



*Jean Monnet Module*  
EU-GLOBACT



**Transnational Crime and EU Law:**  
towards **Global Action** against **Cross-border**  
**Threats** to common security, rule of law,  
and human rights

**EU-GLOBACT DAY SEMINAR**

**EU, GLOBAL SECURITY AND INTERNATIONAL CRIMINAL JUSTICE:**

**WHAT LESSON FROM RUSSO-UKRAINIAN CRISIS?**

19 April, 2024

**Chair**

**PABLO ANTONIO FERNÁNDEZ-SÁNCHEZ**

*Professor of Public International Law and International Relations, University of Seville, Visiting Professor University of Salerno*

**BIOGRAPHY**

PABLO ANTONIO FERNÁNDEZ-SÁNCHEZ is Full Professor of Public International Law and International Relations, University of Seville. Member of the University Institute of Latin-American Studies (IEAL), University of Seville, since 2016 and President of the Hispanic-Luso-American and Phillipine Institute of International Law (IHLADI), since 2018. Jean Monnet Chair's Holder on European Integration from 1998 to 2014. Acting Judge at Superior Court of Justice of Andalucia, from September 1987 until September 1998 and august 2012 until 2017.

**Introductory Speakers**

**ANNA ORIOLO**

*Associate Professor of International Law and EU Law, University of Salerno, JMM EU-GLOBACT Leader*

**BIOGRAPHY**

ANNA ORIOLO, Scientific Coordinator of the EU-GLOBACT Project, is Associate Professor of International Law and of European Union Law and European and International Criminal Law at the



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Department of Legal Sciences, University of Salerno. She is Founder and Director of the “*International and European Criminal Law*” on Cultural Issues, Human Rights, and Security (IECLO), based at the same University, where she is also Lecturer in Institutions of International Law and *Diplomatic and Consular Law* at the Department of Business Sciences - Management and Innovation Systems (DISAMIS). She has also been Lecturer in International Law and European Union Law at the University of Cagliari, at the Université Lumière Lyon 2, at the School of Specialisation for Legal Professions at the University of Salerno and is currently Visiting Professor at the University of Aix-Marseille. She is Scientific Coordinator for several research programmes funded by the University of Salerno (2006-2023) and her works (in Italian, English and French) covers a wide range of topics in the field of international and EU law, e.g. international criminal law and *crimina juris gentium*, human rights and fundamental freedoms, *cross-fertilisation*, cybersecurity, environmental and water protection, global law and policies, cultural heritage, ethics in international and EU law, corporate social responsibility.

### Keynote Speakers

#### PAOLO BARGIACCHI

Full Professor of International Law University of Enna “Kore”

#### PRESENTATION TITLE

*Self-Defense in Contemporary International Law*

#### BIOGRAPHY

PAOLO BARGIACCHI is Full Professor of International Law at the “Kore” University of Enna. He taught International Law, European Union Law, Human Rights at the Universities of Palermo and Messina and, since 2008, he has held the Chair of International Law at the Faculty of Economic and Legal Sciences of the “Kore” University of Enna, where he also teaches International Law of Armed Conflicts. He teaches Masters and Specialization Courses at various institutions, such as the SIOI (Italian Society for International Organization), the School of Specialization for Police Forces and the International Institute of Advanced Training for the Prevention and Fight against Organized Crime. He is a member of scientific committees of legal journals, a member of Doctoral Boards, as well as of the SIOI Human Rights Committee, and is also Corresponding Editor for the journal *International Legal Materials*. In particular, he is the academic coordinator of the university research unit “Kore” for the POWERS project - Jean Monnet Networks (2018-2021), co-funded by the European Union.



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#### PRESENTATION ABSTRACT

Among the alleged justifications put forward by Russia for the invasion of Ukraine is that of an action of self-defense. Beyond the groundlessness of this argument, the Russian attitude signals an increasingly widespread and worrying tendency in the international community, namely that of insisting to substantially legitimize any use of force on the basis of a notion of self-defense which seems, to say the least, "stretched" due to the questionable interpretation of the essential requirements of such legal institution. In this way, particularly in the last thirty years, self-defense is becoming a sort of legal "umbrella" to (apparently) legitimize armed violence in international relations. The legal consequence of this approach is the weakening of the restrictive framework on the use of force designed by the UN Charter in 1945. The political consequence is instead an increasingly frequent recourse to armed violence, including war, in international relations.

#### **DOMENICO ALBANESE**

*Provincial Commander of the Carabinieri of Avellino*

#### PRESENTATION TITLE

*The Role of Eurojust in the Prosecution of International Crimes committed in Ukraine*

#### BIOGRAPHY

DOMENICO ALBANESE is Colonel of the Carabinieri. He attended the Nunziatella Military School in Naples and the Military Academy in Modena. He has a degree in "Law" and "Internal and External Security Sciences" and a university master's degree in "Forensic Science" and "Security, International Cooperation and Interforce Coordination". He has carried out training assignments at the Carabinieri Marshals School of Velletri and various operational positions in the territorial organization, in particular as Commander of the Operational Unit of the Carabinieri Company Rome Piazza Dante and Commander of the Carabinieri Companies of Taormina and Rome Casilina. As part of the General Staff of the General Command of the Carabinieri Corps, he served in the "Operations" and "Legislation and Parliamentary Affairs" Offices. From 2020 to 2022 he was Commander of the Carabinieri Group of Milan. In 2023, he attended the 38th Advanced Training Course at the School of Specialization for Police Forces, where he deepened, among others, the topics of judicial and police cooperation in criminal matters. Since July 2023, he has been Provincial Commander of the Carabinieri of Avellino.



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#### PRESENTATION ABSTRACT

Among the protagonists of the action to fight against international crimes in the ongoing armed conflict in Ukraine, a leading role is played by Eurojust, the European Union Agency to which the founding statute, reformed in an evolutionary key, has conferred renewed powers of initiative and support in the coordination between the national authorities responsible for the investigation of the so-called “*core crimes*”. This is why, since the early stages of his intervention in the Ukrainian case, the Prosecutor of the International Criminal Court has established operational relationships of collaboration with Eurojust and with some national judicial authorities, giving rise to an integrated investigative dimension (*Joint Investigation Team "Ukraine"*). This was unprecedented in the panorama of international criminal law, which also makes use of experimental tools. Among these, the so-called “*core international crimes database*” (CICED) – an interesting computer-based system for preserving, analysing and storing sources of evidence relating to international crimes –which, together with other important initiatives launched during this conflict, will contribute to revitalising mechanisms for international cooperation in criminal matters.

#### ANNA IERMANO

*Senior Researcher of International Law, University of Salerno*

#### PRESENTATION TITLE

*The Russo-Ukrainian War, the Limits of International Criminal Justice and the European Union's Response*

#### BIOGRAPHY

ANNA IERMANO is Assistant Professor of International Law, Department of Legal Sciences, University of Salerno with National Scientific Qualification for the Functions as Associate Professor in Italian Universities in International Law and European Union Law. Professor of “International and Procedural Private Law”, Department of Legal Sciences; of “Applied International Law”, Department of Political and Communication Sciences; of “Sustainable Development in the Mediterranean Area: Basic Legal Notions”, Department of Pharmacy. Member of the [Observatory on the Area of Freedom, Security and Justice](#) (responsible for the section “*Judicial cooperation in criminal matters*” and “*Administrative cooperation*”) and of the Observatory on “*The International & European Criminal Law Observatory on cultural Issues, Human Rights and Security*” (IECLO) and Member of the Editorial Board of the online Review “[Freedom, Security and Justice: European Legal Studies](#)”. Teaching Staff Member of Jean Monnet Module EU-DRAW “Democracy and the Rule of Law: A New Push for European Values” (2022-2025). Member of PRIN



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Project (2020-2024) “*International Migrations, State, Sovereignty and Human Rights: open legal issues*”. Ph.D. in “*European Area of Freedom, Security and Justice*” and Research Fellow in EU Law and International Law (2009-2021). Lawyer.

#### PRESENTATION ABSTRACT

In the aftermath of the invasion of Ukraine by the Russian Federation's army, 43 States Parties to the Rome Statute, including Italy and all Member States of the European Union, have referred the matter to the International Criminal Court (ICC), asking the Prosecutor to investigate conducts committed in Ukraine that qualify as war crimes, crimes against humanity and genocide. Hence, there was a subsequent strong political consensus at international level regarding the action taken by the ICC, as well as the financial and operational support offered by numerous States and European institutions to the investigations. However, a number of limitations – which are the subject of the hereby reflection – and, especially with reference to the crime of aggression, undermine the effectiveness of international criminal justice (see, also, the arrest warrant against Putin and his Commissioner for Children's Rights at the Presidency of the Russian Federation). It is no coincidence, in fact, that the possible establishment of an ad hoc tribunal is currently being discussed, putting forward proposals of a different nature in this regard. It is noteworthy, among other things, that the European Union has taken its position on the effective measures and sanctions adopted in response to Russian aggression, even though the process still appears to be long and tortuous.

#### *Final Debate*



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