



The real purpose of the criminal law protection of the financial interests of the EU

What really the “financial interests of the EU” are?

There are two different approaches.

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"'Corruption risk, risk of corruption? Distinguishing criteria between petty and high-ranking corruption' (101014783 — CRITCOR) project was funded by the European Union's HERCULE III programme."

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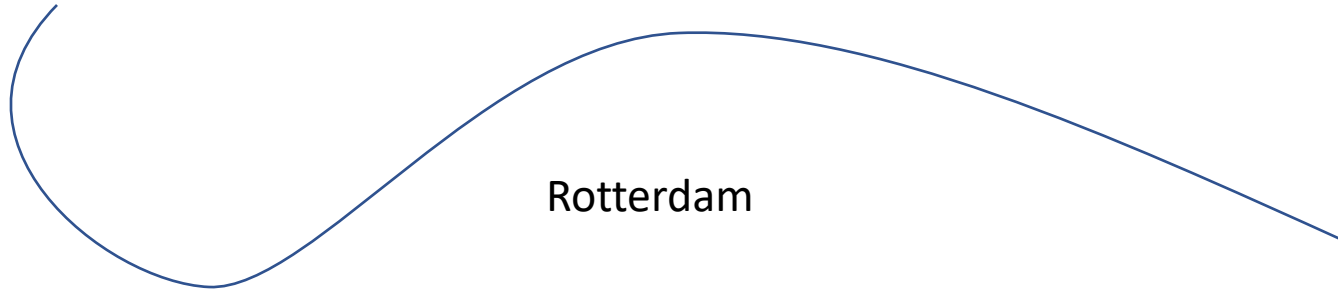
The financial interests of the EU, according to the “mainstream interpretation”

- Keyword: financial loss
- Direct financial interests of the EU budget
- EU budget: income/expenditure side

The financial interests of the EU, according to the “alternative interpretation”

- Keyword: integration in danger
- Danger is present, if the criminal act in question can have a negative impact on the *integration of the EU*
- How can the integration of the EU be disrupted?
- By creating or maintaining different approaches in the Member States
 - companies and enterprises tend to move to the MS-s where the approach (eg. legal approach, including criminal law approach) is more lenient

Hamburg



Rotterdam



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The “integration test”

- Question of the test: does the criminal act affect the *integration* of the EU *such an extent* that *community protection* is really needed?
 - Euro counterfeiting: nay
 - Money laundering: nay
 - Corruption: probable, but nay
 - Fraud: aye!



CORRINT

Thank you!



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