


PERSONAL INFORMATION

Stefano Montaldo


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 http://www.giurisprudenza.unito.it/do/docenti.pl/Show?_id=stmontal;sort=DEFAULT;search=;hits=212#profilo

Skype: stefanomontaldo

Sex M | Date of birth 11/08/1983 | Nationality Italian

WORK EXPERIENCE

November 2016 – onwards

Assistant Professor in EU law

Law Department – University of Turin, Turin, Italy

- Lecturer of EU law
- My research focuses on judicial cooperation in criminal matters, in particular in relation to the principles of mutual trust and mutual recognition, the grounds for refusing cooperation, the role of the national authorities involved and the relationship between EU law, national legal orders and the system of the Council of Europe in the domain of substantive and procedural criminal law. I pay specific attention to the objectives pursued by the EU in this field, in the light of the need to balance effectiveness of EU law, security and the protection of fundamental rights. In this context, I'm currently analysing the theoretical approach of the EU to offenders' rehabilitation, its problems, potentialities and practical implications.

University

April 2015 – onwards

Affiliated research fellow

Vrije Universiteit Brussels – Centre for Fundamental Rights and Constitutionalism

- Cooperation to the activities of the Centre (seminars, conferences, research projects)
- Research activity on judicial cooperation in criminal matters, with particular regard for the limits of EU competences in this field

University

June 2016

Lecturer

University of Milan, Milan, Italy

- Lecturer on EU judicial cooperation in criminal matters and differentiated integration at the Summer school "European criminal area and the protection of fundamental rights"

University

March 2016

Lecturer

University of Turin – International Labour Organization (ILO)

- Lectures on EU customs and anti-dumping law at the LL.M. Programme on Trade Law and International Contracts

University – International organization

June 2015 – May 2016

Research fellow

Law Department – University of Turin, Turin, Italy

- Research project concerning the extension and width of EU competences to harmonize national substantive criminal law, in particular in relation to Art. 83, para 2, TFEU.

University

June 2015 – July 2015 and
January 2016

Visiting scholar

Vrije Universiteit Brussels

- Research project on the notion of criminal penalty in EU law and its implications for the national legal orders and for the principle of *ne bis in idem*

[University](#)

October 2013 – June 2016

Lecturer and thesis tutor

University of Turin – United Nations Interregional Crime Research Institute (UNICRI)

- Lecturer of EU criminal law and comparative criminal law (on-line module) at the LL.M. Programme in International Crime and Justice
- Tutor of the final thesis of the LL.M. Programme in International Crime and Justice

[University – International organization](#)

June 2014 – May 2015

Research fellow

Law Department – University of Turin, Turin, Italy

- Research project on the role of the Court of Justice in the Area of freedom, security and justice. Specific focus on the post-Lisbon jurisdiction of the Court and on the implications for the protection of fundamental rights.

[University](#)

September 2012 – onwards

Tutor

Law Department – University of Turin, Turin, Italy

- Coach of the students' team taking part in the yearly edition of the "European Law Moot Court Competition", the main moot court on EU law issues, under the high patronage of the European Court of Justice

[University](#)

September 2011 – October 2016

Adjunct professor of EU law

Department of Management – University of Turin, Turin, Italy

- Lecturer of EU law to undergraduate students

[University](#)

April 2014 – November 2014

Lecturer

Eupolis Lombardia - Istituto superiore per la ricerca, la statistica e la formazione di Regione Lombardia

- Lecturer of EU law to managers and office staff of Regione Lombardia

[Research and training institute](#)

July 2012 – April 2014

Research fellow

Law Department – University of Turin, Turin, Italy

- Research project on the European and international dimensions of the commons. The research was focused on the legal solutions adopted at EU level in order to cope with the threats to common goods such as rare natural resources (freshwater, soil) or knowledge sources (internet and its governance, mainly)

[University](#)

October 2013 – July 2014

Lecturer and tutor

Law Department – University of Turin, Turin, Italy – International University College, Turin

- Founding member of the Human Rights and Migration Law Clinic of the Law Department of the University of Turin
- General organization of the legal clinic
- Lectures on EU migration law
- Tutor of a group of students tasked with the duty to draft a model application to the European Court of Human Rights

University – Research institute

November 2010 – June 2013

Expert

FLARE Network

- Consultancy and research activity on the project “Study for an impact assessment on a proposal for a new legal framework on the confiscation and recovery of criminal assets”, in the framework of the process of reform of existing EU rules on confiscation measures
- Representative of FLARE Network at the ARO Platform Subgroup on the reuse of confiscated assets, European Commission, Bruxelles

NGOs network

EDUCATION AND TRAINING

March 2012

Ph.D. Programme in European Union law

University of Milan Bicocca, Milan, Italy

Doctor of Philosophy (PhD) in EU law

December 2011

Lawyer

Professional body of lawyers

October 2007

Degree in law

110/110 lode

University of Turin, Turin, Italy

European Union law, International law, Criminal law, Criminal procedural law

PERSONAL SKILLS

Mother tongue(s)

Italian

Other language(s)

UNDERSTANDING

SPEAKING

WRITING

Listening

Reading

Spoken interaction

Spoken production

English

C2

C2

C2

C2

C1

French

B2

C1

B2

B2

B2

Spanish

B1

B1

A2

A2

A2

Communication skills

- Good communication and teaching skills gained through my experience as lecturer (students have positively assessed my teaching activities), both in presence and on-line
- Strong interpersonal skills and ability to work in group, gained through my experience in training projects and interdisciplinary research teams

Organisational / managerial skills

- Proactive working attitude
- Adaptability and ability to multi-task work
- Ability to work under pressure
- Good and rapidly increasing experience in research projects (management and organization)
- Sense of organization and problem-solving abilities

Job-related skills

- Strong experience in academic teaching and professional training in EU law
- Strong experience in qualitative research method applied to EU law
- Good experience in comparative research method applied to EU law and its relationship with national legal orders

Digital competence

SELF-ASSESSMENT				
Information processing	Communication	Content creation	Safety	Problem solving
Independent user	Independent user	Independent user	Basic user	Basic user

- Good command of Microsoft Office and Mac programmes and tools

Driving licence

B

ADDITIONAL INFORMATION

Publications

Book

- *I limiti della cooperazione in materia penale nell'Unione europea*, Napoli, Editoriale Scientifica, 2015, pp. 1-592, ISBN 978-8863427219

Journal articles and case notes

- *A new crack in the wall of mutual recognition and mutual trust: ne bis in idem and the notion of final decision determining the merits of the case*, in *European Papers - European Forum* 1/2017, 5 January 2017, pp. 1-11
- *On a collision course! Mutual recognition, mutual trust and fundamental rights in the recent case-law of the Court of Justice*, in *European Papers* 3/2016, forthcoming, January 2017, 33 pages.
- (together with F. Costamagna) *Integrazione dei cittadini di Paesi terzi e diritto dell'Unione europea: obiettivo da perseguire o requisito per l'accesso ai diritti?*, in *Paradoxa*, Vol. 10, 2016/3, pp. 77-91, ISSN 1971-6311
- *Integration examinations for regular migrants: the difficult search for a balance between national competencies and full effectiveness of EU law*, in *UNIO EU Law Journal*, Vol. 2, n. 2, 2016, pp. 39-53, ISSN 2183-3435
- *L'integrazione differenziata e la cooperazione giudiziaria e di polizia in materia penale nell'UE: il caso degli opt-out di Regno Unito, Irlanda e Danimarca*, in *La legislazione penale*, 2 February 2016, pp. 1-22, ISSN 2421-552X
- *Amici mai, odiarsi mai: il controllo sull'applicazione del principio di sussidiarietà alla luce della prassi della Commissione e della Corte di giustizia*, in *www.federalismi.it*, n. 13/2016, pp. 1-29, ISSN 1826-3534
- *Basi giuridiche derivate, supplementari e...abrogate? La Corte di giustizia conferma la validità della decisione che integra l'elenco dei partner internazionali di Europol*, in *European Papers* 1/2016, <http://europeanpapers.eu/it/europeanforum/basi-giuridiche-supplementari-derivate-e-abrogate>, pp. 219-230, ISSN 2499-7498
- *Directive 2014/42/EU and social reuse of confiscated assets in the EU: advancing a culture of legality*, in *New Journal of European Criminal Law*, Vol. 6, 2/2015, pp. 195-212, ISSN 2032-2844
- *Internet governance: principles and perspectives at European level*, in *Il diritto dell'economia* 3/2015, pp. 601-622, ISSN 1123-3036
- (together with R. de Caria) *L'influenza della dottrina sulla giurisprudenza delle Corti europee*, in *Annuario di diritto comparato e di studi legislativi*, 2015, pp. 89-122, ISSN 2039-8971
- *La dimensione sociale degli appalti pubblici nel diritto dell'Unione europea*, in *Politiche sociali* 2/2015, pp. 347-360, ISSN 284-2098.

- *La dimensione multilivello del ne bis in idem europeo: spunti per una lettura unitaria alla luce della recente giurisprudenza di Lussemburgo e Strasburgo*, in *Questione di giustizia* 3/2014, pp. 9-23, ISSN 1972-5531.
- *Gli appalti pubblici e l'affidamento in-house verticale: il criterio del «controllo analogo» nella giurisprudenza della Corte di giustizia e nella nuova direttiva 2014/24/UE*, in *Il diritto dell'economia* 3/2014, pp. 581-592, ISSN 1123-3036.
- *Scadenza del regime transitorio per gli atti del terzo pilastro: il block opt-out del Regno Unito ed il suo successivo back opt-in per 35 misure*, in www.eurojus.it, 2 December 2014, ISSN 2384-9169.
- *Ne bis in idem e sistema "multilivello" di tutela dei diritti fondamentali: l'art. 54 della Convenzione di applicazione dell'accordo di Schengen è compatibile con l'art. 50 della Carta dei diritti fondamentali*, in *Diritti umani e diritto internazionale* 3/2014, pp. 669-676, ISSN 1971-7105.
- *Le politiche di istruzione degli Stati membri e la mobilità degli studenti: il caso dei figli di lavoratori frontalieri*, in *Diritto pubblico comparato ed europeo* 1/2014, pp. 1303-1309, ISSN 1720-4313
- (together with F. Varvello) *Agricultural use of land as a Global Public Good*, in *Federalismi.it* – section Human Rights 3/2013, 16 September 2013, pp. 1-29, ISSN 1826-3534.
- *Internet e commons: le risorse della rete nella prospettiva dei beni comuni*, in *Diritto dell'Informazione e dell'Informatica* 2/2013, pp. 287-306, ISSN 2499-2437.
- *Il bilanciamento tra esigenze di pubblica sicurezza e diritti processuali dell'individuo: convergenze e divergenze fra Lussemburgo e Strasburgo*, in *Diritti umani e diritto internazionale*, vol. 3/2013, pp. 813-820, ISSN 1971-7105.
- *L'ambito di applicazione della carta dei diritti fondamentali ed il principio del ne bis in idem*, in *Diritti umani e diritto internazionale*, n. 2/2013, pp. 574-581, ISSN 1971-7105.
- *La competenza dell'Unione europea ad adottare norme penali ex art. 83, par. 2, TFUE e sue possibili applicazioni*, in *Studi sull'integrazione europea* 1/2013, pp. 101-128, ISSN 1970-0903.
- *Mandato d'arresto europeo, principio del reciproco riconoscimento e diritti del condannato*, in *Diritti umani e diritto internazionale*, n. 1/2013, pp. 226-231, ISSN 1971-7105.
- *La Corte di giustizia dell'Unione europea e la cooperazione giudiziaria in materia penale: prospettive per la tutela giurisdizionale*, in *Diritto Penale Contemporaneo*, December 2012, pp. 1-34, ISSN 2039-1676.
- *International law and the crisis of freshwater resources*, in *Il Diritto dell'Economia*, 2/2012, pp. 441-466, ISSN 1123-3036.
- *New perspectives in European Neighbourhood Policy: the case of cultural programme financing in the Mediterranean basin*, proceedings of the Colloque TiceMED 2009, in *Information Sciences for Decision Making* (double peer-reviewed review of the University of Toulon), vol. 35, 2009, http://isdmi.univ-tln.fr/PDF/isdmi39/Article_Isdmi_Ticemed09_Montaldo_PhB%20ok.pdf

Book chapters

- *Regular migrants' integration between EU law and national legal orders: a key condition for individual and social development*, in F.M. Palombino, D. Amoroso, G.C. Bruno (eds.), *Migration and development: some reflections on current legal problems*, Edizioni CNR, Roma, pp. 45-69.
- (together with A. Oddenino) *Il diritto penale d'impresa fra riflessi della globalizzazione economica, principi costituzionali e influenze del diritto dell'Unione europea*, in C. Parodi (ed.), *Diritto penale dell'impresa*, Milano, Giuffrè, 2017, pp. 1-58
- *La politica di coesione economica, sociale e territoriale dell'Unione europea*, in S. Doumbé-Billé, A. Oddenino (eds.), *Le rôle des régions dans la coopération transfrontalière: l'expérience franco-italienne*, Napoli, Editoriale Scientifica, pp. 47-65, ISBN 978-88-6342-968-8.
- *La governance internazionale di internet ed il ruolo dell'Unione europea*, in A. de Stefano (ed.), *Un diritto senza terra? Limiti e funzioni del principio di territorialità nel diritto internazionale e dell'Unione europea*, Torino, Giappichelli, 2015, pp. 519-543, ISBN 978-88-3486277-3.
- *L'ordine pubblico economico europeo e gli interessi economici degli Stati membri alla prova della crisi*, in O. Porchia (ed.), *Governance economica europea: strumenti dell'Unione, rapporti con l'ordinamento internazionale e ricadute nell'ordinamento interno*, Napoli, Editoriale Scientifica, 2015, pp. 57-80, ISBN 978-88-6342-771-4.
- *Popular culture and the Court of Justice: the anonymous engine of the European*

integration process, in M. Asimov (ed.) "Law and popular culture. International perspectives", Newcastle upon Tyne, Cambridge Scholars Publishing, 2014, pp. 219-232, ISBN 978-1-4438-5810-6.

- *Local foods, food quality and agricultural soil consumption: new challenges for the European Union*, in E. Roelinsberg – P. Sandin (eds.), *The Ethics of Consumption: the Citizen, the market and the Law*, Wageningen Academic Publishers, Wageningen (The Netherlands), 2013, pp. 147-154, ISBN 978-90-8686-784-4.
- *River basin management: some issues from a European perspective*, in M. Aufleger – M. Mett (eds.), *Handshaking across the Jordan: the management of water resources*, Innsbruck University Press, 2010, pp. 65-72, ISBN 978-3-902719-94-2.

Publications

Case notes

- *Integration through residence conditions? The beneficiaries of subsidiary protection confronted with the Janus-faced national integration policies*, in *European Papers*, European Forum of 26 September 2016, pp. 1-3, ISSN 2499-8249.
- *La compatibilità con il diritto UE dei test di integrazione per i migranti regolari: sulla decisione della Corte di giustizia nel caso P. e S.*, in *Diritti umani e diritto internazionale* 3/2015, pp. 711-718, ISSN 1971-7105.
- *L'accesso ai documenti della Banca centrale europea e la tutela dell'ordine pubblico in relazione alle politiche economiche dell'UE e degli Stati membri: il caso dell'inchiesta sul debito pubblico greco*, comment of the General Court's judgment *Gabi Thesing e Bloomberg Finance v. European Central Bank* (29 November 2012, case T-590/10), in *Il Diritto dell'Economia*, n. 1/2013, ISSN 1123-3036.
- *Mandato d'arresto europeo, Corte costituzionale e rifiuto di consegna dei cittadini*, in *Diritto Internazionale e Diritti Umani* 3/2010, pp. 678-682, ISSN 1971-7105.
- *Inquinamento marittimo da idrocarburi: la sentenza della Corte di giustizia sul caso petroliera Erika*, in *Il Diritto dell'Economia*, n. 3-4/2008, pp. 705-722, ISSN 1123-3036.

Recent Paper Presentation

- University of Turin, Fondazione Fondo Ricerca e Talenti, organization and opening speech of the conference *Vivere e gestire le frontiere*, 1-2 December 2016
- Université Jean Moulin Lion III, international conference *La coopération transfrontalière en droit international et européen*, presentation *La dimension constitutionnelle de la politique de cohésion sociale, économique et territoriale de l'Union européenne*, 20-21 October 2016
- Turin Bar Association, lecture on *Gli effetti delle sentenze della Corte europea di diritti dell'uomo e le ricadute sul giudicato interno*, 19 October 2016
- University of Turin, seminar presentation *L'integrazione dei migranti regolari tra competenze nazionali e diritto dell'Unione europea: la discussa compatibilità delle condizioni di integrazione con i principi generali dell'ordinamento UE*, 13 October 2016
- University of Turin, seminar "Brexit, What's Next?", presentation *Le conseguenze della Brexit sulla libertà di circolazione delle persone*, 12 July 2016
- Vrije Universiteit Brussels, seminar on police and intelligence cooperation, presentation *Never let a serious crisis go to waste: room for secret services cooperation among the EU Member States?*, 6 June 2016
- University of Turin, Italian Society for International Organization, organization and opening speech of the conference *L'Unione europea ed i cittadini di Stati terzi: le sfide dell'attualità*, Cuneo, 28 April 2016
- University of Turin, seminar presentation *La tratta degli esseri umani nelle fonti internazionali e nel diritto dell'Unione europea*, 30 March 2016
- University of Turin, seminar presentation *La proposta di direttiva dell'Unione europea sul contrasto foreign terrorist fighters*, 10 March 2016
- University of Turin, seminar presentation *Sospendere Schengen? Le frontiere interne UE e la crisi dei flussi migratori*, 9 March 2016
- KU Leuven, Centre for Global Governance Studies, conference "Global commons, global public goods and global democracy", presentation *Waiting for the rainy season: towards a democratic management of water commons?*, 22 February 2016
- Turin Bar Association, *La cooperazione giudiziaria in materia penale nell'Unione europea: le questioni maggiormente dibattute e rilevanti per l'avvocato*, 30 June 2015
- University of Turin, Conference "Courts, scholars and inclusive society: the impact of scholarly debate on the case law of Europe's high Courts", presentation on *The influence of scholarly debates on the case law of the European Court of Justice*, 27 March 2015
- Vrije Universiteit Brussels, seminar presentation, *The limits of judicial cooperation in criminal matters in the EU*, 19 March 2015
- University of Turin, conference "Fortezza Europa: flussi migratori, Unione europea e Stati membri", presentation on *I flussi migratori e la gestione delle frontiere interne dell'Unione europea*, 18 November 2014.
- III workshop on EU and International Law of the MEDEL Network, Genoa, conference presentation, *La dimensione multilivello del ne bis in idem europeo: spunti per una lettura unitaria alla luce della recente giurisprudenza di Lussemburgo e Strasburgo*, 15-16 November 2013
- III Congress of the University Network on Cooperation and Development (CUCS – www.cucstorino2013.it), Turin, conference presentation, *Large-scale land acquisitions and foreign direct investments: a challenge for international law*, 19-21 September 2013
- International conference "Law and Popular Culture", Tilburg University, The Netherlands, conference presentation, *Popular Culture and the Case-Law of the European Courts*, 6-7 June 2013
- II Annual Conference of the Cambridge Journal of International and Comparative Law "Legal Tradition in a Diverse World", Cambridge, conference presentation, *National legal traditions and the interpretative criteria of the European Court of Justice*, 18-19 June 2013
- Turin Bar Association, seminar presentation, *La responsabilità dello Stato per violazione del diritto dell'Unione europea*, 20 March 2013
- University of Turin, conference "The interaction between the EU and other supranational legal orders", presentation on *EU, WTO and the Codex Alimentarius. the relation between legal orders and the regime of food quality standards*, 22 November 2012
- FLARE and University of Turin, conference "L'Unione europea ed il crimine organizzato", conference presentation, *L'Unione europea ed il contrasto alla criminalità organizzata: nuove prospettive in tema di riutilizzo a fini sociali dei beni confiscati*, 20 April 2011

Memberships

- Managing Editor of the international review *European papers*
- Member of the International and European Law Observatory of the review *Il Diritto dell'Economia*
- Member of the Italian Society of International Law
- Member of the Italian Society for International Organization

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