

Protection of the Environment through Criminal Law

(Bucharest, Romania, 18th-20th May 2016)

18 MAY

NATURE AND EXTENT OF THE PROBLEM

- Chaired by Professor dr. Mircea Duțu, Director of the Legal Research Institute of the Romanian Academy, President of the Ecological University from Bucharest

9h30 – 10h30 **Session 1 - Welcoming addresses**

Prof. J. Vervaele, President of the AIDP
Cristina Pașca-Palmer, Minister of the Environment, Waters and Forests
Dr. Augustin Lazăr, Prosecutor General, The Public Prosecutor's Office of the High Court of Cassation and Justice
Acad. Cristian Hera, Vice-president of the Romanian Academy
Prof. Mircea Duțu, Director of the Institute for Legal Research of the Romanian Academy, President of the Ecological University of Bucharest

10h30 – 11h15 **Session 2 - Key note speech**

The situation of the environment and challenges of the legal system to provide protection
– Professor Tudorel Toader, Rector of the “Al. I. Cuza” University of Iași, judge at the Constitutional Court of Romania, Vice-president of the Romanian Association of Penal Sciences (RAPS)

11h15 – 11h30 COFFEE BREAK

11h30 – 12h30 **Session 3 - Setting the scene**

Limitations and challenges of the criminal justice system in addressing environmental crime
– Prof. Michael Faure, Professor of Comparative International Environmental Law, Maastricht University

Discussion

12h30 – 14h00 LUNCH BREAK

14h00 – 15h30 **Session 4 - Assessing international norms, standards and control mechanisms**

International environmental norms and standards: compliance and enforcement
- Prof. Gert Vermeulen, University of Ghent

Environmental crime in the EU: Is there a need for further harmonisation or for new enforcement tools?
– Prof. Mircea Duțu, The Romanian Academy

Discussion

15h30 – 16h00 COFFEE BREAK

16h00 – 18h00 Parallel sessions

Forum of AIDP Criminal Justice Network

– Prof. Michele Papa, University of Florence

Can Laudato Si' (Pope Francis's Environmental Encyclical) inspire regulations to protect our Common Home? – special debate

– Dr. Roberto Carlés of the Latin-american Association of Criminal Law and Criminology

Young Penalist poster session

The environmental criminal law during the transition period. Evolutions and perspectives

- *The Central and Eastern Europe experience. Romania's case*
– Prof. dr. Constantin Duvac, President of the RAPS; Prof. Ilie Pascu, general secretary of RAPS
- *The CSI member states experience. The case of the Republic of Moldova* – Prof. dr. Valeriu Cușnir, Director of the Institute of Legal and Political Sciences of Moldova's Academy of Sciences

18h30 – 20h00

Bucharest city tour. Visit at the Palace of Parliament

20h00

GALA DINNER

19 MAY: ASSESSING REGIONAL ENFORCEMENT SYSTEMS

- Chaired by Prof. dr. Tudorel Toader, Rector of the Al I Cuza University from Iași, judge at the Romanian Constitutional Court

9h30 – 11h00 **Session 5 - The interaction of various enforcement regimes in the fight against environmental crime**

Smart enforcement strategies to counter environmental crime

– Prof. Katalin Ligeti

US law enforcement perspective

– Prof. David Uhlmann, University of Michigan

EU enforcement perspective

– Grazia Maria Vagliasindi, University of Catania

Discussion

11h00 – 11h30 COFFEE BREAK

11h30 – 12h30

Latin American law enforcement perspective

– Ana Luiza de Sá, State University of Rio de Janeiro

Asian enforcement perspective

– Prof. Wang Xiumei, Normal University of Beijing

Discussion

12h30 – 14h00 LUNCH BREAK

14h00 – 15h30 **Workshop on the role and liability of states and corporations**

The role and liability of states and corporations for environmental crimes – the perspective of international law

- Ilias Plakokefalos, Utrecht Law School, Utrecht University

Environmental Crimes and the International Criminal Court

– Prof. Zlata Djurdevic, University of Zagreb

Discussion

15h30 – 16h00 COFFEE BREAK

16h00 – 17h30 **Workshop on the protection of bio-diversity**

Trafficking in wildlife

– Dr. Daan van Uhm, Utrecht Law School

Corporate 'crimes' against the environment: a green criminological perspective

– Dr. Damián Zaitch, Utrecht Law School

Illegal and legal mining and its (criminal) consequences for the environment. Baia Mare case and its consequences for the development of the environmental criminal law

– Associate professor Andrei Duțu, National School of Political and Administrative Sciences of Bucharest

Discussion

20 MAY: CHALLENGES IN INVESTIGATING AND PROSECUTING ENVIRONMENTAL CRIME

- Chaired by Prof. dr. Constantin Duvac, President of the RAPS

9h30 – 11h00 **Session 6 - Prosecuting environmental crime**

Obstacles to prosecution of environmental crimes (the role of the expert witness and the use of special investigation techniques)

– Prof. Lorena Bachmaier, Complutense University

Procedural safeguards and the interaction between administrative and penal enforcement

– Prof. Michiel Luchtman, University of Utrecht

The role of NGOs

– Lector dr. Nicolae Grofu and other representative NGOs in the field

Discussion

11h00 – 11h30 *COFFEE BREAK*

11h30 – 12h30 **Session 7 - International cooperation in the fight against environmental crime**

Particular problems in international cooperation for the prosecution of environmental crimes

– Prof. John Vervaele, University of Utrecht

Eurojust's /Europol's experience

- Professor Gheorghe Popa, former Rector of the Romanian Police Academy

12h30 – 14h00 LUNCH BREAK

14h00 – 16h00 **Conclusion and adoption of recommendations**

Prof. Jose Luis de la Cuesta

16h00 END OF CONFERENCE