until two months ago, I was still working on cases and I am here now showing them how I worked and how I handled cases with offshore companies, how complicated such cases are, where the money is hidden... My aim is to show, based on my practice and experience, how to handle large corruption cases and how to investigate large corruption cases involving firms, politicians, political parties...” says

Van Ruymbeke and tells us that from talking with BiH prosecutors, he has concluded that they are very engaged in these topics and are very open to cooperation.

He added that these were complex matters and very complicated cases with offshore money laundering abroad.

“It is very difficult to uncover these mechanisms, how these operations were set up. We have the advantage of having worked on complex cases, so we can now share our knowledge. We need tools to solve such cases. And what we must always keep in mind is that this fight is not simple. Fighting corruption is very complex,” says Van Ruymbeke.

Having long been an investigative judge, he explained that information was key for financial investigations. Information may come from informants, but also from reporters. It is up to the investigator, the police and prosecutors to cooperate. The investigator gathers information and presents it to the prosecutor, and it is then up to the prosecutor to filter the information, to discard bad and accept good information.

“Corruption cases increasingly have an international dimension and we are showing the methods for solving such cases. We are demonstrating the tools that will help them win the case and not lose it. The aim of this training is to sensitise the prosecutors to make their work meaningful and I hope our efforts will prove useful,” he pointed out.

France is one of three countries in Europe that still have an investigative judge system, which our justice system also had before it was reformed. Renaud van Ruymbeke explained that there is no fundamental difference between an investigative judge and a prosecutor. It is irrelevant who leads the investigation, whether it is an investigative judge or a prosecutor, what matters is the topic and the area being investigated.

“It is extremely important is that the prosecutor specialised for corruption cases, or an investigative judge, must be completely independent,” pointed out this retired investigative judge.

An honest justice system

“The fact that there are anti-corruption investigation in some countries at the moment does not mean that these countries have more corruption than others,” added Van Ruymbeke, “it just means that they have prosecutors, or investigative judges, who are independent and free in their actions and are not linked with political authorities.”

He said he had not heard of the numerous scandals in the BiH justice system, but also pointed out that the French judiciary was “honest and fair”.

“The justice system in France is criticised because people expect it to solve everything,” he concluded at the end.