

Syracuse, 29th May 2019

Istituto San Metodo, Via della Conciliazione 6

FIFTH SECTION

Chair: Prof. Mark Zöller (Trier University)

- 11.30 **The Abyss between Intellect and Will. Dealing with the Philosophical Problem of Legal Judgement**
Prof. Alessio Lo Giudice (*Messina University, Italy*)
- 11.50 **The seizure of computer files and emails**
Prof. Paulo de Sousa Mendes (*Lisbon University, Portugal*)
- 12.10 **Tax offense as a criminal activity prior to money laundering**
Prof. Eduardo Demetrio Crespo (*University of Castilla La-Mancha, Spain*)
- 12.30 Discussion
- 13.00 Lunch Break

SIXTH SECTION

Chair: Prof. Paulo de Sousa Mendes (*Lisbon University, Portugal*)

- 14.00 **Evidentiary problems in the field of money laundering**
Prof. Ágata María Sanz Hermida (*University of Castilla La-Mancha, Spain*)
- 14.20 **Evidence Laundering by Turkish criminal procedure law and ECtHR jurisprudence**
Prof. Adem Sözüer, Ms. Havva Begüm Tokgöz, Mr. Yiğit Yeniyeşişme (*Istanbul University, Turkey*)
- 14.40 **Techniques for assessing social danger in front of the administrative judge**
Prof. Vittoria Berlingò (*Messina University, Italy*)
- 15.00 **The proof of criminal conducts in mafia-typed offences**
Dr. Giuseppe Toscano (*Messina University, Italy*)
- 15.20 Discussion
- 15.40 **Concluding remarks**
Prof. Stefano Ruggeri (*Messina University, Italy*)

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CONSORZIO UNIVERSITARIO MEGARA IBLEO



SCUOLA SUPERIORE DELLA MAGISTRATURA

ACCADEMIC COORDINATION: Prof. Stefano Ruggeri (*Messina University, Italy*)

Evento accreditato presso il Dipartimento di Giurisprudenza e il Consiglio dell'Ordine degli Avvocati di Messina



MESSINA BAR ASSOCIATION



MESSINA UNIVERSITY
Law Department



Erasmus+

INTERNATIONAL FORUM

THE EUROPEANIZATION OF EVIDENCE LAW IN TRANSNATIONAL AND DOMESTIC CRIMINAL JUSTICE

Messina 28

Syracuse 29

May 2019



Mosaico di Mario Sironi presso il Palazzo di Giustizia, Milano

Messina, 28th May 2019

Aula Magna Rettorato, Piazza Pugliatti 1

8.30 **Welcoming speeches**

Prof. Salvatore Cuzzocrea (*Rector of the Messina University, Italy*)

Prof. Francesco Astone (*Director of the Law Department, Messina University, Italy*)

Avv. Vincenzo Ciruolo (*President of the Council of the Messina Bar Association, Italy*)

9.00 **The Europeanization of evidentiary processes and the development of a fair model of criminal justice in domestic and transnational cases.**

Introductory remarks

Prof. Stefano Ruggeri (*Messina University, Italy*)

THE EUROPEANIZATION OF TRANSNATIONAL EVIDENCE LAW

FIRST SECTION

Chair: Prof. Eduardo Demetrio Crespo (*University of Castilla La-Mancha, Spain*)

9.20 **Secret data gathering in transnational criminal cases – lessons from a Hungarian judgment**

Prof. Zsolt Szomora (*Szeged University, Hungary*)

9.40 **Transnational evidence-gathering and the extraterritorial application of criminal procedure**

Prof. Laurent Desessard (*Poitiers University, France*)

10.00 **Police cooperation, mutual recognition-based judicial assistance and new means of investigation in terrorism**

Prof. María de los Ángeles Catalina Benavente (*University of Santiago de Compostela, Spain*)

10.20 Discussion

10.40 Break

SECOND SECTION

Chair: Prof. Zsolt Szomora (*Szeged University, Hungary*)

11.00 **The European Investigation Order from a German Perspective**

Prof. Mark Zöller (*Trier University, Germany*)

11.20 **The European Investigation Order in the Perspective of Fundamental Rights. The Hungarian Implementation**

Ms. Jasmine Hussein (*Szeged University, Hungary*)

11.30 **Defence rights and the execution of European orders of investigation**

Ms. Antonella Falcone (*Messina University, Italy*)

11.40 **Interception of telecommunication and technical surveillance in cross-border cases under the EIO Directive and Italian law**

Ms. Alessandra Grio (*Messina University, Italy*)

11.50 Discussion

12.10 Break

THIRD SECTION

Chair: Prof. Lorenzo Bujosa Vadell (*Salamanca University, Spain*)

12.20 **Investigations of Accidents in the Maritime and Air transport and their Use in Criminal and Civil Court Proceedings**

Prof. Cinzia Ingratoci (*Messina University, Italy*)

12.40 **Transnational Crime: Obtaining electronic evidence and joint investigation in the European Union**

Ms. Irene González Pulido (*Salamanca University, Spain*)

12.50 **Oral evidence and the right to confrontation in transborder cases**

Prof. Lorena Bachmaier Winter (*Complutense University of Madrid, Spain*)

13.10 Discussion

13.30 Lunch Break

Dipartimento di Giurisprudenza, Piazza Pugliatti 1

THE EUROPEANIZATION OF DOMESTIC EVIDENTIARY PROCESSES

FOURTH SECTION

Chair: Prof. Lorena Bachmaier Winter (*Complutense University of Madrid, Spain*)

14.30 **The right to silence and the principle *nemo tenetur se ipsum detegere* in the multilevel European scenario**

Prof. Lorenzo Bujosa Vadell (*Salamanca University, Spain*)

15.50 **Victim's rights and the collection of oral evidence in criminal proceedings**

Ms. Viviana Di Nuzzo (*Messina University, Italy*)

16.00 **Illegally Obtained Evidence in 21st Century**

Prof. Marco Gradi (*Messina University, Italy*)

16.20 **New technologies, interception of telecommunicains and the ECtHR case-law. The problem of computer collectors in Italian criminal justice**

Dr. Diego Foti (*Lawyer in Messina, Italy*)

16.40 **Pre-trial detention and the proof of the defendant's dangerousness in the field of organised crime**

Ms. Martina Aloisi (*Messina University, Italy*)

16.50 **Standard and burden of proof and the presumption of innocence**

Mr. Walter Reifarth Muñoz (*Salamanca University, Spain*)

17.00 **The right to be forgotten in criminal proceedings**

Mr. Michele Crisafulli (*Messina University, Italy*)

17.10 Discussion