

EPPPO and EU Law

(Jean Monnet Centre of Excellence - STEPPPO)

December Steering Committee meeting



CHAIR: BENEDETTA UBERTAZZI

VICE-CHAIR: FEDERICA GENTILINI

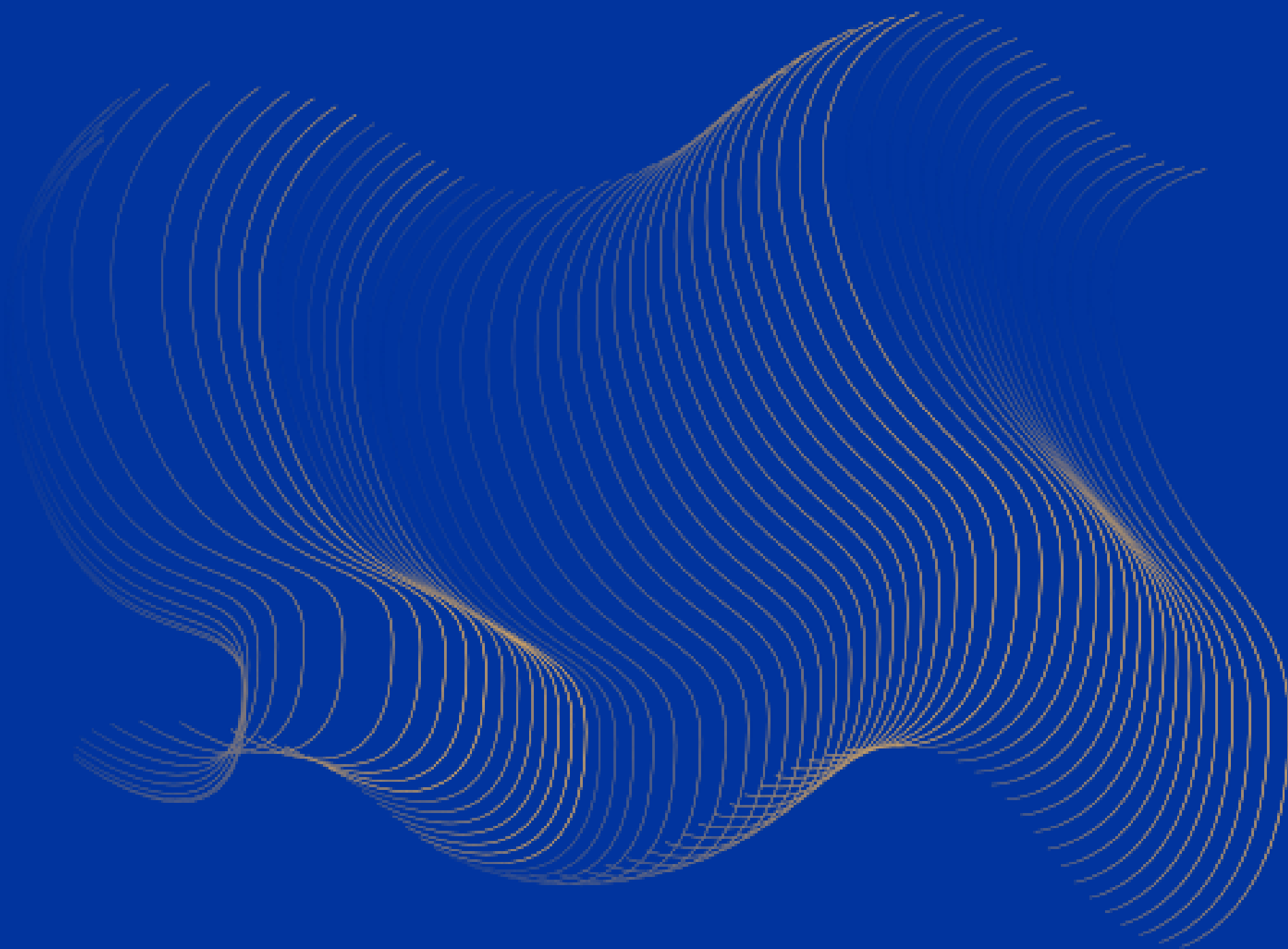


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# Steering Committee

CHAIR: Benedetta Ubertazzi

VICE-CHAIR: Federica Gentilini



# GENERAL UPDATE:

- ❑ Students have been assigned to each Chair with the aim of providing support to you and to your Committee.
- ❑ Students will help and support you with the work and activities of your Committee. Ex. SC meeting slides, blogs...
- ❑ Do not hesitate to contact them!

- ❑ We have almost concluded the organization of the lectures for the STEPPO frontal lessons that will take place in March and April 2024.
- ❑ The 3rd cycle of the module is entitled: «**THE EPPO AND EU LAW: A STEP FORWARD IN INTEGRATION**».
- ❑ The initiative is accredited by the Milan Bar Association (14 credits) and by the National Bar Council (20 credits).

- ❑ We encourage all of you Chairs to do as much as possible to recruit
    - lawyers from the bar association,
    - accountants and
    - real estate agents
- that could become members of the Committees.

# IMPORTANT!

Scan the QR Code



Bicocca University has issued a notice for the selection for 1 collaborator in research activities on the research topic "the use of VR technology for the development of multi-user systems in the field of law" .

**Duration: 12 months**

**Task:** Assist on the creation of the second VR simulation game on the EPPO.

## REQUIREMENTS:

1. degree: LM-92  
Communication Theories, LM-18  
Computer Science, LM-32  
Computer Engineering, LM-33  
Mechanical engineering, or  
equivalent foreign qualification,  
or equivalent qualification as a  
result of Provision of law.

2. knowledge of the English language.

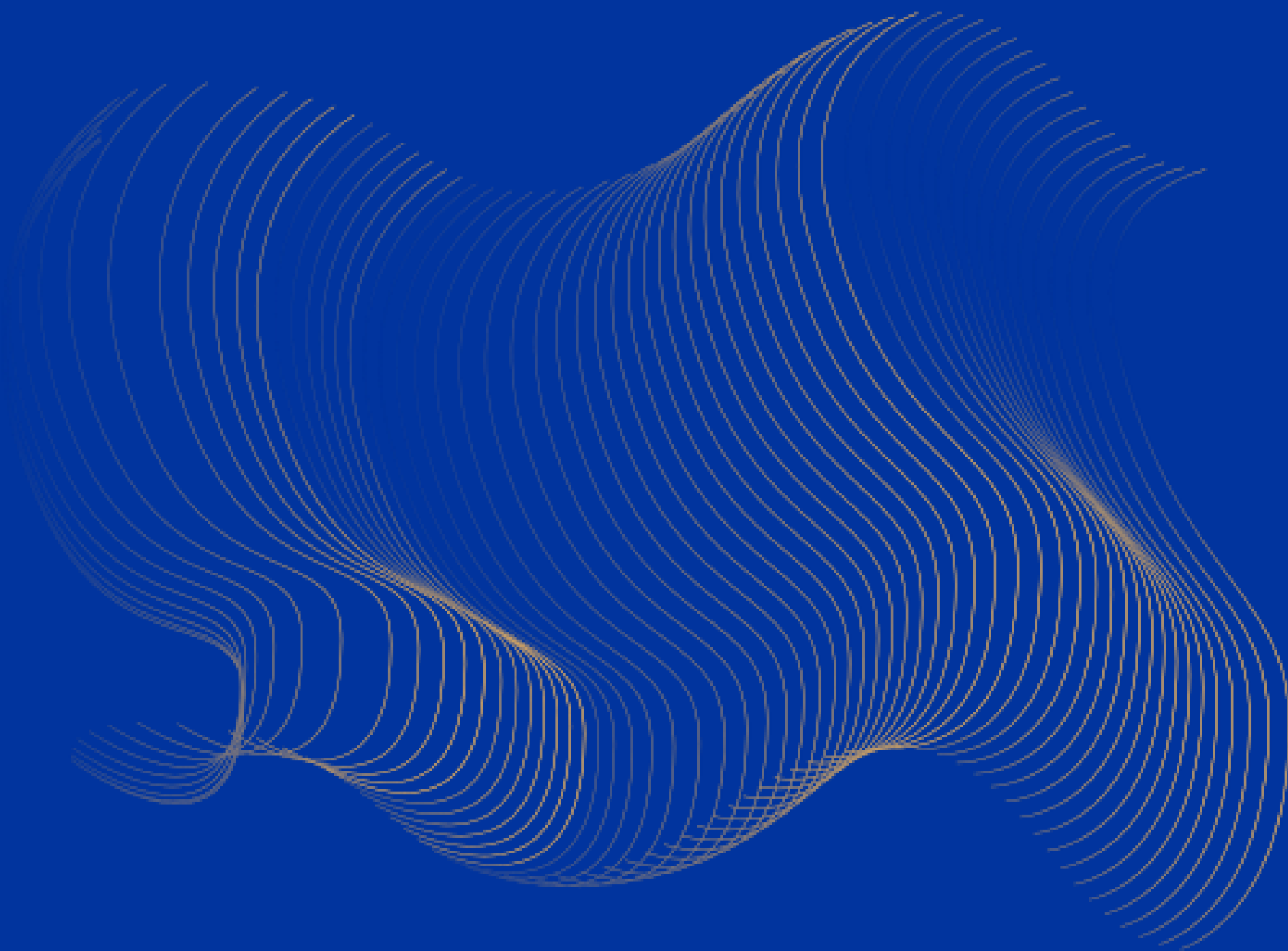
Gross amount: 21.078,23 €

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# 1. Audit Committee

CHAIR: Antonio Fortarezza

VICE CHAIR: Cesare Montagna



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# Start of awareness activities to obtain accreditation on Chartered Accounts of Milan



Ordine dei Dottori Commercialisti  
e degli Esperti Contabili

MILANO

**THE ACCREDITATION IS UNDERWAY!**

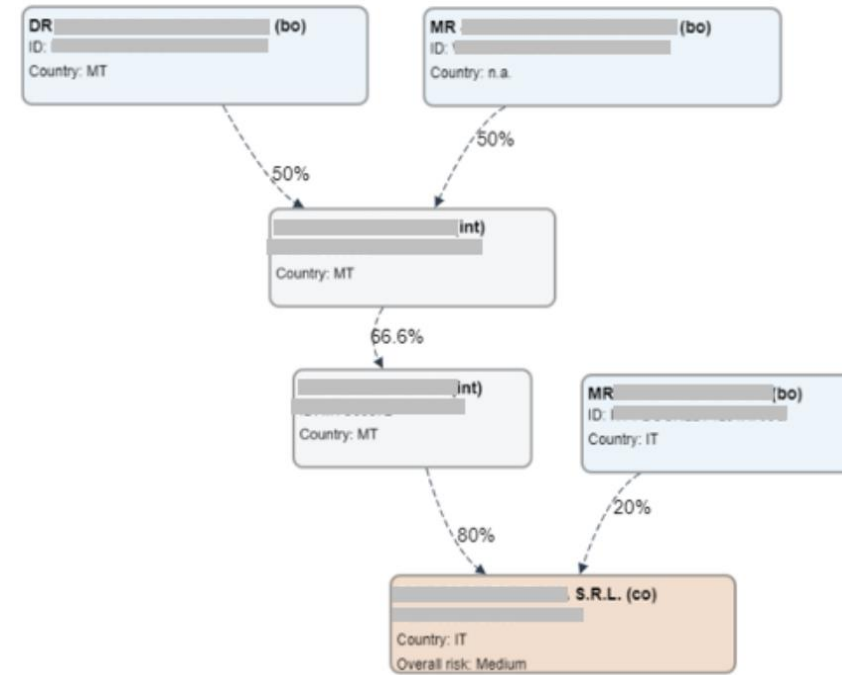


- ❖ The Italian Ultimate Beneficial Owner has finally been implemented.
- ❖ It's an important innovation for the means to contrast money laundering

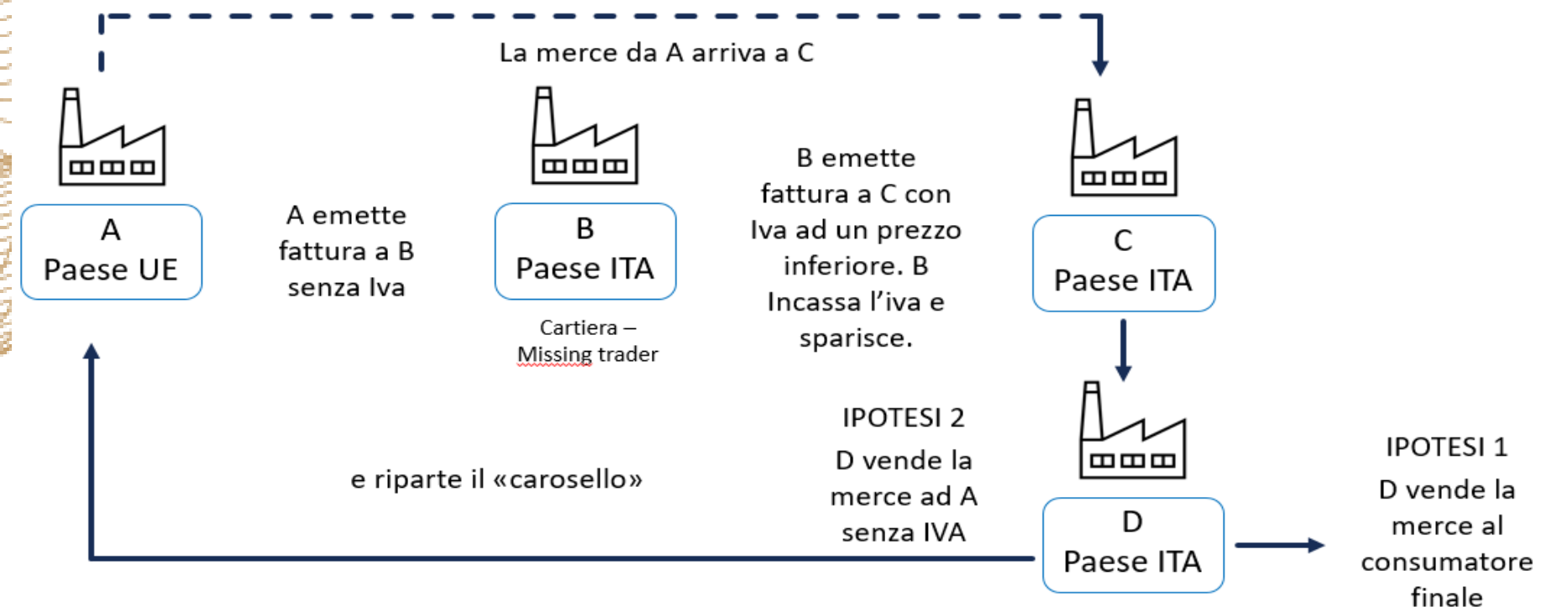


- So we want to prepare an article on the Italian Beneficial Owner Register

- Prepare an article on the beneficial owner in the EU



- Prepare an article on carousel fraud in the EU





# CARRIED OUT:

❖ we are continuing to implement our database with new case law.



## Case law database

Here we collect the case law of the UE countries

Visualizza  elementi

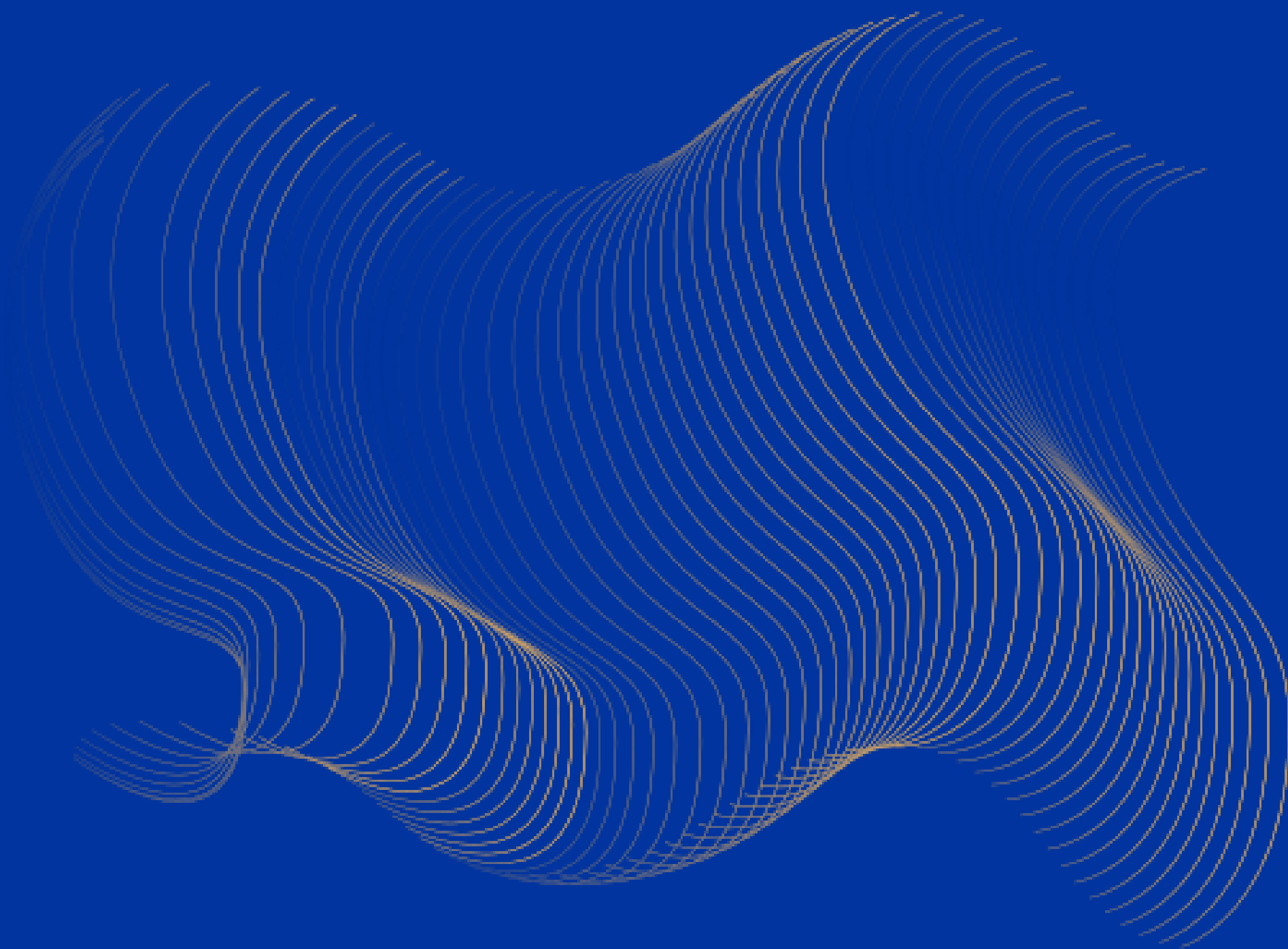
Cerca:

AUTORITY	COUNTRY	DATE	NUMBER	ABSTRACT	LINK
Corte dei conti Campania	Italy	28/08/2023	512	Con la sentenza in esame, la Corte dei conti Sez. giurisdizionale per la Campania condanna la società cooperativa giornalistica e due amministratori al pagamento della somma di euro 2.881.601,65 per	<a href="#">Download</a> <a href="#">Manage consent</a>

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## 2. Lawyers Committee

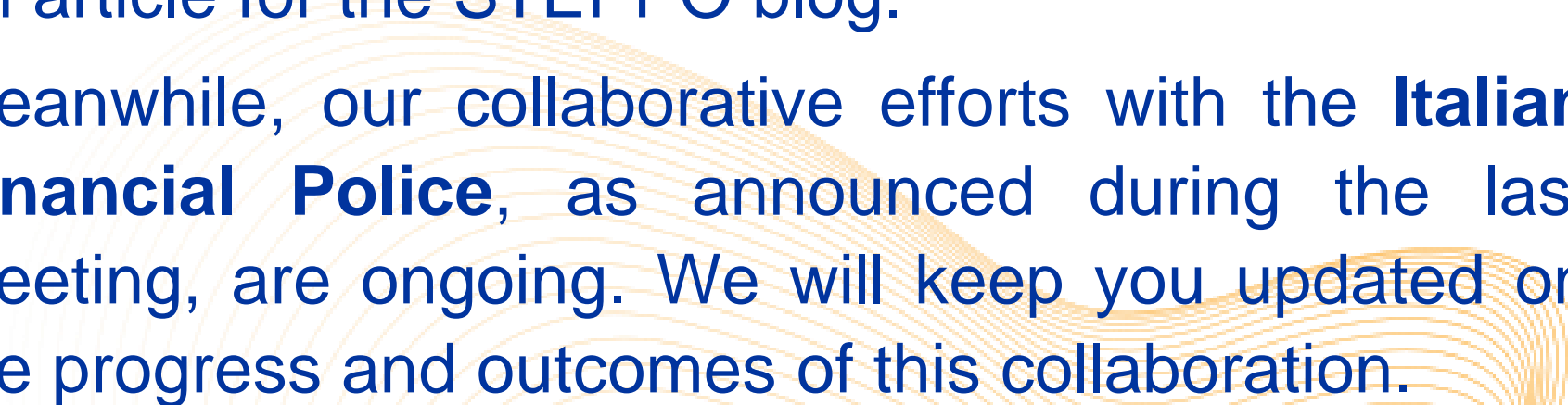
CHAIR: Fabrizio de'Sanna - Federico Iacopo Mamoli



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# CRIMINAL LAWYER

Fabrizio de'Sanna

- We are delighted to inform you that the verdict for case C281/22 (first preliminary ruling about EPPO cooperation) is scheduled to be issued by the **European Court of Justice on December 21, 2023.**
  - We will provide further updates on this matter during the next Steering Committee meeting and by writing an article for the STEPPO blog.
  - Meanwhile, our collaborative efforts with the **Italian Financial Police**, as announced during the last meeting, are ongoing. We will keep you updated on the progress and outcomes of this collaboration.
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# CIVIL LAWYER

## Federico Iacopo Mamoli

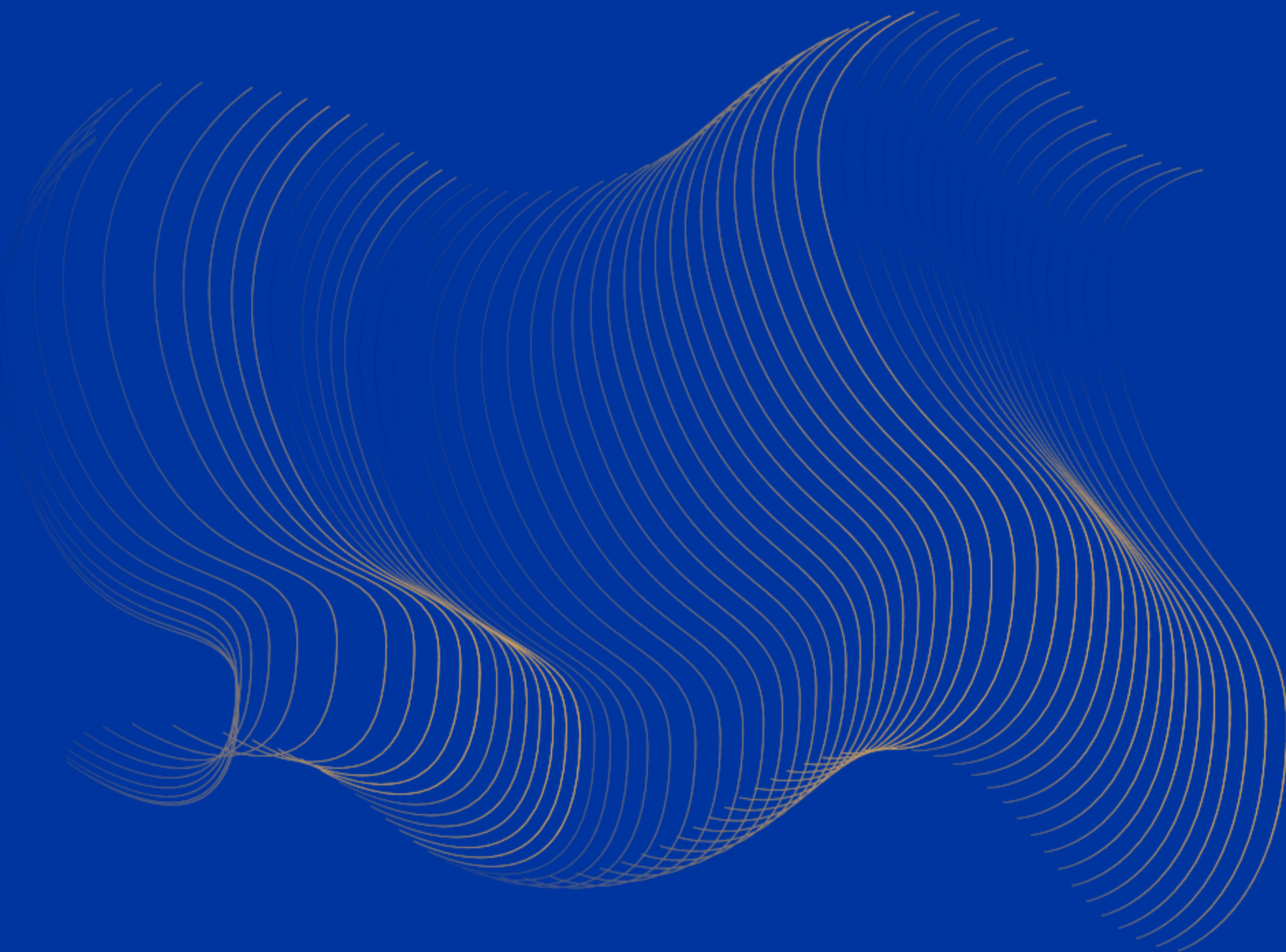
- I, in quality of head of STEPPO civil lawyers committee, kept conducting a wide networking activity over the period 16 November 2023-14 December 2023.
- Some members of AIGA (“Association of Italian Young Lawyers”) explained the content of STEPPO on my behalf at the “Board of Directors” during AIGA congress and final general meeting that took place in Bari from 16 to 19 November 2023.
- I’ll have a meeting with the newly elected president of AIGA soon in order to explore further ways of collaboration with AIGA.
- I kept contacting several lawyers from prominent Italian law firms and showed a huge interest in participating in STEPPO 2024 edition.
- I got suggestions from some of them about the content requested by their professionals and how to liaise with the fittest departments of the law firms.
- I was invited from some of them to their Christmas party that will help me to be in constant touch with the professionals more interested in EPPO issues.
- I await the response of entities from the south of Italy about their potential involvement in STEPPO and then work together in setting new “best practices” in the area of prevention.
- My activity has also been focused on how we could cooperate with other universities in Europe to expand the knowledge of EPPO. I started to have preliminary talks with some institutions in that respect.

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## 3. EPPO Investigations & Activities Committee

CHAIR - Dr. Filip Široký

Vice-CHAIR - Ph.D. Samuel Bolis.



# AIMS OF THE COMMITTEE



The committee aims to share, in collaboration with the European Public Prosecutor's Office, the results achieved in the exercise of its institutional mandate. It will furthermore touch on:

1. most important operational results achieved in the framework of its criminal investigations (i.e.: arrests and seizures made for the protection of the financial interests of the Union and for other crimes within its roam of competence).
2. internal organisational procedures aimed at improving the effectiveness of its institutional mandate.

# UPDATE ON MEMBERS OF THE COMMITTEE

**Dr. Filip Siroky**

**PhD Samuel Bolis**

**Iman Khodri**

**Expert Investigator of  
Financial Crimes.**

**Ph.D. in European Criminal  
Law, Lawyer and former  
Lt. Colonel at Guardia di  
Finanza.**

**Law Student.**

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# ACTIVITIES FOR NOVEMBER 2023



1. Launch of the new committee «EPPO Investigations and Activities» by its chairperson, dr. Filip Široký;

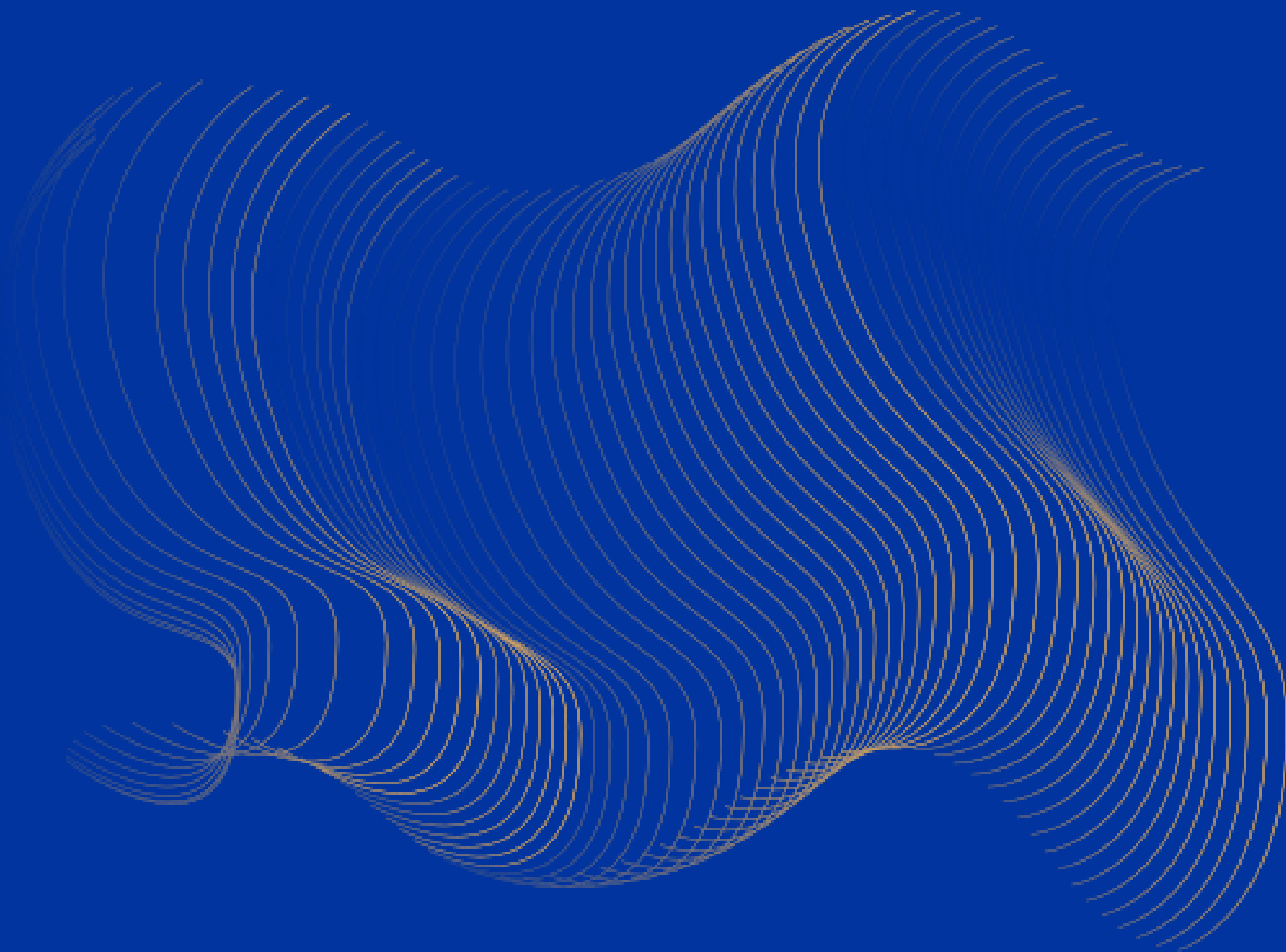
2. PhD Bolis, wrote an article commenting «Two arrests in €50 million VAT fraud scheme involving small electronic devices» that can be found on the STEPPO website.



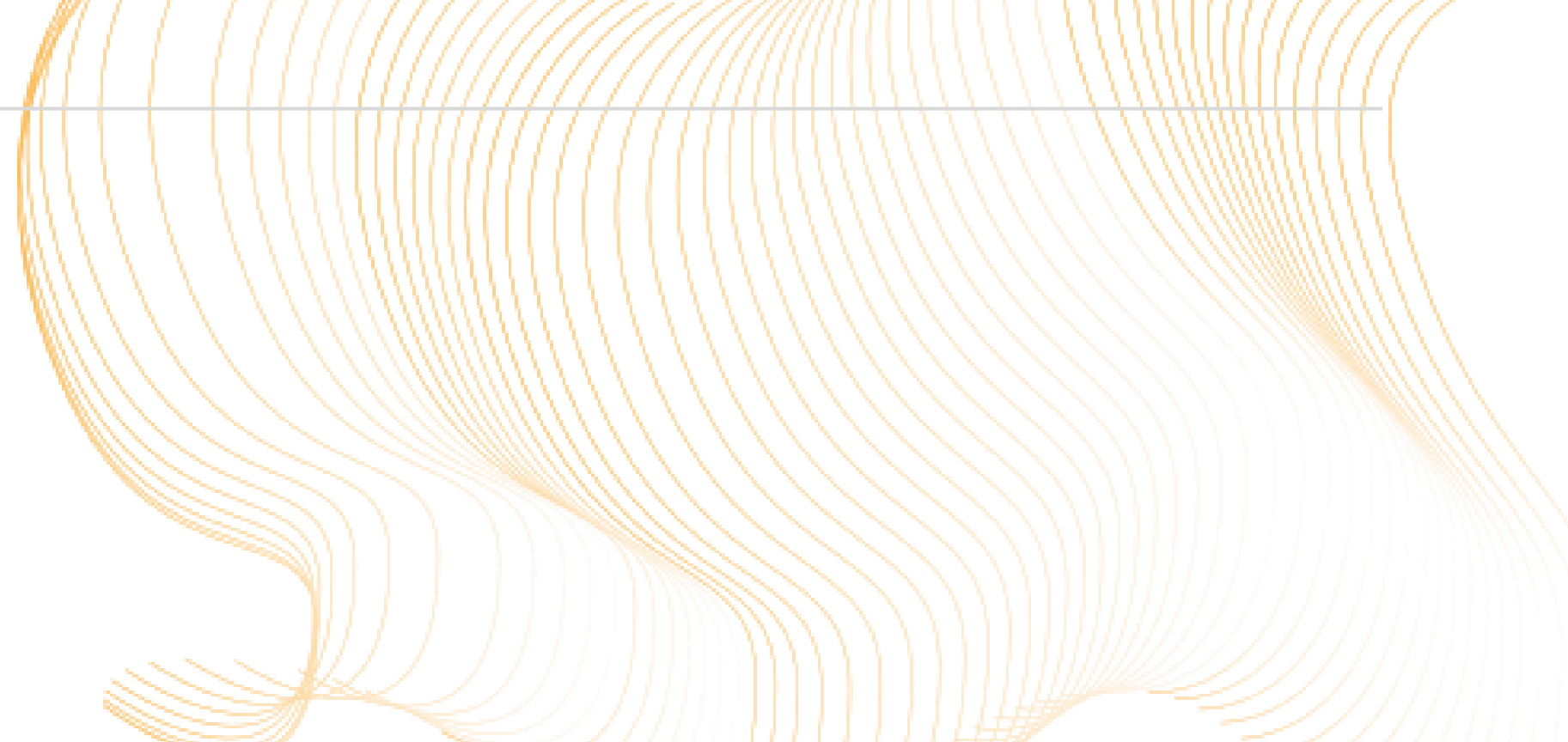
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# 4. Real Estate Committee

CHAIR: Marina Palmulli



# GENERAL UPDATE



ONGOING INVOLVMENT OF EUROPEAN COLLEGUES IN THE PROJECT (CHECK REP., SLOVENIA, GERMANY, SPAIN)

CHANNEL OPENED WITH MEMBERS OF FIAIP MILAN FOR PROMOTING PARTECIPATION TO CHOSEN LESSONS OF NEXT MODULE (POSSIBLY ONLINE OR ASYNCHRONOUS MODE)

THE MOST IMPORTANT OBSTACLE IS LANGUAGE AND FOCUSED ON THEIR JOB

FOCUS ON HOW TO BETTER COOPERATE BETWEEN PROFESSIONALS AND HOW CAN EPPO HELP US TO PROTECT REAL ESTATE MARKET FROM CRIMINAL INTERFERENCE  
(SUBJECT FOR NEXT MODULE EDITION)

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## WHAT'S GOING ON ?



INTERNATIONAL POLITICAL AND  
ECONOMICAL SITUATION IMPACT  
OUR ACTIVITY (REMEMBERING  
WHAT HAPPENED DURING COVID  
PERIOD)

ACTIONS UE IS GOING TO  
IMPLEMENT WITH EPPO AND OTHER  
AUTHORITIES TO HELP US IN CLEAR  
TRANSACTIONS (I.E. BENEFICIAL  
OWNERSHIP REGISTER)

NEW MARKETS OPEN TO INVESTORS,  
NEW CHALLENGES IN THE ANATOMY  
LAUNDERING EFFORTS  
BEING PARTNERS WILL HELP EVERYONE



# 5. Create Committee

## CHAIRS:

IMAN KHODRI, law student

VERONICA CARBONE, law student

ESTELLA GAMBARA, trainee lawyer



## Members:

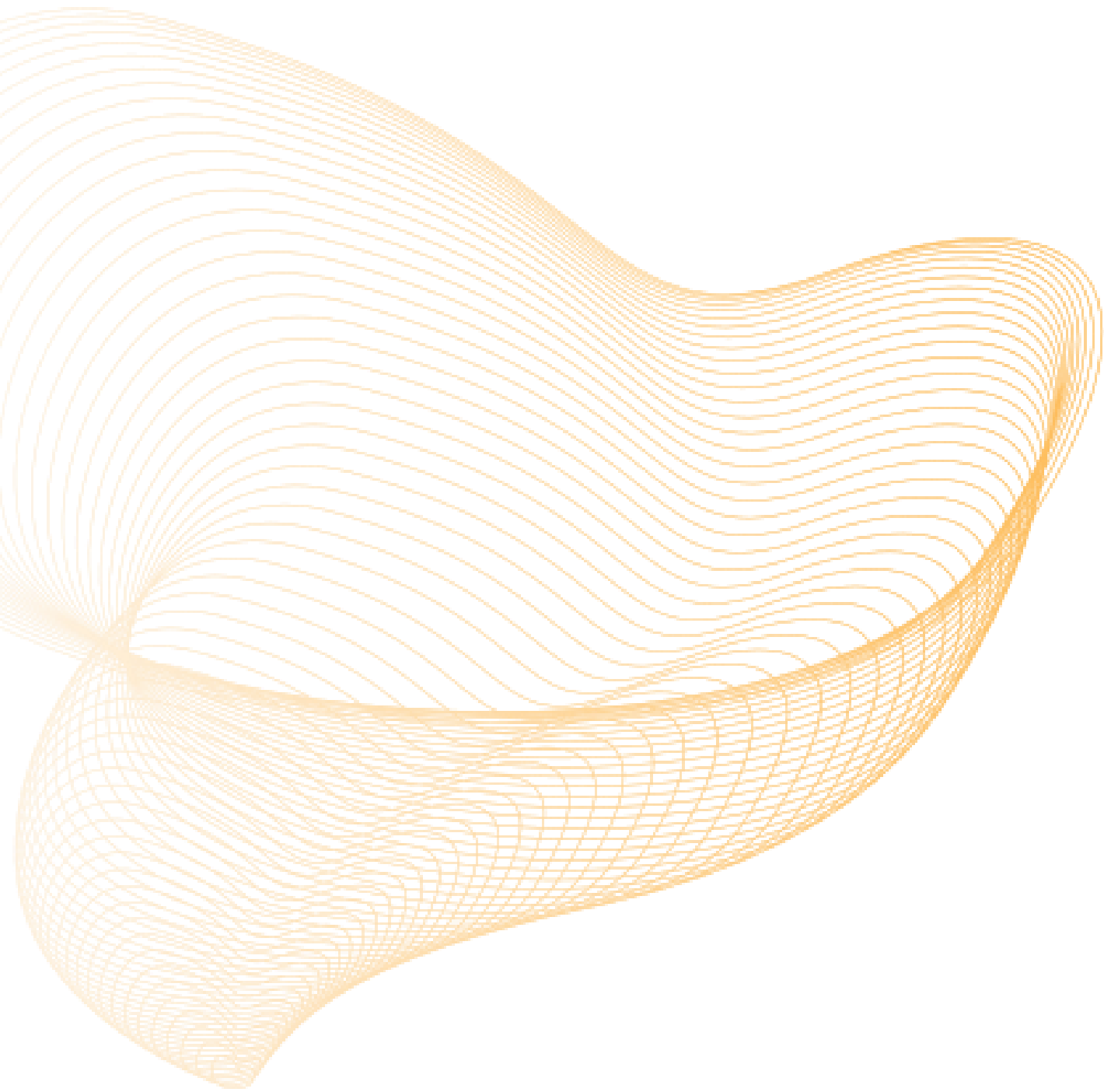
PAOLO MAIOLINO

ALESSIO VERGNANO

ADRIANA VALLADARES

GIUSEPPE SCARAMUZZINO

FRANCESCA FRAGASSI



- Meeting in collaboration with the Game Com to prepare the algorithm for the VR Serious Game 2



- Collaboration with the Game Com and the High School Com to develop some simple guidelines to provide High school students a better understanding of the future lectures of the Module

- Prepared the bases for the upcoming debate
- the first debate will be on December 18 at 2:30 pm between Lawyers Com and Game Com

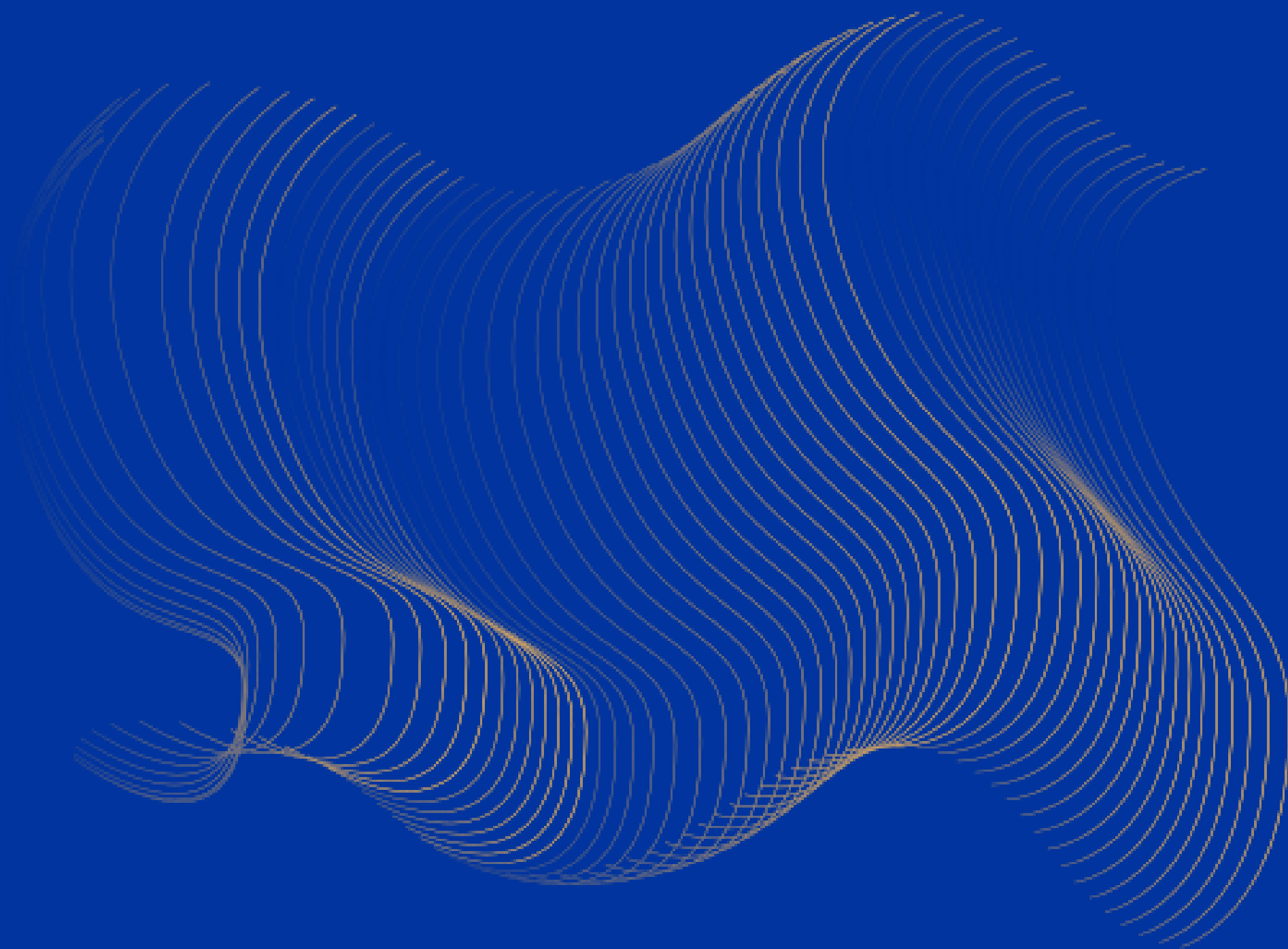
## **GENERAL UPDATE FROM THE LAST MONTH**

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## 6. Media Committee

CHAIR: Roberto Saviano

VICE CHAIR: Sofia Mazza



# GENERAL UPDATE

- Roberto Saviano mentioned our profile page (@steppo\_eulaw) on his stories on Instagram.
- As a result, STEPPO account experienced a 50,7% increase of views in Instagram and a 39% rise on Facebook.

## Articles on our website:

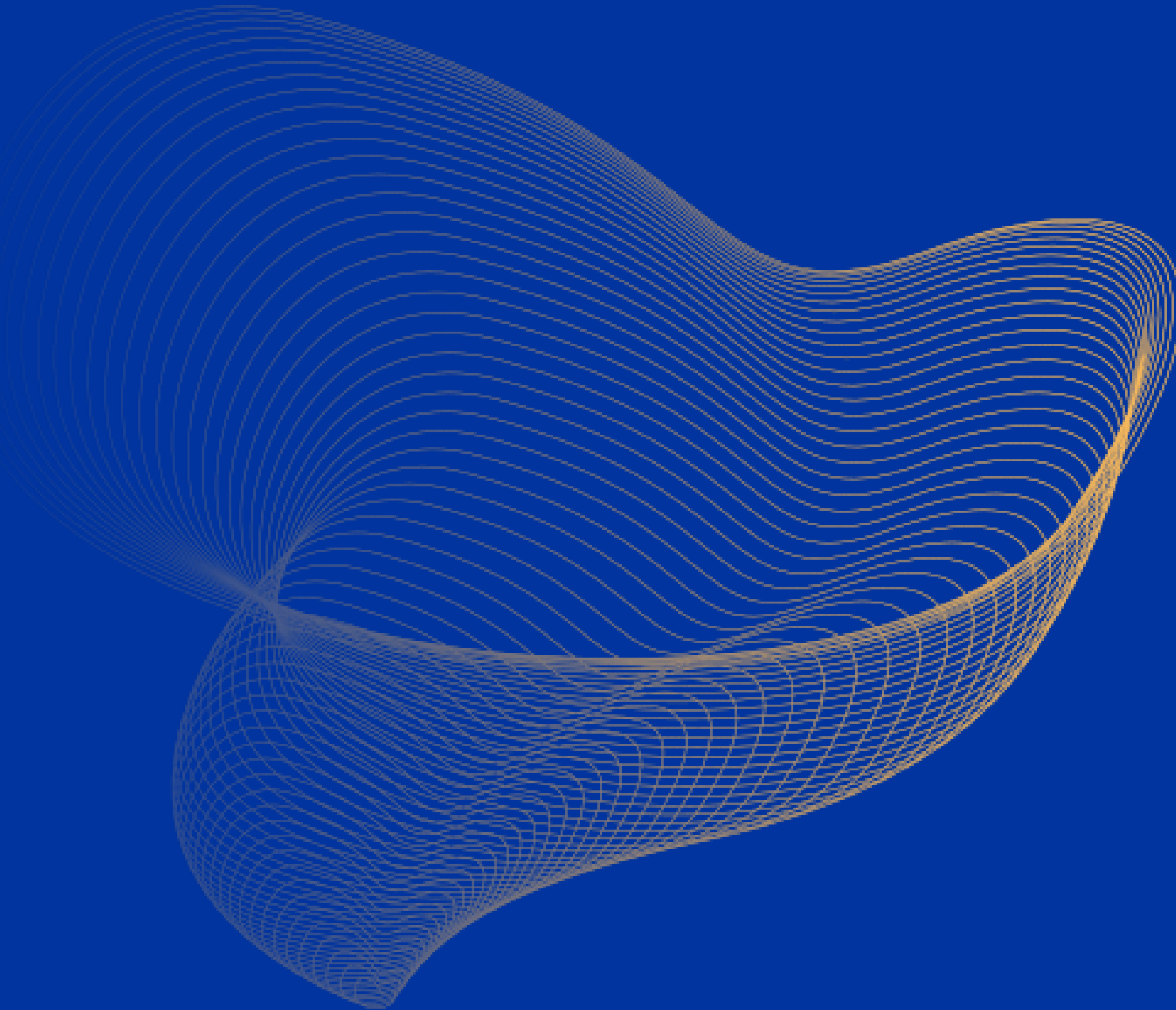
- *“Frode ai fondi PAC in Calabria: nel ricordo del sacrificio di Jan Kuciak”* by Angelo Salimbeni, 13 November 2023.
- *“Spreading consciousness among students and European citizens-taxpayers, Roberto Saviano in collaborazione con il centro di eccellenza Steppo – Epponfi dell’Università Milano Bicocca”* by Sofia Mazza, 21 November 2023.

- *“Il mancato interesse mediatico per la Procura Europea: il caso emblematico dell’A.M.A.P. di Palermo”* by Eleonora Zanetti, 2 December 2023.



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# ACTIVITIES FOR THE NEXT MONTH



- Introducing new approaches to increase our social media visibility (for instance professional videos of our activities).
- Blogs and articles by students on our website.

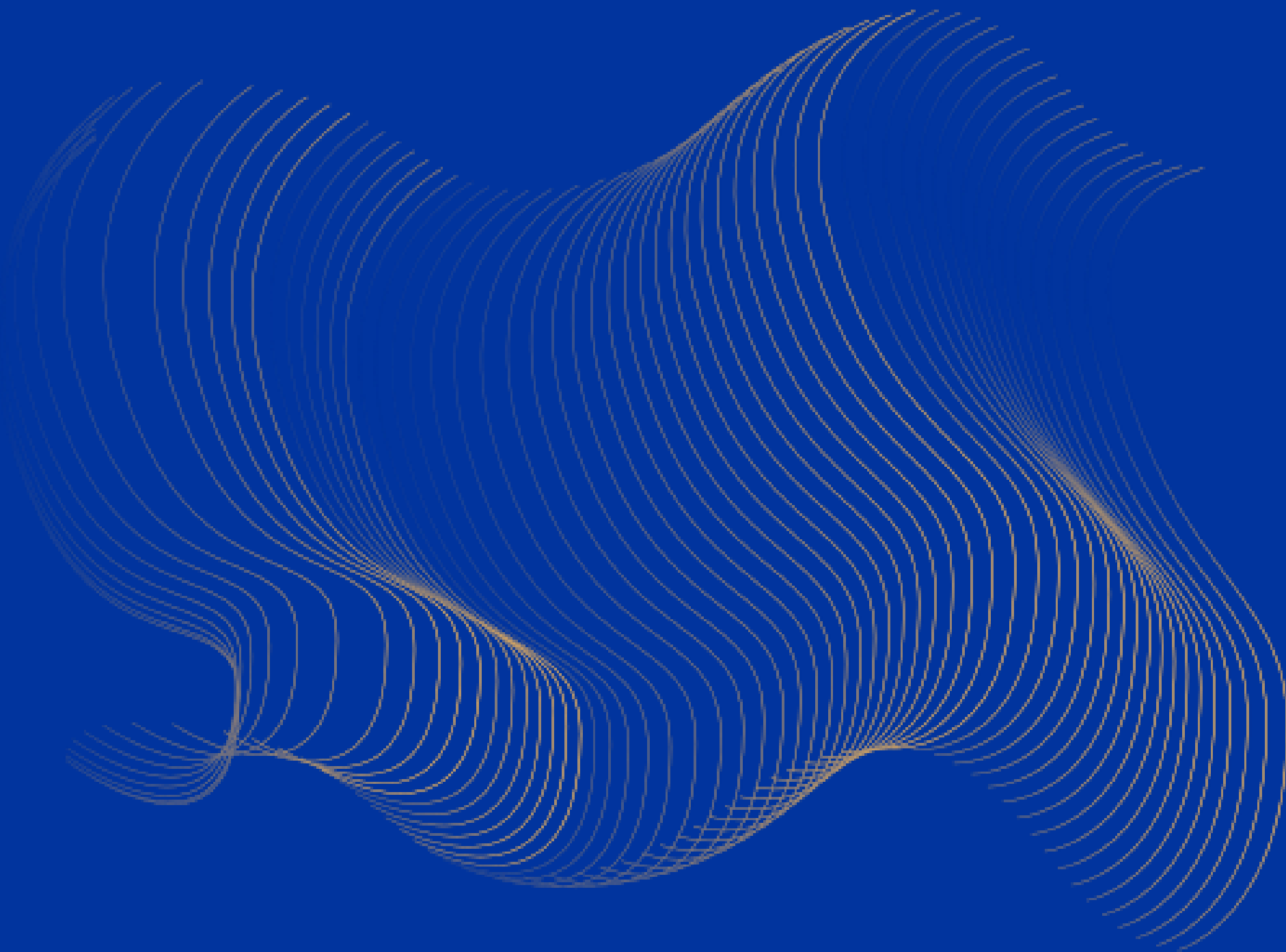
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# 7. Editorial Committee

CHAIR: Antonio Fortarezza

EDITOR IN CHIEF: Giulia Varisco

COMMUNICATION AND MARKETING MANAGER: Sofia Mazza



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# **GENERAL UPDATE:**

**We have improved the management of information flows within the editorial staff and we progressing very well.**

**We have published 9 articles from 15/11/2023 to 13/12/2023.**



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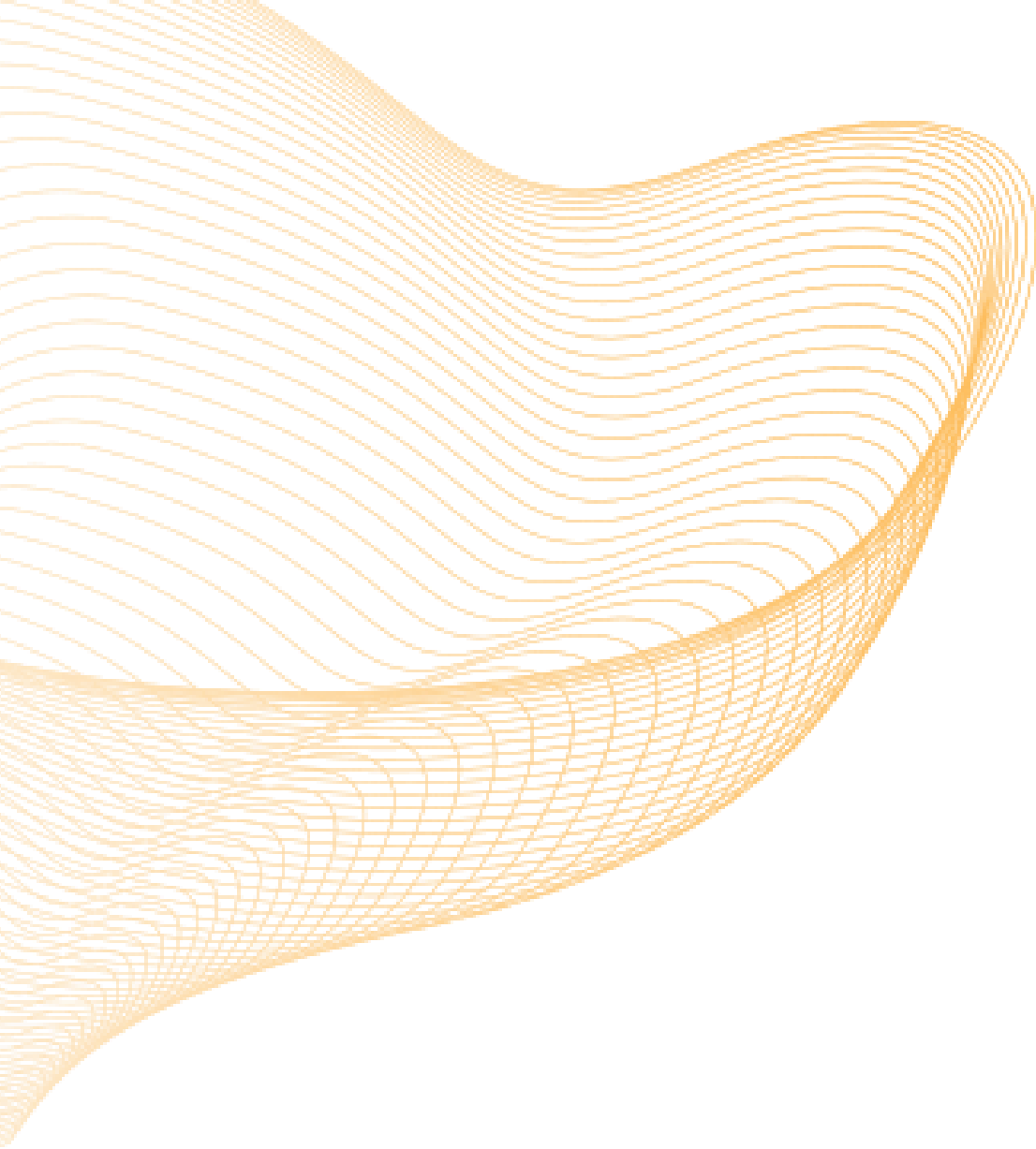
**A REALLY  
INTERESTING  
ARTICLE:**

**CAP fund fraud  
in Calabria: in  
memory of Jan  
Kuciak's sacrifice  
written by Angelo  
Salimbeni.**

**It is the story of Jan  
Kuciak was an  
investigative journalist  
who was gunned down  
on February 21, 2018 in  
his home.**

The selection process for the VR game's developer assignment has been opened.





On Nov. 14, the second seminar was held by Roberto Saviano, in collaboration with the Centre of Excellence STEPPO of the University of Milan Bicocca.



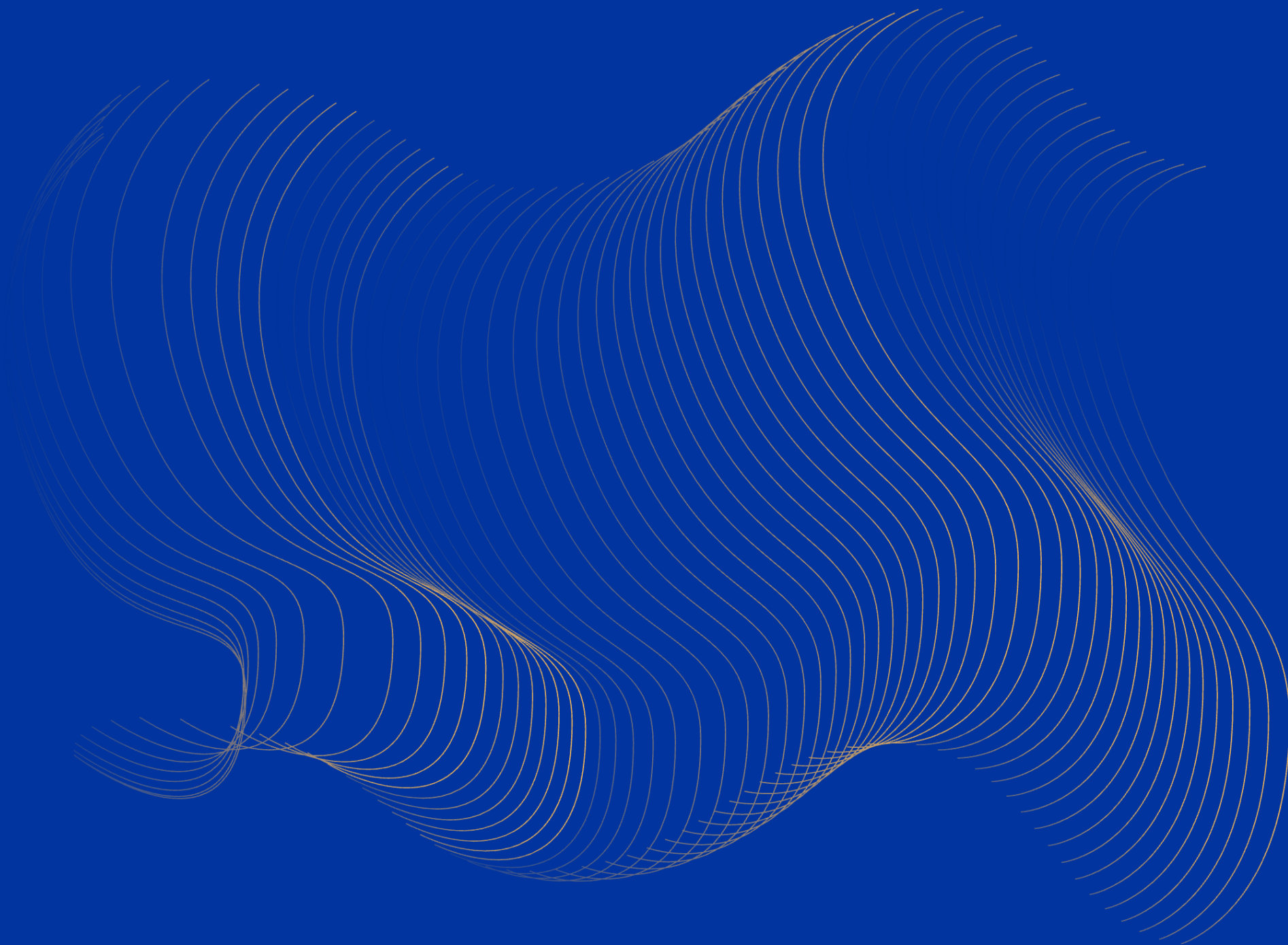
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# Newsletter Subcommittee

CHAIRS:

Paolo Maiolino

Alessio Vergnano



# GENERAL UPDATE

## Interactive NEWSLETTER

Saturday 25/11/2023

EPP0: A New Frontier in  
Integration' (EPPONFI)  
Jean Monnet Centre of  
Excellence

### Secondo seminario tenuto da Roberto Saviano, in collaborazione con il centro di eccellenza Steppo-Epponfi dell'Università Milano Bicocca

Martedì 14 novembre 2023, nell'ambito delle lezioni del corso base di Diritto dell'Unione europea tenuto dalla Professoressa Ubertazzi, Roberto Saviano ha incontrato virtualmente gli studenti della facoltà di Giurisprudenza per la seconda volta.

L'incontro ha visto come punto focale il rapporto tra la Procura europea e i media tradizionali e non.

Successivamente si è passati alla presentazione degli approfondimenti svolti dagli studenti, i quali, guidati dallo scrittore e giornalista, hanno potuto svolgere considerazioni analitiche sul settore dei media e della comunicazione istituzionale.



[Clicca qui per leggere l'articolo di Sofia Mazza Vice chair Media Committee con in allegato le slides dei lavori degli studenti.](#)

### Frodi sui fondi agricoli: editoriale di Angelo Salimbeni

Sono Angelo Salimbeni, studente di Giurisprudenza presso l'Università Milano Bicocca e da quest'anno membro e tutor del Agricultural and environmental frauds Subcommittee, all'interno del programma STEPPO.

Un programma lungimirante che ci permette di studiare il funzionamento della Procura Europea, un organo che nei prossimi anni giocherà un ruolo fondamentale nella lotta ai reati transnazionali.



<https://www.steppo-eulaw.com/>

## Interactive NEWSLETTER

Saturday 09/12/2023

EPP0: A New Frontier in  
Integration' (EPPONFI)  
Jean Monnet Centre of  
Excellence

### Closing conference: EPP0 and THE RULE OF LAW

È stato pubblicato sulla pagina Youtube il video intero dell'ultima conferenza, del secondo ciclo di lezioni Jean Monnet, tenutasi in data 18/04/2023.

Ricordiamo che tutte le altre lezioni sono riproducibili sul sito web [Steppo](#).



[CLICCA QUI PER ACCEDERE A TUTTE LE LEZIONI DEL MODULO CARICATE SUL SITO WEB](#)

[CLICCA QUI PER VEDERE IL VIDEO](#)

### L'intervista a... Dimitri Eleni - Studiante e chair del Connect Committee

Sono uno studente di giurisprudenza all'Università di Milano Bicocca e attualmente frequento il terzo anno.

Sono Chair del Connect Committee, comitato che si occupa di diffondere contributi dottrinali

e giurisprudenziali più significativi sull'Eppo e di pubblicizzare gli eventi con ospiti notori presso le piattaforme Facebook, X (ex Twitter) e Youtube e faccio anche parte dell'Editorial Committee, il quale si occupa della gestione del sito web Steppo, a cui fanno capo tutte le piattaforme e senza il cui coordinamento non si potrebbe avere una crescita omogenea della comunicazione.



L'obiettivo del Connect Committee è quello di raggiungere tramite una comunicazione visiva, diretta e sintetica non solo professionisti ed esperti del settore, bensì l'intera comunità.

Tutte e 3 le piattaforme che gestisco assieme all'aiuto dei vari membri si basano su algoritmi differenti. Questo rende il lavoro ancora più stimolante in quanto mi permette di sviluppare una multidisciplinarietà che considero fondamentale, soprattutto in un mondo dove informazione, comunicazione ed intrattenimento tendono a mischiarsi, nel bene e nel male.

Particolari profili tecnici richiede la piattaforma su cui principalmente

<https://www.steppo-eulaw.com/>



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**PUBLISHED  
NEWSLETTERS: 2**

**WRITTEN ARTICLES 3**

**NEWS ABOUT THE CENTRE  
OF EXCELLENCE 4**

**INTERVIEWS TO THE  
PARTICIPANT OF THE  
CENTRE OF  
EXCELLENCE 3**

**UPDATES OF THE  
BLOG ARTICLES 10**

**OUR ACTIVITIES**





**MORE INTERVIEWS ABOUT CONTENTS  
OF THE BLOG TO THE AUTHORS**

**UPCOMING  
ACTIVITIES**

**MORE NEWS ABOUT EPPONFI'S  
SOCIAL MEDIA**

# 8. Game Committee

## CHAIRS:

**FABRIZIA BEMER**, Senior Manager of the Office for International Judicial Cooperation, and a senior trainer in EPO training courses for projects co-funded by the European Commission

**VERONICA CARBONE**, law student



## MEMBERS:

PAOLO MAIOLINO

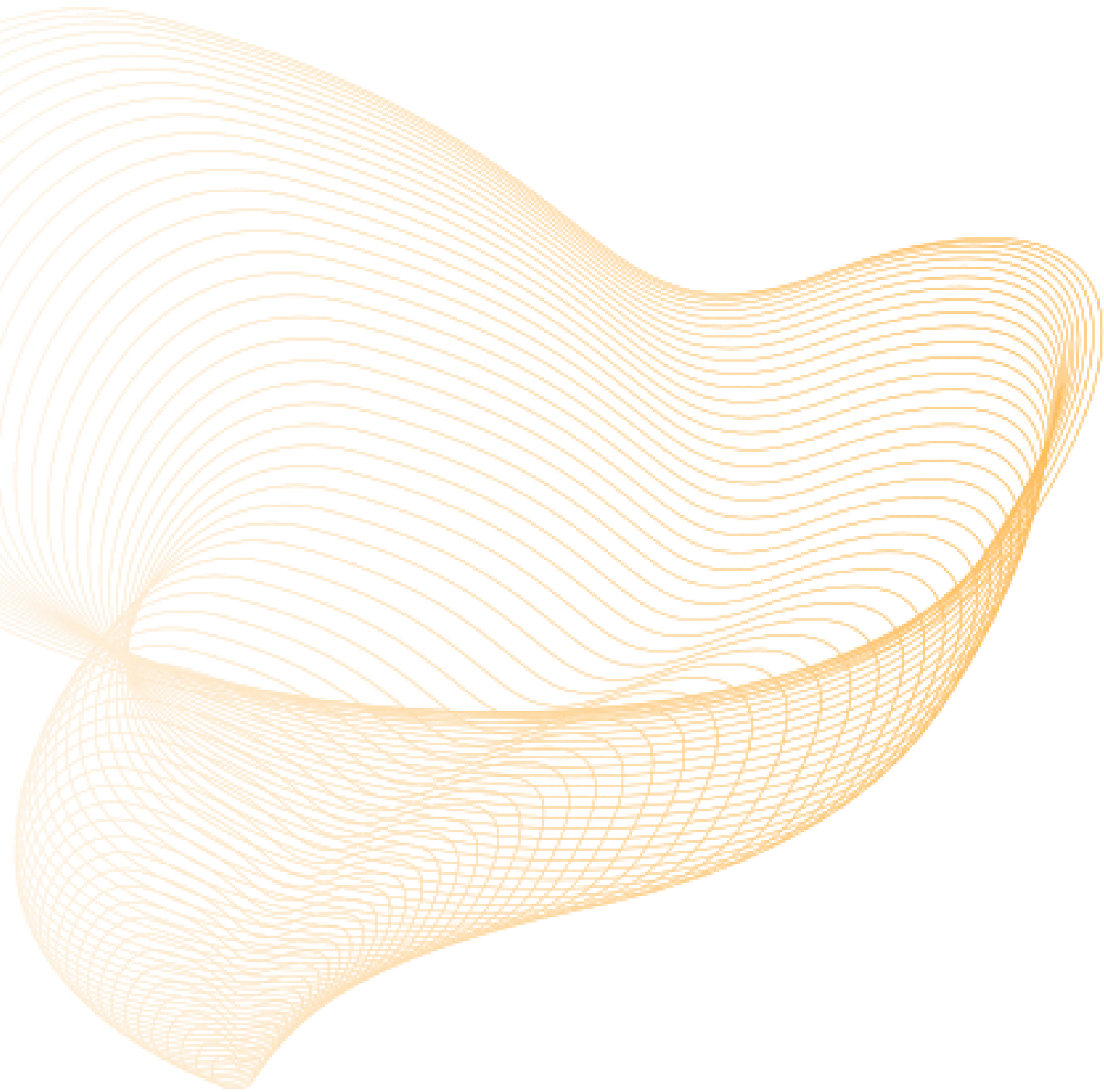
ALESSIO VERGNANO

ESTELLA GAMBARA

IMAN KHODRI

ROSARIO AMMENDOLIA

MARIALUCIA FAGGIANO



- A competition for the participation of a technician/developer of the virtual reality for the project has been launched: for the moment no one has applied but we are confident to find someone.

- Talks among the group have begun to structure the game and we are also deeply studying the case that under suggestion of the Vice European Public Prosecutor Mr. Petr Klement has been chosen: the case is the “Komosechiamo” case, which last year was explained by Colonel t. St. Giuseppe d’Urso of the Guardia di Finanza during the opening Conference of the second cycle of the Jean Monnet Module on the 1<sup>st</sup> of March.

## **GENERAL UPDATE FROM THE LAST MONTH**

- By the end of the year there will be another virtual meeting among the VR Game group to go further with the documents set up the basis to develop the VR game.

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# 9. Interviews Committee

CHAIR: Serena Cacciatore

Members:

Costanza De Caro, Alejandro Hernández López, Cristina Ruiz López, Ana Vicario Pérez, Celia Carrasco Perez

The team is composed of six members of which two Italians and four Spanish



# GENERAL UPDATE

-Interview to the Francisco  
Jiménez-Villarejo  
Fernández: Deputy  
Supreme Court Prosecutor  
of Kingdom of Spain and  
Head of the International  
Cooperation Unit at the  
General Prosecutor's  
Office

-Committee meeting in  
December to plan activities  
for the coming months.

-We have planned the interview sessions  
on January

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# NEXT STEPS

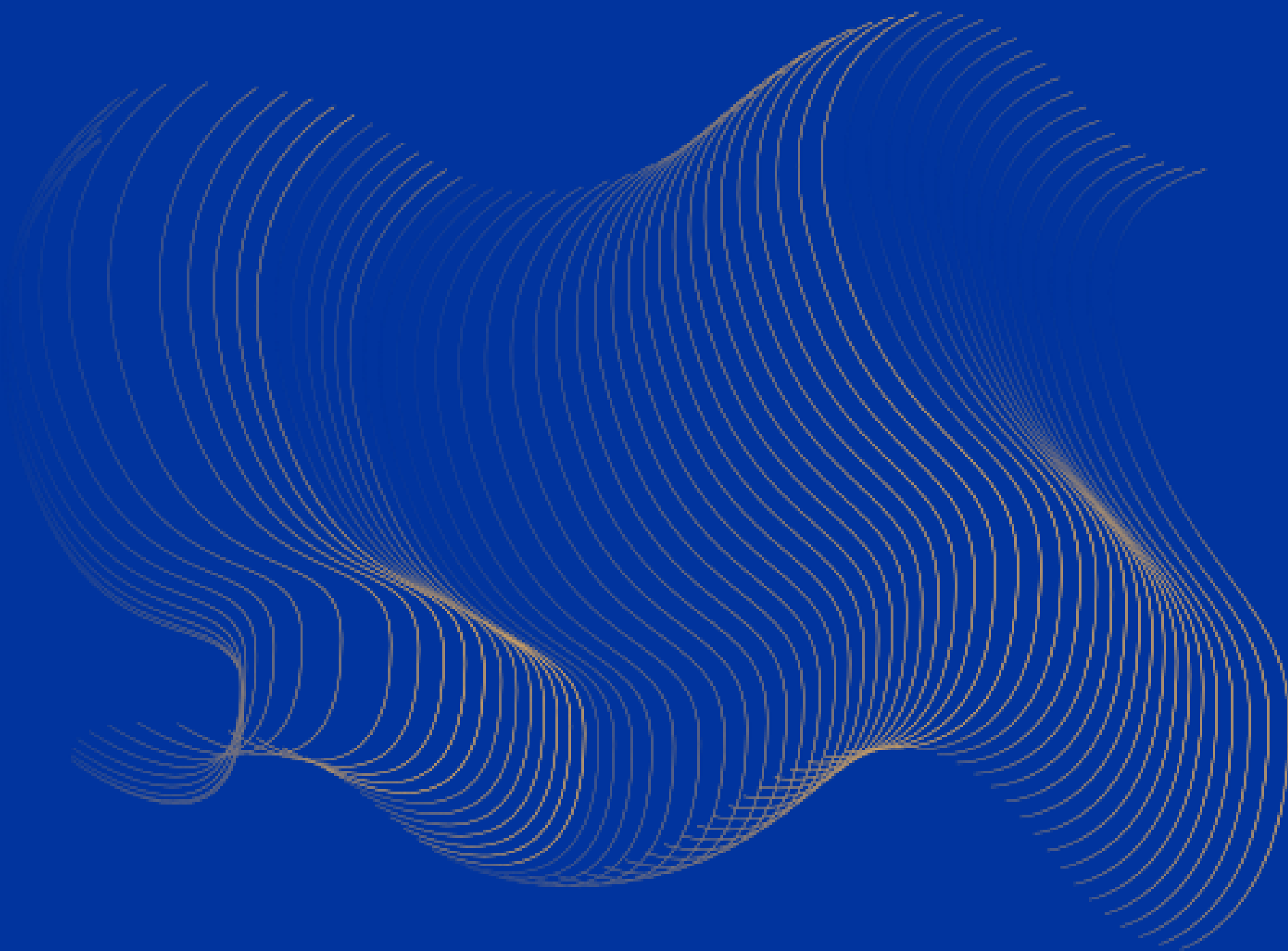
-Scheduling the interview for the month of January

-Preparing the blog and post about Stefano Catellani's interview

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# 10. EU Institutions Committee

CHAIR: Petr Klement, Florin-Răzvan Radu





# THE EPPO'S COLLEGE

On 30 November 2023, the eight new European Prosecutors that replaced the European Prosecutors who finished their three-year mandates\* at the end of July 2023, gave solemn undertaking before the Court of Justice of the EU.

The new European Prosecutors are appointed for a six-year non-renewable mandate.

\* According to Article 16(4) of the EPPO Regulation, *“Every 3 years there shall be a partial replacement of one third of the European Prosecutors. The Council, acting by simple majority, shall adopt transitional rules for the appointment of European Prosecutors for and during the first mandate period”*.



# **INTER-INSTITUTIONAL COOPERATION**

On 28-29 November 2023, the EPPO participated in the European Investment Bank (EIB) Fraud Fighters event organised by the EIB.

In this event, the EPPO, NATO, OLAF, EUROPOL, and ECA, together with several law enforcement agencies from across the world, discussed topics of common interest, focusing on cooperation with Ukraine and in the Balkans in investigating and prosecuting crimes against the EU's financial interests.

The EPPO presented the flagship operation 'Admiral', which proves the advantages of the EPPP's functioning as a single prosecution office across 22 participating Member States.

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# 11. EPPO Art & Cultural Heritage Crimes Committee

## **CHAIRS:**

- PROF. ANDRZEJ JAKUBOWSKI
- PROF. ALICJA JAGIELSKA-BURDUK
- PROF. LUCAS LIXINSKI

**Prof. Benedetta Ubertazzi**

**Prof. Andrzej Jakubowski** - Rapporteur of the International Law Association's Committee on Safeguarding Cultural Heritage in Armed Conflict

**Prof. Alicja Jagielska-Burduk** - UNESCO Chair on Cultural Property Law

**Prof. Lucas Lixinski** – Professor of International and Human Rights Law, UNSW Australia

**Tamara Richardson** (Vice Chair) – UNESCO Germany Young Expert – Fair Culture (2005 Convention)

**Ms Fabrizia Bemmer** – International Judicial Cooperation Office responsible person, Public Prosecutor's Office of the Italian Republic

**Mr Marco del Sere** – Senior Inspector in charge of investigations at the Carabinieri for cultural heritage protection in Florence

**Ms Verusca Filipperi** – Uffizi Gallery, Florence

**Ms Tarikwa Lanzara** – PhD Candidate, Bicocca University

**Mr Diogo Machado** - PhD Candidate, UNSW Australia

**Prof. Tullio Scovazzi** – Professor of International Law, Bicocca University

**Dr Evelien Campfens**, University of Leiden, member of the Ethic Committee of the Dutch Museums Association

## MEMBERS OF THE SUBCOMMITTEE



# CURRENT ACTIVITIES

In October 2023, the Subcommittee prepared a background note on its establishment and working agenda.

The note will be published in Santander Art & Culture Law Review on 20 December.

<https://www.ejournals.eu/SAACLR/>

NEWS inclusion in the list of Italian scientific journals, area 10

Regulation for the Classification of Journals in non-bibliometric areas, approved by Resolution no. 42 of 20 February 2019

# FUTURE ACTIVITIES

There will be a future third blog post on the accession of Poland to the EPPO.

Of the bloc's 27 EU Member States, 22 have already joined. Poland, Hungary, Denmark, Ireland and Sweden have opted to stay out, for different reasons. Following the general elections in October 2023, Poland, the 6th largest economy of the Union, wishes to join the EPPO in the first weeks after a new government is formed.

The Subcommittee will hold a teaching session in April: *'The EPPO's role in combatting trafficking in cultural goods for 2022-25'* – it will address the EU action plan against trafficking in cultural goods for 2022-25 in the context of contemporary threats of armed conflict and terrorism. It will discuss the legal and institutional framework of this plan, with particular emphasis on the effective prosecution of perpetrators.

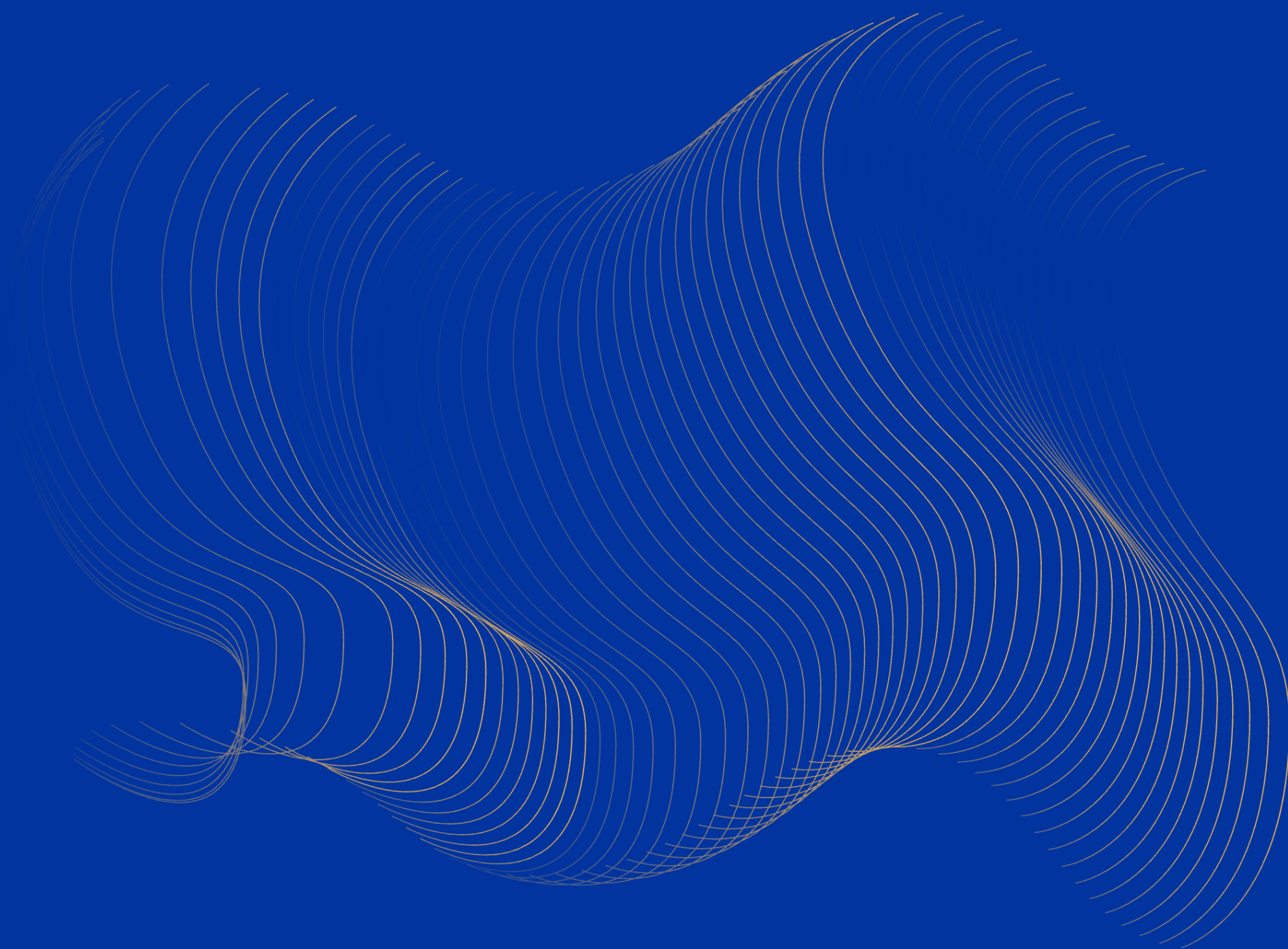
## Other key activities:

- Capacity building via membership recruitment
- Tracking progress on the implementation of the EU Action Plan against trafficking in cultural goods for 2022-25
- Awareness raising (through networking, developing more blogs and integrating the Committee's aims into existing discussions elsewhere (conferences etc.))

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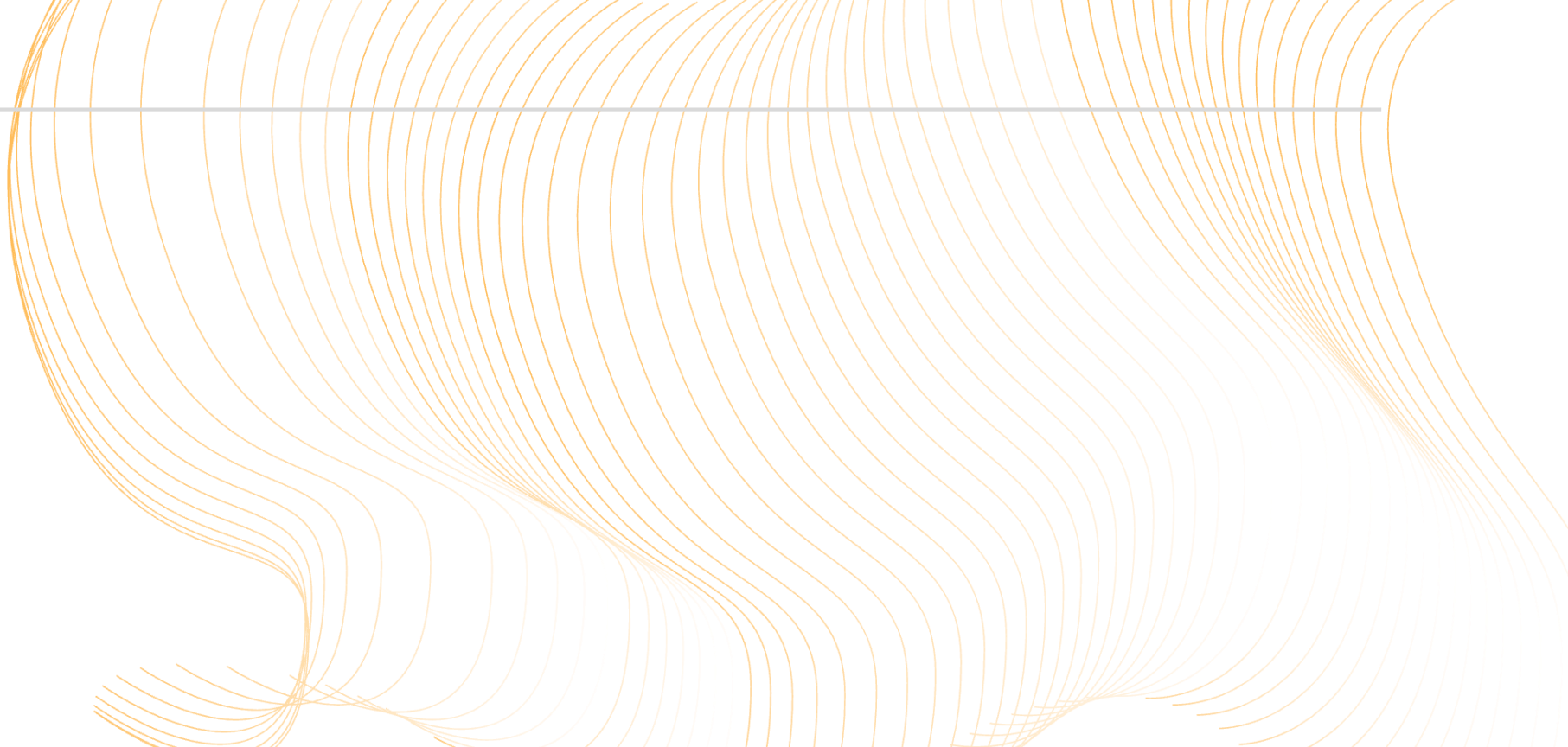
# 12. Banking Insurance & Financial Authorities Committee

CHAIR: Daniele Alessandro Luison



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# GENERAL UPDATE



- **Updates on EPPO's investigations related to Banking and Financial Institutions in Italy:**
  - **A Synergistic Collaboration: Enhancing EU Financial Protection through Integrated Prosecution**



# A Synergistic Collaboration: Enhancing EU Financial Protection through Integrated Prosecution (EPPO & OLAF)



- EPPO handles criminal offenses; complements OLAF's administrative role.
- EU aims for an integrated prosecution cycle with EPPO and OLAF.
- Introduces a "joint investigation mechanism" for coordination and support.
- Working Arrangement introduces "complementary investigations."
- Avoids overlap, ensures admissible evidence in national courts.
- Banking sector crucial in financial crime detection and prevention.
- Collaboration enhances tracing and recovery of misappropriated funds.

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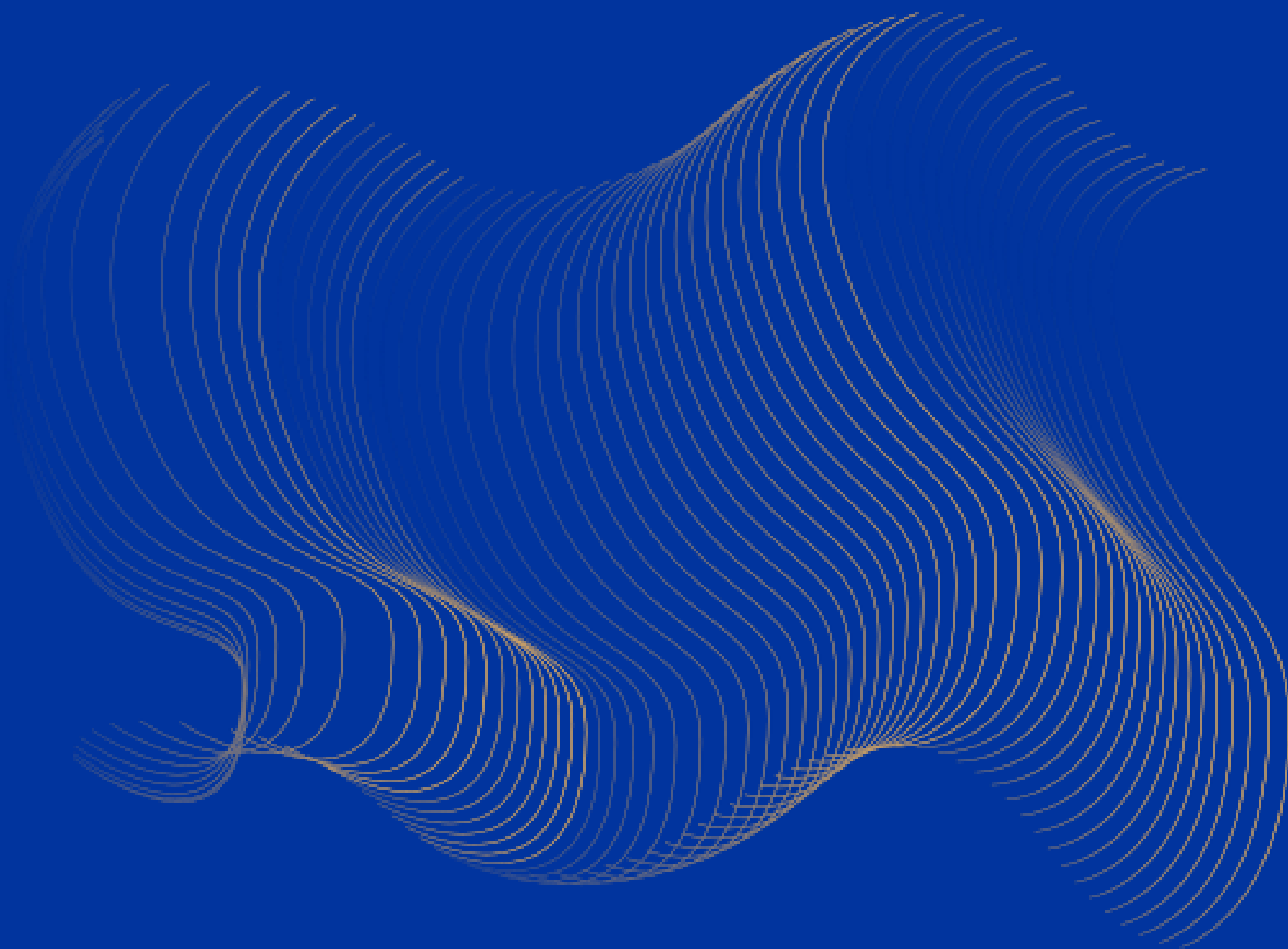
# PLANNED ACTIVITIES

- Study and analysis of future prospects with a view to gradual harmonization
- Updates on new EPPO's investigations in Italy

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# 13. Prosecutors Committee

CHAIR: Pietro Suchan



**Sentenza della Grande Camera della CG del 2 marzo del 2021:** trattamento dei dati personali e tutela della vita privata nel settore delle comunicazioni elettroniche

**Sentenza n.170/23 della Corte costituzionale:** caso del Senatore Renzi

**Cass., Sez. VI 26 ottobre 2023, artt. 254 bis e 266 e ss. c.p.p.:** acquisizione di documenti e dati informatici conservati all'estero

**Regolamento (UE) 2023/1543:** EPOC

Dalle fonti sopracitate, risulta la necessità che l'acquisizione dei dati informatici, a livello UE, avviene con **l'autorizzazione del giudice**, anche quando non si tratta di intercettazioni.

Successivamente, il commento del blog

# 14. High School Committee

## CHAIRS:

**ALESSANDRO FUMAGALLI**, Civil lawyer and former headmaster of several middle and high schools

**MICHELE MONOPOLI**, Former Dean of Beccaria High School Milan

**ANTONELLA IANNASCOLI**, Mathematics and physics teacher at the Liceo Classico Cesare Beccaria in Milan

**VERONICA CARBONE**, law student



## MEMBERS:

**ALESSANDRO COLOMBO**

**EGLE CONCINA**

**SAMUELE DI MARTINO**

**ARIANNA DUZ**

**BEATRICE QUAGLIA**

**SAMANTHA NICOLE DE GUZMAN**

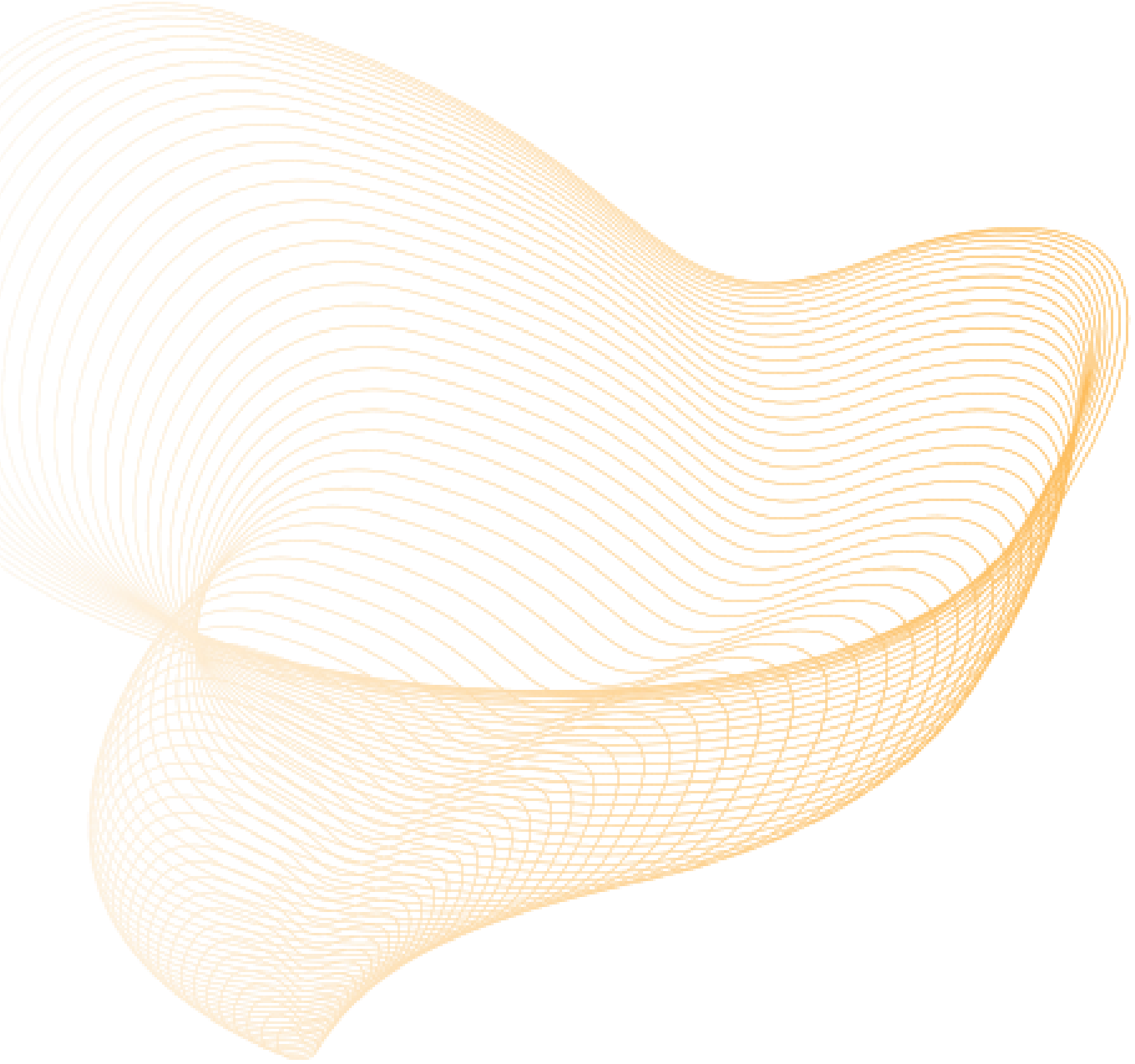
**MARIA CHIARA CAPPELLI**

**ADELE MINICHELLO**

**SONIA M'GAYEDI**

**NICOLO' ELENi**

**ANGELO SALIMBENI** (support)



## PCTO project:

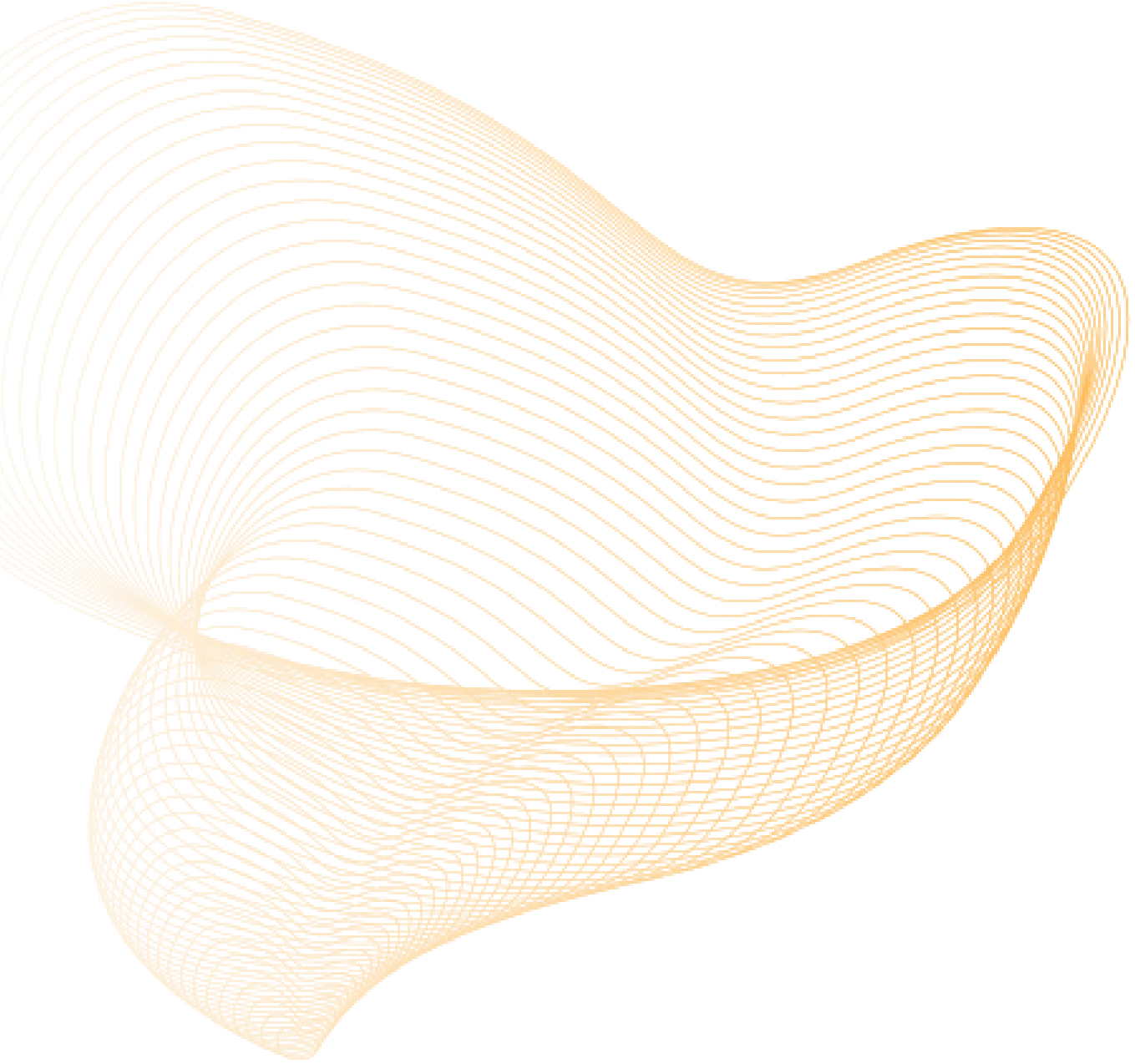
for now the number of high schools enrolled is 6: **171 students**

- ☐ 3 high schools from Milano (IIS Nicola Moreschi, Liceo Carducci, Liceo Gentileschi)
- ☐ 2 high schools from Monza Brianza (I.T.S.C.G. Primo Levi, Seregno; Istituto di Istruzione Superiore Gandhi, Besana)
- ☐ 1 high school from Lecco (I.I.S.S. "Alessandro Greppi", Monticello)

- ☐ 3 high school will participate in 10 lectures (for a total duration of 20 hours)
  - ☐ 2 high schools will participate in 7 lectures
  - ☐ 1 high schools in 5 lectures

# GENERAL UPDATE FROM THE LAST MONTH

Collaboration with the Game Com and the High School Com to develop some simple guidelines to provide High school students a better understanding of the future lectures of the Module



## **NRRP project “la lotta alla criminalità nell’Unione europea”:**

for now the number of high schools enrolled is 1: **25 students**

- ☐ Istituto Viganò, Merate (Lecco), to which will be given a 5-hour lecture by Michele Monopoli and Veronica Carbone on the 26<sup>th</sup> of February

**GENERAL UPDATE FROM THE LAST  
MONTH**

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# 15. Judicial Bodies Committee

CHAIR: Arturo Iadecola



# GENERAL UPDATE

These are the recent judgements we have compiled on fraud against EU funds from the past month, now available on our website.

## Corte dei conti Piemonte, n. 17/2023

In the judgment 17/2023, the Court of auditors sentenced two companies that received public funding from Invitalia to the implementation of the development programme for the conversion and requalification of the former Fiat Industrial Area, as well as their administrators, to pay a total amount of € 21.322.580,70 for having used the received contribution for completely different purposes.

## Corte dei conti II C/A, n. 352/2023

In judgment no. 352/2023, the Court of Auditors II department of jurisdictional appeal, condemned two companies and their directors to pay a total of EUR 64,214,700 for fiscal damage. In particular, the unlawful conduct stems from the violation of the 'milk quota' regulations (abolished in 2015 with the re-establishment of the free market for dairy producers), burdening the companies as first purchaser for failure to pay the amounts collected.

## Corte dei conti Liguria, n. 70/2023

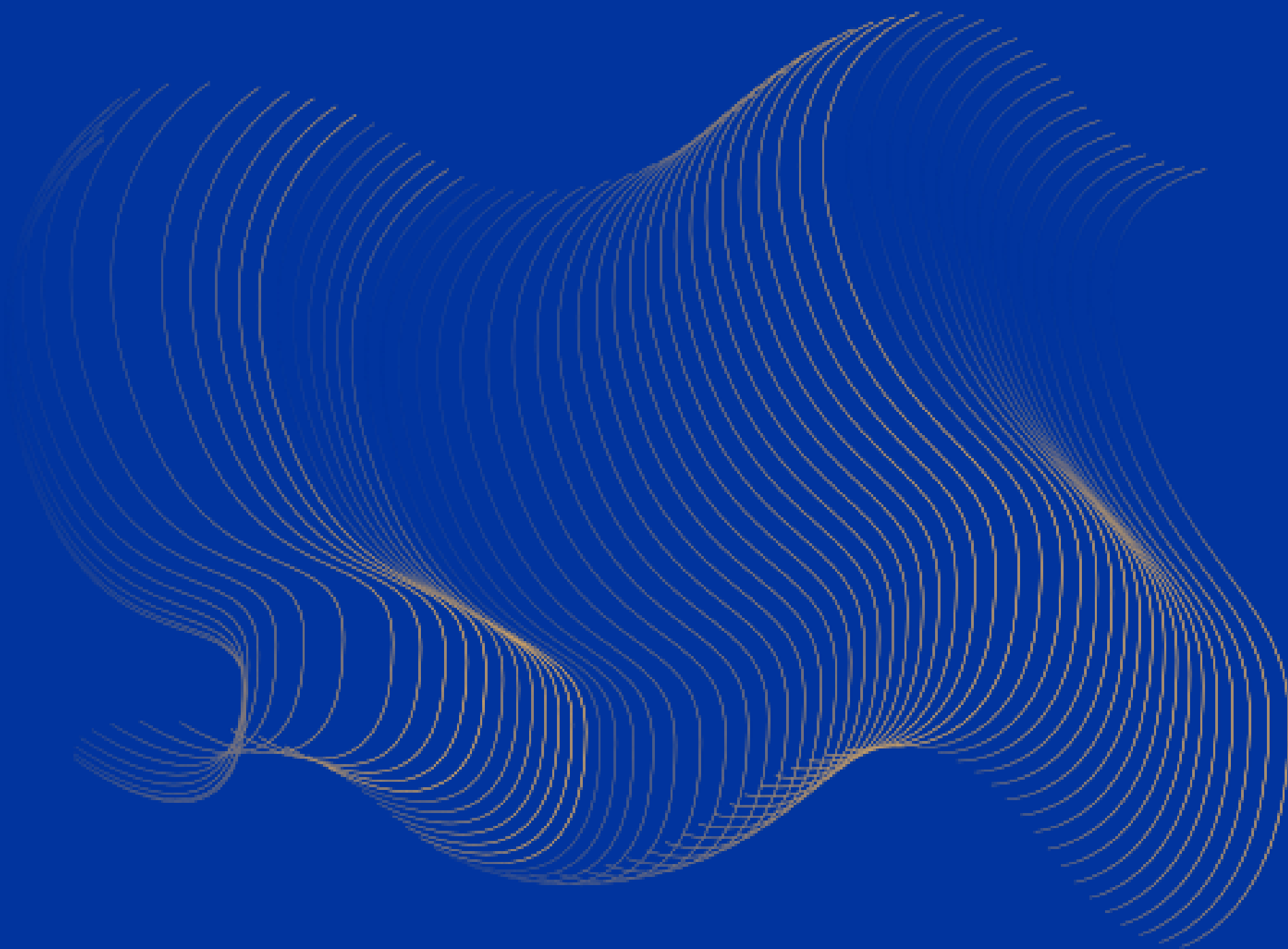
The Court of Auditors, in the judgment under review, sentences the owner of the company to pay the sum of EUR 30,000.00 in favour of the Ministry of Enterprise and Made in Italy. In particular, the financial loss consisted in the diversion of the purposes for which the holder had requested the subsidised financing, pursuant to Article 13, Law Decree 23/2020).

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# 16. Agricultural & Environmental Fraud Committee

CHAIR: Esther Muniz Espada

VICE-CHAIR: Samuel Bolis



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## *AYUDAS DE LA PAC Y TRATAMIENTO DE LAS SUBVENCIONES*

El Ministerio de Agricultura, Pesca y Alimentación abrió en junio un plazo para la solicitud de subvenciones a las organizaciones del sector agroalimentario que realicen actuaciones de apoyo en la presentación de la solicitud única a los beneficiarios de ayudas de la Política Agraria Común (PAC). La convocatoria tenía un presupuesto total de cuatro millones de euros. Se establece que la concesión de estas subvenciones se realizará en régimen de concurrencia competitiva.

“Para facilitar las gestiones de agricultores y ganaderos al tramitar sus ayudas conforme a los nuevos parámetros de la PAC 2023-2027, el Ministerio ha buscado el apoyo de las organizaciones profesionales agrarias y cooperativas agroalimentarias de carácter general y ámbito nacional.

Dichas entidades colaboradoras agroalimentarias ya han venido desarrollando actividades de apoyo en la tramitación y gestión de las solicitudes de ayuda de esta política comunitaria, desde hace décadas, pero es en este primer año de implantación de la nueva PAC cuando dicho apoyo resulta especialmente necesario. Con el objetivo de lograr dichos fines, el ministerio aprobó esta orden, cuyo objeto es regular la concesión de esta subvención excepcional mediante el sistema de concurrencia competitiva. La orden que establece las bases reguladoras destaca que las actuaciones a financiar serán las de apoyo a la presentación de los expedientes de solicitud única de ayudas de la PAC, así como la realización de tareas de promoción, formación y difusión relacionadas con las solicitudes de la PAC 2023”.

- (web del Ministerio de Agricultura).

Las subvenciones son una modalidad importante de gasto público y, por tanto, deben ajustarse a las directrices de la política presupuestaria. Uno de los principios que rige en España la Ley General de Subvenciones, inspirados en los de la Ley de Estabilidad Presupuestaria, es el de la transparencia. Con este objeto, las Administraciones deberán hacer públicas las subvenciones que concedan y, a la vez, la Ley establece la obligación de formar una base de datos de ámbito nacional que contendrá información relevante sobre todas las subvenciones concedidas.

Existe una gran diversidad de subvenciones y ayudas en el ámbito de la PAC de distinta naturaleza, que se conceden mediante procedimientos complejos, y, por lo tanto, deben ser objeto de un seguimiento y control eficaces.

Según el art 65 de la Ley general de subvenciones de 2003 “Las infracciones prescribirán en el plazo de cuatro años a contar desde el día en que la infracción se hubiera cometido ...”.

Si bien la ley general de subvenciones en España prescribe que las infracciones prescribirán a los cuatro años a contar desde el día en que la infracción se hubiera cometido la interpretación que se hace para su aplicación es que el cómputo se hace desde que se termina la subvención, en cuanto que hasta ese momento se ha tenido tiempo o se ha podido realizar la corrección del defecto, o en cuanto que es a partir de ese momento desde el que se puede realizar una auditoría y control.

Pero estas interpretaciones jurisprudenciales o de parte de los órganos de control son incorrectas puesto que la administración está limitada por el principio de legalidad, por tanto, lo que le permite la ley es el límite posible de su actuación.

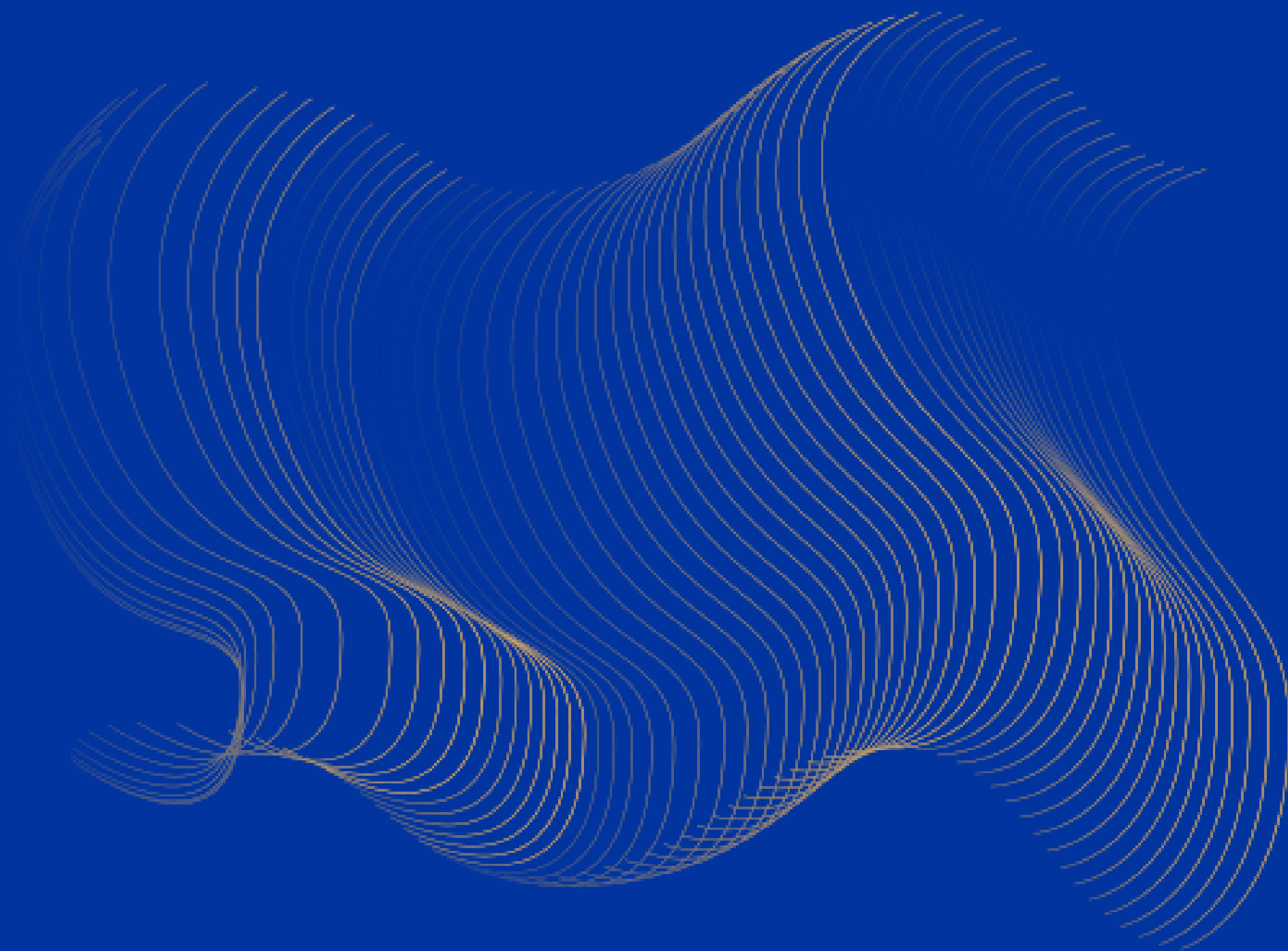
A diferencia del Derecho privado en el Derecho público la administración está acotada por lo especificado claramente por la ley. De este modo, en cualquier tipo de subvención sometida a esta normativa el plazo de prescripción de los cuatro años debe contarse desde que se cometió la acción irregular o fraudulenta no desde que finalice la subvención, puesto que la literalidad de la norma es clara.



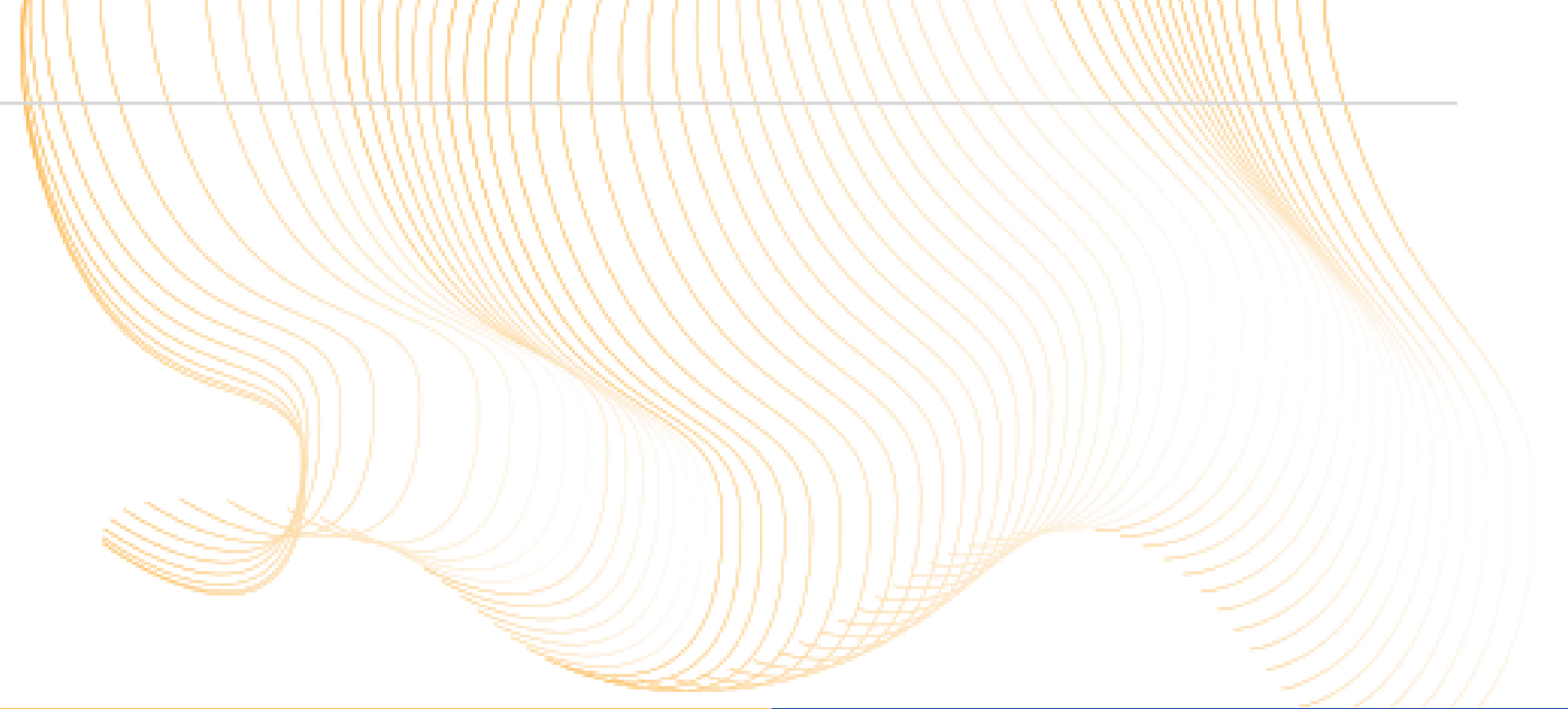
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# 17. Academic Committee

CHAIR: Alejandro Hernandez Lopez, Ilaria Sticchi, Enrico Traversa



# GENERAL UPDATE



## CASE-LAW

### In Spain:

- no new judgments;
- three Orders dealing with economic precautionary measures and the competence of the EPPO.


References to the three  
Orders:

- Audiencia Nacional. Sala de lo Penal, Sección 2, ECLI:ES:AN:2023:10291A
- Audiencia Nacional. Sala de lo Penal, Sección 3, ECLI:ES:AN:2023:9580A
- Audiencia Nacional. Sala de lo Penal, Sección 3, ECLI:ES:AN:2023:9579A

## CJEU

### Case C-292/23

(preliminary questions raised by the Spanish Central Preliminary Examining Judge): neither the Opinion nor the CJEU judgment has been published, yet



# GENERAL UPDATE

## C-481/23, *Sangas*

Official publication was made of a request for a preliminary ruling from the Audiencia Nacional (Spain), lodged on 26 July 2023, in the context of criminal proceedings against JMTB.

The case concerns a **European arrest warrant, issued by a Romanian court, requesting the transfer of a person convicted in the first instance for offenses relating to tax fraud and money laundering.**

the referring court has decided to stay the proceedings and ask the Court of Justice to clarify the grounds for optional non-execution of a European arrest warrant, as enshrined in Articles 4(4) and 4(6) of the Council Framework Decision 2002/584/JHA on the European arrest warrant.

Specifically, the Spanish court has asked the Court of Justice to provide guidance on the following inquiries:

(i) Since Article 4(6) of the Council Framework Decision 2002/584/JHA provides that the grounds for optional non-execution of the European arrest warrant include cases in which the European arrest warrant has been issued for the execution of a custodial sentence or detention order, where the requested person is staying in, or is a national or a resident of the executing Member State and that State undertakes to execute the sentence or detention order in accordance with its domestic law:

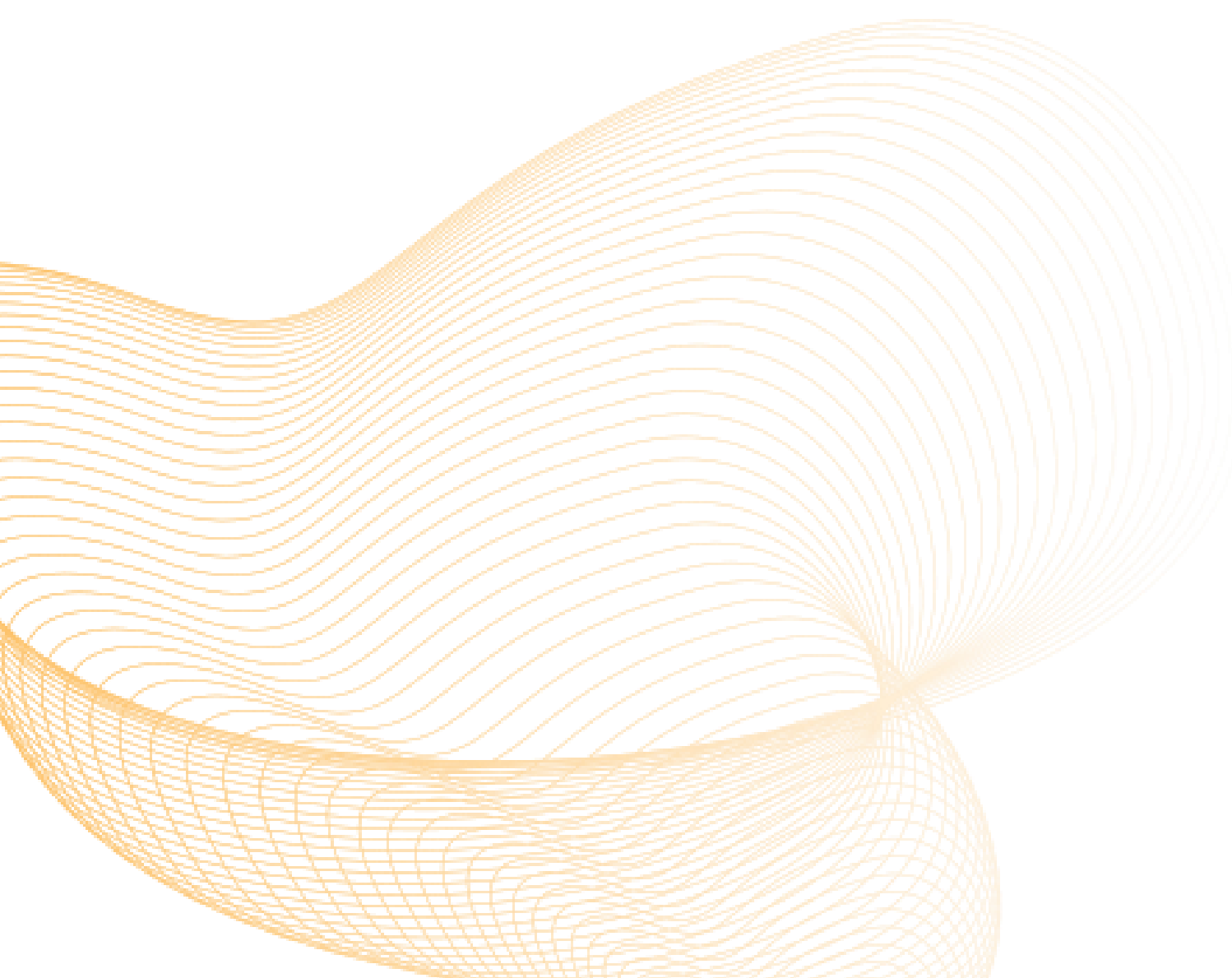
a) Is it permissible to extend the application of that ground to cases in which a final decision has not yet been reached regarding the requested person?

b) If that possibility were allowed, is it possible to refuse to surrender on the ground that the requested person is resident in the State in which enforcement is sought, without that State undertaking to execute the sentence or detention order in accordance with its domestic law?

(ii) Since Article 4(4) of the Council Framework Decision of 13 2002/584/JHA provides that the grounds for optional non-execution of the European arrest warrant include cases where the criminal prosecution or punishment of the requested person is statute-barred according to the law of the executing Member State and the acts fall within the jurisdiction of that Member State under its own criminal law, is it permissible to extend that ground to cases in which the offense or penalty is regarded as statute-barred under the law of the executing Member State, even if the courts of that State do not have jurisdiction to determine the facts?

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# GENERAL UPDATE



No new studies have been published in Spain

Prof. Hernandez Lopez's research group is preparing a collective work derived from the conference held in November. The work includes a part on the European Public Prosecutor's Office, but it will not be published until mid-2024.

The first National Observatory on the EPPO was established and launched on 7 December.

The Observatory will be composed of legal experts and attorneys, and will deal with fraud, EU funds and the prevention of corporate crimes, in light of the framework of EU criminal law

The Scientific Committee of the Observatory will be composed of Gianluca Pipitone, Francesco Leone, Sonia Sommacal (vice-president Adu), Simona Fell, Floriana Barbata, Giovanni Minucci, Antonio Golino, Matteo De Meo and Prof. Luca Pressacco (University of Trento)



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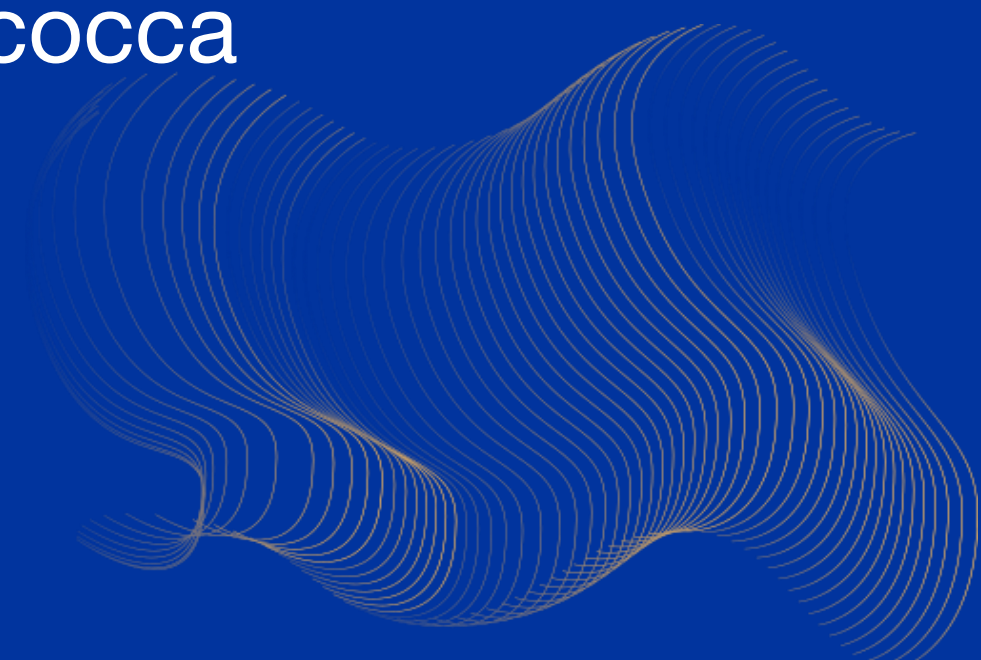
**GENERAL UPDATE  
STATUS OF THE COLLECTIVE WORK:**

We have received the Chapter from Dr. Ludovica Tavassi

**MEMBERS UPDATE:**

We are pleased to announce that one more person has joined our Committee:

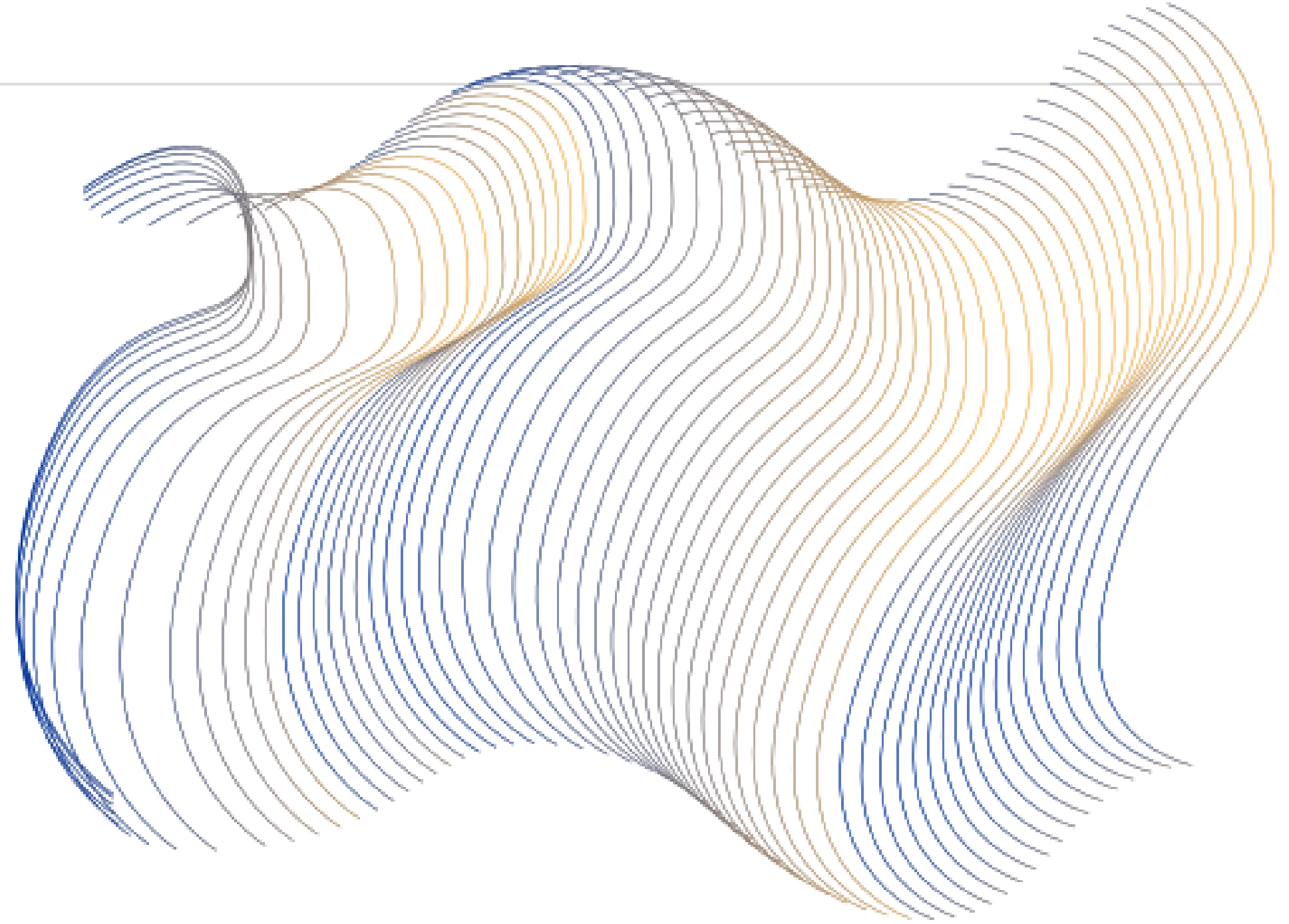
Marta RAMAT, Ph.D. student in Law at University of Milan-Bicocca



# BIBLIOGRAPHY

Gut, T. (2023) 'Eppo's material competence and its exercise: A critical appraisal of the EPPO regulation after the first year of Operations', ERA Forum, 23(3), pp. 283–300.  
doi:10.1007/s12027-023-00730-3.

Uremović, N., Matijević, G. and Jovanović, M. (2022) 'Protection of the European Union Budget through the action of the European Public Prosecutor's Office (EPPO)', EMC Review - Časopis za ekonomiju - APEIRON, 24(2).  
doi:10.7251/emc2202629u.



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# 18. Law Enforcement Agencies Committee

CHAIR: Flavia Ndriollari

## MEMBERS:

- Andrea Sarrafiore
  - Gianluca Di Biasi
  - Raffaella Stellato
  - Salvatore Della Ragione
  - Teresa Scialla
  - Erica Bongiorno
- 
- A decorative graphic consisting of numerous thin, wavy lines in a light blue color, creating a sense of movement and depth. The lines are arranged in a pattern that resembles a stylized wave or a series of overlapping curves, extending from the left side of the slide towards the right.

# GENERAL UPDATE

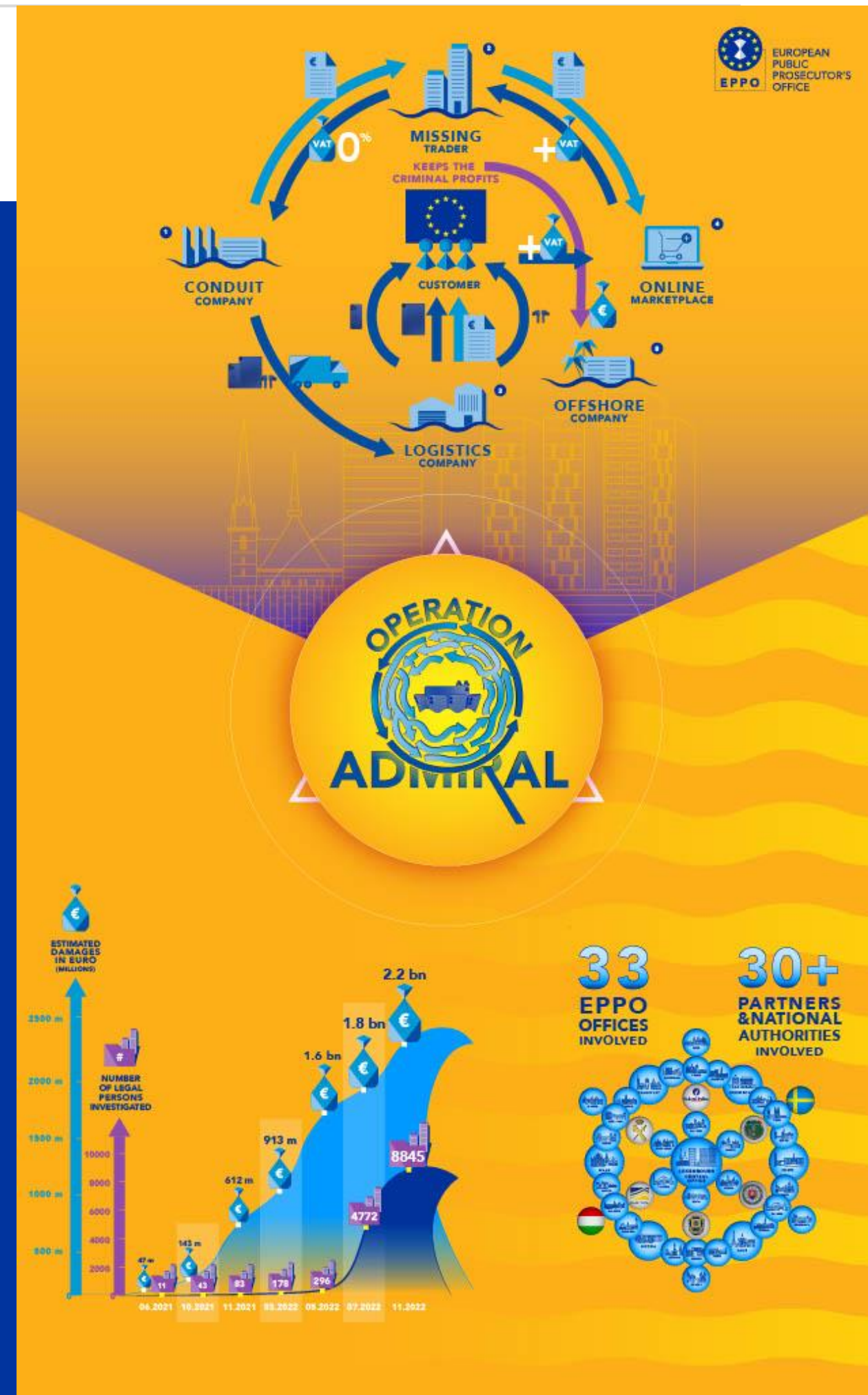
## Last news about EPPO Operation Admiral - Update

06/12/2023

### First indictment in Investigation Admiral: 12 suspects and 15 companies charged with massive VAT fraud

The European Public Prosecutor's Office (EPPO) in Porto (Portugal) filed an indictment today against 12 suspects and 15 companies, following an investigation into a massive intra-community VAT fraud scheme extending to over 30 countries, code-named Admiral. This is the first indictment issued under investigation Admiral.

The defendants – ten Portuguese and two French nationals – are accused of setting up and operating a criminal organisation, based on the sale of electronic goods, which is understood to have committed several crimes of aggravated tax fraud, money laundering and active and passive corruption in the private sector, between 2016 and November 2022. Five of the accused are in pre-trial detention, including one under house arrest. Fourteen companies registered in Portugal and one registered in Cyprus are also accused.



29/11/2023

### Operation Admiral: EPPO uncovers organised crime groups responsible for VAT fraud estimated at €2.2 billion

On 29 November 2023, the European Public Prosecutor's Office, in cooperation with law enforcement agencies of 14 EU Member States, carried out simultaneous investigative measures, including more than 200 searches, in relation to a complex VAT fraud scheme based on the sale of popular electronic goods. This action took place in Belgium, Cyprus, France, Germany, Greece, Hungary, Italy, Lithuania, Luxembourg, the Netherlands, Portugal, Romania, Slovakia and Spain. Within the framework of this flagship EPPO operation, searches were already conducted in Czechia, Hungary, Italy, the Netherlands, Slovakia and Sweden on 12 and 13 October 2022.

All the data collected is being analysed, and the investigation into the organised crime groups behind this scheme is continuing. The estimated damages investigated under Operation Admiral currently amount to €2.2 billion. Measures to recover the damages have been taken, and more details will be communicated once known.



**Guardia di Finanza**



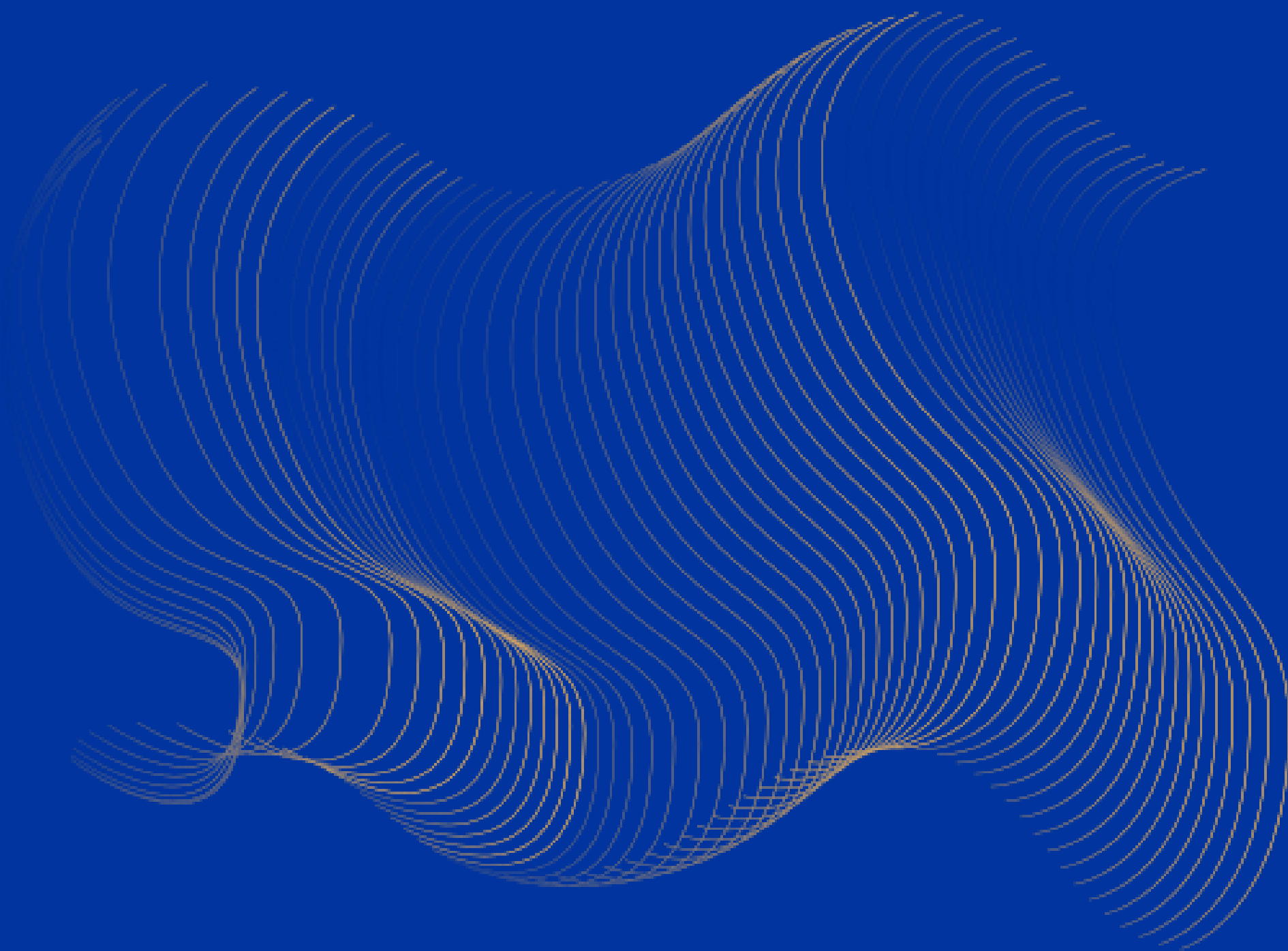
Sending our best wishes for a joyous holiday season, filled with love and happiness

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# 19. National Institutions Committee

CHAIR: Paolo Valerio, Rocco Burdo, Dott. Gianpiero Paolini

VICE-CHAIR: Federica Gentilini



# GENERAL UPDATE :

1. The nomination of the representer for the customs' agency is still on-going. At the moment the representer is Dr. Gianpiero Paolini. Due to this situation we do not have any other relevant news at the moment.

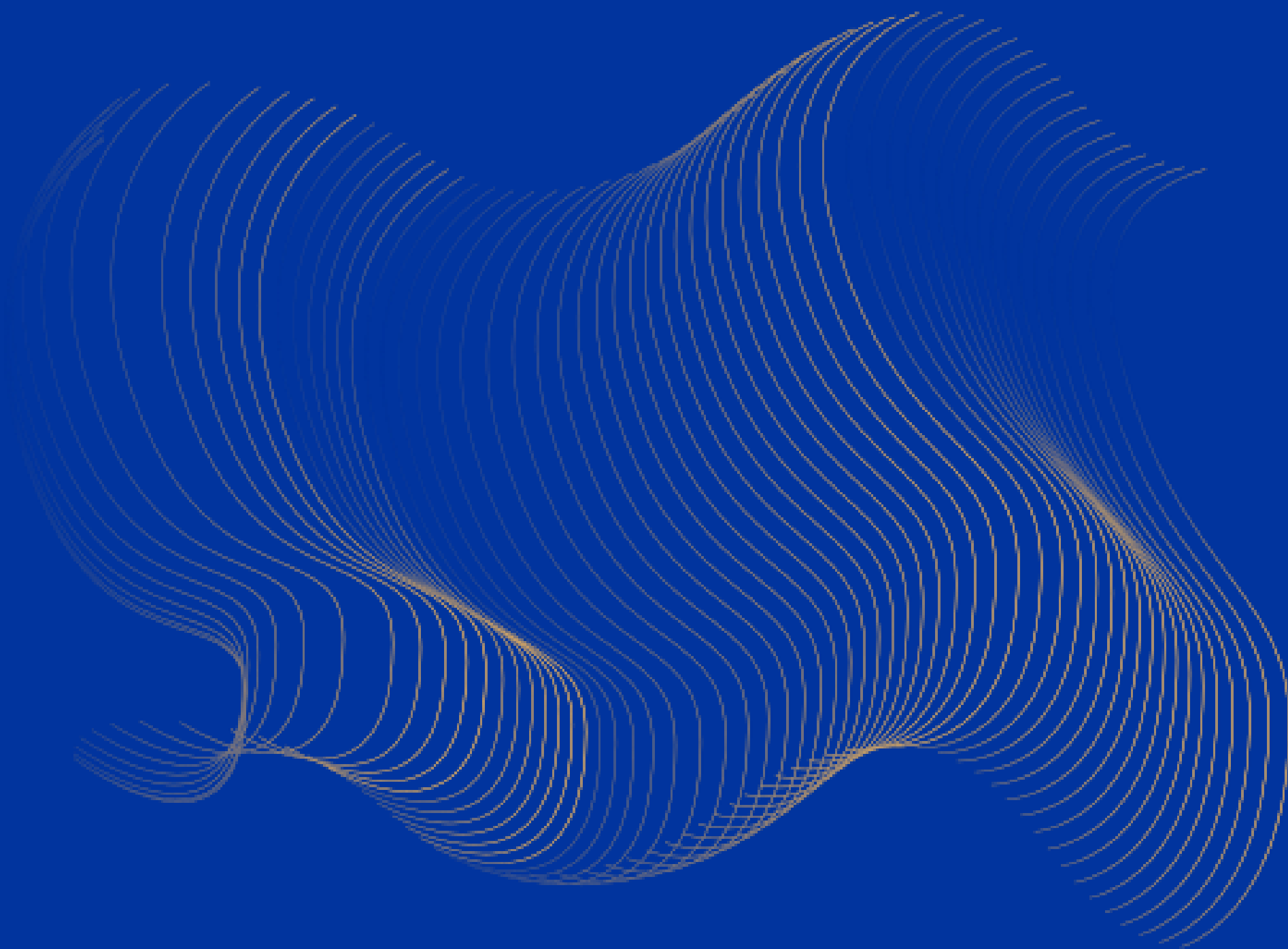
2. A blog on the activity of the National Institutions Committee will be released in the next month. Any news regarding the nomination of the new customs' agency representer will be shared with the Committees.

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## 20. Collaborate Committee

CHAIR: Lorenzo Salazar

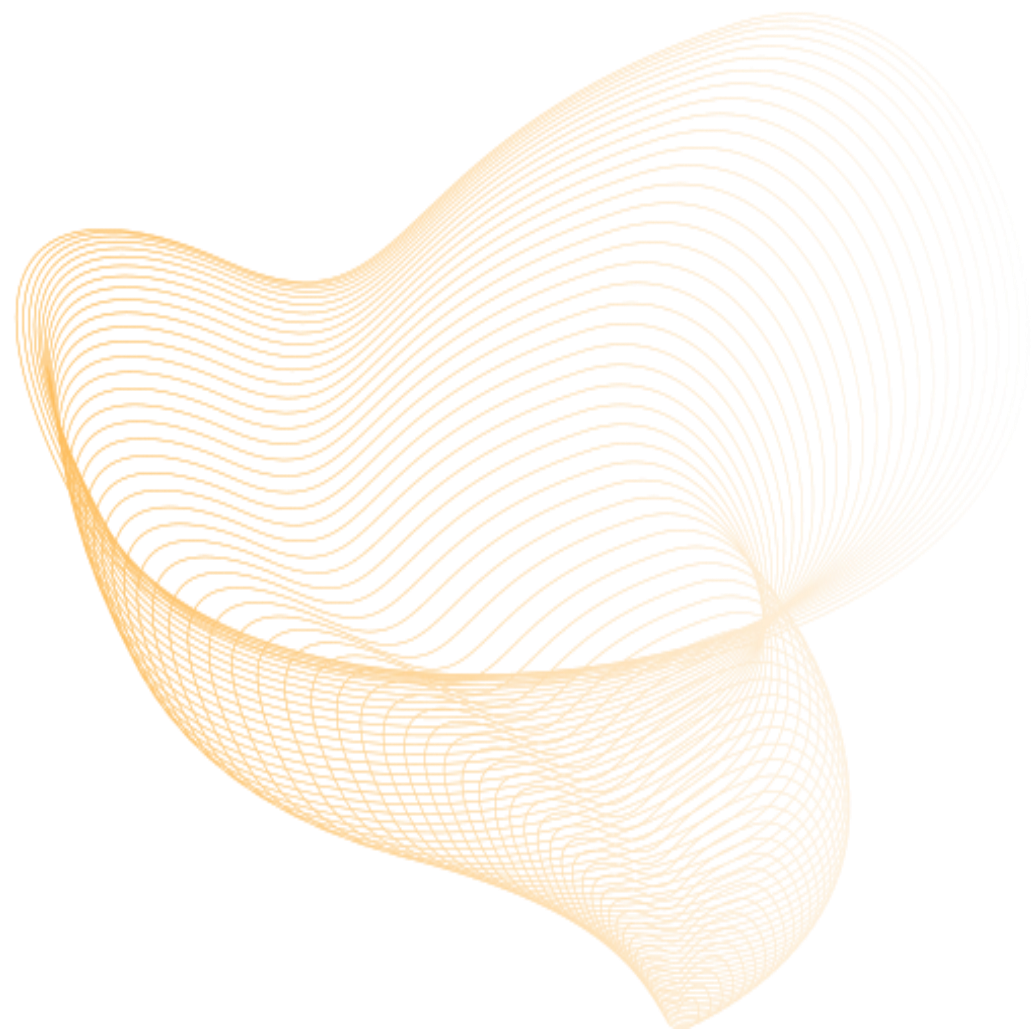
VICE-CHAIR: Federica Gentilini





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## GENERAL UPDATE:



□ Oath before the Court of Justice of the EU by the eight newly appointed European Prosecutors.

□ The European Chief Prosecutor Laura Kövesi said:

*«...This oath is to act in the interest of the European Union as a whole, regardless of whether we are praised or criticised...»*

□ On the 30 th of November 2023, the eight newly appointent European Prosecutors gave the solemn undertaking to comply with the obligations arising from they duties.

□ A blog on this interesting topic has been published on Tuesday the 12 th of December.

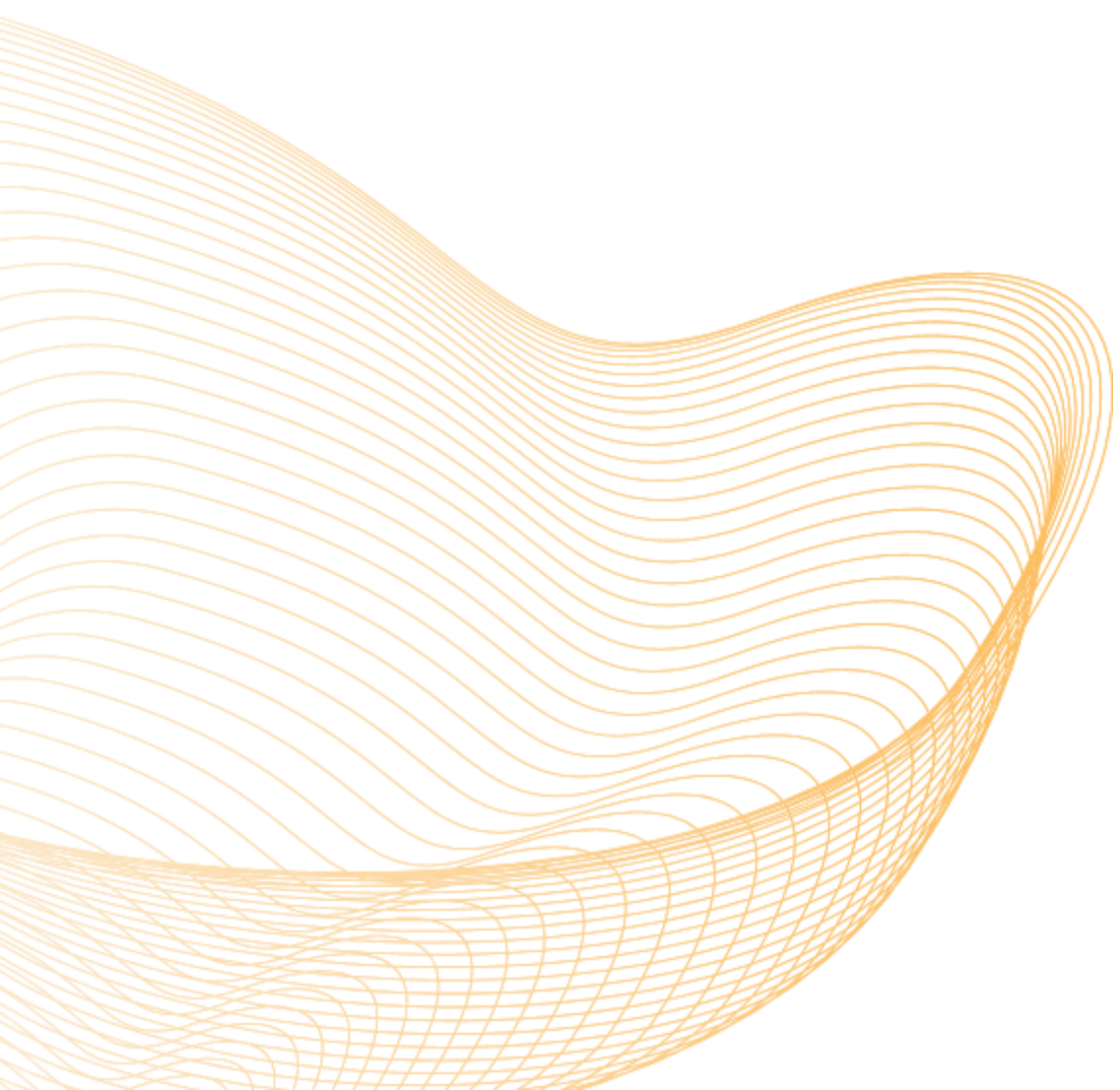
□ You can read the blog on the STEPPO website and STEPPO's social networks.

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# FUTURE ACTIVITIES :

The 2022 annual COLAF report to the Parliament has been released. A blog on this specific topic will be published soon.

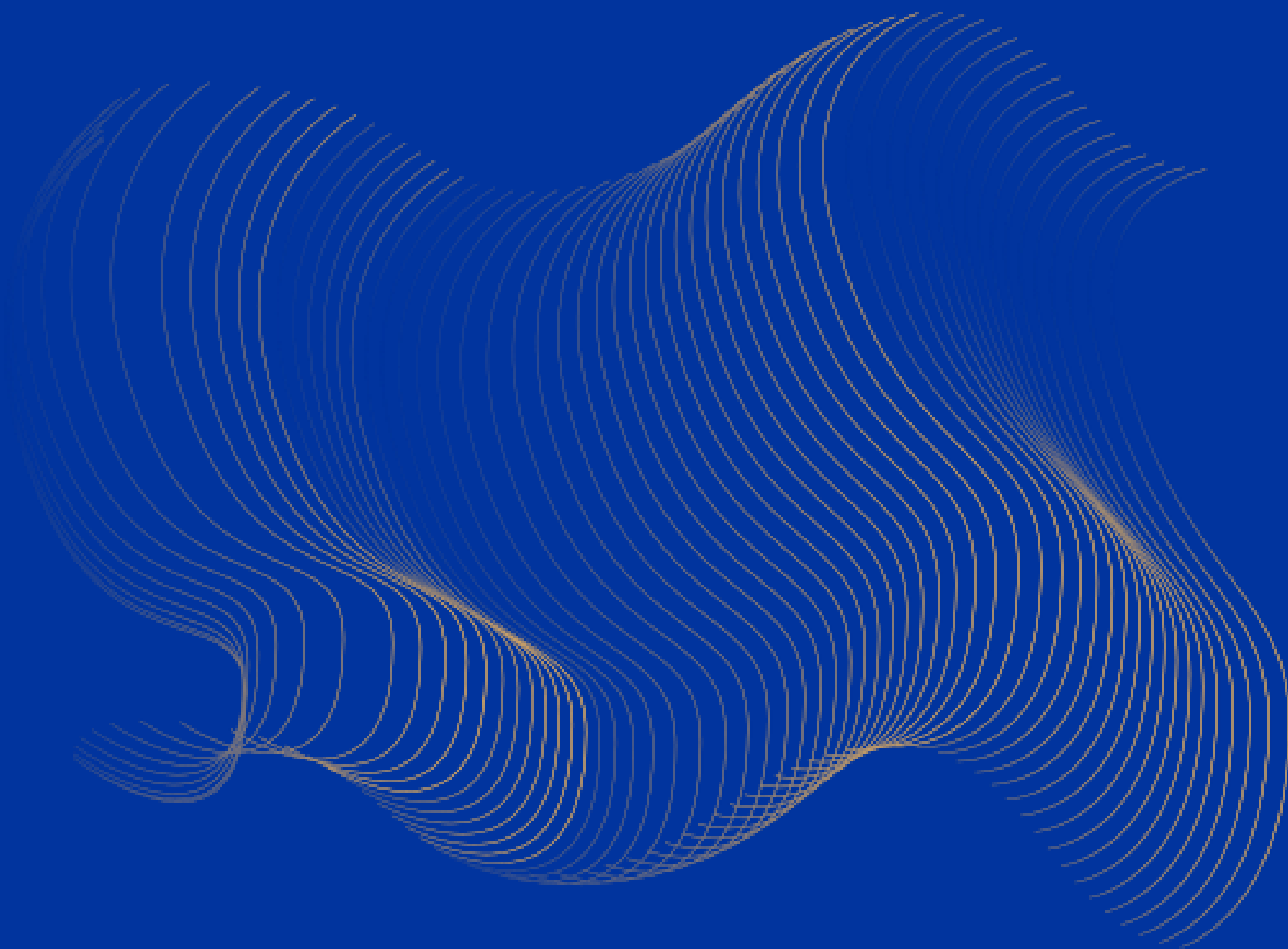
COLAF: Comitato per la lotta contro le frodi nei confronti dell'Unione Europea.



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# 20. Insights Social Media Committee

CHAIR: Carlotta Eleni, Dimitri Eleni, Nidhi Mehra



# INSTAGRAM e LinkedIn

Ultimi 30 giorni ▾

13 nov - 12 dic

**76.526**

Account raggiunti

+150%  
**384**  
Follower ●



+44.427%  
**76,1 mila**  
● Non follower

Impression

**86.476**  
+7.082%

Ultimi 30 giorni ▾

13 nov - 12 dic

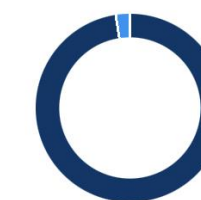
Gli insights relativi ai messaggi, come le condivisioni e le risposte, potrebbero essere inferiori alle previsioni a causa delle regole sulla privacy di alcune aree geografiche.

[Scopri di più](#)

**2.580**

Account che hanno interagito

+156%  
**62**  
Follower ●



+22.790%  
**2.518**  
● Non follower

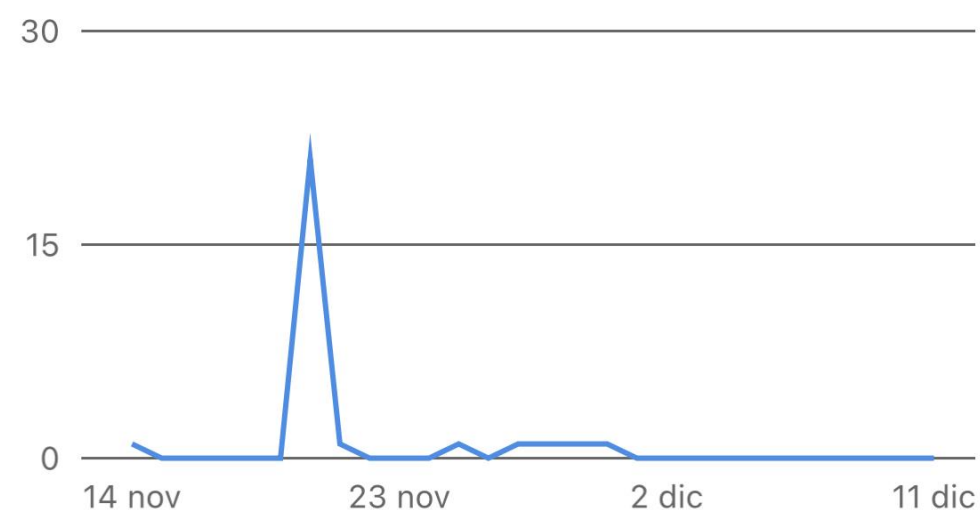
**292** ?

Follower totali

▲ 10,2% Ultimi 28 giorni

Nuovi follower ?

Ultimi 28 giorni ▾

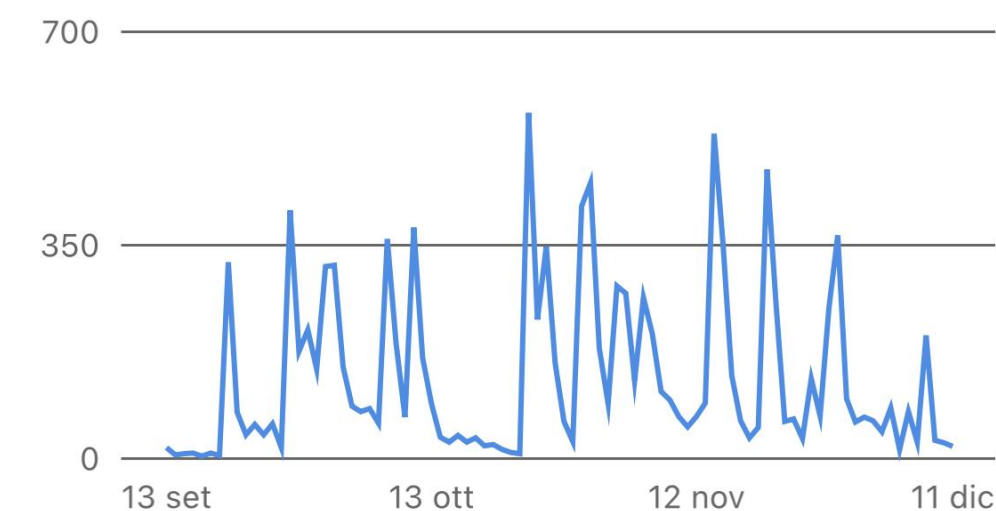


Rendimento dei contenuti ?

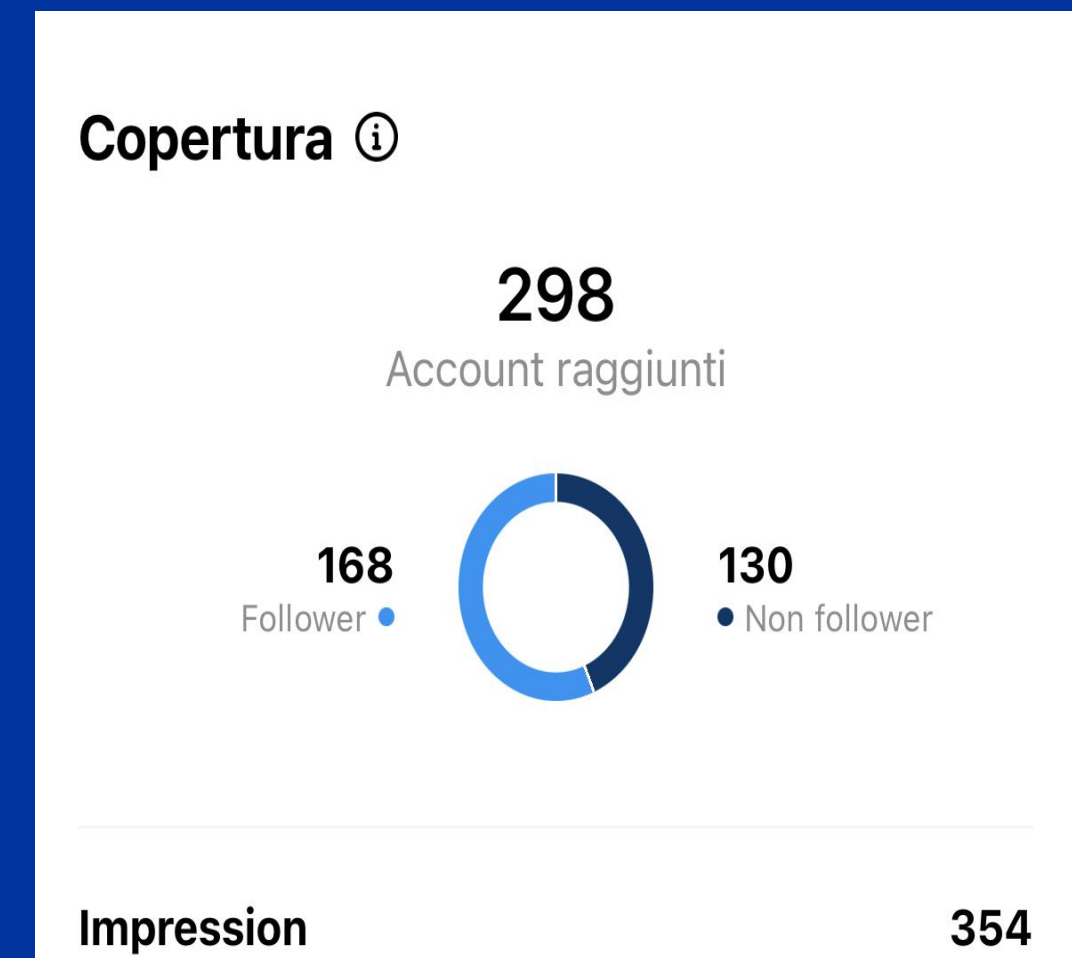
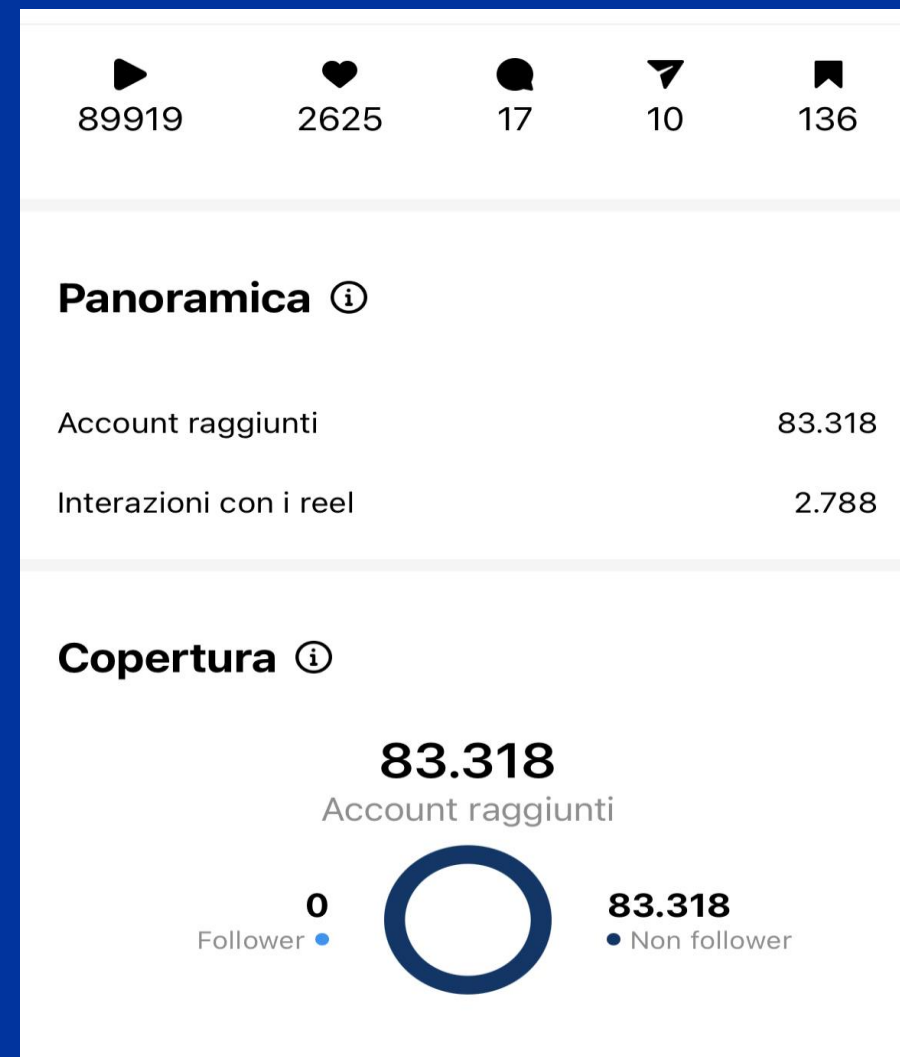
**12.029**

Impressioni

▲ 105,5% Ultimi 90 giorni



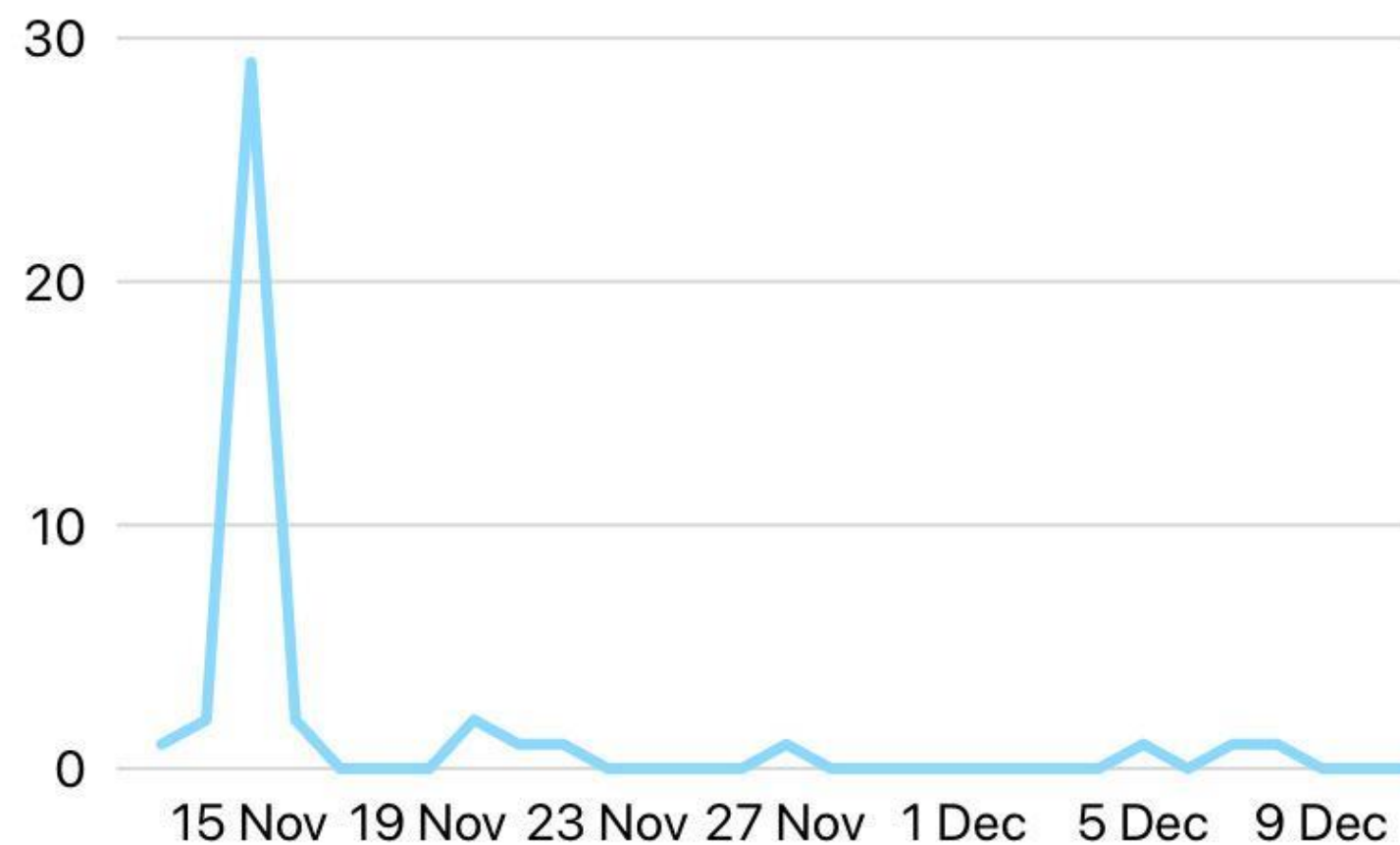
I dati giornalieri sono registrati nel fuso orario UTC



# Facebook e X

Facebook reach ⓘ

39 ↑ 2.6%



## Dati X

**Eppo, Sicilia indaga in ordine a condotte di corruzione indissolubilmente connessi al conseguimento fraudolento di 2,5milioni di euro...**

-23 impressions

**Unveiling financial crime across borders**

-33 impressions

**Seminario Roberto Saviano presso Università di Milano bicocca**

-64 impressions

**Eppo: the cooperation with Ireland and the arrangement with the prosecutors office of Bosnia and Herzegovina**

-28 impressions



# The EPPO and EU law: a step forward in integration @... · 31/10/23 ...

Luxembourg meeting showcases the success of EPPO'S center of excellence!!!

A special thank you to @mibtec\_unimib

#meeting #eppo #steppo #centreofexcellence

On October 18, 2023, a significant event took place in Luxembourg as the Centre of Excellence Jean Monnet EPPO-A New Frontier in Integration (EPPONFI), also known as STEPPO, from the University of Milano-Bicocca, received an official invitation from the European Public Prosecutor's Office in Luxembourg. The invitation was extended to present their VR Game project, which had been launched the previous April during the "Eppo and the Rule of Law" conference.

.....  
**LUXEMBOURG MEETING SHOWCASES THE**

Benedetta Obertazzi, Dr. Fabrizia Bemel and Associate Professor Dr. **Alberto Gallace**, who also serves as the Director of the Metaverse Laboratory, along with law students **Veronica Carbone**, **Iman Khodri**, and PhD candidate **Luca Pieri**, introduced the VR Game project to the assembly of prosecutors. This presentation was followed by a question-and-answer session, where prominent figures such as European Chief Prosecutor **Laura Codruta Kövesi**, Deputy European Chief Prosecutor **Petr Klement**, former Deputy European Chief Prosecutor **Danilo Ceccarelli**, and Italian prosecutor **Andrea Venegoni** praised the accomplishments of the Centre of Excellence. They emphasized the significance of its existence and expressed hope that more universities would follow the distinguished example set by the

EPPO team, notably featuring Prosecutor **Anita Jelas**, Prosecutor **Sapfo Katsanaki**, Dr. **Filip Siroky**, Dr. **Jose Maria Del Águila Gómez**, Dr. **Roberto Bianchin**, Dr. **Gabriele Kathrin Launhardt**, and Dr. **Andrea Nicola Ragni**, and the team from the Centre of Excellence.

During this meeting, additional insights into the prototype of the VR Serious Game, designed for students, as well as the more advanced VR Serious Game tailored for

1 2 2 356

356 visualizzazioni e interazioni

# The EPPO and EU law: a step forward in integration @... · 06/11/23 ...

EPPO and Spain: some cases of fraud and simulation in the CAP subsidies

#avvocato #commercialista #eppo #riciclaggio #frodi #ue #corruzione #frodifiscali #unioneuropea #guardiadifinanza #gdf #antiriciclaggio

to support and strengthen environmental protection, including biodiversity, and climate action and contribute to achieving the Union's environmental and climate objectives, including commitments under the Paris Agreement; (c) strengthening the socio-economic fabric of rural areas.

**Eppo and Spain: some cases of fraud and simulation in**

linked to animal health and welfare. These people are allegedly falsifying the conditions necessary to obtain these CAP subsidies to the value of one million euros. The farmers investigated were applying for aid from the pack by pretending to graze in different areas.

These general objectives are further broken down into nine specific objectives, based on the three pillars of sustainability and complemented

100 visualizzazioni e interazioni

# WEBSITE

Utenti

656

↑ 22,8%

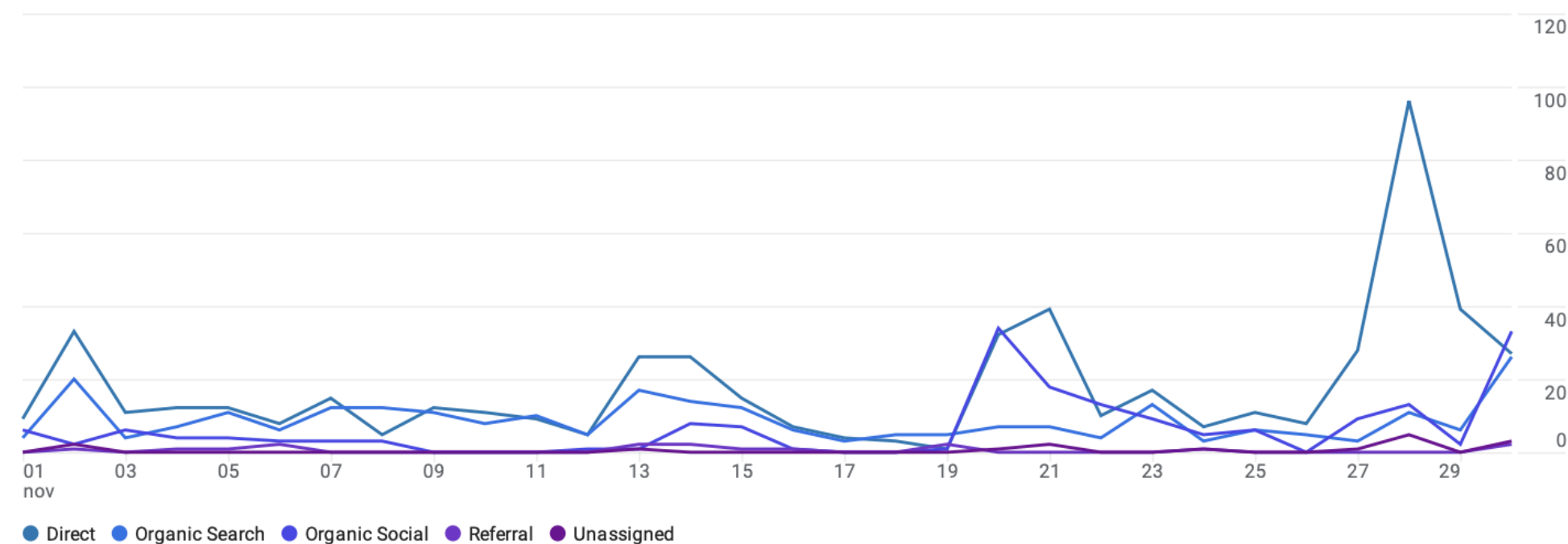
Nuovi utenti

584

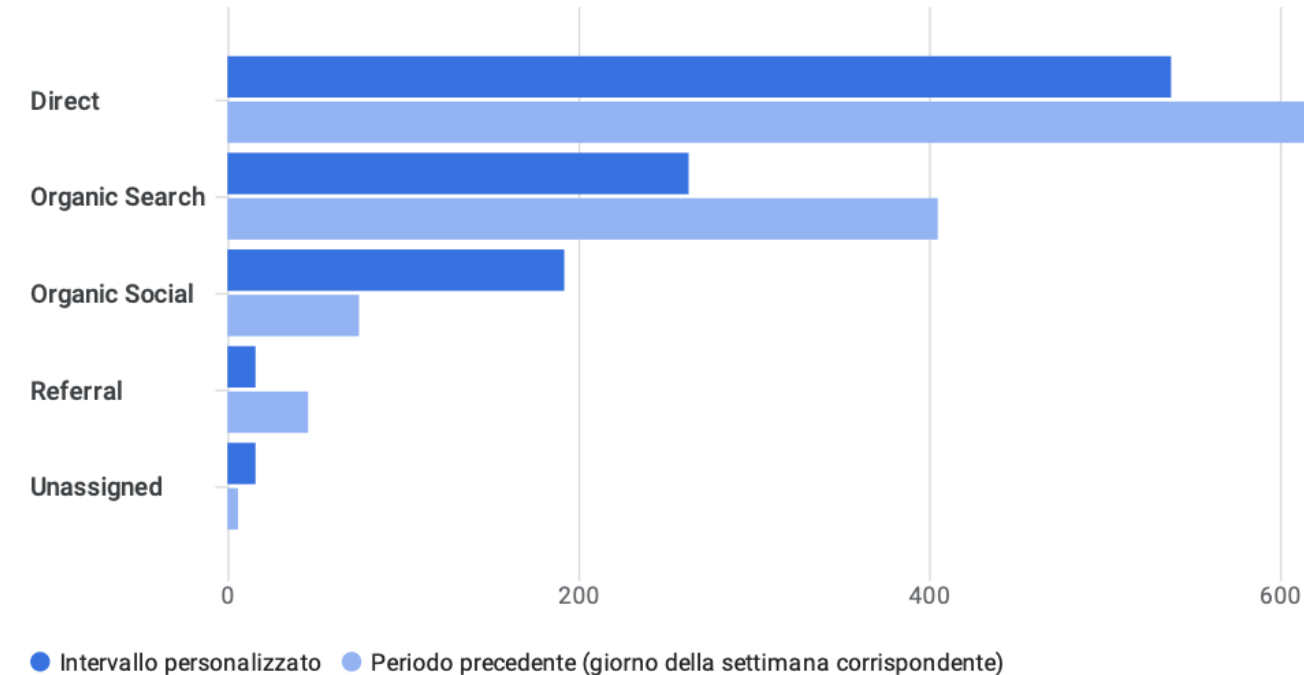
↑ 28,6%



Sessioni per Gruppo di canali predefinito della sessione nel tempo



Sessioni per Gruppo di canali predefinito della sessione





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**Thank you for have joined the December Steering  
Committee meeting!**

**🎄 You are all invited to join us for a  
Christmas toast! 🎄**

