

Frontiers of International Criminal Law and Justice

**Monday, 1 December 2025, 13:15-15:00,
The Hague, World Forum, 'Europe 1-2'**

A side-event (with lunch) to the 24th Session of the ICC Assembly of States Parties, convened by the Centre for International Law Research and Policy (CILRAP), sponsored by Korea, Norway and Sweden, co-sponsored by the European Anti-Fraud Office (OLAF), Stockholm Centre for International Law and Justice, Grotius Centre for International Legal Studies, Human Rights Law Centre (University of Nottingham), Institute for International Peace and Security Law of the University of Cologne, Coalition for International Criminal Justice (CICJ), European Center for Constitutional and Human Rights, and the Norwegian Helsinki Committee (NHC).

Statement by Mr. Tom Willems *European Anti-Fraud Office (OLAF)*

Your Excellencies, ladies and gentlemen,

You will probably not be surprised that I want to open by saying that I feel deeply honoured and humbled to be here, in this house, to address this public, and to talk about the job I have been doing throughout my career: investigating fraud and corruption.

I am also confident that I do not have to tell you how important this fight against fraud and corruption is, and how – in its many forms – it causes, enables or contributes to crimes this Court is investigating, prosecuting and judging.

I might surprise you when stating that however important the investigation, the determining factor in its failure or success is the investigator appointed to lead it. Over 30 years in the field have indeed imprinted me with the belief that regardless of the regulatory framework, the hierarchical control, and the review mechanisms put in place, at the end of the day, the individual decisions of this man or woman will be decisive for the outcome of the case.

And this might raise some concerns over fairness and consistency, as Kahneman and others have convincingly demonstrated that our decision-making is messy, subjective and biased, even in matters of great importance and personal interest.

It was hence with great interest that I discovered, and soon with great respect that I read the '[Quality Control](#)' series of CILRAP, addressing in scientific terms phenomena I had been witnessing throughout my career. For instance, that a similar case given to five competent and dedicated investigators, might still end up miles away from each other, due to different judgments and decisions of the selector- or investigator-in-charge.

My employer, the European Anti-Fraud Office, gave me the opportunity to organize a conference on the topic, and this book [[Quality Control in Fraud and Corruption Investigations](#)] is the result of a further collaboration with many of the presenters then.

The ambition of authors when working together on this book, was threefold:

- (1) To step back for a moment from the concrete cases, to identify and reflect on the concepts used and processes involved when 'investigating';
- (2) to focus on the different judgments and decision points when doing so; and
- (3) to look for research that could inform us how to 'think better' and apply this in the demanding setting of investigations.

In the first four chapters of the book, we thus explain our understanding of how investigative thinking looks like – or should look like – including the heuristics, biases and noise that come with it.

The next six chapters build on this understanding, and map how these thinking challenges spell out and affect every step in the investigation, from deciding to open an investigation to drafting its final report.

As a very concise conclusion of our findings, I might summarize that procedures and processes should be designed to mitigate the limitations inherent in human cognition, but that these rules should not become overbidding and prevent the individual investigator from applying sound judgment. The latter is marked by open-mindedness, critical self-reflection, and awareness of the cognitive pitfalls. If already we can bring investigators to acknowledge this, this would significantly contribute to the 'culture of quality' upheld by professors Bergsmo and Stahn as leading principle.

But the book is more than its output. It has also been a journey enabling me to learn valuable lessons in life. One of humbleness, the other about the strength of co-operation.

Humbleness on two accounts.

First, when reading the previous textbooks on quality control, centred on the work of the ICC, it confronted me with the enormity and complexity of investigating war crimes, mitigating my self-centred focus on corruption and fraud investigations as the litmus test for quality investigations.

Also humbleness, when, in her foreword, Dr. Brandon as gentle as inescapable, reminds us of the risks of claiming the exceptionality and complexity of our work and routines, with risk to claim deviation from recognized standards of protection of individual rights.

I found these reminders very helpful, not to reduce the importance of our work against corruption and fraud, but to demonstrate exactly how ‘closed’ thinking might affect even the authors of articles exactly addressing the risk.

Allow me, however, to end with the power of co-operation. On different levels.

People here in the audience might possibly relate to my assertion that big, international institutions sometimes find themselves involved in turf wars, and – in doing so – do not necessarily have the concern to learn from science top-of-mind. This book is a happy exception.

It allowed investigators from OLAF and EPPO to compare and discuss the specificities of their work in an open, non-competitive dialogue, enriched by the knowledge and insights from top-rank researchers and academics. I applaud senior management of OLAF and EPPO for having trusted their staff to contribute to this book, without bringing in institutional agendas.

My fellow practitioners deserve praise for having found time and energy to lift their nose from their many and difficult files, to step back and reflect on the job they have been doing for years, and to put on paper the results of this analysis. I am confident the fight against fraud and corruption has not suffered too much because of the time they invested in this and hope the insights of this book might even improve overall performance in the long run.

I want to thank the academics and researchers who contributed to this book. Not only for bringing in their valuable knowledge and insights, but also – maybe even more – for staying on board and co-authoring articles with practitioners, which might not necessarily meet all standards of academic excellence that typifies them, but were still found valuable and good enough to be published and shared with an eminent public as gathered here today. On behalf of the practitioners, I want to thank all of them for that.

In the same vein, I want to thank CILRAP and Mr. Bergsmo, for giving us practitioners this platform and to find our book listed in a prestigious series appreciated throughout the world.

Finally, I cannot leave this stage without expressing the warmest thanks and respect for my fellow co-editors, without whom the book would not exist. Professor Stahn, whose exams I would probably never pass, who was the person who encouraged me to start this adventure in the first place and has remained the steady force behind the project. Dr. Darren Frey, whose sparkling intelligence is diametrical opposed to his refreshing humbleness and kindness. And Antonio Angotti, who relentlessly and patiently endured I guess by now 325 changes in text and shifts in footnotes, without even a sigh. I thank you all for the trust, support and the quality of your work.

In their name and in the name of all authors, I wish you a pleasant and critical reading of our book, invite you to use it to engage in discussions with your peers on good investigative thinking, and hope it may eventually contribute a little to a just and better world.