



**THE INTERNATIONAL ASSOCIATION OF PENAL LAW
ASSOCIATION INTERNATIONALE DE DROIT PENAL**

IN COLLABORATION WITH



**THE ROMANIAN ACADEMY
THE LEGAL RESEARCH INSTITUTE
"Acad. Andrei Rădulescu"**



**THE ECOLOGICAL
UNIVERSITY OF BUCHAREST**

ORGANIZES

THE WORLD CONFERENCE:

THE PROTECTION OF THE ENVIRONMENT THROUGH CRIMINAL LAW

*Bucharest, Romania
18-20 May 2016*

***Aula Magna of the University of Bucharest
The Palace of the Faculty of Law
36-46 Mihail Kogălniceanu Blvd.
Bucharest, Romania***

Environmental criminality is becoming more and more important, both at a national and international level, and has already reached a fourth position amongst international illicit activities, after drug trafficking, counterfeiting, and human trafficking.

Its object constitute of both the human being and their living environment, and/or the environment itself, as a general support for all life. Stating and asserting an adequate and efficient criminal law response imply a significant creative effort, and also the integration of the particularities of the new field, in the context of criminal law.

Criminal protection of the environment finds itself in the midst a gradual effort, where criminal law stands as a final solution, adequate, proportional to the present interests, to the gravity of the damage or the guilt of the offenders; and such a reasoning involves a double conjoint movement: on the one hand, of adapting and harmonizing internal legal systems, and on the other hand, of internationalizing criminal protection of the environment, both resulting in criminal environmental law.

By taking into account, amongst its priority scientific concerns, environmental protection by means of criminal law, the AIDP-IACL continues its tradition, reacts to the new social major challenges, i.e. the environmental and ecological imperative, thus consolidating the future status of criminal law.

Held in Bucharest, Romania, between 18 and 20 May 2016, in collaboration with the Institute for Legal Research of the Romanian Academy and the Ecological University of Bucharest, the World Conference: The Protection of the Environment through Criminal Law offers the possibility of a global debate on an issue of maximum importance and actuality.

With the participation of renowned specialists, representing the major legal schools and systems of the world, the reunion proposes the following thematic areas: The situation of the environment and challenges of the legal system to provide protection; Limitations and challenges of the criminal justice system in addressing environmental crime; International environmental norms and standards: compliance and enforcement; Environmental crime in the EU: Is there a need for further harmonisation or for new enforcement tools? Can Laudato Si' (Pope Francis' Environmental Encyclical) inspire regulations to protect our Common Home? The interaction of various enforcement regimes in the fight against environmental crime; The role and liability of states and corporations for environmental crimes – the perspective of international law; Liability of legal persons for environment crimes in the EU; The protection of bio-diversity; Prosecuting environmental crime; Procedural safeguards and the interaction between administrative and penal enforcement; Particular problems in international cooperation for the prosecution of environmental crimes.

Prof. MIRCEA DUȚU
President of the Organizing Committee
President of the Ecological University of Bucharest
Director of the Legal Research Institute of the Romanian Academy

CONFERENCE PROGRAMME

18 MAY: NATURE AND EXTENT OF THE PROBLEM

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

Prof. J. Vervaele, President, AIDP
Cristina Paşca-Palmer, Minister of the Environment, Waters and Forests
Acad. Cristian Hera, Vice-president of the Romanian Academy
Prof. Mircea Dutu, 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 Iaşi, judge at the Constitutional Court of Romania

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 Dutu, 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?** – Roberto Carlés

Young Penalist poster session

20h00

GALA DINNER

19 MAY: ASSESSING REGIONAL ENFORCEMENT SYSTEMS

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

Asian enforcement perspective – Prof. Wang Xiumei, Beijing Normal University

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

Liability of legal persons for environment crimes in the EU – 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 mining – Senior Lecturer Andrei Duțu, National School of Political and Administrative Sciences

Discussion

20 MAY: CHALLENGES IN INVESTIGATING AND PROSECUTING ENVIRONMENTAL CRIME

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 – Dan Trifu, Eco-Civica Romania

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, 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*

*For further information, please contact:
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