

Jean Monnet Module  
**EU-GLOBACT**  
2<sup>nd</sup> Edition

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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 and Professional Credits

**START COURSE** 



Jean Monnet Module  
Erasmus+ Programme 2023



UNIVERSITÀ DEGLI STUDI  
DI SALERNO



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## Background

Transnational crime knows no borders, emblematic of the link between internal and external security. These crimes pose a significant threat to European citizens, businesses, state institutions, and the economy as a whole. Indeed, perpetrators of terrorism and other organized crime use their vast illegal profits to infiltrate the licit economy and public institutions, including via corruption, eroding the rule of law and fundamental rights, undermining people's prerogative to safety and their trust in public authorities.

Additionally, global emergencies, such as armed conflicts, health needs, and natural catastrophes, amplify the threat that cross-border offences pose to EU values and to internal and external security. The recent Russian-Ukrainian crisis, Covid-19 pandemic, and environmental disasters due to climate change have in fact created opportunities for transnational crime to flourish, increasing cyber-attacks, illicit arms trafficking, fraud in medical device counterfeiting, and human smuggling.

Thus, transnational crime is not just a legal issue but presents economic, social, and political implications requiring cross-sectoral and multi-disciplinary management.

To face these evolving challenges, the EU adopted a new Common strategy to tackle transnational crime ([COM/2021/170 final](#)) as part of the EU Security Strategy ([COM/2020/605 final](#)) intended to ensure that the EU can act "as a united, more influential global actor stepping up international cooperation".

We now face a new dimension of EU criminal competence that is no longer restricted to Member States' legislative harmonization and judicial cooperation within the Union, but broadened to actions against cross-border threats, implying: 1. tighter institutional links between EU external action and the internal area of freedom, security and justice; 2. the EU's active role in exporting its acquis on transnational crime in the context of enlargement and accession; 3. the development of the European Neighbourhood Policy; and 4. full



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participation in international fora in the fight against transnational offences.

Therefore, national authorities must take imperative steps to comply with the objectives of the emergent EU counter-crime policy, also through the training and specialization of professionals needed to manage the transnational challenges and cooperate with EU enforcement agencies, such as the more recent European Public Prosecutor's Office (EPPO).

## About EU-GLOBACT

The EU-GLOBACT Module aims to promote excellence in teaching and research in the field of EU legal studies at the Host Institution ([University of Salerno "UNISA"](#)), 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 Module 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 structured in 4 theoretical units (40hRS) and 3 learn-by-doing units (18 hrs.).

The research and dissemination activities comprise intensive workshops, webinars, roundtables, and annual conferences implemented within the framework of the institutional legal observatory [IECLO](#), open to the general public and to youth participation.



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The EU-GLOBACT 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).
- **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 EU-GLOBACT 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 useful for the training of policymakers, national human rights institutions, as well as civil society organizations, and is also open to any body interested on the topic.



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# Syllabus

The **58-hour course** (JMM Course) is structured in **4 theoretical units** (40 hrs.) and 3 (**learn-by-doing units** 18 hrs.). The Course will start with traditional lectures introducing students to basic legal concepts useful to developing critical analyses. Then, seminars with guest lecturers and in-class analyses of one or more case studies will allow examining specific EU issues in-depth, stimulating an interdisciplinary approach in line with the cross-sectoral nature of EU global policy against transnational crime.

<b>1</b>	<b>1<sup>st</sup> Theoretical Unit: EU legal order and competence in criminal matters (10 hrs.)</b> <ul style="list-style-type: none"><li>• Area of freedom, security &amp; justice and judicial/police cooperation in EU Treaties (5 hrs.)</li><li>• The fight against crimes of global interest in EU secondary law (5 hrs.)</li></ul>
<b>2</b>	<b>2<sup>a</sup> Theoretical Unit: The Court of Justice and legal remedies in the fight against transnational crime (10 hrs.)</b> <ul style="list-style-type: none"><li>• Transnational crime and legal remedies: the role of preliminary rulings (5 hrs.)</li><li>• The “evolving” Court of Justice’s case-law over transnational crime and EU criminal competence (5 hrs.)</li></ul>
<b>3</b>	<b>3<sup>rd</sup> Theoretical Unit: The relationship between the EU Law and Italian legal systems in the fight against transnational crime (10 hrs.)</b> <ul style="list-style-type: none"><li>• Transnational <i>ne bis in idem</i> principle (5 hrs.)</li><li>• National enforcement of EU counter crime measures (5 hrs.)</li></ul>
<b>4</b>	<b>4<sup>th</sup> Theoretical Unit: EU, transnational crime and individual safeguards (10 hrs.)</b> <ul style="list-style-type: none"><li>• Transnational crime and procedural rights of suspects and accused persons (5 hrs.)</li><li>• Transnational crime and rights of victims and witnesses (5 hrs.)</li></ul>



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**In learn-by-doing classes** students will work individually and in teams on projects aimed at promoting EU values of democracy, rule of law and human rights in countering transnational crime. The classes can take on the role of both a **legal aid clinic** and a **desk study legal clinic**. In this way, students have the opportunity to deal with all the typical techniques of lawyering and legal consulting before national and international courts and institutions (fact-finding, reporting and brief-writing, strategic litigation, etc.), on the following issues:

<b>1</b>	<b>1<sup>st</sup> Learn-by-doing unit: EU, Transnational crimes and human rights-based approach (6 hrs.)</b> <ul style="list-style-type: none"><li>• The crucial role of human rights court in identifying and assessing counter-crime measures</li></ul>
<b>2</b>	<b>2<sup>nd</sup> Learn-by-doing unit: EU, Transnational crimes and judicial dialogue (6 hrs.)</b> <ul style="list-style-type: none"><li>• Fostering jurisprudential cross-fertilization for the application of the EU charter in criminal law</li></ul>
<b>3</b>	<b>3<sup>rd</sup> Learn-by-doing unit: EU, Transnational crime and business (6 hrs.)</b> <ul style="list-style-type: none"><li>• Analyzing relevant case-law on the legal persons involvement in cross-border crimes</li></ul>

## Staff

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

## How to access to EU-GLOBACT activities

The EU-GLOBACT activities and material are freely available on the [IECLO](#) and [EU-GLOBACT](#) websites. The length of the teaching course is approximately 6 hours a week, and those who complete it can obtain **professional credits** and an individualised '**Statement of accomplishment**'.

To access the course, you need to [sign up here](#); it only takes 2 minutes.



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