



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. CONFERENCE

JUDICIAL AND POLICE COOPERATION ACROSS BORDERS FOR THE COMMON SECURITY, RULE OF LAW AND HUMAN RIGHTS

5th MAY 2025

Introductory Speaker

ANNA ORIOLO

*Associate Professor of International Law and EU Law, University of Salerno, JMM EU-GLOBACT Leader
(Professore Associato di Diritto Internazionale, Università degli Studi di Salerno; Leader JMM EU-GLOBACT)*

BIOGRAPHY

ANNA ORIOLO, Scientific Coordinator of the JMM EU-GLOBACT, is Associate Professor of International Law and of European Union Law and International & European Criminal Law at the Department of Legal Sciences, University of Salerno. She is Founder and Director of the International and European Criminal Law Observatory 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.



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Chair

FRANCO ROBERTI

Former Italian National Anti-Mafia Prosecutor and Member of the European Parliament (Ex Procuratore nazionale antimafia e membro del Parlamento europeo)

BIOGRAPHY

FRANCO ROBERTI is a Member of the European Parliament. Appointed as judicial hearing officer by Ministerial Decree in 1975, in 1976 he carried out the functions of magistrate at the Borgo San Lorenzo (Florence) court. On a second moment, he served at the Sant'Angelo dei Lombardi (Avellino) court (dealing among others, as investigating judge, with the criminal proceedings on the so-called “easy collapse” of the Irpinia earthquake of 1980). As Deputy Public Prosecutor at the Court of Naples, he dealt with crimes against the public administration as well as mafia and terroriste xtortion organised crime as part of the “Extortion and kidnapping” section until the establishment of the District Anti-Mafia Directorate. From 1993 to 2001, he was Deputy National Anti-Mafia Prosecutor at the National Anti-Mafia Directorate. Until October 2005, he also acted as coordinator of the section responsible for crimes against the State and crimes committed for the purpose of terrorism, including international terrorism, or subversion of the constitutional order, including the section responsible for prevention measures. From 2005 to 2009, he was coordinator of the District Anti-Mafia Directorate of the Naples Public Prosecutor's Office. In this capacity he directed, in co-assignment with the substitutes, the main investigations into criminal organisations operating in the city of Naples and in the area of Caserta. Particular attention should be drawn to the criminal proceedings against the “Casalesi clan”, which led to the complete disruption of the criminal organisation and the arrest and conviction of all fugitives. He was also Public Prosecutor at the Court of Salerno and personally coordinated the District AntiMafia Directorate there. Since 2011, he has been Deputy Public Prosecutor in Naples. In 2013, the Superior Council of the Magistracy appointed him as National Anti-Mafia Prosecutor. Since 2015, the Prosecutor has been holding the position of National Prosecutor for anti-mafia and anti-terrorism. In 2017, he was bestowed the title of “Cavaliere di Gran Croce dell’Ordine al Merito della Repubblica Italiana”. After his service as judge, Franco Roberti was appointed Advisor to the Minister of the Interior for matters relating to terrorism and organised crime. For the 2019 European elections he was the leader of the Democratic Party, in the project “We Europeans”, elected in the southern Italian constituency as first candidate with 150,000 votes.



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Special Guest

VALSAMIS MITSILEGAS

*Dean of The School of Law and Social Justice and Professor of European and Global Law, University of Liverpool
(Direttore della scuola di diritto e giustizia sociale e Professore di diritto europeo e globale, Università di Liverpool)*

BIOGRAPHY

VALSAMIS MITSILEGAS is Professor of European Criminal Law and Global Security and Deputy Dean for Global Engagement (Europe) at Queen Mary University of London. He has served in a number of senior leadership roles at Queen Mary, including as Head of the Department of Law (2012-2018), as Dean for Research for the Humanities and Social Sciences (January-December 2017) and as Academic Lead for Internationalisation with pan-university responsibilities (2017-2018). He was also the Inaugural Director of the Queen Mary Institute for the Humanities and Social Sciences (IHSS) from January to December 2017 and has been the Director of the Queen Mary Criminal Justice Centre since 2011. From 2001 to 2005 he served as legal adviser to the House of Lords European Union Committee. His research interests and expertise lie in the fields of European criminal law; migration, asylum and borders; security and human rights, including the impact of mass surveillance on privacy; and legal responses to transnational crime, including organised crime and money laundering. He is the author of six monographs and over 100 articles and chapters in academic volumes. His latest books are *The Criminalisation of Migration in Europe* (Springer, 2015) and *EU Criminal Law After Lisbon* (Hart, 2016). He is a regular adviser to think-tanks, parliaments, governments and EU institutions including the European Commission, the European Parliament and the EU Fundamental Rights Agency and is currently serving for a second term as a member of the European Commission's Expert Group on Criminal Policy. Professor Mitsilegas has been actively involved in the policy debate on the consequences of Brexit for security and criminal justice co-operation. He is Co-Coordinator of the Queen Mary-CEPS Task Force on Brexit and Criminal Justice Co-operation (a project funded by the Open Society Foundation). He has given oral evidence on Brexit and security to the House of Commons Home Affairs Committee, on Brexit and dispute resolution to the House of Lords EU Justice Sub-Committee and on Brexit and data protection to the House of Lords EU Home Affairs Sub-Committee.

TITLE

The Interaction Between EU and National Law in Europe's Area of Criminal Justice (L'interazione tra il diritto dell'UE e il diritto nazionale nello spazio europeo di giustizia penale)



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ABSTRACT

The past two decades have witnessed a growing maturity in European integration in criminal matters, in particular through the evolution of mutual recognition in criminal matters and through the development of EU criminal justice bodies and agencies including Eurojust and the EPPO. Yet, notwithstanding these developments, the degree of legislative harmonisation in the field of criminal justice remains limited and there remains a significant role for national law in the functioning of Europe's area of criminal justice. By focusing on the legislative architecture and the case-law of the CJEU, the presentation will address the legal, constitutional and rule of law issues arising from the interaction between EU law and national law in judicial cooperation in criminal matters and the enforcement of EU criminal law by the EPPO.

Keynote speakers

ALDO INGANGI

Assistant to the National Member for Italy, Eurojust (Assistente del Membro nazionale per l'Italia, Eurojust)

BIOGRAPHY

ALDO INGANGI is Assistant to the National Member for Italy at Eurojust. He became a magistrate in 1997 and from 1999 worked as a prosecutor in the prosecution offices of Paola, Naples and Lucca. During this period, he dealt with many cases of mafia-like crimes, as appointed by the District Anti-Mafia Directorates of Catanzaro, Naples and Florence. Since October 2023 he is acting as national Member for Italy at Eurojust. He has participated as a lecturer in several workshops and conferences organised by the Italian High Council of the Judiciary and the High School of the Judiciary on Eurojust – related topics such as judicial cooperation tools, Joint investigation teams asset recovery, freezing s and confiscations and trafficking in cultural goods. He also collaborates as a lecturer in training programmes organised by the Carabinieri National Cultural Heritage Protection Command (Comando Tutela Patrimonio Culturale). On behalf of the Italian Desk at Eurojust, he participates as a judicial cooperation expert in the Committee for the Recovery of the Italian Heritage at the Italian Ministry of Culture.

TITLE

Eurojust's role in judicial cooperation and its national coordination (Il ruolo di Eurojust nella cooperazione giudiziaria ed il suo coordinamento nazionale)



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ABSTRACT

Eurojust is the European Union's agency for judicial cooperation in criminal matters. Made up of magistrates from 26 out of the 27 countries of the European Union, and with a complex network of liaison magistrates and contact points, it supports and enhances coordination and cooperation between national authorities responsible for investigating and prosecuting serious forms of crime where such forms of crime involve two or more member states. The area of competence is serious cross-border crimes as defined in European Union legislation. The report describes its structure, mandate, jurisdiction, and network of relations outside the Union.

It will analyze, in particular the functions of:

- Information.
- Facilitation.
- Coordination.
- Cooperation.
- Logistical and financial support for investigative actions.
- Prevention of conflicts of jurisdiction.

From the general part devoted to the Agency's operation in general, we will move on to an analysis of the powers and duties of the National Member for Italy, its relocation to the judiciary with the prerogatives of Public Prosecutor and national coordination for Eurojust, as provided for in the Regulation and Legislative Decree No. 182/2023 and whether and how they have concretely found implementation.

ROCCO ALFANO

Adjunct Deputy Public Prosecutor at the Court of Salerno (Procuratore aggiunto presso il Tribunale di Salerno)

BIOGRAPHY

ROCCO ALFANO is Deputy Public Prosecutor at the Court of Salerno, assigned to the Inter-sectional Investigation Group on Terrorism. He previously served as Deputy Public Prosecutor at the District Anti-Mafia Directorate (DDA) and has been serving as a Public Prosecutor since 1999. During his academic career, he obtained a Postgraduate Diploma in Administrative Law and Administrative Sciences, defending a thesis entitled "Judicial and Administrative Protection of the Private Contractor" at the Faculty of Law of the University of Naples "Federico II". He also held the position of teaching assistant in Constitutional Law at the University of Salerno.



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TITLE

Judicial Cooperation in the European Context: Relations between the EPPO and National Prosecutors' Offices (La Cooperazione giudiziaria in ambito europeo: I rapporti tra EPPO e le procure nazionali)

ABSTRACT

The procedural instruments most commonly used in relations with foreign judicial authorities: extradition, letters rogatory, European Arrest Warrant (EAW), and European Investigation Order (EIO) – trends in the use of operational tools – the emergence of the European Public Prosecutor's Office (EPPO) in the European legal landscape – organisation and competences of the EPPO – the exercise of EPPO jurisdiction through direct investigation or takeover of proceedings – reporting of criminal offences falling within EPPO competence: simultaneous reporting (the rule set out in Article 14 of Legislative Decree No. 9/2021); exclusive reporting to the EPPO (the rule under Article 24 of the Regulation); exclusive reporting to the national Public Prosecutor's Office and EPPO's right of takeover (the rule under Article 27 of the Regulation) – conduct of investigations – initial critical issues that have emerged in practice – final reflections on the EPPO.

GASPARE DALIA

Professor of Criminal Procedure Law, University of Salerno (Professore di Diritto processuale penale, Università di Salerno)

BIOGRAPHY

GASPARE DALIA is a Ph.D. and is an Professor of Comparative Criminal Law at the Department of Legal Sciences (Law School) of the University of Salerno. He is Researcher in Criminal Procedure Law at the Department of Management & Innovation Systems of the same University and has held a scholarship for the annual specialization in Criminal Law at the University of Munich. He is a trainee criminal lawyer and teaches Criminal Procedure Law and Legal Ethics at the School of Specialization for Legal Professions of the Department of Legal Sciences (Law School) at the University of Salerno. He has served as Scientific Director of professional training courses in Criminal Procedure Law as part of the educational program offered by the Bar Association of Salerno. Professor Dalia has been invited to deliver lectures on topics of criminal procedure law at various universities and has been a member of the scientific committee and a speaker at numerous conferences both in Italy and abroad. He is the author of numerous scholarly publications in the fields of criminal law and criminal procedure law, particularly focusing on judicial cooperation and criminal investigations between Italy and EU Member States, as well as non-EU countries.



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TITLE

The Circulation of Criminal Matters Judgments in Judicial Cooperation (La circolazione delle sentenze penali nella cooperazione giudiziaria)

ABSTRACT

The presentation will focus on analyzing the dynamics and challenges related to the circulation and enforceability of judgments issued by the criminal judicial authorities of the European Union Member States. In a context of growing need to combat cross-border crime, judicial cooperation in criminal matters and the mutual recognition of decisions are of fundamental importance to ensure justice and security at the European level. The analysis will center on the main EU legislative instruments governing the recognition and enforcement of criminal judgments, highlighting the progress made as well as the areas where legal practitioners still encounter complexities. The core principles underpinning such cooperation—such as mutual recognition and mutual trust—will be examined, together with specific provisions and possible exceptions provided under criminal law. A key element of the presentation will be the exploration of the role and challenges related to databases in the context of the circulation of criminal judgments. The effectiveness of cooperation largely depends on the availability, accuracy, and interoperability of IT systems and databases at both European and national levels. The discussion will address challenges concerning access to, updating, protection, and exchange of sensitive criminal data, as well as their implications for the speed and efficiency of recognition and enforcement processes. The presentation will emphasize the practical implications for criminal law practitioners, illustrating the procedures for recognizing and enforcing foreign criminal judgments and the specific difficulties that may arise, particularly in relation to the use and reliability of the information contained in the databases. The objective is to provide a targeted overview of the current state of EU judicial cooperation in criminal matters, underlining the importance of addressing the challenges associated with database management and interoperability for more effective cooperation to the benefit of legal professionals.

BIANCA RINALDI

Deputy Public Prosecutor at the Court of Salerno (Sostituto Procuratore della Repubblica presso il Tribunale di Salerno)

BIOGRAPHY

BIANCA RINALDI graduated cum laude in law at the University of Naples on 13 April 2005, with a thesis in constitutional law. On 28 June 2007, he graduated from the School of Specialization for the Legal Professions of the University of Roma Tre. In 2009 she obtained the title of Lawyer and was registered in the Rome Bar Association with resolution of 4 June 2009. In 2011 he obtained his Ph.D. at



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the Tullio Ascarelli International Doctoral School of Law and Economics of the University of Roma Tre, Section of Administrative Law, with a thesis entitled: “Peculiar profiles of the new litigation in the field of public procurement: tools of protection and new powers of the administrative judge”. From November 2008 to July 2010, she was the holder of a teaching support contract in the field of administrative law at the School of Specialization for the Legal Professions of the University of Roma Tre. Appointed Honorary Fellow in “Administrative Law, Urban Planning Law and Legislation of Cultural Heritage” at the Second University of Naples – Faculty of Architecture Luigi Vanvitelli and in “Administrative Law” at the Niccolò Cusano Telematic University, she has carried out study and research activities for several years, as well as teaching support. From 2008 to 2010 she worked as an editorial secretary, collaborator and editor of judgment notes at the “Rivista Giuridica dell'Edilizia” of Giuffrè Editore; in the same period she worked as a collaborator of the quarterly observatory “On administrative justice”, of the magazine “Foro Amministrativo Tar” of Giuffrè Editore. Appointed ordinary judge, by Ministerial Decree of 5.8.2010, she carried out her internship at the Court of Rome until 30 April 2012. He served as Deputy Public Prosecutor at the Public Prosecutor's Office at the Court of Verona, from 2 May 2012 to 12 December 2016. Since 12 December 2016, he has been serving as Deputy Prosecutor at the Public Prosecutor's Office of Salerno, currently assigned to the I Investigation Section specialized in crimes against the State, the Public Administration and crimes against the environment and the territory. Since 2021 he has been the Magistrate of Reference for Technological Innovation (MAGRIF) of the Public Prosecutor's Office of Salerno.

TITLE

Transnational Crime, Judicial Cooperation and Digitalisation of Criminal Justice (Criminalità transnazionale, cooperazione giudiziaria e digitalizzazione della giustizia penale)

ABSTRACT

EU Regulation 2023/2844 on the “digitalisation of judicial cooperation and access to justice in civil, commercial and criminal matters in cross-border situations” was published in the Official Journal of the European Union on 27 December 2023 and entered into force on 1 May 2025. Among its objectives, in compliance with the “digital by default” principle, is the guarantee of the right to effective legal protection, resulting from the benefits that digitalisation will bring to cross-border criminal proceedings and the fight against crime, considering the increasing interconnections between European judicial systems in addressing increasingly widespread and transnational criminal phenomena. Effective access to justice must be supported by concrete measures aimed at removing obstacles related to the complexity of procedures, delays in case handling, and high procedural costs. This is to be achieved by digitalising existing communication channels, to the benefit of the authorities involved in cross-border judicial cooperation, with a view to greater accessibility to justice. To this end, the Regulation introduces a series of digital innovations intended to ensure more secure, efficient, and reliable communication between judicial bodies and authorities, in order to establish a fully functional area of freedom, security, and justice,



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thereby strengthening trust in the judicial systems. In the near future, the EU's commitment will focus on the development of uniform IT tools and channels that are suitable for the intended purposes and respectful of fundamental rights, alongside efforts to improve the digital skills of both citizens and justice professionals. Within this framework, the task of the Member States, repeatedly emphasised in the recitals of the Regulation now in force, is to reduce existing disparities in system digitalisation, by making full use of the financial resources allocated by the Union. The progress achieved at the national level with regard to the implementation of the telematic criminal trial (PPT) thus constitutes a necessary prerequisite for making a tangible contribution to the digitalisation of cross-border judicial cooperation procedures. This progress will enable, in the future, the rapid and secure exchange of data and information between Member States and between national authorities and Union bodies and agencies, such as the European Public Prosecutor's Office and Eurojust. In Italy, the implementation of the telematic criminal trial, understood as the digital management of criminal court documents—from the initial report of a crime to the conclusion of the procedural phase—is still ongoing. It began with the so-called codification of the telematic criminal trial, organically launched by the Cartabia Reform (Legislative Decree 150/2022), which introduced, specifically in relation to criminal proceedings, the digital format as the standard for drafting procedural acts (so-called native digital acts), the mandatory use of electronic filing for procedural documents, and the electronic notification of criminal proceedings. The digitalisation of criminal justice thus involves the implementation of three main processes: the dematerialisation of case files and digitalisation of documents, the automation of certain procedural phases in criminal proceedings, and the remote access to services for legal professionals and users of the justice system. To support these objectives, the main IT tools currently provided by the General Directorate for Automated Information Systems (DGSIA) of the Ministry of Justice are the Crime Report Portal (Portale Ndr), the Criminal Document Filing Portal (PDP), and the Telematic Criminal Trial Application (App). These tools require proper training for justice service users and are frequently updated and adapted to regulatory developments in order to ensure compliance with the principles of the legal system and the specific organisational rules of individual judicial offices. In the future, the key challenges for Member States and EU bodies will be to identify suitable and adaptable IT tools, ensure the security of digital data, protect personal data, and guarantee, both at the national and European levels, the effective involvement of citizens and legal professionals in the ongoing digital transformation of judicial systems.

Scheduled Speech

HELIN AYAZ

LL.M (Public Law), University Katip Celebi Of Izmir, Lawyer (Master of Laws (Diritto pubblico) Università Katip Celebi di Izmir, Avvocato)



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BIOGRAPHY

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. Trainee 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 Admistration, Current Issues Of Admistrative 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. The trainees 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 İzmir. Also, the trainees 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

Transnational Crime and Ne Bis In Idem (Criminalità transnazionale e ne bis in idem)

ABSTRACT

Originating from the principle of res judicata, the rule of ne bis in idem prevents a person from being tried or punished more than once for the same act. In addition to reinforcing the principle of res judicata, this rule limits the state's power to punish (ius puniendi) and protects the fundamental rights and freedoms of individuals. Furthermore, by safeguarding the principles of legal certainty and legal security, it strengthens public trust in the judiciary. Although the ne bis in idem rule has been widely accepted in national legal systems, it has not yet acquired a general and absolute character in international law. However, the rule is binding on member states within the framework of European Union law. Nevertheless, steps to further develop this rule are of great importance, as it contributes to the protection of individual rights and facilitates cooperation between states. Broader international recognition of this rule would not only reinforce the legitimacy of judicial proceedings, but also prevent potential human rights violations arising from multiple prosecutions for the same offense.

Final Debate



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