

OPENING FILM

DOCSBARCELONA



FALCIANI'S TAX BOMB

A DOCUMENTARY BY

BEN LEVVIS

PRESS KIT



gebruederbeetz



"The HSBC material was broad enough to shut down all the hidden mechanisms of a financial system that circumvent regulation. The question was: How could I compel the authoritiest a mount a proper investigation?"

Hervé Falciani

"In bank secrecy thrive all kind of criminal activities. You can also do money laundering, you can facilitate corruption or fraud."

Pascal Saint-Amans, Director of Tax Policy, OECD

"These CDs containing stolen banking data were a new phenomenon. Falciani played a major role because in Geneva, the finance and banking centre with an excellent reputation, people of course got frightened."

Hans-Rudolf Merz, Finance Minister, Switzerland 2004-2010

"There are diamond dealers on this list, a politician, nobility, entertainment people, tennis players, football players, lawyers, heads of companies, known companies, bankers. It's incredible. All this data has been stolen by Hervé Falciani."

Lars Bové, Journalist, Belgium

"Europe needs to change its attitude: No amnesties, sanctions, fines, withdrawing banking charters of the financing institutions convicted of criminal activity. And sanctions against non-cooperative tax havens."

Gabriel Zucman, Assistant professor & author, London School of Economics

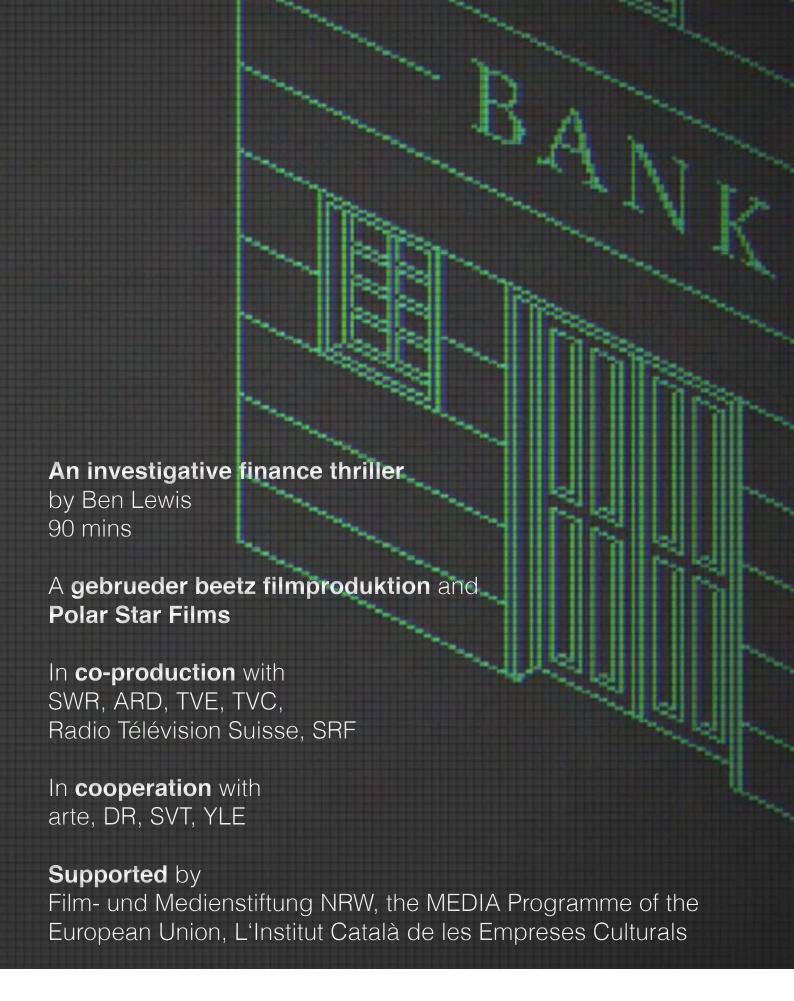
FALCIANI'S A DOCUMENTARY BY BEN LEWIS











FALCIANI'S



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FALCIANI'S TAX BOMB













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LOGLINE

The investigative documentary "Faliciani's Tax Bomb" follows the tracks of the obscure whistleblower Hervé Falciani who – being responsible for the so-called Swiss Leaks - caused the biggest bank data theft in the history of HSBC Bank. His delicate information hit the international finance sector like a bomb and uncovered massive tax fraud strategies exceeding billions of Euros, finally triggering off a heated debate between financial experts and political leaders about the legitimacy of tax havens. Hervé Falciani is said to be the Edward Snowden of the banking system. He is currently on the run from being arrested by the Swiss authorities.

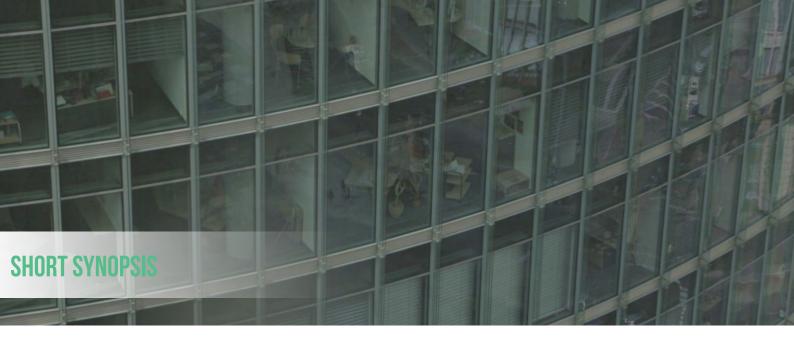
SHORT SYNOPSIS

Tax fraud is one of the most pressing issues of our time. Roughly 250 billion Euros at taxes are being lost each year due to undeclared offshore-assets in tax havens. The investigative documentary "Falciani's Tax Bomb" follows the tracks of the charismatic yet obscure whistleblower Hervé Falciani. In 2008, Falciani, an IT-specialist and former employee of HSBC's Swiss branch, leaked more than 100.000 private bank accounts with origins in over 200 countries totalling more than 75 billion Euro to the French authorities. His list was passed to numerous international governments' and tax authorities' hands - yet the handling of the delicate data varies from country to country ranging from hesitant to offensive. More than 140 journalists set up in the International Consortium of Investigative Journalism (ICIJ) have been analysing his data ever since. In February 2015, the data of over 200 countries were published under the name Swiss Leaks. From now on, the nationalities that hid









their assets at HSBC are no longer kept dark.

How did the HSBC data leak affect the whistleblower's life and the international world of finance? The film reveals how HSBC bankers enabled clients to disguise their fortune. What the film also unveils is how inflexible and defensive these difficulties were handled by national European judicial systems, such as the French or the Greek - as opposed to the US-American strategy where the government officially calls for denunciation of tax evaders, including promised rewards in the millions. Presenting a global perspective, lawyers, politicians and journalists from the affected countries (among others Germany, France, Spain, Greece and the USA) are invited in the film to explain the significance of Falciani's data in the context of fiscal evasion.

Various actors get a chance to speak: from the Spanish attorney Dolores Delgado to the former German minister of finance Peer Steinbrück to the former Swiss President of the Federal Council Hans-Rudolf Merz, or employees of the US tax authorities.

Additionally, OECD-economics experts and journalists of the ICIJ provide insights into political developments and current international treaties and regulation attempts.

A multimedia scroll-documentary which is released simultaneously to the film aims to comprehend the complex topic of tax evasion on an individual level: by reference to Falciani's flight the users experience - by combining interactive elements, videos and data visualisations - how Falciani's revelations may affect their personal life.



LONG SYNOPSIS

Hervé Falciani caused the biggest bank data theft in the history of HSBC Bank. Thanks to Falciani, passing on highly delicate information, tax evasions in the billions could be uncovered.

The investigative documentary "Falciani's Tax Bomb" is a finance and political thriller about the charismatic yet obscure whistleblower Hervé Falciani. His image oscillates between the wayward strategist and the altruistic Robin Hood of finance. What kind of impact did Falciani's HSBC data leak have on the international world of finance?

In 2008, Hervé Falciani, an IT-specialist and former employee of HSBC's Swiss branch, leaked customer data of more than 100.000 private bank accounts with origins in over 200 countries totalling more than 75 billion Euro to the French authorities.

Tax evasion is one of today's most urging issues. Roughly 250 billion Euro at taxes are being lost each year due to undeclared offshore-assets in tax havens. Over decades, saving private fortune from the exchequer was considered a peccadillo. Whoever decreased fortune either directly re-registered his residency at a tax haven or searched for ways to plant his money on the better side of the frontier. The transfer of the according money was taken over by banks offering very special "services" to their clients.

HSBC is the second largest bank in the world. The documents published in February 2015 by Swiss Leaks proof in detail how the HSBC bank advisors assisted their clients with disguising their fortune. Amongst the clients you could find royals from the Middle East or politicians like Syria's president Bashar al-Assad or China's former Premier Li Peng as well as celebrities such as the singer David Bowie or the racing driver Fernando Allonso, or the president of Santander Bank Emilio Botín. What is more, special relations to alleged blood diamond traders, gunrunners and patrons of terror are being revealed constantly. The HSBC-scandal paralysed the whole banking industry. Stephen Green, the former chairman of HSBC, resigned in mid-February 2015 as chairman of the advisory council for the British banking industry. So did Peter Oborne, former chief political commentator of the "Daily Telegraph" - but in his case in protest over the absence of critical reporting on the HSBC scandal in the "Daily Telegraph".

The film accompanies Hervé Falciani in his almost relentless efforts of passing the delicate data on to the right authorities and the important power brokers. Yet, it emerges that his list can only have a true impact if resolute politicians and prosecutors prevail against

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super restrained or even tax-evasion-tangled powerful politicians. That's why, after Falciani's approach to the BND, they finally cancelled the actual appointment due to illness.

Consequently, Falciani decided to leak the list to the French attorney Éric de Montgolfier who, for his part, passed it on to Christine Lagarde in the French ministry of finance. From there, the list was being passed to revenue authorities all over the world - yet the handling of delicate data varies from country to country ranging from hesitant to offensive. The film analyses at close range who and what is behind the HSBC data leak's headlines: It is the story of a six-year cat-and-mouse game between the whistleblower Hervé Falciani, the Swiss judicial authority and tax authorities all over the world. Falciani flees to France and ends up in Spain where he is being arrested eventually. This is the starting point of the ongoing procedure with Switzerland. What's going round in Falciani's head as he tries to convince the governments to prosecute HSBC without putting himself at risk?

Éric de Montgolfier, French attorney, recounts his astonishment about the French Treasury holding back action. Meanwhile the Treasury informs him "that certain staff were in favour of an evaluation of the data whereas others weren't." - "Why not?", does the dedicated jurist ask, not without an ironic twinkle in his eyes. Afterwards, he defies a Swiss prosecutor who was calling for the return of Falciani's list to Switzerland "not only in an indignantly but also in an offensive manner."

"In the department of public prosecution in Bern the case was regarded as an affair of state. To them, Hervé Falciani's data theft wasn't just attacking the bank but the whole of Switzerland", says de Montgolfier.

Meanwhile, Peer Steinbrück, retired German minister of finance, moved for the purchasing of stolen tax data to pile "the pressure both on the tax fraudsters in Germany and on the Swiss banks." He states: "We've decided for enforcing tax laws." The Greek, then, also obtained the list - but never managed to evaluate it. The investigative journalist Kostas Vaxevanis blames the former minister of finance, Evangelos Venizelos, for "taking the list (...) but holding it back and thus abusing his position" whereas the politician rejects all the blame by stating that examining the list wasn't a minister's but instead a tax inspector's job." By the time, it turns out that three names had been deleted from the list – all of them belonging to relatives of Venizelos' predecessor of the ministry.

All these issues accumulate into an unmasking confrontation that unveils the entanglements and massive corruption happening in Greece.

In the film, the OECD economics expert Pascal Saint-Amans and the Belgian ICIJ-Journalist (International Consortium of Investigative Journalists) Lars Bové help sorting the discussed data is-

sues into an overall economic context. By referring to specific examples, it becomes clear how banks actively assisted the tax avoiders in bypassing the National Treasuries. Lars Bové explains that a client, for instance, "had called his banker under false







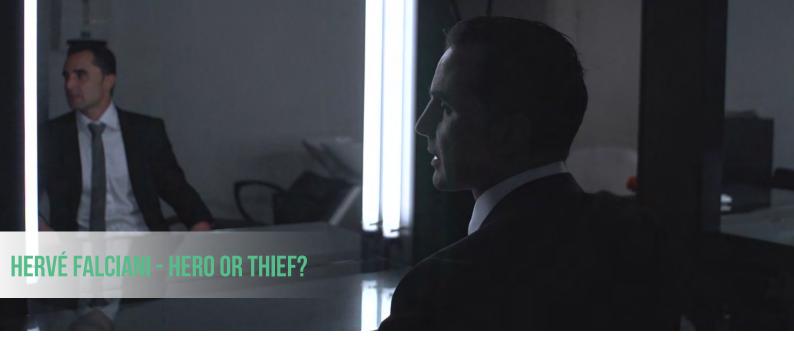




names - mostly names of famous football players like Zidane or Cruyff - and asked for the price of caviar. So, he applied codewords for the sums of money on his accounts. To keep everything secret, they acted like in a James Bond film. We would have never received these insider information about the HSBC if Falciani hadn't leaked the list."

Swiss Leaks has been published in February 2015. With the help of 140 journalists, the International Consortium of Investigative Journalists (ICIJ) is evaluating Falciani's documents. To date, many governments had been holding knowledge close to the vest. But now, all names and numbers have been published in the whole of Europe and Falciani's tax bomb has burst. All the wealthy tax dodgers in the world had imagined themselves to be safe, yet the data stolen by Falciani let their system shake. The HSBC need to admid the misconduct of its affiliated firm in Switzerland. Yet, the Federal Office of Justice in Geneva initiates a procedure in the case of suspected money laundering. Meanwhile, Hervé Falciani claims that the top management had all the while been informed about the activities taking place in the Genevan branch. The "Edward Snowden of banking" is still on the run from being arraigned by Swiss authorities. Falciani now works closely with the Spanish anti-bribery party "Partido X", lives in Paris and works in the fields of informatics.

Did Falciani actually topple the bank secrecy and did he significantly add to the banishment of tax havens? In the film, Hans-Rudolf Merz, former President of the Federal Council in Switzerland, advocates the bank secrecy and sums up: "Money is like water, it flows and will always find its way though the leaking cracks. Hence, there will always be tax evasion." The world of tax fraud has most certainly changed though – also thanks to whistleblowers like Hervé Falciani.



"Am I a thief? Yes, I broke the law, but I broke a law that harms all of us. (...) Every year I spent at the bank gave me a better understanding of how certain financial products helped people hide their money. I realized you might be following all the rules, the norms and regulations, but you were actually also committing crimes against society. If you work for the system, you understand the system. And I couldn't live with that anymore."

Hervé Falciani

Hervé Falciani left his job in the IT department of HSBC Private Banking in Geneva in 2008 taking with him the bank's entire database of over 100.000 individual accounts from more than 200 countries. Over the next six years, Falciani's life would undergo remarkable transformations as he went from computer geek to whistle-blower, fugitive, celebrity, prisoner, and politician. He tried to sell his data in Lebanon, he dodged a Swiss manhunt and he handed over his data to intelligence agents and investigative journalists. This is surely one of the most extraordinary biographies of any European citizen so far this century.

In 2008, Falciani leaves his wife and child and travels to Lebanon with his girlfriend Georgina Mikhael and a laptop. It is disputed what he does there. He claims today that he was selling a data-mining

product to banks, to search for wealthy individuals on the Internet. However his companion, Mikhael says he was trying to sell his database of HSBC Private Banking clients (1000 euros per client) to foreign banks using the fake company "Palorva". Falciani was using a fake ID, calling himself Ruben Al-Chidiak. One bank clerk he speaks to becomes suspicious and phones the Swiss Banking Association,

who in turn phones the Swiss police. And that is how the Swiss Attorney General Michael Lauber hears about the stolen data.

"I found him to have a messianic character. The Messiah of finance. Yes, no, I don't know. I don't know everything about him. I asked myself how far I could trust him. From everything that I have seen, I had no reason not to trust him. Did he also negotiate

with others? It's possible."

Éric de Montgolfier, public prosecutor, France 1985-2013

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Falciani was one of a wave banking whistleblowers including Elmer, Birkenfeld and Condamin-Gerbier.

What were their motivations? Social justice? Personal vendetta? Profit? The scale of revelations grew, culminating in a cache of 2.5m documents, released in March 2013 which are currently being invesigated by the International Consortium of Investigative Journalists in association with newspapers such as The Guardian, El Pais and Die Süddeutsche Zeitung.

Shortly after their trip to Lebanon, in December 2008, the Swiss police interrogate Georgina Mikhael who spills Falciani's name. After interrogating Falciani, they let him go home for the evening. The next morning he flees to France where he stays until July 2012. After an 18-month stay, Falciani suddenly leaves France for Spain, taking the ferry from Sete, on the French Riviera, to Barcelona.

"I met Hervé mid-October 2006, one month after I started working for HSBC. He followed me around all the time, suggesting we have a coffee or eat together. It was his intelligence, not his physical appearance. Towards the end of 2007 we became lovers. He said he wasn't happy with his wife and wanted to divorce her and spend the rest of his life with me. I was taken in by his charm but I am still amazed that the whole world has been charmed by him. He is a born manipulator."

Georgina Mikhael, IT Engineer HSBC (2006-2009) and former girlfriend of Hervé Falciani

When he arrives in Barcelona, Falciani is asked to show his passport. His name shows up on an Interpol List with a Swiss extradition warrant and he is arrested and imprisoned. It takes only two hours

to drive by car from Sete to Barcelona. Why would Falciani take the ten-hour ferry? Why did he even go to Spain? It seems to be a risky choice: unlike France, Spain does have extradition treaties.

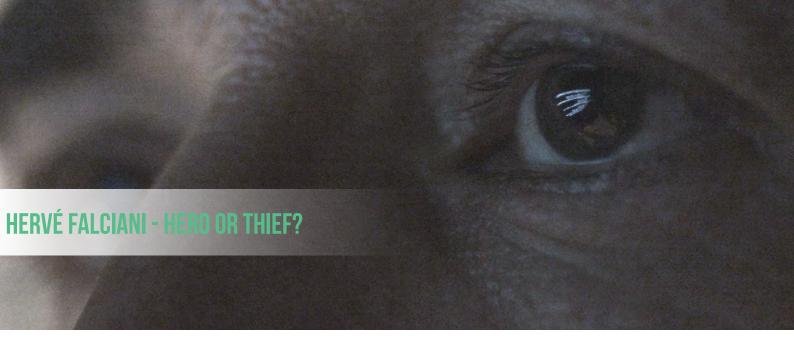
Falciani spends half a year in a grim high security Spanish prison. He makes friends with fellow prisoners who include gang members and bank robbers. In December, the first hearing takes place for the Swiss application for extradition. The intelligent and outspoken Spanish state prosecutor Dolores Delgado assists Falciani.

"We guess he is intelligent and smart. But he also seemed a bit confused sometimes. It is hard to say what was planned and what wasn't. Maybe he was playing around a bit, in the sense of really playing to get an advantage for himself. He has a kind of seductive power over other people. Those are the elements. So I cannot say why he went to Spain. But the fact is he got arrested there."

Michael Lauber, Attorney General, Switzerland

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"Falciani said he may return to Switzerland to fight the charges and is in touch with Swiss politicians, without naming any, to seek assistance in making his legal case."

Die Welt (2. März 2015)

In 2013, the Spanish High Court definitively rejects the Swiss extradition warrant on the basis that Falciani's actions in Switzerland would not have contravened Spanish law.

The whistleblower remains a mysterious man. Falciani's actions seem incomprehensible at times. For example, he claims that friends advised him to purposely get arrested in Spain because he would be in danger of his life in France. Prison was the safer option. Other clues lead to believe that Falciani committed a simple error after 6 years on the run.

Hervé Falciani – who, it seems, has a psychological need to be in the public eye - has meanwhile has found a new activity to absorb him. In May 2014, we find him running as candidate for the European

elections, for Spain's newest political party, Partido X. It is the latest strange twist in Falciani's life or new disguise assumed by the whistleblower, depending on your view of him. He has been an IT specialist, a whistleblower, a fugitive, a media celebrity, a tax justice campaigner, a prisoner and now he is a member of a radical left anarchist party.

"Sometimes celebrated as a hero abroad, the Franco-Italian national is now to answer for his alleged crimes before a Swiss court. The Swiss Criminal Procedure Code does not exclude the possibility of holding a court trial of the accused person in absentia. The OAG has handed over the bill of indictment to the Federal Criminal Court in Bellinzona. The accused is being charged with the crimes of qualified industrial espionage (Art. 273 para. 2 of the Swiss Criminal Code SCC); unauthorised obtaining of data (Art. 143 para. 1 of the SCC); breach of trade secrecy (Art. 162 para. 1 of the SCC); and violation of banking secrecy (Art. 47 para. 1 letter a of the Federal Banking Act). In addition to the bank concerned, several bank customers are also taking part in the proceedings with the status of private claimants." Office of the Attorney General of Switzerland, Press Release, 11 December 2014

> FALCIANI'S TAX BOMB











IN ORDER OF APPEARANCE



Hans-Rudolf Merz Finance Minister, Switzerland 2004-2010



Lars Bové Journalist, Belgium



Michael Lauber Attorney General, Switzerland



Peer Steinbrück Former Minister President & Finance Minister, Germany



Pascal Saint-Amans Director of Tax Policy, OECD



Gabriel Zucman Assistant professor & author, London School of Economics



Anonym Convicted tax evader, France



Carlos Cruzado President, Tax Inspectors Union, Spain



Georgina Mikhael IT Engineer, HSBC, 2006-2009 Falciani's former girlfriend



Éric de Montgolfier Public Prosecutor, France 1985-2013



Norbert Walter-Borjans Finance Minister. North-Rhine-Westphalia, Germany



Carlos J. Villarejo Chief Prosecutor for Anti-corruption, Spain, 1995-2003



Kostas Vaxevanis Journalist, Greece



Evangelos Venizelos Finance Minister, Greece 2011-2012



Victor Song Chief, IRS Criminal Investigations, USA 2009-2011



Dolores Delgado Public Prosecutor, Spain









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Carles Brugueras

Executive Producer Bettina Walter

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Irene Challand

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BEN LEWIS // DIRECTOR

Ben Lewis is an award-winning filmmaker who has made feature documentaries and series commissioned by the world's leading TV channels. Ben studied History and History of Art in Cambridge and Berlin. He has made documentaries on highly topical subjects which have provoked public debate and influenced political decision-making. He had premiers at Sundance and IDFA and has been honoured with a Grierson and a Grimme award.

"Google and the World Brain" produced by Polar Star Films for ARTE, BBC, TVE, TVC and several other European broadcasters (World Premiere at Sundance 2013) is about the most ambitious project ever conceived on the Internet:

Google's master plan to scan every book in the wor-Id. Who is protesting those plans?

Ben has just finished making "Poor Us: An Animated History of Poverty" for the global 'Why Poverty?' documentary season and online campaign. The film will be shown on over 70 TV channels and was in competition at the IDFA Documentary Festival in 2012.



"The Great Contemporary Art Bubble" stimulated an international controversy about the fairness of the art market in 2009. It was shown on BBC, arte and at many film festivals.

"Blowing Up Paradise: French Nuclear Testing in the Pacific" is credited with influencing the French government's decision to compensate its soldiers and citizens who suffered illnesses after working for on atomic installations in Tahiti.

"Hammer and Tickle: the Communist Joke Book" premiered at the New York Tribeca Film Festival 2006 and won best documentary at the Zurich Film Festival in the same year.

"The King of Communism: the pomp and pageantry Nicolae Ceausescu" was awarded with the Grierson Award 2002.

"Art Safari" was shown in the UK, Europe, Australia and America and won a bronze at the New York Television Awards as well as a German Grimme Prize in 2007...





DIRECTOR'S NOTE

Tax evasion costs governments €260 billion annually. Switzerland is the world's biggest tax haven, holding around 27% of offshore wealth. Those sums are enough to fund both the European and American bank bailouts and still have change in our pockets. Far more money - an estimated trillion dollars a year - is sent out of Africa into tax havens by tax-dodging corporations and corrupt politicians, than is sent to Africa as aid by NGOs and Western governments. If tax avoidance was not a massive problem, it would mean that taxpayers didn't have to bail out the banks and austerity measures could be far less austere. There would be less need if any for cuts in social services, and Africa would not be so poor.

It seems that that situation is set to change for the better, thanks to new international tax agreements - so this is a film about injustice, but also one which offers not just hope, but evidence, that injustices can be swept away. In that sense it is a story with a hero - Falciani - who wins a victory.

That is 50% of the reasons why I wanted to make a film about Falciani.

The other 50% is that this whistleblower's narrative has the drama and



action of Bond movie. There are the glamorous international locations, from mountaintop villages in France to the glossy headquarters of banks in Geneva to the hi-tech offices of financial investigators in New York to shady bars in the back streets of Beirut. There is a contrasting cast of imperious bankers, hard-working journalists, passionate lawyers, finance ministers, secret agents and at the centre, the ambiguous figure of Falciani, Robin Hood or wheeler-dealer?

This was the opportunity to make an epic film about a subject of pressing importance, with a global sense of scale, like my previous documentary "Google and the World Brain."

> FALCIANI'S A DOCUMENTARY BY BEN LEWIS





CHRISTIAN BEETZ // PRODUCER



Christian Beetz is the founder and director of gebrueder

beetz filmproduktion and, according to leading industry publication Realscreen, ranks among the most important film producers in Germany.

Christian Beetz is multiple Grimme Prize winner and has realised more than 120 high-quality and awarded feature documentaries, docu-series, documentaries and docu-dramas for the international marked.

Some of his most important productions include the comprehensive and Grimme-Award-winning cross-media project "Farewell Comrades!" (2013), the innovative culture documentary "The Wagner Files", which was nominated for the International Emmy Award in 2014, and the feature documentary "Open Heart" (2013), which was nominated for the Academy Award (Oscar).

Already in 2007, Christian Beetz started complementing the company's cinematic content with cross-medial formats. In addition to producing films, he is also a university lecturer at the Film Academy Baden-Württemberg, a media consultant, a book publisher, and jury member at various film festivals.

BETTINA WALTER // EXECUTIVE PRODUCER

Bettina Walter is a producer committed to producing documentaries for the international market.

Her films "Google and the Worldbrain" "My Life with Carlos", "Mañana al mar", "Devil's Miner" and "Light Bulb Conspiracy" have been co-produced with broadcasters such as arte, BBC, TVE, TVC and PBS and presented at festivals as Sundance, Hot Docs, Tribeca, It's all true. They have won awards all over Europe and USA, incl. the FIPRESCI, PBS Ind Lens, Prix Europa, Grimme and the Max Ophüls.

Bettina Walter's projects have received national and international financing, including grants and assistance from institutions such as MEDIA slate funding on five occasions and Media Distribution for Europe, Fondart, Corfo from Chile and ITVS



in the United States, as well as from ICAA The Institute of Film and Audiovisual Arts of Spain's Ministry of Culture and from ICEC (The Catalan Institute of Cultural Industries).

For the last six years, she has taught classes at the UB (University of Barcelona), UAB (Universidad Autónoma de Barcelona) and ECIB (Escuela de Cine de Barcelona) on subjects including Documentary Filmmaking, Development, International Financing and Co-production.

FALCIANI'S

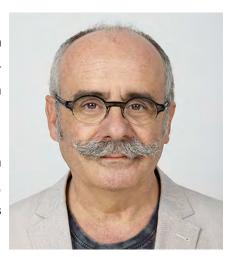




CARLES BRUGUERAS // PRODUCER

Polar Star Films is an independent production company in Barcelona, Spain, with a track record in creative documentaries, short fiction and commercials. Executive producer Carles Brugueras established the company in 1997, after fifteen years of working as an independent film and television producer.

At present Polar Star specialises in the production of innovative feature-length documentaries, co-producing with broadcasters such as ARTE, BBC (Storyville), RTVE and TVC (Televisió de Catalunya) and the support of institutions such as the MEDIA PROGRAMME of the European Union and Eurodoc.



The films of Polar Star Films have won numerous international awards, including the FIPRESCI (Jury Prize at Hot Docs), the PBS Independent Lens Audience Award, Prix Europa and the Max Ophüls prize.

One of Polar Star Films' recent productions, Google And The World Brain (2013, 89'), was selected for the World Cinema Documentary Competition at Sundance 2013. This film, directed by Ben Lewis, is a co-production between Germany (ARTE/ZDF), the UK (BBC) and Spain (RTVE and TVC).



