

CONFERENCE PROGRAMME

EUROPEAN CRIMINAL LAW AND ITS IMPACT ON NATIONAL LEGAL ORDERS

The Rector of the University of Warsaw supports and is promoting this special academic conference

Warsaw, 24-25 of May, 2018

VENUE: *University of Warsaw, Krakowskie Przedmieście 26/28*

THURSDAY 24 MAY 2018

(University of Warsaw, Krakowskie Przedmieście 26/28, main campus, Kazimierzowski Palace, Senate Hall)

8:30-9:30 Registration (Tea and Coffee)

9:30-10:00 Opening of the conference, Professor Tomasz Giaro, the Dean of the Faculty of Law and Administration of the University of Warsaw ,
dr hab. Aneta Gawkowska, The Dean for Scientific Research of the Faculty of Applied Social Sciences and Resocialization of University of Warsaw,
prof. Piotr Girdwoyń Director of the Institute of Criminal Law of the Faculty of Law and Administration of the University of Warsaw
Chair: Jarosław Utrat-Milecki, Professor of University of Warsaw, Director of the European Centre for Penological Studies named after Prof. G. Rejman IPSiR University of Warsaw

10:00 -12:00 Plenary Session I (University of Warsaw, Kazimierzowski Palace, Senate Hall)

EU Criminal Justice and Crime Policy: Problems, Reflections, Challenges

Chair: Joanna Beata Banach-Gutierrez (UWM in Olsztyn)

- *“European criminal law and its impact on Finnish legal order: over 20 years developments and challenges”* - Raimo Lahti, Professor of Criminal Law, University of Helsinki, Faculty of Law, 1979–2014, Professor Emeritus since July 1, 2014
- *“Deterrence – have we got it right?”* - Kimmo Nuotio, Professor of Criminal Law, University of Helsinki, Faculty of Law
- *“EU criminal law and Antitrust Enforcement: Fugitives and Extradition?”* - Christopher Harding, Professor of Law (since 1995), Department of Law and Criminology, Aberystwyth University

11:30-12:00 Discussion

12: 00 -12:30 Lunch

12:30 – 15:00 Plenary Session II: Legal and Cultural Aspects of European Integration in Criminal Matters

Chair: Jarosław Utrat Milecki (University of Warsaw)

- *"Has education a role in reducing crime?"* - Richard Pring, Professor of Educational Studies and former Director of the Department of Educational Studies, University of Oxford, 1989-2003
- *"The adoption of criminal law tools to be used among democratic states: the butterfly effect?"* - Top Sibel (Vrije Universiteit Brussel)
- *"The problem with Popławski: sometimes the law of the EAW-executing state deserves recognition even if it leads to impunity"* - Frank Verbruggen and Katrien Verhesschen (Katholieke Universiteit Leuven)
- *"Italy and the Framework Decision 2008/909/JHA on the transfer of prisoners: the state of the art"* - Stefano Montaldo, (University of Turin)

14:30-15:00 Discussion

19:00 – Conference Dinner, restaurant "Feta na Freta" Freta street 29/31, New Town (Registered participants)

FRIDAY 25 MAY 2018

9:00 – 10:30 Parallel panel session

A. Added value of EU criminal law (Collegium Iuridicum III, Oboźna street 6, room 2.12a)

Chair: Kimmo Nuotio

- *The scope and the substance of criminal law in the jurisprudence of ECtHR and the ECJ* - Anna Blachnio-Parzych (Kozłowski University in Warsaw)
- *Reform of police conduct in relation to criminal proceedings in Croatia under the influence of European criminal law* - Zoran Buric (University in Zagreb)
- *The Impact of the European Union's legislation on the legal status of accused of crime in the light of pretrial right to counsel during the preliminary investigation* - Maria Rogacka-Rzewnicka (University of Warsaw)
- *Legal transplants as tools of harmonization of criminal law in Europe* - Celina Nowak (Polish Academy of Science in Warsaw)

**B. Europeanization of criminal law: Does the theory meet the practice?
(Collegium Iuridicum IV, Wybrzeże Kościuszkowskie 47, "Grey Villa", room 09)**

Chair: Christopher Harding

- *Non-cash fraud and criminal law: European standards vs. Polish Penal Code - Andrzej Adamski (Nicolaus Copernicus University of Toruń)*
- *Regulating and responding to hate speech and hate crime in Croatia - assessing the influence of the EU acquis and the EC(T)HR - Maja Munivrana Vajda (University in Zagreb)*
- *Recent CoE and EU legislation on preventing terrorism and its impact on Member States (on the example of Poland) - Michał Hara*
- *The impact of the EU law on Polish criminal law dealing with illegal migration - Magdalena Perkowska (University of Białystok)*
- *Influence of European criminal regulations on Polish legal orders against pharmaceutical crime - Paulina Samuel (University of Wrocław)*

10:30 -10:45 Coffee Break at "Szafot"(basement), Collegium Iuridicum I, Faculty of Law

Double panel session: Collegium Iuridicum I, Faculty of Law, room 416

10:45 - 11.45 Part I: Fair criminal trial: in search for justice (Collegium Iuridicum I, Faculty of Law, room 416)

Chair: Joanna Beata Banach-Gutierrez & Cezary Kulesza

- *The Right to a Fair Trial in the Context of the European Arrest Warrant: Emerging Issues - Laure Baudrihay-Gerard (Fair Trials)*
- *The influence of the European Convention on Human Rights on the Polish model of appeal proceedings - Cezary Kulesza & Adrianna Niegierewicz (University of Białystok)*
- *Potential of Directive 2012/13/EU to affect the Estonian law on the right to access to case file in criminal proceedings - Anneli Soo (Tartu University)*
- *The defendant's right to be present at trial in the light of recent EU law and CJEU case law Artur Kowalczyk (University of Wrocław)*

11.45-12.45 Part II: Reflections on the EU legislation in criminal justice (Collegium Iuridicum I, Faculty of Law, room 416)

Chair: Cezary Kulesza (University in Białystok)

- *Admissibility of evidence acquired in result of issuing the EIO in the Polish criminal procedure* - Hanna Kuczyńska (Polish Academy of Science in Warsaw)
- *Surrender of own – State nationals under the EAW: A question about transposition of European crime policy and rules to the national level* - Joanna Beata Banach – Gutierrez (UWM in Olsztyn)
- *Europe in the face of unlawful abduction or detention of a child by one of the parents* - Sylwia Różycka-Jaroś (University of Warsaw)
- *Problematic scope of extended confiscation in comparative perspective* - Ariadna H. Ochnio (Polish Academy of Science in Warsaw)

12:45-13:15 Coffee break & Lunch at “Szafot”

Double panel session:

13.15-14.00 Part I: Changing penologies and European crime policy: Theory, Challenges and Developments (Collegium Iuridicum I, Faculty of Law, room 416)

Chair: Wojciech Zalewski (University of Gdańsk) & Jarosław Utrat-Milecki (University of Warsaw)

- *Restorative Justice (RJ) in European Criminal Law – one step forward, one step back* - Wojciech Zalewski (University of Gdansk)
- *The implementation of EU Directive on victims' rights into the Spanish law: Three ideas after three years* - Cristina Ruiz López (University of Burgos)
- *Society seen as a victim – how may it affect criminal law-* Elżbieta Hryniewicz-Lach (UAM in Poznań)
- *The impact of Council of Europe conventions on the shape of national criminal law with regard to art. 48.1 of the Istanbul Convention* - Olga Sitarz & Dominika Bek (University of Silesia in Katowice)

14.00-15.00 Part II: Changing penologies and European crime policy: Theory, Challenges and Developments (Collegium Iuridicum I, Faculty of Law, room 416)

Chair: Jarosław Utrat-Milecki (University of Warsaw)

- *Theories of punishment and the protection of social order by the criminal law-*
Jadwiga Królikowska (University of Warsaw)
- *Anthropological Foundations of Polish Penal Law in the Light of the 1997 Constitution of the Republic of Poland* - Filip Cieplý (KUL in Lublin)
- *Beyond borders: Rotation of ideas about correction of the offenders and new penalty solutions on the turn of 18th and 19th century* - Karolina Całkowska (University of Warsaw)
- *Universities of the Middle Ages and Renaissance in Europe as an area for communication of knowledge about the sources of laws and criminal laws* - Bogusława Filipowicz (University of Warsaw)
- *The limits of criminal law seen from European perspective, between theory and practice some penological remarks* - Jarosław Utrat-Milecki (University of Warsaw)

Closing Speech:

Jarosław Utrat-Milecki (IPSIR, University of Warsaw)

Organizing Committee:

Joanna Beata Banach-Gutierrez (UWM in Olsztyn)
Jarosław Utrat-Milecki (University of Warsaw)
Jadwiga Królikowska (University of Warsaw)
Klementyna Kielak (University of Warsaw)

Scientific Committee:

Dr hab. Joanna Banach-Gutierrez, Assoc. Prof. UWM
Prof. Christopher Harding, Aberystwyth University
Doc. Dr Jadwiga Królikowska, Assoc. Prof. UW
Prof. Raimo Lahti, University of Helsinki
Prof. Kimmo Nuotio, University of Helsinki
Prof. Richard Pring, University of Oxford
Dr hab. Maria Rogacka-Rzewnicka, prof. UW
Dr hab. Jarosław Utrat-Milecki, prof. UW