

**PLAN DE COURS
ACADEMIC SYLLABUS**

DISCIPLINE	Droit			
Titre du cours Course title	The EU's Role in the Fight against Money Laundering and Corruption			
	Langue Language	Heures Hours	ECTS	Année du Diplôme
	English	20	4	4^{ème}
Nom de l'enseignant/ Name of the lecturer	Alexandre Met-Domestici			
Fonction / Employeur Position / Employee	Sciences-Po Aix-en-Provence			
Contact :	Alexandre.met-domestici@sciencespo-aix.fr			
Objectifs du cours / Course objectives	Providing students with an overview of the fight against money laundering at the global and EU levels. Focusing on the main issues raised by the implementation of the EU AML directives. Analyzing the 3 rd and the 4 th EU AML directives. Providing students with a quick overview of the fight against corruption in the EU.			
Compétences acquises/ Learning outcomes	General knowledge and understanding of global and EU AML legislation. Understanding of the main challenges arising from the implementation of this legal framework.			

Contenu du cours par session/ Course content per session	Nombre d'heures/ Number of hours
Session 1 Introduction	20
Session 2 Main global challenges of the fight money laundering (I)	
Session 3 The predicate offences: enlarging the scope of the directive	
Session 4 The predicate offences: tax fraud	
Session 5 The obliged entities	
Session 6 The case of lawyers - the compliance of the duty to report with the right to a fair trial	
Session 7 The risk-based approach - the levels of customer due diligence	
Session 8 The risk-based approach - the case of Politically Exposed Persons	
Session 9 The main shortcomings of the fight against corruption in the EU - the link between OLAF and national authorities	
Session 10 The main shortcomings of the fight against corruption in the EU - compliance with procedural fundamental rights	
Session 11 Reforming the fight against corruption in the EU	
Session 12 Towards the creation of a European Public Prosecutor's Office	

Bibliographie - Auteur, titre, année, éditeur/ Bibliography - Author, title, year, publisher

- European Banking Federation, EBF Position on the European Commission Proposal for a 4th Anti-Money Laundering Directive, 2013, <http://www.ebf-fbe.eu/uploads/EBF001279-2013%20-%20EBF%20Position%20on%20the%20EC%20Proposal%20for%20a%204th%20EU%20AML%20Directive>
- European Commission, Proposal for a Regulation of the European Parliament and of the Council on the Transparency of Funds, COM (2013) 044 final, 5 February 2013.
- FATF, International Standards on Combatting Money Laundering and the Financing of Terrorism and Proliferation, Paris, 15 February 2012, [http://www.fatf-](http://www.fatf-ml.org/)

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gafi.org/topics/fatfrecommendations/documents/internationalstandardsoncombatingmoneylaunderinganionthefatfrecommendations.html.

- European Commission, Proposal for a Directive of the European Parliament and of the Council on the Financial System for the Purpose of Money Laundering and Terrorist Financing, COM 2013 (045) fin
- ECJ, Grand Chamber, case C-305/05, *Ordre des barreaux francophones et germanophones, Ordre de Bruxelles, Ordre des barreaux flamands, Ordre néerlandais des avocats du barreau de Bruxelles* 2007.
- ECtHR, case n° 12323/11, *Michaud vs. France*, 6th December 2012
- Directive 2015/849 of the European Parliament and of the Council of 20 May 2015 on the Preventive System for the Purpose of Money Laundering or Terrorist Financing, amending Regulation (EU) No 648/2014 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and Directive 2006/70/EC, OJ L 141, 5 June 2015.

Mini CV de l'enseignant/ Mini CV of the lecturer

PHOTO (non obligatoire)

. since February 2008 : **Associate Professor -Maître de Conférences-**, Sciences-Po, Aix-en-Provence, France.

- Lectures in **Public Law, Institutional and Substantive EU Law, EU Anti-Money Laundering Law, Anti-Corruption Law, EU business Law-**, EU Politics, Theories of European Integration, External Relations of the EU.

. since September 2010: **Jean Monnet Professor:**

- since September 2014: **Jean Monnet Chair** on "The EU's Role in the Fight against Economic Crime".

- 2010 - 2013: **European Module** on « The EU's Role in the Fight against Corruption and Money Laundering ».

. since January 2008 : **International Program Advisor**, Institute of Political Science -in charge of outgoing students-, **Erasmus Coordinator**.

. October 1999 - December 2007: **Assistant Professor**, Faculty of Law and Sciences-Po, Aix-en-Provence. Lectures in **Public Law -Administrative and Constitutional Law-**, **European Law** and seminars in **Public Law, Administrative Law, EC Substantive Law** and **Tax Law**.

. other teaching activities:

- since May 2011: **Visiting Professor**, **Mykolas Romeris University, Vilnius, Lithuania**. Lectures about the **Eastern Partnership**, within the "European Identity" Module.

- since May 2010: **Visiting Professor** at the Institute of Political Sciences, **Charles University, Prague, Czech Republic** -EU Institutional Law, EU

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Politics, EU Anti-Money Laundering and Anti-Corruption Law-

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- July 2002: Lecture in EC substantive law at the **Ecole Nationale de la Magistrature** -the French Postgraduate School for Judges-

RESEARCH

Ph D

. November 2004: **Ph. D. thesis** on "**European Community Competition Law and the General Interest**", *summa cum laude*.

Articles

- EU Anti-Corruption and Anti-Money Laundering Law

. to be published: « **Ensuring Integrity in Public Procurement** », conference proceedings, 12th International Symposium on Public Management, Institute for Public Management and Economic Development, French Ministry of Finance, Paris.

. April 2015: « **The legal framework of Anti-Money Laundering in the EU** », *Revue de l'Union européenne*, n° 587, April 2015, p. 217.

. November 2013: « **The Reform of the Fight against Money Laundering in the EU** », *EUCRIM*, Max Planck Institute for Foreign and International Criminal Law, n° 3/2013, p 89.

. February 2012: « **The Reform of the EU's Anti-Corruption Mechanism** », *EUCRIM*, Max Planck Institute for Foreign and International Criminal Law, n° 1/2012, p 25.

- EU Public Law

. February 2009: « **National Parliaments' Control over the Compliance of EU Acts with the Subsidiarity Principle** », *Review of the Common Market and the European Union*, n°525, February 2009, p 88.

. February 2008: « **Completing the Liberalization of Postal Services. - Universal Service at the time of Free Competition-** », *Review of the Common Market and the European Union*, n° 515, February 2008, p 114.

. October 2006: « **State Aids, Public Service and EC Law - Analyzing the Validity of Public Service Compensations** », *Actualité Juridique Droit Administratif* n° 34 / 2006, p 1881.

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. April 2002 : **case law commentary** : ECJ 19 February 2002, *J.C.J. Wouters... c/ Algemene Raad van de Nederlandse van Advocaten*, aff. C-309/99, online journal « Droit 21.com ».

. February 2002: « **The « Complaint » Procedure in EC Law** », *Revue de la Recherche Juridique* n°1 - 2002, p 465.

. December 2001: **case law commentary** ECJ 13 March 2001, *Preussen Elektra AG*, aff. C-379/98 and ECJ 17 May 2001, *TNT Traco SpA*, aff. C-340/99, online journal « Droit 21.com ».

. May 2001: « **Postal Services in the EC between furthering Liberalization and preserving the General Interest** », *Review of the Common Market and the European Union*, n° 448, May 2001, p 327.

- Public Law

. December 2007: « **Legal Certainty : the Recent Acknowledgement of an Ancient Requirement -Analyzing the French Conseil d'Etat's Admission of the Legal Certainty Principle** », *Revue de la Recherche juridique*, n°4 / 2007, p 1873.

. May 2006: « **The French Administrative Appeal Judge's Control over the First Judges' Rulings**», *Actualité Juridique Droit Administratif*, n° 16/2006, p 858.

. May 2005: « **Limiting the effects in time of the French administrative judge's rulings annulling administrative decisions -*excès de pouvoir* -** », *Revue de la Recherche Juridique* n° 2 / 2005, p 821.

CONFERENCES

. April 2015: « **The EPPO at the European Level: Institutional Layout and consequences on the Link with the National Level** », presentation within the conference « Interactions between the European Public Prosecutor's Office and National Authorities », organized by OLAF and the European Law Research Association, Supreme Court, Warsaw, Poland.

. June 2013: « **Ensuring Integrity in Public Procurement** », Introductory Speech of a roundtable, 12th International Symposium on Public Management, Institute for Public Management and Economic Development, French Ministry of Finance, Paris.

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. July 2012: « **Developments over the last 12 years of the fight against corruption and organised crime in the private sector within the European Union** », Keynote speech of the conference « Preventing Fraud, Corruption and Bribery committed by and through Legal Entities », Asser Institute and PISM, 13 July 2013, Warsaw, Poland.

. June 2012: « **Preventing Terrorism at the EU Level** », Conference « The EU and the Fight against terrorism », Faculty of Law and Political Science, Aix-Marseille University, Aix-en-Provence, France.

. April 2009: « **The Lisbon Treaty: a new Start for the Reform Process of the European Union?** », Institute of Political Science, Charles University, Prague, Czech Republic.

. February 2009: « **National Parliaments and the Lisbon Treaty** », Mouvement Européen, Aix-en-Provence, France.

. October 2008: « **EC Law and National Law -The Decentralized Implementation of EC Law-** », ERA (Academy of European Law), Trier, Germany

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