



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 2ND ED. DAY SEMINAR

CORPORATE RESPONSIBILITY, TRANSNATIONAL CRIME AND GENERAL INTERESTS: INTERNATIONAL AND EU LEGAL TRENDS

22 October, 2024

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 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 Visiting Professor at the University of Aix-Marseille. She is Scientific Coordinator for several research programmes funded by the University of Salerno (2006-2024) 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, transnational crime *and core international crimes*, 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

VIRGINIE MERCIER

Full Professor of Private Law, Aix-Marseille University, UNISA Visiting Researcher



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BIOGRAPHY

VIRGINIE MERCIER is a Full Professor of *Droit privé* and Member of the *Centre de droit économique*, at the Faculty of Law and Political Science of the University of Aix-Marseille (France) where she directs *the Institut de Droit de l'Environnement et du Développement Durable (IDEDD)* and the *Master Droit de la banque et des operation patrimoniale*. She recently won a selection for *Visiting Researcher* at the Department of Legal Sciences (School of Law) of the University of Salerno. Prof. Mercier's research activity focuses on environmental law, obligations and liability of entities arising from environmental law, corporate social responsibility, and civil liability in connection with environmental law and sustainable development. Her international academic activities include cooperation with the *Centre de droit des affaires et du commerce international* of the University of Montreal (Canada): in connection with this partnership, she directs the *Summer School Gouvernance environnementale et sociétale de l'entreprise - Approche européenne*. Prof. Mercier is Member of the *Advisory Board* of the multidisciplinary legal observatory IECLO (*International & European Criminal Law Observatory*) and *Guest Lecturer* of the Jean Monnet Course EU-GLOBACT (*Transnational Crime and EU Law*), co-funded by the European Commission (2023-2026) at the Department of Legal Sciences (School of Law) of the University of Salerno.

TITLE

Corporate Social Responsibility, Transnational Crime and Due Diligence for a Sustainable Development

ABSTRACT

The EU is developing corporate sustainability policies for companies with the aim of strengthening the protection of the environment and human rights in the EU and around the world. On 23 February 2022, the Commission presented to the European Parliament and the Council a proposal for a Directive on corporate sustainability due diligence and amending Directive (EU) 2019/19371. The proposed Directive, based on arts. 50 and 114 TFEU, lays down obligations with respect to adverse impacts on human rights and adverse environmental impacts, whether actual or potential, incumbent on companies in the context of their activities, the activities of their subsidiaries and the activities in the value chain carried out by entities with which the company has an established business relationship. It also lays down rules on liability in the event of a breach of these obligations. On 14 December 2023, the Council and Parliament reached a provisional agreement on the directive, defining its scope and clarifying the responsibilities of non-compliant companies, better defines the various penalties and completes the list of rights and prohibitions that companies should comply with. The directive was finally approved last June 2024. The result is a compromise text that has narrowed the contours of the supervisory obligation resulting from the December 2023 agreement.

Keynote Speaker





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CARMINE RENZULLI

Lecturer in International Law of Intellectual Property, University of Salerno

BIOGRAPHY

CARMINE RENZULLI is Lecturer in International Law of Intellectual Property at the Department of Legal Sciences (School of Law) of the University of Salerno and Ph.D. in *International Law and International Internal Law* (2012). He is a lawyer at Salerno Bar Association, and Honorary fellow in International Law in *Advanced International Law, International Law of Armed Conflicts, and International Criminal Law* at the University of Salerno, as well as in *International Criminal Law* at the University of Sannio. His research activity mainly focuses on intellectual property law, competition, and trade in the European and international context, with particular attention to the publishing industry and companies active in the field of culture and media. He has authored several publications on these topics and has participated in conferences as a speaker, gaining training experiences both in Italy and abroad.

TITLE

When Corporate Responsibility Turns into State Responsibility: Gender Discrimination against LGBTIQ People in the Case Hungary vs Netflix

ABSTRACT

In the light of the definition of Corporate Social Responsibility as a set of behaviors, practices and activities whereby companies integrate social and environmental concerns into their business operations, the speech aims to highlight how corporate self-regulation practices can sometimes interact in a challenging way, if not even conflict, with a national legal system in a given historical moment, especially in presence of laws that express a peculiar political system. Such an interaction takes on an even more complex dimension with reference to Media & Entertainment Companies, since these, unlike all other corporations, spread and convey messages to an indistinct mass of recipients. The Case under analysis offers the opportunity to reflect on the possible scenarios where the State decides to repress Corporate Social activities carried out by a multinational company or, on the contrary, promotes or endorses practices that are harmful to rights of general interest.

Scheduled Speeches



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Jean Monnet Module EU-GLOBACT



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EMANUELE SORGENTE

Graduate Student in Law, University of Salerno

BIOGRAPHY

Emanuele Sorgente is Master student in Law at the Department of Legal Sciences (School of Law) of the University of Salerno. Member of the Secretariat of the *International and European Criminal Law Observatory* (IECLO), based at the same Department and member of the Communication and External Relation Staff (CERS) of the Jean Monnet Module EU-GLOBACT (European Commission 2023-2026), Scientific Coordinator Prof. Anna Oriolo. During the 22 March 2024 conference of the Jean Monnet Module EU-GLOBACT (Cultural Heritage, Transnational Crime and Global Security in the EU Policies and Law) he made a presentation on the topic, entitled *EU Cooperation with UNESCO to fight Crimes Against Cultural Heritage*. Emanuele Sorgente is also member of several Research Projects funded by the University of Salerno (Principal investigator Prof. Anna Oriolo) Developing his interest in International and European law, he recently published an article in the legal journal *Altalex* entitled: *Gender Pay Gap: new forms of protection*.

TITLE

Corporate Responsibility and Sustainable Investments in EU Legal System

ABSTRACT

In an era of increasing environmental and social awareness, socially responsible investing (SRI) is emerging as a transformative force in the economic and financial landscape. In Europe, where climate change and sustainability are at the forefront of political and business agendas, SRI offers a unique opportunity to combine economic returns with positive social impact. Investing in projects that meet environmental, social, and governance (ESG) criteria is not only an ethical choice but a fundamental strategy for ensuring a prosperous and sustainable future. With Next Generation EU and the European Green Deal as cornerstones, Europe has the opportunity to become a global model, demonstrating that economic growth can go hand in hand with social justice and environmental protection.

HELIN AYAZ

Master Student in Law Izmir Kâtip Çelebi University, IECLO Erasmus Trainee

BIOGRAPHY





Jean Monnet Module EU-GLOBACT



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HELIN AYAZ started in 2018 her undergraduate law education and in 2022 she completed her education at the European University of Lefke. During her undergraduate education, she participated in trainings focused on basic human rights as a member of Elsa Izmir. She served as the editor of the first two issues of “Hüküm Journal” published by the Young Lawyers Association, which was established by law students and lawyers in Ankara. After her undergraduate education, she completed a oneyear legal internship as a lawyer affiliated to the Izmir Bar Association and is currently working as a lawyer. During this period, she also started to Izmir Kâtip Çelebi University Public Law Master's Program with Thesis. Helin Ayaz has completed the first year and during this year, took courses such as *Protection of Human Rights in the Context of Criminal Procedure Law, the Role of Parliament in Supervision of Administration, Current Issues of Administrative Jurisdiction, Commercial Criminal Law, Current Developments in International Law, Current Developments in Health Law* from professors who are experts in their fields and created a perspective in these areas. Her article on *An Overview of Personal Data under Turkish Law*, which she wrote in the first year of her master's degree, was awarded the prize in the Prof. Dr. Serkan Odaman 2nd Article Competition which organized by Elsa Izmir. Also, her article titled *The Crime of Banking Embezzlement Regulated in Law no. 5411 in the Light of Judicial Decisions* is currently under the evaluation of the Editorial Board of the Izmir Bar Association Journal.

TITLE

Criminal Liability of Companies for Environmental Crimes

ABSTRACT

The industrialization process that took place after the industrial revolution and the rapid advancement of technology have led to an uncontrollable increase in environmental pollution and irreversible destruction of the ecosystem and biodiversity. With the realization of these environmental problems as a threat since the 1970s, the importance given to the fields of environmental law and environmental criminal law has increased and necessary steps have been taken to prevent the climate crisis that has grown with environmental problems and to protect the environment. One of these steps is the adoption of the concept of ecocide and the efforts made to make it a valid crime type in international law. In this presentation, firstly, the philosophical approaches to environmental protection will be briefly mentioned and ecocide as an environmental crime will be analyzed. Then, the criminal liability of companies with legal personality, which is the main subject of the presentation, will be discussed in the context of the crime of ecocide.

Final Debate



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