

SYLLABUS DE COURS

Intitulé du cours: The EU's role in the fight against money laundering and corruption			
Nom de l'enseignant : MET-DOMESTICI		Prénom de l'enseignant : Alexandre	
Périodicité :	Annuel <input type="checkbox"/>	Semestriel (1) <input type="checkbox"/>	Semestriel (2) <input checked="" type="checkbox"/>
Niveau d'enseignement concerné :			
	1 ^{ère} année <input type="checkbox"/>	2 ^{ème} année <input type="checkbox"/>	4 ^{ème} année Master 1 <input checked="" type="checkbox"/>
	5 ^{ème} année Master 2 <input type="checkbox"/>	Cours spécifique étudiants internationaux <input type="checkbox"/>	
	Conférence de Méthode <input type="checkbox"/>	Cours Magistral <input checked="" type="checkbox"/>	

Objectifs pédagogiques du cours :

To provide students with an overview of the EU's legal framework and action in the fight against corruption and money laundering. To give them an insight into practical issues, i.e. the role of bankers in monitoring transactions, the liability of professionals involved in the fight against money laundering and the specific role played by lawyers.

Contenu / descriptif du cours :

This course falls into two main parts, one dealing with the fight against money laundering and the other dealing with the fight against corruption. The role of the FATF in organizing the fight against money laundering at the international level is quickly described.

The course then focuses on EU law. The mechanism set up by directive 2005/60 is analyzed. It relies on professionals to monitor transactions and file suspicious activities reports when such transactions can be part of money laundering. The shortcomings of the fight against corruption are explained. The efficiency of this fight is hampered by the lack of coordination between OLAF (European Commission's anti-fraud office) and national prosecuting authorities. Once OLAF has transmitted its report to national authorities, it is entirely up to them to decide whether to prosecute or not.

The compliance of OLAF's investigations with procedural rights is also at stake. Reform paths are then analyzed. The efficiency of the EU's anti-corruption mechanism could be improved thanks to better coordination between member states and European bodies such as Europ just, Europol and, of course, OLAF. National prosecuting authorities would have to inform OLAF of the follow-up of its reports. The role of OLAF's supervisory committee could be enhanced. The creation of an EPPO (European public prosecutor's office) could be a major step forward allowing to effectively carry out EU-wide investigations and prosecutions.

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