

Allegations against politicians accused of having committed criminal offences in office easily attract great attention in the media. Politicians themselves even use them frequently to discredit their political opponents. This topic has not been duly addressed on an academic level so far. The conference “Criminal Liability of Political Decision Makers”, hosted by the LMU Munich on 27 and 28 May 2016, is a first step in this direction.



Attendance at the conference is free, but the number of places is limited. **Pre-registration (before 16 May 2016) is therefore required.**

You will find a registration form on the **conference website**: www.jura.uni-muenchen.de/clpdm2016

Organisation and contact:

Dr. Frank Zimmermann
+49 89 2180 2305
clpdm2016@jura.uni-muenchen.de

International Conference

Criminal Liability of Political Decision Makers

Munich, 27 and 28 May 2016

The conference concludes a comparative law project with a special focus on economic criminal law and corruption. It was implemented by young criminal law scholars from nine European jurisdictions. At the conference in Munich, the results of the comparative legal study will be presented and discussed. Furthermore, contributions by renowned experts of criminal law and procedure will provide a broad overview of the subject. The topics include:

- criminal liability for wasting taxpayers' money and causing damage to public households,
- corruption and conflicts of interest in political decision making,
- immunities and procedural particularities when politicians are being prosecuted,
- criminal liability for decisions taken in situations of state emergency and
- misuse of criminal law and criminal proceedings in the fight for public opinion.



Conference venue:

Kleine Aula (room A 120), first floor of the LMU main building, Geschwister-Scholl-Platz 1, D-80539 Munich

You can travel to the conference venue using underground lines U3 or U6 (station “Universität”).

This conference and the underlying comparative legal study are funded by the LMUexcellent programme (junior researcher fund).



CONFERENCE PROGRAMME

FRIDAY, 27 MAY 2016

15:30 Registration of Participants

16:00 Welcome Address

PROF. DR. HELMUT SATZGER (Munich, Germany)

16:30 – 18:30 Panel I: Political Decision Making – a Matter for Criminal Law?

Chair: PROF. DR. DR. H.C. MULT. BERND SCHÜNEMANN (Munich, Germany)

DR. FRANK ZIMMERMANN (Munich, Germany): A Comparative Analysis of Criminal Laws Protecting Public Budgets – Can “Bad” Political Decisions Be Criminalised?

ASS. PROF. DR. MANUEL MAROTO CALATAYUD (Toledo, Spain): A Comparative Analysis of Bribery and Corruption Offences in the Context of Political Decision Making

PROF. DR. GABRIEL PÉREZ BARBERÁ (Córdoba / Buenos Aires, Argentina): Should a Violation of Trust be Considered the Core Element of Corruption?

PROF. DR. MICHAEL KUBICIEL (Cologne, Germany): The Role of International Instruments in the Fight Against Corruption on the Political Level

SATURDAY, 28 MAY 2016

09:00 – 10:45 Panel II: Criminal Prosecution of Political Decision Makers

Chair: PROF. DR. PETRA WITTIG (Munich, Germany)

DR. FEDERICA IOVENE (Bolzano, Italy): A Comparative Analysis of National Provisions Granting Immunity to Politicians

ASS. PROF. DR. ANNIKA SUOMINEN (Bergen, Norway): A Comparative Analysis of Special Courts and Special Proceedings for Politicians

DR. DAN HELENIUS, UNIVERSITY LECTURER (Helsinki, Finland): A Comparative Analysis of Special Sanctions Applicable to Political Decision Makers

DR. ATHINA GIANNAKOULA (Thessaloniki, Greece): Ill-Motivated Criminal Proceedings as a Means in the Political Arena?

10:45 – 11:15 Coffee Break

11:15 – 13:00 Panel III: The Relationship of Criminal Justice and Politics – Fundamental Challenges

Chair: PROF. DR. PEDRO CAEIRO (Coimbra, Portugal)

PROF. DR. PETTER ASP (Stockholm, Sweden): Criminal Liability of Politicians for Defending the State in Situations of Crisis

PROF. DR. BERND HEINRICH (Tübingen, Germany): Political Decision Making and the Phenomenon of Elite Corruption

PROF. DR. CHRISTOPH BURCHARD (Frankfurt a.M., Germany): The Politicisation of Criminal Justice – Is There Anything Wrong About?

MR. NICOLA RECCHIA, LL.M. (Ferrara, Italy): Can Politicians Shield Themselves Against Criminal Liability By Means of Law Reform?

13:00 – 14:00 Lunch Break

14:00 – 15:45 Panel IV: The Relationship of Criminal Justice and Politics – National Particularities

Chair: PROF. DR. MARIA KALIFA-GBANDI (Thessaloniki, Greece)

PROF. DR. RAGNHEIÐUR BRAGADÓTTIR (Reykjavik, Iceland): Criminal Law and the Financial Crisis: The Proceedings Against Iceland’s Former Prime Minister Geir Haarde

ASS. PROF. DR. WILLEM GEELHOED (Leiden, The Netherlands): Prosecutorial Discretion in The Netherlands – an Advantage for Politicians?

PROF. DR. WENDY DE BONDT (Ghent, Belgium): Hate Speech Offences in the Political Discussion – a Belgian Perspective

MR. GUILLAUME CHETARD, ASSISTANT LECTURER (Strasbourg, France): Corporate Criminal Liability of Public Entities for Accidents – Is the French Model the Solution?

15:45 – 16:00 Concluding Remarks

DR. FRANK ZIMMERMANN (Munich, Germany)