



CRIMINAL LAW PROTECTION OF THE FINANCIAL INTERESTS OF THE EU –
FOCUSING ON MONEY LAUNDERING, TAX FRAUD, CORRUPTION AND ON
CRIMINAL COMPLIANCE IN THE NATIONAL LEGAL SYSTEMS WITH
REFERENCE TO CYBERCRIME

HERCULE III PROJECT— HUUNIMISKOLCPFI 786253



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WINTER ACADEMY

**CURRENT QUESTIONS AND ANSWERS RELATING TO THE CRIMINAL LAW
PROTECTION OF THE FINANCIAL INTERESTS OF THE EUROPEAN UNION**

Hungarian Judicial Academy, National Office for the Judiciary, Budapest

Date: 14-16th February 2019

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PROGRAMME OF THE WINTER ACADEMY

Organizers: Faculty of Law of the University of Miskolc, Association of Hungarian Lawyers for the European Criminal Law, Research Centre for European Criminal Law of the Faculty of Law of the University of Miskolc, Hungarian Judicial Academy, National Office for the Judiciary

Aim: Discussion of the actual theoretical and practical questions in connection with the fight against VAT fraud, money laundering and corruption with regard to the protection of the financial interests of the European Union and with the establishment of the European Public Prosecutor's Office

14th February (Thursday)

Venue: Hungarian Judicial Academy, Budapest 1122, Tóth Lőrinc u. 6.

14.30-15.00 **REGISTRATION**

15.00-15.15 **WELCOME & OPENING OF THE WINTER ACADEMY**

Dr. Osztoivits András (Director, Hungarian Judicial Academy, Hungary)

Dr. Handó Tiinde (President, National Office for the Judiciary, Hungary)

Dr. Bóka János (State Secretary responsible for EU and international judicial cooperation, Ministry of Justice, Hungary)

Prof. Dr. Farkas Ákos (Projectmanager, University of Miskolc, Faculty of Law)

1ST SECTION

COLLECTION AND EVALUATION OF EVIDENCE IN THE LIGHT OF THE PROCEDURAL GUARANTEES (IMMEDIACY, ORALITY, PRESUMPTION OF INNOCENCE) OF THE ECHR AND THE CONSTITUTIONAL MULTI-LEVEL SYSTEM

Chairman: Prof. Dr. Gerhard Dannecker (Head of Department, University of Heidelberg)

15.15-15.40 **EU REGULATIONS REGARDING THE COLLECTION AND USE OF EVIDENCE**

Prof. Dr. Farkas Ákos (University of Miskolc)

15.40-15.50 **DISCUSSION, QUESTIONS**

15:50-16:15 **COLLECTION AND EVALUATION OF EVIDENCE IN THE CONSTITUTIONAL MULTI-LEVEL SYSTEM: THE HIDDEN EFFECTS OF EU LAW**

Prof. Dr. Anne Schneider (Head of Department, University of Mannheim)

16:15-16:25 **DISCUSSION, QUESTIONS**

16:25-16.50 **COFFEE BREAK**

16:50-17.15 **COLLECTION AND EVALUATION OF EVIDENCE IN THE EU MULTI-LEVEL SYSTEM: THE IMPACT OF INADMISSIBILITY OF EVIDENCE**

Dr. Vanessa Seibel (Public Prosecutor, Public Prosecutor's Office of Mannheim)

17.15-17:25 **DISCUSSION, QUESTIONS**

17.25-17.50 **THE ROLE OF THE OLAF IN THE CRIMINAL LAW PROTECTION OF THE FINANCIAL INTERESTS OF THE EUROPEAN UNION**

Dr. Oliver Landwehr, LL.M. (Senior Legal and Policy Officer, European Commission, OLAF)

17.50-18.00 **DISCUSSION, QUESTIONS**

18.00-18.25 **EXPERIENCE WITH THE NETWORK IN ANTITRUST LAW**

Dr. Gábor Gál (Member of the Competition Commission, Hungarian Competition Authority)

18.25-18.30 **DISCUSSION, QUESTIONS**

19.00 **DINNER**

15th February (Friday)

Venue: Hungarian Judicial Academy, Budapest 1122, Tóth Lőrinc u. 6.

2ND SECTION

IMPLEMENTATION OF THE REQUIREMENTS OF THE PIF DIRECTIVE IN THE MEMBER STATES

Chairman: Prof. Dr. Gerhard Dannecker (Head of Department, University of Heidelberg)

- 9.00-9.30 **THE NEED FOR A UNIFIED EU OFFENSE OF VAT FRAUD**
Dr. Franz Reger (Former Head of the Department of Fiscal Penal Law, Ministry of Finance, Austria)
- 9:30-9.45 **DISCUSSION, QUESTIONS**
- 9.45-10.15 **THE NEED FOR A UNIFIED EU OFFENSE FOR THE ISSUE OF COVER ACCOUNTS**
Kai Sackreuther (Public Prosecutor, Public Prosecutor's Office of Mannheim)
- 10:15-10:30 **DISCUSSION, QUESTIONS**
- 10.30-11.00 **COFFEE BREAK**
- 11.00-11.30 **THE NEED FOR IMPLEMENTATION IN THE AREAS OF MONEY LAUNDERING, CORRUPTION AND MISAPPROPRIATE USE OF SUBSIDIES**
Prof. Dr. Robert Kert (Head of Department, Vienna University of Economics and Business)
- 11.30-11:45 **DISCUSSION, QUESTIONS**
- 11.45-12.15 **ECJ'S JURISPRUDENCE ON THE PROTECTION OF THE FINANCIAL INTERESTS OF THE EU AND PROTECTION OF FUNDAMENTAL RIGHTS: A CRITICAL ASSESSMENT OF THE CASES HANS AKERBERG FRANSSON, MENCI AND TARICCO I/II**
Prof. Dr. Maria Kaiafa-Gbandi (Head of Department, University of Thessaloniki)
- 12:15-12:30 **DISCUSSION, QUESTIONS**
- 12.30-13.30 **LUNCH BREAK**

3RD SECTION

PRACTICAL QUESTIONS AND ANSWERS IN CONNECTION WITH THE PROTECTION OF THE FINANCIAL INTERESTS OF THE EUROPEAN UNION

Chairman: Prof. Dr. Richard Soyer (Head of Department, University of Linz)

- 13.30-13.50 **ACTUAL QUESTIONS IN CONNECTION WITH THE FIGHT AGAINST CORRUPTION**
Prof. Dr. Görgényi Ilona (Head of Institute, University of Miskolc)
- 13.50-14.00 **DISCUSSION, QUESTIONS**
- 14.00-14.20 **FIGHT AGAINST CORRUPTION FROM THE PROSECUTORS POINT OF VIEW**
Dr. Homonnai János (Public Prosecutor, Office of the Prosecutor General)
- 14.20-14.30 **DISCUSSION, QUESTIONS**
- 14.30-14.50 **FIGHT AGAINST MONEY LAUNDERING AND CORRUPTION IN HUNGARY IN THE JUDICIAL PRACTICE**
Dr. Szabó Judit (judge, Tribunal of the Capital)
Dr. Pfejfer Péter (judge, Tribunal of Veszprém)
- 14.50-15.00 **DISCUSSION, QUESTIONS**
- 15.00-15.30 **COFFEE BREAK**

4TH SECTION

THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE AND THE DEVELOPMENT OF A NETWORK WITH
THE NON-PARTICIPATING STATES

Chairman: Prof. Dr. Róth Erika (Head of Department, University of Miskolc)

- 15.30-16.00 **CRITICS AND ALTERNATIVES TOWARDS AN ENHANCED PROTECTION OF FINANCIAL INTEREST OF THE EU**
Prof. Dr. Polt Péter (Prosecutor General, Office of the Prosecutor General)
- 16.00-16.15 **DISCUSSION, QUESTION**
- 16.15-16.45 **THE ESTABLISHMENT OF THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE**
Prof. Dr. Valentin Mirisan (Dean, University of Oradea)
Dr. Christian Mihes (Head of Department, University of Oradea)
- 16.45-17.00 **DISCUSSION, QUESTION**
- 17.00-17.30 **THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE FROM THE PERSPECTIVE OF THE DEFENDER**
Dr. Stefan Schumann (Associate Professor, University of Linz)
- 17.30-17.45 **DISCUSSION, QUESTION**
- 19.00-21.00 **DINNER**
- 21.00-22.30 **WORKING GROUP FOR THE ELABORATION OF THE RECOMMENDATIONS**

16th February (Saturday)

Venue: Hungarian Judicial Academy, Budapest 1122, Tóth Lőrinc u. 6.

5TH SECTION

EVALUATION OF PREVIOUS EVENTS AND ADOPTION OF RECOMMENDATIONS

Chairman: Prof. Dr. Wolfgang Brandstetter (Vienna University of Economics and Business)
Judge, Constitutional Court Austria, Former Minister of Justice, Austria

- 7.30-8.30 **WORKING GROUP FOR THE ELABORATION OF THE RECOMMENDATIONS**
- 8.30-9.00 **COFFEE BREAK**
- 9.00-10.00 **COMPILATION OF THE RESULTS OF THE HERCULE PROJECT**
Prof. Dr. Farkas Ákos (University of Miskolc)
Prof. Dr. Gerhard Dannecker (University of Heidelberg)
- 10.00-11.00 **DISCUSSION AND ADOPTION OF RECOMMENDATIONS**
- 11.30-12.30 **LUNCH**
- 13.00-16.00 **OPTIONAL PROGRAM**
Sightseeing in Budapest: Justice Palace and the Parliament

HERCULE III PROJECT— HUUNIMISKOLCPFI 786253

Website of the project: <http://hercule.uni-miskolc.hu/EN>

Project manager: Prof. Dr. Farkas Ákos (University of Miskolc)

Project coordinator: Dr. Jacsó Judit, Dr. Udvarhegyi Bence (University of Miskolc)