



COMILLAS

UNIVERSIDAD PONTIFICIA

ICAI

ICADE

CIHS

GUÍA DOCENTE

2025 - 2026

FICHA TÉCNICA DE LA ASIGNATURA

Datos de la asignatura

Nombre completo	Derecho penal comunitario contra la criminalidad transfronteriza y financiera / EU Cross-Border Corporate and Financial Crime
Código	E900001227
Créditos	1,0 ECTS
Carácter	Obligatoria
Responsable	Sara Sanz
Horario	sara.sanz@hoganlovells.com
Horario de tutorías	Upon request from students. Preferably via email.

Datos del profesorado

Profesor

Nombre	Sara Sanz Castillo
Departamento / Área	Departamento de Derecho Público
Correo electrónico	sscastillo@icade.comillas.edu

DATOS ESPECÍFICOS DE LA ASIGNATURA

Contextualización de la asignatura

Competencias - Objetivos

BLOQUES TEMÁTICOS Y CONTENIDOS

Contenidos – Bloques Temáticos

Content
Area1. Corporate criminal liability and compliance programmes
Topic 1. Corporate criminal liability
1. Origin and legal grounds 2. Criminal v. administrative liability 3. Comparative study of different models: self-liability v. vicarious liability 4. Relevant criminal offences 5. Corporate criminal liability in multinational groups 1. Exposure of multinational groups: branches and subsidiaries 2. Extraterritorial offences and punishments



Topic 2. Criminal compliance programmes

1. Key elements of compliance programmes
 1. Risk mapping
 2. Code of Conduct/Ethics and other guiding principles
 3. Overview of the most common internal policies and procedures
 4. Reporting
 5. Investigation process
 6. Disciplinary measures and incentives
 7. Training and awareness
2. The compliance function:
 1. Structure
 2. Main functions and duties
 3. Personal exposure of the compliance officer
 4. Governance in multinational groups
3. Case study: how to develop a criminal compliance programme for a multinational group

AREA 2. Cross-border investigations

Topic 3. Whistleblower channels

1. The Whistleblowing Directive (EU Directive 2019/1937)
2. Transposition in Spain: *Ley 2/2023, de 20 de febrero*
3. Definition of whistleblower
4. Scope of the whistleblowing protection
5. Internal reporting channels
6. External reporting channels
7. Incentives for whistleblowers
8. Case study: developing a whistleblower channel in a multinational group

Topic 4. Internal investigations

1. Purpose of internal investigations:
 1. Self-reporting v. litigating strategy
 2. Incentives: DPA/NPA v. plea guilty agreements
2. Investigating team
3. Stages of an internal investigation
 1. Initiating an internal investigation
 2. Scoping
 3. Planning
 1. Strategic decisions



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2. Crisis management

4. Document review
5. Interviewing key witnesses
6. The final report
7. Legal privilege in internal investigations
8. Data transfer in internal investigations

AREA 3. Cross-border cooperation by enforcement authorities

Topic 5. Cooperation within the EU

1. Relevant EU institutions in international cooperation
 1. European Union Agency for Criminal Justice Cooperation (Eurojust)
 2. European Union Agency for Law Enforcement Cooperation (Europol)
 3. European Judicial Network (EJN)
2. Mechanisms of cooperation:
 1. European Investigation Order
 2. European Arrest Warrant
3. European Public Prosecutor's Office:
 1. Origin and legal framework
 2. Competences and functions
 3. Organisation
 4. Integration in the Spanish criminal procedure
4. Case study: conflict of competence between the EPPO and the Spanish Public Prosecutor's Office

Topic 6. Collaboration with third countries

1. Extraditions outside the EU:
 1. Regulation



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2. Requirements
3. Ways to challenge an extradition
4. Case study: passive extradition to USA of Spanish national

AREA 4. International sanctions

Topic 7. International sanctions regimes

1. Origin and legal grounds for sanctions in the international context
2. Governance: UN, EU and local sanctions; USA sanctions
3. Related criminal offences in Spain:
 1. Money laundering
 2. Smuggling
4. Directive 1226/2024 of the European Parliament and of the Council of 24 April 2024
5. Case study: the challenge of EU international sanctions by Russian nationals

METODOLOGÍA DOCENTE

Aspectos metodológicos generales de la asignatura

TEACHING METHODOLOGY

General methodology of the subject



Contact hours methodology : Activities

The first three sessions will combine a lecture given by the Professor and open discussion with the students. For this purpose, case studies will be used in the sessions and the students will be asked questions to encourage their participation.

The last session will be divided in a first part, consisting in a lecture by the Professor on the given topic, and a second part that will be devoted to a closed-book exam. Attendance to the entire session is compulsory to be able to take the examination.

Attendance is compulsory. Students will not be allowed to take the exam if they have not attended the four sessions of the course.

Outside class methodology : Activities

Every student is required to attend the teaching sessions and to do the preparatory work. The Professor will provide the students with materials to prepare the sessions and study for the courses, including regulations, publications and case-law. It is strongly recommended that the students have examined beforehand the relevant materials.

The continuous evaluation will be assessed based on the students participation during the discussions at the sessions and two take-home exercises that they will be assigned to be prepared in groups and presented during sessions 2 and 4.

RESUMEN HORAS DE TRABAJO DEL ALUMNO

NUMBER OF CONTACT HOURS		
Master classes	Solving practical cases	Evaluation: exam
4	5	1

NUMBER OF INDEPENDENT WORK HOURS		
Study of master classes	Solving practical cases, short paper, and guide work	Preparation for final exam
6	6	3

ECTS CREDITS : 1 (25,00hours)		
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EVALUACIÓN Y CRITERIOS DE CALIFICACIÓN

GRADE EVALUATION AND CRITERIA

The use of AI to create entire assignments or substantial parts thereof, without citing the source or tool, or without explicit authorization in the assignment instructions, will be considered plagiarism under the University's General Regulations.

Evaluation Activities	Indicators	Evaluation weighting



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	Two take-home practical exercises will be assigned in session 1 and 2, to be prepared in groups and presented in the following sessions (2 and 3). More details on the assignment, as well as precise explanation and instructions as to how to complete it will be provided during Session 1. Students will have to prepare support materials for their presentation at class (PPT) and submit them through Moodle prior to the commencement of their exposition.	
Continuous evaluation	Participation	5%
Final Evaluation: closed-book exam (final)	The exam is designed to prove that the student properly understands the topics and materials examined during the course. The closed-book exam will consist of a brief case study based on a set of facts of a hypothetical case designed by the Professor. The students will have to provide brief answers to a small number of questions. The facts will be related to topics studied during the course.	50%
Attendance		10%

BIBLIOGRAFÍA Y RECURSOS

Bibliografía Básica

BIBLIOGRAPHY AND RESOURCES



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Basic Bibliography and Resources

General readings:

The Cambridge Companion to European Criminal Law, Cambridge University Press, Print(2023) Global Investigations Review (2023)

Andre Klip, "European Criminal Law: An Integrative Approach (4th ed.)(2021)

Kai Ambos, "European Criminal Law" (2018)

Specific readings: a list of short readings organised by topics are provided before the start of each class.