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Prof. Dr. Anna Oriolo

Jean Monnet Module EU-GLOBACT

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TRANSNATIONAL CRIME and EU LAW: towards **Global Action** against **Cross-border Threats** to common security, rule of law, and human rights

- 6 hours a week in presence and online
- Available for free on EU-GLOBACT and IECLLO websites
- Statement of Accomplishment

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1st Research Event – Jean Monnet EU-GLOBACT Course

The initiative of March 22, 2024 is part of the scientific (research and dissemination) events of the Jean Monnet high formation course EU-GLOBACT ' *Transnational Crime and EU Law: towards Global Action against Cross-border Threats to common security, rule of law and human rights*', co-funded by the European Commission (2023-2026).

About the Jean Monnet Project EU-GLOBACT

The EU-GLOBACT Jean Monnet project, with Prof. Anna Oriolo as Scientific Coordinator, aims to promote excellence in teaching and research in the field of EU legal studies at [University of Salerno \(UNISA\)](#), and in particular at its Department of Legal Sciences, offering a free, high specialized and interdisciplinary course on the emerging EU global counter-crime policy, relevant for the future professional lives of graduates as well as the specialised training of legal and policy practitioners. As such, the project is intended to produce shared research and the exchange of ideas in order to identify successful solutions and examples of best practices in fighting transnational crime that could be replicated by all Member States and worldwide, as well as contribute to the development of legislation and policymaking in compliance with EU values and principles.

To this end, EU-GLOBACT combines teaching projects, research initiatives, and community engagement, adopting a multidisciplinary, gender equality, and non-discrimination approach.

The teaching schedule includes a 58-hour annual course (30-40 students/year) structured in 4 theoretical units (40 hrs.) and 3 learn-by-doing units (18 hrs.). **The research and dissemination activities** comprise intensive workshops, webinars, roundtables, and annual conferences, within the framework of the [legal multidisciplinary Observatory IECLO](#), open to the general public and to youth participation.

The Module activities will mainly focus on four areas in compliance with the new EU Commission guidelines in the field:

- **Transnational crime, EU Law and global partnership:** towards a coordinated, more targeted and adapted response to specific priority offences (Prof. Anna Oriolo).
- **Transnational crime, EU Law and the Area of Freedom Security and Justice:** boosting law enforcement and judicial cooperation across member States (Prof. Angela Di Stasi).



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- **Transnational crime, EU Law and new technologies:** ensuring a human rights-based approach to digital challenges (Prof. Michele Nino).
- **Transnational crime, EU Law and financial system:** reinforcing asset recovery/anti-money laundering, and confiscation measures (Prof. Andrea Castaldo).

From a practical point of view regarding implementation, the Module activities will combine traditional (legal) teaching with the 'pragmatic' approach typical of so-called 'law clinics', i.e., applying legal knowledge to concrete cases. This objective will be achieved by conducting the teaching and research events within the framework of the **International & European Criminal Law Observatory (IECLO)** and inviting as teachers, guest lecturers, and keynote speakers the main experts in law-enforcement in criminal justice, i.e., judges, prosecutors, and police officers.

Target Audience

EU-GLOBACT is primarily addressed at university students, but could also be extremely beneficial to legal/justice professionals (judges, prosecutors, lawyers, court staff). It can also be relevant for the training of policymakers, national human rights institutions, as well as civil society organisations, and is also open to anybody interested on the topic.

EU-GLOBACT Staff

Scientific Coordinator: Prof. Anna Oriolo; **Teaching Staff UNISA:** Prof. Andrea R. Castaldo, Prof. Angela Di Stasi, Prof. Michele Nino; **Junior Researchers:** Dr. Stefano Busillo, Dr. Emanuele Vannata.

About the Research Event of March 22, 2024

The event of April 12, 2024, entitled '*Cultural Heritage, Transnational Crime and Global Security in The EU Policies and Law*' (**with the patronage of the Carabinieri Corps**) is open to (free) participation by the academic community (students, registrars, Ph.D candidates and Ph.Ds, researchers, scholars), legal practitioners, stakeholders and the **civil society in general**.



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With respect to the event's goals, in addition to allowing students, Ph.D candidates and lecturers from the involved universities to create or develop scientific research relationships, the round table will allow an exchange of knowledge and ideas between participants and stakeholders (from outside of the academic world and the community specialized in legal matters too) on how to best enact the EU global policy on crimes against cultural heritage, meant as the unique and fundamental bequest of the history and identity of different peoples, deserving the highest standards of protection so that it can be enjoyed by both present and future generations.

Trafficking in cultural goods, for example, is, by its very nature, a transnational and complex phenomenon which, after the smuggling of arms and drug, is one of the most lucrative forms of organised crime and can end up financing corruption, terrorism, violence and other crimes. Crisis and conflict zones are particularly at risk: the Near and Middle East (Syria, Iraq or Libya) and, more recently, Ukraine.

Undoubtedly, traffickers of cultural goods also benefit from the lack of uniformity (both globally and at EU level) in the configuration of this crime. The Council of Europe's 'Nicosia Convention' is, to date, the only international treaty specifically dedicated to crimes against cultural property which, moreover, Italy has recently ratified with Law No. 22 of 9 March 2022. For a long time, the regulation of the prevention and suppression of transnational crime in the field of cultural property, in a global context, has been defined mainly from the provisions of the United Nations Convention Against Transnational Organized Crime of 2000 (Palermo Convention).

Within the European Union's framework, even when they pertain to '*areas of particularly serious crime with a cross-border dimension*' (art. 83, para. 1 TFEU), crimes are not included in the list of so-called *Eurocrimes* under which the EU is entitled of establishing '*minimum rules concerning the definition of criminal offences and sanctions*' (*ibidem*). Similarly they are not included in the scope of the violations for which the European Public Prosecution Office (EPPO) has 'expressly' competence, that is instead limited to the financial interests of the Union unless the category are adjourned by unanimous decision of the Council (art. 83, para. 1 TFEU) or the European Council (art. 86, para. 4 TFEU). And that appears to be the general intention for the near future.

Tackling the complex and inherently transnational phenomenon of illicit trafficking in cultural property hence requires an **ad hoc response at EU level**, as set out in the EU Security Strategy 2020-2025 and the EU Strategy to tackle Organised Crime 2021-2025.

That is precisely why the Commission presented on 13 December 2022 a targeted EU Action Plan against trafficking in cultural goods, which aims to maximise the potential of existing EU actions, highlight areas where



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further efforts are needed and indicate how to address outstanding challenges. In order to ensure an effective overall response, the Action Plan focuses on four strategic objectives:

- I. to improve the prevention and detection of criminal offences by market operators and cultural heritage institutions;
- II. to enhance the capacities of judicial and law enforcement authorities;
- III. to promote international cooperation;
- IV. to gain the support of other important stakeholders in order to protect cultural property from crime.

The event of March 22, 2024 aims to contribute to the adoption by national authorities of the necessary measures to comply with said EU Action Plan, i.e. to strengthen the capacities of judicial and law enforcement authorities through the **training and specialisation of professionals** needed to manage transnational challenges and to cooperate with EU agencies, such as the above-mentioned European Public Prosecutor's Office, which could investigate and prosecute specific offences related to illicit trafficking in cultural goods (as it is detrimental to the financial interests of the Union or is linked to offences affecting those financial interests.)

The event also aims to help enhance the protection of cultural property from illicit trafficking by maximising stakeholder support. The European Commission's Action Plan states that it is essential to **raise awareness on the importance of cultural heritage** and the harm caused by the illicit trade in cultural goods and not only in law enforcement authorities and communities that manage cultural heritage. This awareness-raising work must also cover potential purchasers of cultural goods, young people, journalists, persons or entities capable of influencing public opinion on cultural goods, as well as communities in the countries of origin of such goods, which may affect the way in which local cultural goods are preserved and protected.

In order to meet this goal, more than 1,000 young students from the the Liceo Scientifico G. da Procida in Salerno, from the Liceo Scientifico A. Genoino in Cava dei Tirreni and from the Liceo Scientifico B. Rescigno in Roccapiemonte, will participate remotely in the work of 22 March 2024, allowing the EU-GLOBACT Project to achieve the main objectives of the ERASMUS+ Actions, namely 1) to encourage the participation of young people in the Project, fostering their sense of belonging to the EU and 2) to promote participation in democratic life to strengthen the understanding of the EU from and knowledge of EU values beyond academia and the general public.



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