

PERSONAL INFORMATION

Maria Giuliana Civinini

JOB APPLIED FOR
POSITION
PREFERRED JOB
STUDIES APPLIED FOR

WORK EXPERIENCE

From 08/01/2023 to present

Retired judge

From January 2020 to present

President of the CEPEJ-CYBERJST Working Group

From June 2023 to May 2024

Member of the Independent Evaluation Commission on the External Evaluation of Judges and Candidates for the position of Judge of The Supreme Court of Justice of the Republic of Moldova <https://vettingmd.eu/en>

From 19/03/1983 to 07/01/2023

Judge, member of the Italian Judiciary; since the 7th of August 2019 to the 7th of January 2023 President of the Tribunal (first instance court) of Pisa

Organisation: High Council for the Judiciary (CSM Consiglio Superiore della Magistratura)

Ministry of Justice: Via Arenula Roma - 0039(0)668851 www.giustizia.it

CSM Piazza Indipendenza 6 Roma - 0039(0)644491 www.csm.it

Duties and responsibilities:

I have been a member of the judiciary since 1983. I served as a judge in the field of civil law and labor law from 1984 to 1986 (Tribunale of Modena), in the fields of criminal law from 1986 to 1998, last five years in combination with civil and second-degree labor law functions (Pretura and Tribunale of Pistoia), before being named referendary councilwoman at the Supreme Court of Cassation in 1999. In this position I used to prepare studies for the "Sezioni Unite" (united sections) in complex affaires in the fields of procedural rules, jurisdictions law, labor law and international law.

In 2002 I was elected member of the High Council for the Judiciary (Consiglio Superiore della Magistratura – CSM, the self-governing body of the Italian judiciary), office I hold until July 2006.

From April 2008 to may 2011, I have been seconded in the CSDP Mission EULEX Kosovo in the position of **President of the Assembly of EULEX Judges.**

I was President of the Civil and Labor Chamber of the Tribunal of Livorno from May 2011 to December 2015, responsible for the management of both the civil (family, bankrupt, property, obligations, maritime law) and the labor branch of the Chamber that is composed by 12 professional judges and 9 lay judges.

I was President of the Criminal Chamber of the Tribunal of Livorno From January 2016 to January 2017, responsible for the management of the Pre-Trial and Trial Offices and sitting as President of panel and single judge.

I was **acting President of the Tribunal of Livorno from January to July 2017,** responsible for the management of the Tribunal and sitting as President of criminal panel.

From July 2017 to July 2019, I have been **Co-Agent of the Italian Government** in front of the European Court of Human Rights in Strasbourg, representing Italy in the cases pending in front of the Court and managing the execution of the EcTjHR in front of the Council of Minister in composition Human Rights (CMDH).

As President of the Tribunal of Pisa from August 2019 I'm responsible for the management of the court (25 judges plus 2 Presidents of Chamber; 130 supporting staff members); I sit in family cases.

For long I deal with **judicial training.** I started my work in judicial training in 1993 as teacher specialized in procedural rules and international law. Formerly I sat on the Scientific Committee of the High Council for the Judiciary (charged to elaborate and realize the annual continuous and initial training program) from 1996 to 2000 and lately as a member of CSM I continuously supervised the activity of the Judicial Training Commission, which I also chaired.

Main fields of my training activities are judicial organization; case and court management; digitalization; ethic and disciplinary; human rights; civil procedural law, family law and juvenile justice.

As member of the High Council of Judiciary I dealt with **evaluation of professionalism of judges and prosecutors and with disciplinary matters.** As President of Chamber and President of Tribunal, I have overseen the monitoring and evaluation of its members.

I am lively engaged in **women rights.** Member for four years of the Men and Women Equality Committee of the High Council for the Judiciary, I organized the research about *Equality in decisional positions in the judiciary in Italy, France, Spain and Rumania*, financed by the EU(2004)

Business or sector JUSTICE

WORK EXPERIENCE

From 17 July 2017 – 16 July 2019

CO-AGENT OF THE ITALIAN GOVERNMENT AT THE EUROPEAN COURT OF HUMAN RIGHTS AND LEGAL EXPERT**Organisation/department, place, and country:****OFFICE OF THE AGENT OF THE ITALIAN GOVERNMENT
PERMANENT REPRESENTATION OF ITALY TO THE COUNCIL OF EUROPE, STRASBOURG**

Name of supervisor and his/her email address:

Lorenzo D'Ascia, Agent of the Italian Government, Lorenzo.dascia@avvocaturastato.itMichele Giacomelli, Permanente Representative of Italy, michele.giacomelli@esteri.it**Duties and responsibilities:**

As Co-agent of the Government I represent Italy before the European Court of Human Rights; I prepare the individual requests that are communicated by the Court, I prepare the memoirs and observations on the fair satisfaction. I have dealt with numerous cases in the field of the right to family life, the right to a fair trial and the right to life. I represented Italy before the Grand Chamber in the Berlusconi v. Italy case.

As a legal expert, I contribute to the activities necessary for the execution of the sentences handed down by the Court against Italy, collaborating with the Secretariat of the Execution Service, preparing the action plans and presenting the Italian cases before the CMDH. I have dealt with cases of domestic violence, torture, detention conditions, protection of the health of prisoners, right to family and private life.

On 17 July 2019 I will reintegrate my judicial functions.

From April 2008 – 29 May 2011

PRESIDENT OF THE ASSEMBLY OF EULEX JUDGES and SUPREME COURT CRIMINAL JUDGE (rank II, 1)**Organisation/department, place and country:****CSDP MISSION EULEX KOSOVO, PRISTINA**

Name of supervisor and his/her email address:

SILVIO BONFIGLI Head of Justice Component silvio.bonfigli@giustizia.it

Duties and responsibilities:

I was a member of the Senior Staff of the Mission, President of the Assembly of EULEX Judges (that is a body aimed to grant the independence of EULEX Judges and responsible for the management of all issues related to the administration and to the work of Judges Unit), Judge at Supreme Court Level and Line Manager of Judges Unit. EULEX Judges have monitoring, mentoring and advising (MMA) functions and exercise executive/judicial functions in cases of serious crimes and property rights.

My main tasks were: - To chair the Assembly of EU Judges; - To direct and supervise the court management and the administrative activities related to EU Judges (that are deployed at the Supreme Court, Kosovo Property Agency Appeal Panel, Special Chamber at the Supreme Court for KTA related matters, District Courts); - To represent the EU judges in public and coordinate the public appearance of the EU judges; - To represent the Assembly of EU Judges in other bodies as foreseen in the applicable law; - To sit and decide in criminal and/or civil cases at the level of the Supreme Court of Kosovo. More specifically and based on the Operational Plan of the Mission and on the Law on Jurisdiction (Law No. 03/L-053), the main powers as President of the Assembly are the following: - to participate to selection panels (I started the selections on September 2007 preparing the first waves of deployment) and to appoint the other members of the panels (until may 2010); - to assign judges to a Court and to move them from a Court to another; - to propose to the Assembly the rules on case selection, cases allocation and composition of the panel; - to decide on the request of disqualification of an EULEX Judge; - to preside the Disciplinary Board and to appoint its other members; - to decide, at the end of a jurisdictional procedure, on the request of substitution of a local Judge with an EULEX Judge; - to establish modalities for cultural exchanges and sharing of best practices with the local colleagues and the judicial authorities; - to advice Head of Justice on general recommendations pertaining to the criminal policy. EULEX Kosovo is operational since the 9th of December 2008, when we started to exercise executive powers (judicial functions).

Since my deployment (5th of April 2008) until that date I have focused my activities on: organizational issues; definition of monitoring, mentoring, advising functions in a judiciary contest; building of an effective relationship with the local colleagues and judicial institution.

On the organizational point of view, I have: - established Rules on the functioning of the Assembly; - created the "tools box" for allowing judges to exercise properly the judicial functions (study, proposal and approval by the Assembly of the "Rules on case selection, case allocation and composition of the panels" for criminal Judges at DC level, civil Judges at DC level, Supreme Court Judges; extension of the Case Management System to EULEX Judges cases); - organized the 8 Court Team under my responsibility (Guide Lines on Court Management and Court Administration; revision of UNMIK practices) included Mitrovica; - handed over around 200 case-files from UNMIK, related to the gravest war crimes, crimes against humanity, organized crimes, murders and causing general dangers in occasion of the riots of 2004 and 2008; organized the Judges Unit webpage on EULEX website (where is possible to find the agenda and the deliberations of the Assembly, the scheduled hearings, the decisions).

I had professional relations with the main international stakeholders present in Kosovo, like UNMIK, ECLO (collaboration in establishing IPA Projects), CoE (training for local and international Judges), OSCE (monitor of the judicial system), ICO (property rights) and NGO engaged in human right, children and women rights protection.

On the judicial plan, I was criminal judge at Supreme Court level and I have been Presiding Judge in some of the more serious cases of war crimes, organized crime, terrorism of the last years.

Business or sector JUSTICE

WORK EXPERIENCE

From 1993 to PRESENT

PROFESSIONAL TRAINING AND EXPERT ACTIVITIES

Engaged in judicial training activities since 1993 in addition to the judicial functions:

1993 - 1996: trainer as teacher specialized in procedural rules and international law **in initial and continuous training organized by the CSM for judges**

October 1996 – May 2000 Member of the Scientific Committee (a pedagogic body composed by 6 judges/prosecutors and 4 law professors, appointed by the CSM), technical structure of the **CSM - High Council for the Judiciary**, in charge of :

- A) preparing annual continuous training programme and curricula for young judges
- B) organizing and delivering **the annual continuous and initial training program** under the supervision of the Training Commission of the Council, to judges and prosecutors, young magistrates (around 11.000 people) on various topics based on CSM's training curricula for young magistrates and on the main matters that are the object of judicial activity (the annual programme of continuous training contains 2 parts: a part that contains the classics of civil and criminal law and procedural law and a section on the new legislation and case law, to matters that are treated cyclically. International law and treaties and human rights are matters dealt with across the board in all courses. Specific training activities are dedicated to magistrates in decisional position and to specialised judges and prosecutors (i.e. Juvenile, family, organised crime ...). The annual programme for continuous training delivered 60 to 80 training actions (of 3 to 5 days) each year; the initial training programme is an intensive programme with long residential training periods alternate with period in court
- C) preparing training materials and publications of the outcomes of the training actions
- D) developing training innovative modules and methodologies
- E) evaluation of the results of the training

Management position - Chair (July 2002 - July 2003) Deputy (August 2003 - July 2004) and Member (August 2004 - July 2005) of the CSM Training Commission:

1. Chaired and continuously supervised the activity of the **Judicial Training Commission**.
2. Proposed the adoption of guide lines on training, training programmes, training the trainers projects to the General Assembly of the CSM;
3. As expert in Court Management and Cases Management, responsible for organising training actions for Heads/Presidents of Court and Presidents of Chamber in 2002-2005;

(July 2002 – 2005) **Representative of CSM in the European Judicial Training Network** and Contact point for the **Judges Exchange European programme** 2004-2005; in 2005 two week stage in the Ecole Nationale de la Magistrature (Paris, Bordeaux) to study the organization of the school in the view of the establishment of a school as autonomous body in Italy

(May 2007 – March 2008) **Trainer for the judges of the Court of Cassation, as part of the decentralized training structure of the CSM (the Court of Cassation and each Court of Appeal is part of a training network), organizing and delivering training to the judges of the Court of Cassation, dealing with difficult issue like defining training needs of high court's judges and finding proper delivering methods**

Organised many training actions financed by EU (JIA, civil and criminal cooperation) and implemented by the CSM, acquiring big experience in international **projects management and EU budget**:

More specifically, as training expert of the CSM I worked in the framework of the institutional and organizational competences of the Council in drafting projects proposal to be submitted to the EC (on the content point of view but also taking in consideration the EU budgetary rules and designing the budget of the training actions), drafting analytical training actions (once obtained the funds), delivering the training as coordinator of the funded training actions.

Among others, I can remember my participation at management level in the following projects:

- Shuman project, 1996-1997: training action on civil and criminal cooperation, Brussels Convention, environmental European law: a 2 days course in each of the 25 Italian Courts of Appeal
- Decentralized dissemination phase (at Court of Appeal level) of Community action in the field of fight against discrimination: *Fight Against Discrimination. The Race and Framework Employment Directives*, 19 – 21 April 2004
- Training of national judges in EU competition law (2003 - 2004)
- Annual programmes Grotius on EAW
- Fight Against Discrimination. The Race and Framework Employment Directives
- Various training actions on Brussels Regulation

2011 – present: trainer as teacher in procedural rules, court management, case management, family law, ethic, digitalization; since November 2022 expert for the organization and management of the training for the Heads of Courts and for candidates to these positions.

Delivered training and lectures at national and international level in Italian, English and French in judicial training institutes and at university level.

As expert, I assisted the **Consultative Council of European Judges** – a body of the Council of Europe - in drafting the Opinion on the quality of judicial decision and the Opinion on specialization of Judges.

[https://wcd.coe.int/ViewDoc.jsp?Ref=CCJE\(2008\)OP11&Language=lanEnglish&Ver=original&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864](https://wcd.coe.int/ViewDoc.jsp?Ref=CCJE(2008)OP11&Language=lanEnglish&Ver=original&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864)

[https://wcd.coe.int/ViewDoc.jsp?Ref=CCJE\(2012\)4&Language=lanEnglish&Ver=original&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864](https://wcd.coe.int/ViewDoc.jsp?Ref=CCJE(2012)4&Language=lanEnglish&Ver=original&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864)

Expert on organization and management for the **SCHOOL OF MAGISTRATES OF COLOMBIA** (by video-conference), 2007-2008

OSCE Expert for Evaluation of performances of Serbian Prosecutors, 2013

Expert for European Judicial Training Network (EJTN); Training the Trainers in EU civil justice cooperation - European Civil Forum - First edition - Programme funded by the European Commission. 2008 - 11/2010; **AI and justice** (2022)

Experts for the Romanian National Institute of Magistracy's project: "Practical exercises in implementing the judicial cooperation instruments in civil and commercial matters" (May – November 2014)

SENIOR EXPERT IN EU FUNDED PROJECT ON SUPPORTING KOSOVO JUDICIAL COUNCIL AND KOSOVO PROSECUTORIAL COUNCIL - PERFORMANCE EVALUATION OF PROSECUTORS – (2013-2014; 2015 - 2016)

KEY EXPERT IN EU FUNDED TWINNING PROJECT ON SUPPORTING THE HIGH INSTITUTE FOR THE JUDICIARY OF TUNISIA (2016 - 2017)

KEY EXPERT IN EU FUNDED TWINNING PROJECT ON SUPPORTING THE KOSOVO JUDICIAL COUNCIL AND KOSOVO PROSECUTORIAL COUNCIL (2016)

TAIEX EXPERT on supporting the Bosnia and Herzegovina High Judicial and Prosecutorial Council (2016, 2019, 2022), Albania Vetting Institution (2019, 2023), Kosovo Judicial and Prosecutorial Councils (2023), Mongolia Judicial Council and Supreme Court (2023)

PRESIDENT OF THE CEPEJ-WG-CYBERJUST (2020-present

<https://www.coe.int/en/web/cepej/cepej-working-group-cyber-just>

MEMBER OF THE BOARD OF THE LEGAL REVIEW QUESTIONE GIUSTIZIA AND CO-RESPONSIBLE FOR THE LEGAL REVIEW ONLINE VERSION

Alumni of European Security and Defence College: High Level Course 2010 – 2011; Orientation Course Chisinau 2018

Business or sector JUSTICE

EDUCATION AND TRAINING

01/11/1976 Law School Florence – Doctor's Degree

Field of Study: Civil, labour, public, criminal, international, European law

PERSONAL SKILLS

Mother tongue(s) ITALIAN

Other language(s)	UNDERSTANDING		SPEAKING		WRITING
	Listening	Reading	Spoken interaction	Spoken production	
ENGLISH	C2	C2	C2	C2	C2
Replace with name of language certificate. Enter level if known.					
FRENCH	C2	C2	C2	C2	C2
DELF/DALF					

Communication skills : very good communication skills gained through my experience as Judge, speaker, chair in conferences, management activities, mediation skills

Organisational / managerial skills ▪ leadership (when EULEX Chief Judge responsible for 40 European judges and around 100 administrative and support staff; responsible for a team of 12 judges + administrative staff;; as President of Pisa Tribunal I was responsible for a team of 28 judges and 130 staff members

Computer skills ▪ Very good command of Microsoft Office tools, e-mail, case management systems, web research
▪ Very good knowledge of Apple tools
▪ I'm using IT since 1988 in my daily job.
▪ Very good knowledge of Case Management Systems

Other skills analytical and research skills and commitment to learn quickly new laws and to handle new and unique legal problems.

Driving licence ▪ B

ADDITIONAL INFORMATION

Publications

BOOKS

I procedimenti in camera di consiglio, Torino (UTET), 1994, 2 Volumi

Il riconoscimento delle sentenze straniere (artt. 64-67 L.N. 218/1995), Milano, 2001

COLLECTIVES BOOKS

- Il nuovo articolo 111 della Costituzione e il "giusto processo civile", in CIVININI, VERARDI (eds), Il nuovo articolo 111 della Costituzione e il giusto processo civile, Milano, 2001
- L'efficacia delle sentenze straniere, in IEVA (eds), La condizione di reciprocità. La riforma del sistema italiano di diritto internazionale privato. Aspetti di interesse notarile, Milano, 2001, 381 - 456
- Controriforme, giudici e diritti sociali, in PEPINO (eds), Attacco ai diritti, Bari (Laterza), 2003, 16 - 30
- La justice italienne face aux défis de la modernisation de son administration et de sa gestion, in CABOUAT (cordonné par),
- L'administration de la justice en Europe et l'évaluation de sa qualité, Paris, 2005, 417 – 425
- La Corte di Strasburgo, Questione Giustizia digital edition and Key editor paper edition, 2019, CIVININI and BUFFA (eds); CIVININI, L'agente del Governo nel sistema convenzionale; Id. Il valore del precedente nel sistema convenzionale; Id., Indipendenza e imparzialità dei magistrati
- (coordinatrice con altri) Il diritto Europeo e il giudice nazionale, Scuola Superiore della Magistratura, 2023

ARTICLES (out of around 140 articles)

Sul confine tra etica e disciplina. Note a margine del caso Sinatra; [Questione Giustizia, 2023](#); Il ruolo della Scuola superiore della magistratura e della formazione iniziale nel "nuovo" ordinamento giudiziario, [Questione Giustizia 2022](#); Il "nuovo ufficio per il processo" tra riforma della giustizia e PNRR. Che sia la volta buona!, [Questione Giustizia 2021](#); Turchia: l'indipendenza di avvocati e magistrati tra diritto e potere. Ricordando Ebru Timtik, [Questione Giustizia, 2021](#); Giustizia civile: bilancio della pandemia e idee per il futuro prossimo, [Questione Giustizia, 2021](#); Emergenza sanitaria. Dubbi di costituzionalità di un giudice e di un avvocato (con G.Scarselli), [Questione Giustizia, 2020](#); Per la chiarezza delle idee sul problema dei flussi migratori (with PROTO PISANI) [Questione Giustizia on-line, 26/07/2018](#); ICTY, la lettera del giudice Hahrhooff svela i problemi della giustizia internazionale, [Questione Giustizia on-line 17/07/2013](#); Un decalogo per la ragionevole durata del processo civile QG on-line 3/4/2014; Valutazioni di professionalità di giudici e pubblici ministeri nel prisma della comparazione e degli standard europei, In [QUESTIONE GIUSTIZIA, 2013](#); Selezione e valutazione dei "Semidirettivi", in [QUESTIONE GIUSTIZIA, 2013](#); Le modèle italien d'administration de la justice, *Revue française d'administration publique*, n. 125, 2008, pp. 81 ss Mediazione e giurisdizione, *RIV. TRIM. DIRITTO E PROCEDURA CIVILE*, 2007 Le statut du magistrat italien, *REVUE INTERNATIONALE DE DROIT COMPARE'*, 2007, fasc. 1 Civinini M.G., Proto Pisani A., Salmè G., Scarselli G., La riforma dell'ordinamento giudiziario tra il ministro Castelli e il ministro Mastella. *IL FORO ITALIANO*, anno 2007 fasc. 1 parte 5 pag. 12 Civinini Maria Giuliana, Tricomi Irene, Le Pari Opportunità in magistratura, *LAVORO E DIRITTO* (Il Mulino), ANNO 2006 FASC. 4 PAG. 539 Civinini MG, G. Leo, P.G. Morosini, Proffiti, R. Sabato, Idee per l'istituzione di una scuola della magistratura, *FORO IT.*, 2005, V, 212 La formazione dei magistrati: bilanci e prospettive, [QUESTIONE GIUSTIZIA](#), anno 2004, fasc. 5, pag. 879 ss. L'uguaglianza di genere nell'amministrazione della giustizia, in *L'altra metà della magistratura*, *Magistratura Democratica*, n. 32/2004 Civinini M.G., Sanlorenzo R., *L'altra metà della magistratura*, [QUESTIONE GIUSTIZIA](#), anno 2003, fasc. 5, pag. 926 ss. La giustizia in Italia e il ruolo del Consiglio Superiore della Magistratura, *GIURISPRUDENZA ITALIANA*, anno 2003 fasc. 5 pag. 1060-1063 Sul diritto alla ragionevole durata del processo: prime applicazioni della c.d. legge Pinto *IL FORO ITALIANO*, 2002, fasc. 1 (gennaio), pt. 1, pag. 232- 237 La formazione dei magistrati nel disegno di legge delega di riforma dell'ordinamento giudiziario, [QUESTIONE GIUSTIZIA](#), anno 2002 fasc. 4 pag. 822 I nodi irrisolti della formazione dei magistrati, [QUESTIONE GIUSTIZIA](#), anno 2002 fasc. 1 pag. 0161-0175 Quale futuro per la Giustizia civile?, *IL FORO ITALIANO*, anno 2002 fasc. 02 parte 05 sez. 00 pag. 0030 Cipriani Franco, Civinini Maria Giuliana, Proto Pisani Andrea, Una strategia per la giustizia civile nella XIV legislatura, *IL FORO ITALIANO*, anno 2001 fasc. 4 parte 5 pag. 0081-0084 Il nuovo art. 375 c.p.c.: il diritto ad un processo in tempi ragionevoli in Cassazione, *IL FORO ITALIANO*, 2001, fasc. 6 (giugno), pt. 5 pag. 150- 162 Verso un processo senza giudice? (ovvero, la durata dei processi e il ruolo del giudice civile, [QUESTIONE GIUSTIZIA](#), anno 2001 fasc. 4 pag. 631; La specializzazione del giudice, [QUESTIONE GIUSTIZIA](#), anno 2000 fasc. 4 pag. 0605-0628 Poteri del giudice e poteri delle parti nel processo ordinario di cognizione. Rilievo officioso delle questioni e contraddittorio, *IL FORO ITALIANO* anno 1999 fasc. 01 parte 05 sez. 00 pag. 0001 La crisi di effettività della giustizia civile in Europa, [QUESTIONE GIUSTIZIA](#), 1999, fasc. (aprile), pag. 325-334 L'esperienza della formazione permanente del CSM, [DOCUMENTI GIUSTIZIA](#), fasc. n. 12 Dicembre 1997