

# APPENDIX

Editorial Note

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## Launch of the 19th EPPO Committee on Art and Cultural Heritage Crimes: September 2023 Steering Committee Meeting of the Jean Monnet Centre of Excellence (EPPONFI)

The Steering Committee of the Jean Monnet Centre of Excellence, “The EPPO (European Public Prosecutor’s Office) and EU Law: A Step Forward in Integration” (EPPONFI)<sup>1</sup> met on 13 September 2023. The meeting was chaired by Benedetta Ubertazzi<sup>2</sup> (Director of EPPONFI). During the meeting, the 19 Committees<sup>3</sup> presented their achievements and future objectives.

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<sup>1</sup> Jean Monnet Centres of Excellence are focal points of competence and knowledge on European Union (EU) subjects. They gather the expertise and competences of high-level experts aiming to develop synergies between the various disciplines and resources in European studies. EPPONFI aims to become a hub of expertise and knowledge on the EU legal order, bringing together experts to create a synergy of resources and disciplines in European studies. It seeks to bridge the gap between academia and the real world, fostering dialogue among scholars, stakeholders, and the public. This includes decision-makers at local, regional, national, and EU levels, civil servants, civil society actors, representatives, and the media. Through this inclusive approach, EPPONFI aims to facilitate a comprehensive understanding of the EU’s legal order and its implications for society at large. This will be achieved through its Steering Committee, which is currently made up of 19 Committees, each focusing on a specific issue related to the EPPO and the protection of EU financial interests. The Steering Committee meets once a month to review implemented innovations, activities, and to plan future initiatives.

<sup>2</sup> Benedetta Ubertazzi is Associate Professor of European Union Law at the University of Milano-Bicocca and Coordinator of the Jean Monnet module.

<sup>3</sup> The 19 Committees are: Interview; Criminal Lawyers; Prosecutors; Academic; Judicial Bodies; Law Enforcement Agencies; National Institutions; EU Institutions; Connect; Create; Collaborate; Serious VR Game; Banking, Insurance, and Financial Authorities; Audit Institutions; Editorial Board; High School; Real Estate Transactions; Media Committee; Art and Cultural Heritage Crimes.

The Interview Committee, chaired by Serena Cacciatore,<sup>4</sup> reported that it conducted an interview with Concepción Sabadell Carnicero, Prosecutor at the Special Prosecutor's Office against Corruption and Organised Crime in Spain.

The Criminal Lawyers Committee, chaired by criminal lawyer Fabrizio de' Sanna<sup>5</sup> and civil lawyer Federico Iacopo Mamoli,<sup>6</sup> presented a blog on the first reference to the Court of Justice on Article 31 of Council Regulation (EU) 2017/1939.<sup>7</sup>

The Academic Committee, co-chaired by Alejandro Hernández López<sup>8</sup> and Ilaria Sticchi,<sup>9</sup> enthusiastically welcomed new member Enrico Traversa, Adjunct Professor of European Labour Law at the University of Bologna since 2017 and former Director of the "Justice" Team of the European Commission Legal Service in Brussels.

The Judicial Bodies Committee, chaired by Arturo Iadecola,<sup>10</sup> announced that five new decisions had been added to the legal database "Misuse of EU Funds" of the EPPONFI Centre of Excellence.<sup>11</sup>

The Law Enforcement Agencies Committee, represented by Maria Raffaella Stellato (substituting the Chair Flavia Ndriollari),<sup>12</sup> and the Prosecutors Committee, chaired by Pietro Suchan,<sup>13</sup> updated the Steering Committee on the working agreement between the European Public Prosecutor's Office (EPPO) and the Guardia di Finanza to institute the "EPPO Academy". Ms Stellato stressed that further details would be provided at the post-event meeting on 26 September 2023,<sup>14</sup> as preliminary information could not be disclosed before the event.

The National Institutions Committee, specifically the section dedicated to Customs Authorities, had the privilege of introducing its new Chair, Paolo Valerio,

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<sup>4</sup> Serena Cacciatore is post-doctoral researcher at the University of Palermo and the University of Burgos.

<sup>5</sup> Fabrizio de' Sanna specializes in commercial, industrial, insolvency, financial, and corporate criminal law. He received the Lawyer of the Year "Corporate Criminal Law Boutique of Excellence" award from the legal community in 2021.

<sup>6</sup> Federico Iacopo Mamoli is a lawyer specializing in corporate, industrial, international, and commercial contract law.

<sup>7</sup> Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO'), OJ L 283, 31.10.2017, p. 1.

<sup>8</sup> Alejandro Hernández López is Associate Professor of Criminal Procedure at the University of Valladolid (former research fellow "Margarita Salas").

<sup>9</sup> Ilaria Sticchi is Secretary of the College of the European Public Prosecutor's Office (EPPO).

<sup>10</sup> Arturo Iadecola is Deputy Attorney General at the Court of Auditors.

<sup>11</sup> For further information, see <https://www.steppo-eulaw.com/judicial-bodies-subcommittee/>.

<sup>12</sup> Flavia Ndriollari is a captain in the Guardia di Finanza of the Reggio Calabria.

<sup>13</sup> Pietro Suchan, former prosecutor, is a lecturer in "Legislation for the Protection of Economy and Security" at the Guardia di Finanza Academy and Assistant Magistrate in the Italian representation – Eurojust.

<sup>14</sup> The opening ceremony for the signature of the working arrangement of the EPPO Academy between the European Public Prosecutor's Office and the Guardia di Finanza.

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to all the Committees. Mr Valerio, recently appointed Manager at the Customs and Monopolies Agency and Head of the General Unit EPPO-DNA-DDA Relations Office, was substituted on the occasion by Rocco Antonio Burdo.<sup>15</sup> The Chair thanked everyone for his nomination and expressed his satisfaction at being able to work with the Centre of Excellence over the coming months.

The EU Institutions Committee, co-chaired by Petr Klement<sup>16</sup> and Florin-Răzvan Radu,<sup>17</sup> announced the entry into force of the cooperation agreement between EPPO and the Danish Ministry of Justice, and the creation of a standard form for mutual legal assistance requests under the EU-UK Trade and Cooperation Agreement.

The Connect Committee, chaired by Carlotta Eleni<sup>18</sup> and Dimitri Eleni,<sup>19</sup> remarked that interactions on the social media channels of the EPPONFI Centre of Excellence have been steadily growing over time. Interactions on Instagram, Facebook, and the website have increased by at least 58.8% since the launch. LinkedIn profile posts have also consistently seen high levels of interactions, regularly exceeding 330 interactions per published post.

The Create Committee, co-chaired by Iman Khodri,<sup>20</sup> Estella Gambarà,<sup>21</sup> and Veronica Carbone,<sup>22</sup> presented an update on the implementation of modules for the NextGenerationEU project with High Schools; and the NextGenerationEU Teacher training course “Orientamento attivo nella transizione scuola – università”.

The Collaborate Committee, chaired by Lorenzo Salazar,<sup>23</sup> announced that the EPPO Panel<sup>24</sup> successfully concluded the first round of the partial replacement

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<sup>15</sup> Rocco Antonio Burdo is in charge of the DNA-DDA Relations Section.

<sup>16</sup> Petr Klement is Deputy Chief European Public Prosecutor, specializing in PIF crime, cybercrime, and combating the financing of terrorism.

<sup>17</sup> Florin-Răzvan Radu is the Legal Officer of the EPPO Legal Service, European Prosecutor, and Deputy Director of the Directorate of International Law and Judicial Cooperation.

<sup>18</sup> Carlotta Eleni is a law student at the University of Milano-Bicocca.

<sup>19</sup> Dimitri Eleni is a law student at the University of Milano-Bicocca.

<sup>20</sup> Iman Khodri is a law student at the University of Milano-Bicocca.

<sup>21</sup> Estella Gambarà is a law student at the University of Milano-Bicocca.

<sup>22</sup> Veronica Carbone is a law student at the University of Milano-Bicocca.

<sup>23</sup> Lorenzo Salazar is Deputy Attorney General at the Court of Appeal of Naples.

<sup>24</sup> Council Regulation (EU) 2017/1939 stipulates that the European Chief Prosecutor is to be appointed by the European Parliament and the Council, from a shortlist of qualified candidates compiled by a selection panel. This panel is to consist of 12 individuals selected from former members of the Court of Justice and the Court of Auditors, former national members of Eurojust, members of national supreme courts, high-level prosecutors, and lawyers of recognized competence. One of the chosen individuals is to be proposed by the European Parliament. The Council is responsible for establishing the operating rules of the selection panel; see Council Implementing Decision (EU) 2018/1696 of 13 July 2018 on the operating rules of the selection panel provided for in Article 14(3) of Regulation (EU) 2017/1939 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO'), OJL 282, 12.11.2018, p. 8.

of one-third of the European Prosecutors, in accordance with Rule 16 of Council Regulation (EU) 2017/1939.<sup>25</sup>

The Serious VR Game Committee, chaired by Fabrizia Bemer,<sup>26</sup> announced its participation in a meeting that was held between its members and the MiBTec<sup>27</sup> to define the development of a more sophisticated Serious Game to train professionals in the field, such as prosecutors, financial police, and judges.

The Banking, Insurance, and Financial Authorities Committee, chaired by Daniele Luison,<sup>28</sup> reported that they conducted a study on the EPPO's crucial role in combating financial crime, on which they prepared a blog entitled *The Key Role of EPPO in Combating Financial Crime: New Investigation in Bucharest*.

The Audit Institutions Committee, chaired by Antonio Fortarezza,<sup>29</sup> reported that they conducted a study on EPPO and beneficial owners, in which they created a blog entitled *EPPO: seguire il titolare effettivo per la repressione dei crimini finanziari*.<sup>30</sup>

The Editorial Board Committee, coordinated by Benedetta Ubertazzi and directed by Antonio Fortarezza (vice-chair Giulia Varisco),<sup>31</sup> informed that from 18 July to 13 September 2023, the Committee published 10 articles and improved the management of information flows. Moreover, the Committee is currently testing a new plug-in on the website and expects to have a new webpage with all case law uploaded by 30 September 2023.

The High School Committee, chaired by Alessandro Fumagalli,<sup>32</sup> prepared a series of proposals to be submitted to high school representatives. These proposals aim to provide high school students with the opportunity to participate in training and orientation projects within the EPPONFI Centre of Excellence.

The Real Estate Transactions Committee, chaired by Marina Palmulli,<sup>33</sup> is working on real estate risk exposure, promoting cooperation and training, includ-

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<sup>25</sup> Article 16 of this Regulation deals with the nomination and dismissal of the European Public Prosecutor.

<sup>26</sup> Fabrizia Bemer is Senior Manager of the Office for International Judicial Cooperation and Senior Expert Trainer for EIO training courses for projects co-funded by the European Commission.

<sup>27</sup> MiBTec is an innovative laboratory, founded in 2018, which is part of the Department of Psychology of the University of Milano-Bicocca, directed by Professor Alberto Gallace. For further information, see <https://www.mibtec.it/it/about/> [accessed: 24.10.2023].

<sup>28</sup> Daniele Luison is Head of Criminal Advice, Proceedings & Investigations at Unicredit.

<sup>29</sup> Antonio Fortarezza is the President of the Anti-Money Laundering Commission of the Order of Chartered Accountants of Milan.

<sup>30</sup> Available here: <https://www.steppo-eulaw.com/2023/08/29/eppo-seguire-il-titolare-effettivo-per-la-repressione-dei-crimini-finanziari/> [accessed: 24.10.2023].

<sup>31</sup> Giulia Varisco is a law student at the University of Milano-Bicocca, collaborating with the Committee as editor-in-chief.

<sup>32</sup> Alessandro Fumagalli is a civil lawyer and was previously a headmaster of several middle and high schools.

<sup>33</sup> Marina Palmulli is a real estate agent in Milan.

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ing contacts with colleagues from other companies and associations and lecturers at an Agent Training School connected with a big National Association in Milan.

The Media Committee, chaired by Roberto Saviano<sup>34</sup> and with Sofia Mazza<sup>35</sup> as vice-chair, was very surprised by the impact of the launch of the Committee described in the article *EPPO: The Small Steps of the Next Generation EU*, as they had registered 250 more Committee members in a very short time. The Committee has organized an online conference to be held by Mr Saviano with its members on 28 September 2023 at 9:00 (CEST).

During this meeting, the new EPPO Committee on Art and Cultural Heritage Crimes, chaired by Dr Andrzej Jakubowski,<sup>36</sup> Dr Alicja Jagielska-Burduk,<sup>37</sup> and Prof. Lucas Lixinski,<sup>38</sup> was introduced. Launched last August, the Committee outlined its objectives during the meeting. Accordingly, it is determined to combat illicit trafficking in cultural goods with a cross-border dimension. It will also examine the growing role of art and cultural goods transactions in the EU and how EPPO could assist in tracking money laundering activities related to art and cultural heritage crimes that affect both the EU's financial interests as well as fundamental human rights, including cultural rights.

This Committee represents an important step forward in the protection of cultural heritage and the fight against art-related crimes. Since its inception, the Committee on Art and Cultural Heritage Crimes has actively participated in international events to raise awareness of its mission and activities. The Committee was represented by Benedetta Ubertazzi and Diogo Machado at the 21st General Assembly & Scientific Symposium of ICOMOS in Sydney, Australia. Additionally, Benedetta Ubertazzi and Tamara Richardson will present the Committee at the 2023 World Forum on Intangible Cultural Heritage in Jeonju, Republic of Korea.<sup>39</sup> In terms of outreach, the Committee has published two blog posts in August and September. The first post, titled *EPPO and Cultural Heritage Crimes*,<sup>40</sup> announced the launch of the new Committee. The second post, *The EPPO and Cultural*

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<sup>34</sup> Roberto Saviano is a journalist, writer, and screenwriter.

<sup>35</sup> Sofia Mazza is a law student at the University of Milano-Bicocca.

<sup>36</sup> Andrzej Jakubowski is Rapporteur of the International Law Association's Committee on Safeguarding Cultural Heritage in Armed Conflict and currently works at the Institute of Legal Studies of the Polish Academy of Sciences in Warsaw, Poland.

<sup>37</sup> Alicja Jagielska-Burduk is UNESCO Chair in Cultural Heritage Law and currently works at the Faculty of Law and Administration, University of Opole, Poland.

<sup>38</sup> Lucas Lixinski is Professor of International Cultural Property Law at the Faculty of Law, UNSW Sydney, Australia.

<sup>39</sup> See <http://www.steppo-eulaw.com> [accessed: 24.10.2023].

<sup>40</sup> Available here: <https://www.steppo-eulaw.com/2023/08/21/launch-of-the-new-subcommittee-on-eppo-and-cultural-heritage-crimes/> [accessed: 24.10.2023].

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*Heritage Crimes Committee Speaks at the ICOMOS Symposium*,<sup>41</sup> provided insights into the Committee's presentation at the ICOMOS Symposium. Looking ahead, the Committee plans to publish a third blog post titled *The EPPO and Cultural Heritage Crimes; Committee Speaks at the 2023 World Forum on Intangible Cultural Heritage*.

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<sup>41</sup> Available here: <https://www.steppo-eulaw.com/2023/09/06/the-epo-and-cultural-heritage-crimes-subcommittee-speaks-at-the-icomos-symposium/> [accessed: 24.10.2023].