

ELISABETTA MORLINO

CURRICULUM VITAE

CURRENT AND PAST POSITIONS

Qualified as Associate Professor (*professore associato*) of Administrative Law in the *Abilitazione Scientifica Nazionale 2012* and *2018* procedure

Assistant Professor of Administrative Law (RTDb; with tenure) at the University Suor Orsola Benincasa, Naples, Italy (October 2017-September 2020)

Emile Noël Fellow, NYU School of Law, Jean Monnet Center for International and Regional Economic Law & Justice, NY (USA) (September 2019- May 2020)

Assistant Professor of Administrative Law (RTDa; without tenure) at the University Suor Orsola Benincasa, Naples, Italy (September 2014-September 2017)

Visiting Research Scholar, Max Planck Institute for Comparative Public Law and International Law, Heidelberg, Germany (July-November 2014)

Research Fellow in Administrative Law at the University Suor Orsola Benincasa, Naples, Italy (December 2012-November 2013)

EDUCATION

LL.M. in International Legal Studies, New York University School of Law, 2011.

Ph.D. in *Universalizzazione dei sistemi giuridici: storia e teoria* (Engl. transl.: *Universalization of Legal Systems: History and Theory*), Istituto Italiano di Scienze Umane (now part of the Scuola Normale Superiore, Pisa), 2009.

Law Degree, University of Florence, School of Law, 2005 (110/110 *cum laude*).

Exchange Program, New York University School of Law, 2002-2003.

AWARDS AND SCHOLARSHIPS

Visiting research grant, Max Planck Institute for Comparative Public Law and International Law, Heidelberg, Germany.

Research scholarship within the project REPOS (*Networks, Public Policies and Development*), financed by the EU Research Framework Programme 2007/2013.

Junior research scholarship at the Scuola Nazionale dell'Amministrazione within the project 'For a Culture of Integrity within Public Administration' ('Per una cultura dell'integrità nella Pubblica Amministrazione').

LL.M. Scholarship, *Hugo Grotius Scholarship*, New York University School of Law.

Admission to the LL.M. of the Yale Law School, Harvard Law School, Columbia Law School, Chicago Law School, UC Berkeley School of Law.

Ph.D. Scholarship, Istituto Italiano di Scienze Umane.

Exchange student scholarship, New York University School of Law-University of Florence.

RESEARCH

2018-current: Research on *Taking "Control" Seriously. A Prolegomena to a Theory and Action Plan*

2016-2018: Research on the interactions between European administrative law and judicial review by domestic criminal courts in environmental protection.

2006-2018: Research on international organizations, with a special focus on procurement and the relationships between international organizations and individuals.

2013-2014: Research within the research project REPOS (*Networks, Public Policies and Development*), financed by the EU Research Framework Programme 2007/2013. Title of the research: *Standards of Action and Networks System in the Regulation of National and European Public Contracts*

2010- 2011: Research within the project 'For a Culture of Integrity within Public Administration' ('Per una cultura dell'integrità nella Pubblica Amministrazione'), directed by Professo Gustavo Piga (University of Rome 'Tor Vergata') and Professor Bernardo Giorgio Mattarella (Università LUISS Guido Carli, Rome) (Scuola Nazionale dell'Amministrazione).

2009- 2010: Research within the project on 'Public Intervention after the Economic Crisis', directed by Professor Giulio Napolitano (University of Roma Tre) and sponsored by the Italian Ministry of Education, University and Research (Ministero dell'Istruzione, dell'Università e della Ricerca) and by Banca Intesa.

2007: Research within the project on 'The Italian Administrative System in the XXI Century' directed by Professor Luisa Torchia (University of Roma Tre) and sponsored by the Istituto di Ricerche sulla Pubblica Amministrazione- IRPA.

2006: Research within the project on 'The Global Limits to National Administrative Laws', directed by professor Sabino Cassese and sponsored by the Italian Ministry of Education, University and Research (Ministero dell'Istruzione, dell'Università e della Ricerca).

ACADEMIC EXPERIENCE

2014-current: University Suor Orsola Benincasa, School of Law.

Professor. Courses: Administrative Law II (topics of Global administrative law and European administrative law); Open government and performance evaluation of public administrations; Environmental Law and Regulation (in English).

Since 2008 has been holding lectures in International, European and domestic Administrative Law at the University of Roma Tre School of Law (Rome, Italy), LUISS Guido Carli School of Law (Rome), University of Urbino ‘Carlo Bo’ (Urbino, Italy), University of Catania School of Law (Catania, Italy).

PROFESSIONAL EXPERIENCE

2009-2011: International Fund for Agricultural Development (IFAD), Procurement Section, FA.
Legal Consultant.

2008: United Nations, Office of Legal Affairs (New York)
Externship.

2006-2007: Studio Legale Chiti (Chiti Law Firm), Firenze
Legal Traineeship.

MEMBERSHIPS

2017/current: member of the University Association for Contemporary European Studies (UACES)

2014/current: member of the International Society of Public Law (ICON-S).

2009/current: member of the Research Institute on Public Administration (Istituto di Ricerche sulla Pubblica Amministrazione (IRPA).

2009/current: member of the Public Contracts in Legal Globalization Network/Contrats Publics dans la Globalisation Juridique Network.

OTHER ACADEMIC ACTIVITIES

2019/current: member of the Board of Directors of the *Istituto di ricerche sulla pubblica amministrazione* (Irapa).

2016/current: member of the Editorial Board of *Munus. Rivista giuridica dei servizi pubblici*.

2009/ current: Contributor to the *Rivista Trimestrale di Diritto Pubblico* and the *Giornale di Diritto Amministrativo*.

2009/current: conference convener (together with others) of the *VII and VIII Global Administrative Law Seminars*, Viterbo-Rome.

2011 (April)/2011(November): co-editor of the Annual Report of the Istituto di Ricerche sulla Pubblica Amministrazione (IRPA).

2009-current: co-founder and member, together with Emma Bonino, Fiorella Kostoris and others, of *Pari o Dispare*, non-profit organization against gender discrimination in the public and private sector.

2008-2013: member of the *Rete per l'Eccellenza Nazionale –RENA* (Network for National Excellence).

2007: Co-translation from English into Italian of S. Breyer, *Administrative Law, Democracy and the American Constitution*, (‘Diritto amministrativo, democrazia e Costituzione americana’), Napoli: Editoriale Scientifica, 2007.

2006: Co-translation from English into Italian of *A global due process of law?* ('Un giusto procedimento globale?'), book chapter in S. Cassese, *Oltre lo Stato*, Bari, Laterza, 2006.

2005: Translation from English into Italian of *The Three Phases of Italian Parties* (Le tre fasi dei partiti italiani), book chapter in L. Morlino- M. Tarchi, *Partiti e caso italiano*, Bologna, Il Mulino, 2006.

LANGUAGES

Italian: mother tongue.

English: excellent reading, understanding and speaking.

French: fair reading and understanding.

Spanish: fair reading and understanding.

German: basic understanding (1996-1997: *Deutsches Institut Florenz*, A-1 level course; July-August 1997: *Goethe Institut*, Rothenburg ob der Tauber, Germany, A-2 level course).

PUBLICATIONS

a) Books

Author:

I contratti delle organizzazioni internazionali, Napoli: Editoriale Scientifica, 2012

Procurement by international organizations. A global administrative law perspective, Cambridge: Cambridge University Press, 2019

La tutela dell'ambiente tra decisione amministrativa e giudizio penale, Milano, Giuffrè, forthcoming

Editor:

La parità di genere nella pubblica amministrazione, Napoli: Editoriale Scientifica, 2014

b) Chapters in books

Armonizzazione e mutuo riconoscimento nel General Agreement on Trade in Services, (with M. De Bellis), in S. Battini e G. Vesperini (eds.), *I limiti globali ed europei alla disciplina nazionale dei servizi*, Milano: Giuffrè, 2008

Labour Standards, in S. Cassese et al. (eds.), *Global Administrative Law, Cases Materials, Issues*, New York: NYU Publishing Co., 2008

La responsabilità della pubblica amministrazione nel diritto nazionale, comparato ed europeo, in L. Torchia (ed.), *Lezioni di diritto amministrativo progredito*, Bologna: Il Mulino, 2010

Le riforme amministrative, ovvero "il pendolo delle illusioni rinnovate", in B.G. Mattarella (ed.), *L'insegnamento in pubblico*, Milano: Giuffrè, 2010

UN Transitional Administrations: Kosovo, East Timor and Iraq, in S. Cassese et al. (eds.), *Global Administrative Law: The Casebook*, New York: NYU Publishing Co., 2012

UN Procurement, in S. Cassese et al. (eds.), *Global Administrative Law: The Casebook*, New York: NYU Publishing Co., 2012

Democratization by International Organizations: The Case of the EU and Romania, in S. Cassese et al. (eds.), *Global Administrative Law: The Casebook*, New York: NYU Publishing Co., 2012

Labour Standards, in S. Cassese et al. (eds.), *Global Administrative Law, Cases Materials, Issues*, New York: NYU Publishing Co., 2008 [revised version]

I contratti pubblici, in L. Torchia (ed.), *Lezioni di diritto amministrativo progredito (II ed.)*, Bologna: Il Mulino, 2012

La responsabilità della pubblica amministrazione nel diritto nazionale, comparato ed europeo, in L. Torchia (eds.), *Lezioni di diritto amministrativo proredito*, Bologna: Il Mulino, 2012 [revised version]

Procurement Regimes of International Organizations, in VV. AA., *Global Administrative Law (GAL): An Italian Perspective*, Firenze, RSCAS Publications, 2012

(with L. Torchia), *La responsabilità*, in S. Cassese (ed.), *Istituzioni di diritto amministrativo*, Milano: Giuffrè, 2015

Development Aid and the Europeanization of Public Procurement in Non-EU States, in M. Audit, S. Schill (eds.), *Transnational Law of Public Contracts*, Bruxelles: Bruylant, 2016

International Public Procurement, in S. Cassese (ed.), *Research Handbook on Global Administrative Law*, Northampton: Elgar Publishing, 2016

(with L. Carbonara) *Amministrazione e ambiente*, in L. Torchia (ed.), *La dinamica del diritto amministrativo*, Bologna: Il Mulino, 2017

c) Articles

La 'vita senza pareti' nello spazio giuridico globale (2007) 4 *Giornale di diritto amministrativo* 433

Giocare oltre lo Stato: il caso Antigua contro U.S.A. (2006) 9 *Giornale di diritto amministrativo* 1021

La via 'semplificata' verso il risarcimento: i confini di una conquista (2012) 2 *Giornale di diritto amministrativo* 167

Il nuovo project financing per gli impianti sportivi (2013) 3 *Munus. Rivista giuridica dei servizi pubblici* 497

Cosmopolitan Democracy or Administrative Rights? International Organizations as Public Contractors (2014) 3 *Cambridge Journal of International and Comparative Law* 1

Public Law and Solidarity. Italian National Report (2014) 26 *European Review of Public Law* 91

La responsabilità delle ASL per errore del medico (2015) 5 *Giornale di diritto amministrativo* 673

Autonomia dell'ordinamento sportivo e giudice amministrativo: profili critici di una ridefinizione degli equilibri (2017) 2 *Rivista di diritto sportivo* 409

Nuove frontiere per l'arbitrato negli appalti pubblici: una prospettiva comparata (2018) 1 *Munus. Rivista giuridica dei servizi pubblici* 423

Fuga dalla responsabilità: gli appalti delle istituzioni europee tra regole e prassi (2018) 2 *Giornale di diritto amministrativo* 161

(with G. Comporti), *Giudice penale e funzione amministrativa: i casi paradigmatici del governo del territorio e della tutela dell'ambiente* (2019) 1 *Rivista Trimestrale di Diritto Pubblico* 129

L'accesso del risparmio popolare al diretto e indiretto investimento azionario nei grandi complessi produttivi del Paese, in 'Rivista Trimestrale di Diritto Pubblico', 2021/1, forthcoming

d) Presentations and conference papers

Does the CDM need a Judge? Participation and Accountability in the Clean Development Mechanism, paper discussed in the ‘International Environmental Law’ course, Professor Richard B. Stewart, NYU School of Law, December 2007

Procurement Beyond the State. The UN Case, research under the supervision of prof. Richard B. Stewart, NYU School of Law, April 2008

Accountability and Its Enemies. An Analysis of U.N. Transitional Administrations in Kosovo, East Timor and Iraq, paper discussed in the ‘Constitutional Law of the United Nations’ course, Professor Thomas Franck, NYU School of Law, May 2008

Procurement Regimes of International Organizations, paper presented in the ‘Global Administrative Law (GAL): An Italian Perspective’ conference, Robert Schuman Center for Advanced Studies, European University Institute, 24 February 2012

International Organisations’ Procurement: A New Frontier for Global Public Law?, paper presented in the ‘Cambridge Journal of International and Comparative Law Third Annual Conference’ on ‘Stepping Away from the State: Universality and Cosmopolitanism in International and Comparative Law’, Cambridge, St. John’s College Divinity School, 10-11 May 2014

La legislazione regionale tra tutela del gioco e tutela del giocatore, presentation in ‘La legislazione territoriale in materia di gioco pubblico: Limiti e opportunità’ conference, Roma, Biblioteca della Camera dei Deputati, 21 May 2014

Giocare oltre lo Stato: opportunità e limiti della regolazione europea dei giochi e delle scommesse, presentation in ‘Legislazioni a confronti: I giochi in Italia e Grecia’ conference, Roma, Confcommercio, 11 June 2014

Procurement by International Organizations: From Public Authority to Administrative Rights?, paper discussed in the MPIL Forschungsseminar, Max Planck Institut for Public Comparative Law and International Law, Heidelberg, 30 October 2014

(with Andrea Averardi, Lorenzo Carbonara, Valerio Turchini), *Industria petrolifera e attività amministrativa*, research presented at the annual IRPA seminar, Sutri, 23-24 October 2015

Amministrare l’ambiente, research project presented and discussed during the Irpa seminar, Università di Roma Tre, Dipartimento di Giurisprudenza, 13 December 2016

Environmental Protection under Judicial Scrutiny, paper presented in the panel on *European and national courts in the promotion of EU policies: Judicial review and its shortcomings*, ICON-S conference on ‘Courts, Power, Public Law’, Copenhagen, 5-7 July 2017

Chair of panel *International Settlement Bodies and Judges: Rights, National Privileges and Law Principles. Looking for a balance*, ICON-S conference on ‘Courts, Power, Public Law’, Copenhagen, 5-7 July 2017

Democratization and international organizations: the case of EU and Romania, paper presented at the ICON-S conference on *Identity, Security, Democracy: Challenges for Public Law*, University of Hong Kong, 25-27 June 2018

Chair of the panel *Democracy after globalization* at the ICON-S conference on *Identity, Security, Democracy: Challenges for Public Law*, University of Hong Kong, 25-27 June 2018

Presentation and discussion of the book *Procurement by International Organizations* (CUP: 2019), University of Turin, 13 May 2019

The Power of the Purse: The Law of International Organizations Between Social Development and Economic Interests, paper to be presented in the panel *Developing International Law and Institutions*, ICON-S conference on Public Law in Times of Change?, Santiago de Chile, 1-3 July 2019

The Administrative State under Siege, lecture held at the ELGS Summer Intensive on Comparative Law & Global Governance, European Public Law Organization (EPLO), Capo Sunio, Greece, 25 July 2019

Taking Control Seriously. A Prolegomena for a Theory and Action Plan, seminar held at the NYU School of Law, New York, 23 October 2019

e) Reviews

M. Fortino (2009), *I danni ingiusti alla persona*, Padova, Cedam, in *Giornale di diritto amministrativo*, 2010

G. Silvestri (2009), *Dal potere ai principi. Libertà ed eguaglianza nel costituzionalismo contemporaneo*, Bari, Laterza, in *Giornale di diritto amministrativo*, 2010

Il diritto amministrativo del nuovo millennio, notizia in *Rivista trimestrale di diritto pubblico*, 2011

R. Caranta, M. Trybus (2010), *The Law of Green and Social Procurement in Europe*, Copenhagen, Djøf Publishing, in *Giornale di diritto amministrativo*, 2010

F. Mastragostino (2010), *La collaborazione pubblico-privato e l'ordinamento amministrativo: dinamiche e modelli di paternariato in base alle recenti riforme*, Torino, Giappichelli, in *Giornale di diritto amministrativo*, 2010

M. Andreis (2009), *Responsabilità della pubblica amministrazione: quale giurisdizione?*, in *Rivista trimestrale di diritto pubblico*, 2011

M. D'Alberti, A. Pajno (2009), *Arbitri dei mercati*, in *Rivista trimestrale di diritto pubblico*, 2014

M. Andreis, ed. (2011), *I contratti pubblici tra principi interni e vincoli sovranazionali*, in *Rivista trimestrale di diritto pubblico*, 2014

G. Cordero-Moss (ed.) (2011), *Boilerplate Clauses, International Commercial Contracts and the Applicable Law*, in *Rivista trimestrale di diritto pubblico*, 2014

G. Cordero-Moss (2014), *International Commercial Contracts*, in 'Rivista trimestrale di diritto pubblico', in *Rivista trimestrale di diritto pubblico*, 2014

U. Neergaard, C. Jacqueson, G. Skovgaard Ølykke ed. (2014), *Public Procurement Law: Limitations, Opportunities and Paradoxes*, in *Rivista trimestrale di diritto pubblico*, 2015

Diritto ed economia. XI ciclo di lezioni magistrali presso la Facoltà di giurisprudenza dell'Università Suor Orsola Benincasa di Napoli, notizia in 'Rivista trimestrale di diritto pubblico', in *Rivista trimestrale di diritto pubblico*, 2015

Requiem per la Magna Charta? Il nuovo Ministerial Code in Gran Bretagna, in *Rivista trimestrale di diritto pubblico*, 2016

2016 International Society of Public Law Conference. Borders, otherness and public law, in *Rivista trimestrale di diritto pubblico*, 2016

D. Kochenov, G. de Búrca, A. Williams, eds. (2015), *Europe's justice deficit?*, in *Rivista trimestrale di diritto pubblico*, 2016

La tutela dell'ambiente: scritti recenti, in *Giornale di diritto amministrativo*, 2017

Rome, 20 April 2020