



THE DUTCH PUBLIC PROSECUTOR

Mr. H.N. Brouwer

5th Asia/Pacific Regional Conference
Seoul, Korea 8 – 11 June

International Association of Prosecutors



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Think Globally, Act Locally

- Hendrick Hamel
 - Visits Korea by accident
 - Sailing a flute called “Esperanca”
 - Jeju Island, a replica of the vessel that took the first Dutchman, Hendrick Hamel, to Korea in 1653.



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I.A.P. not by accident in Korea

- Seoul
 - a melting pot in the developing world of to day
 - Strong in its own character
 - Well known for its hospitality
 - Future oriented



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V.O.C.



- VOC, Dutch Trade Company
 - the first transbordering corporation
 - The first to commit corporate crime



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European countries

- European Union E.U.
- Member States
 - 27 member states
 - 500 million inhabitants



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Corporate crime

- Example:
- Parmalat Italy
 - Major fraud case
 - The company had to close down
 - 15.000 people dismissed
 - Huge loss of (private) investment



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Corporate crime

Example

Siemens – Germany

- Siemens A.G.
- 1.4 billion euro for corruption.
- A case that is spread out over at least five continents.
- Hopeless? ? No



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Corporate Crime

- Systematically
- Deliberately
- As integral part of its policy
- A wide strategy
 - Example: waste disposal in the river Rhine or Meuse



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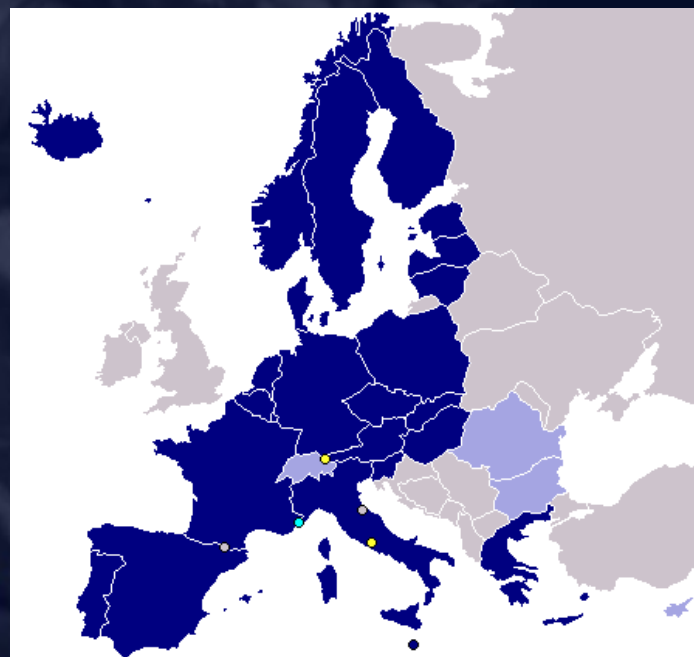
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European – level

- No overarching definition of Corporate Crime
- Schengen agreement:
 - Free movement of persons
 - Quasi borderless area



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Harmonisation

- EU-legislation
- By mandatory approximation



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EU: United ???

- Federation like USA?
- Europe as an extra?
 - keeping states autonomous

- 
- United States of Europe

- 
- Europe of United States

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Fishery fraud

- Controlling
 - The catch
 - The landing
 - and trade



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Fines by the EU

- De Commission might impose fines on corporate crime
- Neelie Kroes
 - European Commissioner for Competition



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European Central Bank

- European monetary policy
- Examples:
 - Interest rates
 - Inflation
 - European banknotes and coins
 - Overarching the National Central Banks



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European Prosecution Service?

- Eurojust
 - Establishment of an European Prosecutorial Service
- Special Treaties
 - for the enhancement of to share information in criminal matters
 - “Senningen”
 - “Prum”



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Joint investigation teams

One of the new
opportunities



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Basic assumption

- Criminal Law is essential
- Examples
 - Money laundering
 - Asset recovery



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Fighting corporate crime

- Accountancy fraud
- Stock market manipulations
- Environmental pollution



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The job to be done

- Public Prosecutor has to be prepared to take the leap.
 - As public prosecution services combating corporate crimes we should be aware of
 - the international dimensions of our case,
 - but at the end of the day we just have to prosecute cases.
 - That is what the general public expects from us!



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