

INTERNATIONAL INSTITUTE FOR THE SOCIOLOGY OF LAW
INSTITUT INTERNACIONAL DE SOCIOLOGIE JURIDIQUE



Apdo. 28 - 20560 OÑATI
Gipuzkoa – Euskadi
España / Europa

WORKSHOP ON:

**The Limits of Criminalization: Precursor Crimes of Terrorism
(Towards an Orwellian Society throughout Precursor and Communication
Conducts? A Conceptual and Legislative Analysis)**

Coordinators: Manuel Cancio Meliá (*Universidad Autónoma de Madrid*)
Mariona Llobet Anglí (*Universitat Pompeu Fabra*)

14 – 15 April 2016

Programme

Meeting room: Karl Renner & Achille Loria (*1st floor*)

Thursday 14th April 2016

9.00-9.30 **Registration**

9.30-9.45 Welcome Speech:

- **Manuel Cancio Meliá** - Coordinator
- **Mariona Llobet Anglí** - Coordinator
- **Adam Czarnota** – IISL Scientific Director
- **Cristina Ruiz** – IISL Publications

9.45-10.15 **Introduction:**
Key note speech:

- “Terrorism Prevention through Precursor Crimes?” (*Clive Walker*)

10.15-11.45 **Panel 1:**
Criminalization and Legal Discourse Related to Terrorism Offenses

- “Law as Reason vs Law as Will: Its Relevance in Determining What Should Be Tolerated or Criminalized” (*Aniceto Masferrer*)
- “The ends of state punishment and terrorism” (*Daniel Rodríguez Horcajo*)
- “Different legislative strategies in the EU: preparation and collaboration” (*Francesca Galli*)

12.00-13.30 **Panel 2:**
“Ordinary Criminal Law” and Offenses of Terrorism: Three Examples

- “Abandonment in relation with terrorism. The doctrine of the *Tribunal Supremo* of Spain” (*Mertxe Landera*)
- “Sentencing problems in precursor crimes of terrorism” (*Gonzalo Javier Basso*)
- “Penitentiary law and its application to crimes of terrorism by ETA: current state assessment” (*Enara Garro*)

Thursday 14th April 2016 (continuation)

13.30-15.00 Lunch

15.00-16.30 **Panel 3:**
Evolution of Case Law of Terrorism Offenses and the Response Model in Spain

- "The judicial fight against terrorism in Spain: doubts, wounds and rights." (*Benet Salellas / Vilar*)
- "The right legal answers to two different problems" (*Gonzalo Boye*)

16.45-18.15 **Panel 4:**
Communication Crimes 1: Incitement, 'Indoctrination' & Glorification

- "Incitation, Glorification and Justification of Terrorist Acts in the Light of the Fundamental Right to Freedom of Expression" (*Francesco Viganò*)
- "Incitement of Terrorist Acts in German Criminal Law" (*Anneke Petzsche*)

19.30: **Welcome reception – Residencia Antia**

Friday 15th April 2016

9.15-11.00 **Panel 5:**
Communication Crimes 2: Access to Web Sites and Documents and the Internet

- "Twitter after Charlie Hebdo and Paris Attacks: A Taxonomy of Violent Communication in Cyberspace" (*Fernando Miró*)
- "Communication Crimes in Australia's Anti-Terrorism Legislation" (*Christopher Michaelsen*)

11.15-12.45 **Panel 6:**
Definitions: terrorist organizations and individual perpetrators ("lone wolves")

- "Organizing terrorism and organised crime" (*Iñigo Ortiz de Urbina*)
- "Lone Wolves of Jihad: Terrorists, Murders or Believers? Towards a Criminal Law Based on the Author" (*Mariona Llobet*)
- "Terrorism as a Hate Crime?" (*Juan Alberto Díaz*)

13.00-14.45 Lunch

14.45-16.15 **Panel 7:**
- Definition: precursor and communication crimes of terrorism and the international law; war on terrorism and Police cooperation

- "The Cassese doctrine a path of future?" (*António Pedro Nunes Caeiro*)
- "Police cooperation in counter-terrorism: limits and suitable partners" (*Saskia Maria Hufnagel*)

16.30-18.00 **Conclusions:**
Clive Walker: panels about **Precursor Crimes**
Genevieve Lennon: panels about **Communication Crimes**
Manuel Cancio: panels about **Definitions**