

# ELENA MILITELLO

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## 1. BIOGRAPHY

**Elena Militello**, Ph.D., is a Visiting Scholar at the Minda de Gunzburg Center for European Studies at Harvard for the 2022/2023 Academic Year.

Her postdoctoral research focuses on **comparative criminal justice systems, plea bargaining, and restorative justice** issues.

Since 2020, she has been a researcher and faculty member in comparative criminal procedure at the University of Messina, Sicily. She holds a Combined Bachelor's and master's degree in law from Bocconi University in Milan and a **Ph.D. in Law and Humanities** from the University of Insubria in Como, as well as being admitted to practice law as an attorney at the Milan Bar.

Before coming back to her home region of Sicily for the two pandemic years, she spent several research periods abroad, in the United States (George Washington University Law School, Loyola Marymount Law School), Germany (*Max Planck Institut* for the Study of Crime, Security and Law in Freiburg) and Luxembourg (*Faculté de Droit, d'Économie et de Finance* at the University of Luxembourg), while experiencing legal practice in several countries (Clifford Chance LLP, Criminal Courthouse in Palermo, Permanent Mission of Italy to the United Nations in New York City, Project for the Innocent legal clinic at Loyola Marymount University).

She is also the Founder and President of **South Working**<sup>®</sup>, a not-for-profit widely known Italian association that aims to improve cohesion and bridge the current economic, social, and territorial gaps affecting Southern Italy and Italian inner areas. The project studies remote working and its pros and cons; assists workers who want to work from coworking spaces; and advocates for policy proposals in this field. The long-term goal is to stimulate the economy of the Southern regions of Italy, increase territorial cohesion between the various regions and the broader continent, and create a fertile ground for innovation and growth in less developed regions.

She speaks Italian, English, French, German, and Spanish fluently while currently learning Portuguese. She is passionate about linguistics, innovative teaching methods, restorative justice, and sustainability.

## 2. LEGAL ACADEMIC EXPERIENCE

- **Minda de Gunzburg Center for European Studies at Harvard** Since Sep. 2022  
Visiting Scholar  
<https://ces.fas.harvard.edu/people/elena-militello>
- **University of Messina, Italy** Since Nov. 2020  
Researcher and Faculty Member  
2022/2023 classes of Criminal Procedure in the Bachelor in Law (LL.B.) for experts in Public Administration and of Prison Law and Evidence in Criminal Proceedings Procedure in the Combined Bachelor and Master Degree in Law (LL.B. and LL.M.) (Adjunct Professor).  
2020/2021 and 2021/2022 classes of Criminal Procedure in the Bachelor in Law (LL.B.) for experts in Public Administration, Private Investigations and Business Lawyers (Adjunct Professor).  
2020/2021 class of Criminal Procedure in the Combined Bachelor and Master Degree in Law (LL.B. and LL.M.) as a Teaching Assistant to Prof. Stefano Ruggeri, Full Professor.  
Thesis sole supervisor for ten students of the Bachelor in Law.  
Member of the Ph.D. Committee.  
Member of the Committee on the assessment of students' ICT competences.
- **University of Luxembourg, Luxembourg City** Jan.-Jun. 2020  
Research and Development Specialist  
Research assistant to Prof. Silvia Allegrezza, Associate Professor of Criminal Law and Procedure and director of the Master in European Economic and Financial Criminal Law.  
Participation in a EU Project on rewarding measures for terrorists (Project FIGHTER).

Thesis supervisor for students of the LL.M. in European Economic and Financial Criminal law.

- **Bocconi University, Milan**  
Teaching assistant to Prof. Massimo Ceresa-Gastaldo, Full Professor in Criminal Procedure Since Oct. 2015  
Academic fellow Since Sep. 2018  
Since Oct. 2016
- **Università degli Studi dell’Insubria, Como/Varese**  
Teaching assistant to Prof. Francesca Ruggieri, Full Professor in Criminal Procedure, and Prof. Stefano Marcolini, Assistant Professor in Criminal Procedure, as well as Prof. Grazia Mannozi, Full Professor in Criminal Law and Restorative Justice.  
Research work and support for the examinations in all the classes of Criminal Procedure.

### 3. LEGAL PRACTICE EXPERIENCE

- **Admitted to the Italian bar as a lawyer** (*abilitata all’esercizio della professione di avvocato*) in Milan. Oct. 2019
- **Tribunale di Sorveglianza, Palermo** Oct. 2019 – Jul. 2020  
**Judicial clerk** at the **Criminal Courthouse** in Palermo (remotely since Jan. 2020), assisting a judge in parole and prison-related hearings.  
Legal writing, preparing the cases before hearings and drafting the text of the judgments.
- **Project for the Innocent, Loyola Law School, Los Angeles** Apr. – May 2018  
Investigation of cases eligible for *habeas corpus* petitions to secure exonerations of wrongly convicted inmates.
- **Clifford Chance LLP, Milan** Jun. – Dec. 2016  
**Legal Trainee** - Litigation Department - Regulatory Enforcement and Financial Crimes Group  
White-collar crimes, specifically financial crimes and market manipulation; transnational and EU criminal law.
- **Permanent Mission of Italy to the United Nations, New York City** Feb. – May 2015  
**Intern**  
Researched and wrote memos on meetings (SC, ECOSOC, GA), as well as presentations, memos and speeches for UN conferences on legal issues on behalf of the Mission (e.g. International Criminal Court Assembly of State Parties to the Rome Statute).
- **Matera Bonaccorsi Hein & Partner Law Firm, Milan** Sep. – Dec. 2014;  
Law Firm specialized in Business, Private International, Civil, and Bankruptcy Law. Oct. 2015 – May 2016  
**Legal Trainee** in the German Desk: Judicial and extra-judicial activities.

### 4. PUBLIC POLICY EXPERIENCE

- **Founder and project leader** of the **South Working** project (since Mar. 2020) **and President** of the national non-profit association (since Aug. 2020) “**South Working – Lavorare dal Sud**”. Since Mar. 2020  
In collaboration with Global Shapers Palermo Hub and Fondazione Con il Sud: >62.000 EUR raised in funding for the project, with a 1-year project employing five people in Palermo.  
Aim: strengthening of the economic and social cohesion in the EU by correcting imbalances between its regions through the promotion of telecommuting, agile methodologies and coworking spaces as “community hubs” from Europe’s Southern countries and, in particular, Italy’s Southern regions and internal areas.  
Areas of intervention: advocacy and positive lobbying (e.g. introduction of amendments to the laws on remote working); research center (e.g. publication of a collective book on the phenomenon); creation of social innovation networks (e.g. South Working network, including all stakeholders, coworking spaces, employers and South Workers).  
Partnerships: Ministry for Southern Italy and Cohesion, regional governments, local municipalities, universities and research centers (e.g. SVIMEZ), corporations and civil society.  
Useful links: Website; Facebook page; LinkedIn page; selected press.
- **Orizzonte Italia Project** Since Jul. 2020  
Responsible for the laboratory on territorial cohesion “A more cohesive country”: territorial inequalities, Southern Italy, social cohesion, sustainable development.

- **Progetto RENA, Matera (MT), Italy:** network of young professionals developing public policies. Since Oct. 2020  
Participation in the 2020 Summer School in Public Policy: “Imagining the cure”; organization of the 2021 Summer School in Public Policy: “Inhabiting distances”.
- **Talent Garden - Next Generation: The Italian Innovation Society** Jul.-Oct. 2020  
Co-coordinator of a working group to collect best practices to bring to the table to draft proposals for the use of the European Union’s Recovery Fund.
- **Working group on policy proposals for EU Recovery Fund** Oct.-Dec. 2020  
Member of a working group of six researchers selected by the Chief of Staff of the President of the Council of Ministers of the Italian Government to present proposals to the President of the Council of Ministers for the use of the European Union’s Recovery Fund on behalf of young highly qualified Italians with an experience as expats.

## 5. EDUCATION

- **Università degli Studi dell’Insubria, Como** 2016 – 2020  
**Ph.D.** in Law and Humanities, Comparative and European Criminal Procedure (full scholarship).  
Academic Supervisor: Prof. Francesca Ruggieri, Full Professor in Criminal Procedure.  
Title of the thesis: “A comparative account of criminal investigations on corporate liability. Unraveling procedural safeguards granted in Italy and in the United States” (in English).  
Title awarded on May 4, 2020, *cum laude* and the additional mention of *Doctor Europaeus*.  
Visiting Scholar Experiences:
  1. **Université du Luxembourg**, Luxembourg, Prof. Silvia Allegrezza Mar.-Jun. 2019
  2. **Max Planck Institute for comparative und international criminal law** Aug. 2017  
(now MPI for the Study of Crime, Security and Law), Freiburg im Breisgau Aug.‘18–Feb.‘19
  3. **Loyola Law School**, Los Angeles, Prof. Laurie Levenson Spring 2018  
Audited four courses: Criminal Procedure, Advanced Criminal Law; Cyber and Intellectual Property Crimes, Cyber Forensics.
- **Università Commerciale Luigi Bocconi, Milan** 2010 – 2015  
Combined Bachelor and Master of Science Degree in Law (LL.B. and LL.M.)  
Final grade: 110/110 *cum laude*. GPA: 29,6/30.  
Master’s thesis: Comparative analysis of the legal systems of the United States, Italy, Germany and the United Kingdom. “Interceptions and subversive crimes: a comparative analysis” (in Italian) (Sep. 2014 – Oct. 2015)  
Research stays: New York University Law Library (Feb.-Apr. 2015), George Washington University Law Library (Mar. 2015), Max Planck Institut für ausländisches und internationales Strafrecht in Freiburg i. Br., Germany (Aug.-Sept. 2015).  
Executive editor (2014-2015) and editor (2013-2014) of the student-edited law review Bocconi Legal Papers.  
Member of the Boards of the Bocconi International Law Society and of the Milan Model UN Club.  
**The George Washington University Law School**, Washington, DC Fall 2013  
Exchange Program: study abroad semester. GPA: 3.51 (A, percentile 90-91).  
Member of the Human Rights Law Society and International Affairs Society.  
Six courses of the General LL.M. Program: Antitrust Law, International Trade Law, Public International Law, National Security Law, Fundamental Issues of US Law, Legal Research & Writing.

## 6. INTERNATIONAL LEGAL CONFERENCES (AS A SPEAKER)

- **Roundtable on the Justice Reform of Minister Cartabia**, Ph.D. School of Modena and Reggio Emilia, 21 April 2022. Speech: “Which role for the trial stage in the new reform?”, 21 April 2022. Apr. 2022

- **FIGHTER Project Intermediate Conference (online due to Covid-19 restrictions)** Jul. 2020  
 Speech: “Comparative approach to criminal procedure aspects – Preliminary findings” on behalf of the Luxembourg research unit (prof. Silvia Allegrezza) of the European research project “**FIGHTER** - Fight Against International Terrorism. Discovering European Models of Rewarding Measures to Prevent Terrorism”, within the JUST Criminal justice program (GA N.: 831637), led by UNIMORE (prof. Massimo Donini); 8 July 2020.
  - **“Can we afford our Constitutions? The justifications for plea bargaining through comparative lenses.”** May 2019  
 Paper presented at the conferences:
 
    - 8th Annual Conference of the Younger Comparativists Committee (YCC) of the American Society of Comparative Law, **McGill University** in Montreal, Canada, on May 10-11, 2019;
    - “Amending America’s Unwritten Constitution”, **Boston College**, in Boston, MA, on May 16-17, 2019.
  - **“Corporate victimization and the use of compliance resources in corporate prosecutions: reconsidering the role of corporate self-reports”**, together with Prof. Eduardo Saad-Diniz (University of São Paulo, Brazil). Participation in a conference on “Comparative corporate criminal liability: seeking pluralism in a paternalistic world” (Panel: “The role of the private sector”), organized by prof. W.S. Laufer at the Wharton School of **University of Pennsylvania** (Philadelphia, USA) Feb. 2019
  - **“Restorative Justice and Hate Crimes”** Nov. 2018  
 Paper presented at the International Conference “Restorative Approach and Social Innovation: From Theoretical Grounds to Sustainable Practices” (7-8 November 2018 at the University of **Padua**, Italy).
- 6. SELECTED PUBLIC POLICY CONFERENCES (AS A SPEAKER)**
- **“Learning to choose: the new law on Double Degrees, the new training opportunities, the importance of orientation”** May 2022  
*“Imparare a scegliere: la legge sulla Doppia laurea, le nuove opportunità di formazione, l'importanza dell'orientamento”* conference, Aula Magna del Rettorato, Sapienza University, Rome, 26 May 2022, with the Ministers for technological innovation and digital transition, for University, for Education, as well as six Parliamentary lawmakers. Participation in the “New Orientation Paths” panel, chaired by Financial Times journalist Silvia Sciorilli Borrelli, with Minister for Education Patrizio Bianchi, writer Francesca Cavallo (“*Good night stories for rebel girls*”), and Antonio Perdichizzi, President of Junior Achievement Italy.
  - **“Let’s Unite Italy”** Dec. 2021  
*“Uniamo l’Italia”*, conference organized by the Minister for South and Cohesion, Mara Carfagna, to discuss the use of the EU Cohesion and Social Fund, with the participation of stakeholders, the Economy Minister Daniele Franco, the Presidents of Regions and the representatives of municipalities. Participation in the “Digitalisation” panel, chaired by MEP Antonio Palmieri, with AGID, TIM, Vodafone, Wind-Tre, Fastweb, Open Fiber, Istituto Italiano di tecnologia, Netgroup, The Smart City Association Italy, Fondazione Italia Digitale, Junior Achievement Italia. 10 December 2021.
  - **“The new geographies of work: from home, near work and beyond”** Dec. 2021  
 OECD Forum’s event chaired by Anthony Gooch, Director of OECD Forum; together with Kyriakos Pierrakakis, Greek Minister for State and Digital Governance, Lamia Kamal-Chaoui, Director of OECD’s Centre for Entrepreneurship, SMEs, Regions and Cities, Diane Thornhill, HR Director for UK, Europe, Middle East and Asia, ARUP, and Lauri Haav, Managing Director of the Estonian e-Residency Program, 8 December 2021.
  - **“South Working: attracting energies, reducing territorial gaps”** Jun. 2021  
 TEDxCataniaStudio, “*South Working: attrarre energie, ridurre i divari territoriali?*”.

- **“Stronger together: Working with young people in Europe”** May 2021  
 Policy dialogue organized by the British Council on the hopes, fears and aspirations of young people in five countries in Europe, based on their Next Generation reports, with a discussion among Fabiana Dadone, Italian Minister of Youth, Thomas Matthew, European Youth Forum, policy experts, lawmakers and three “young leaders” (Robyn Stewart from UK, Michal Jedrzejczak from Poland, and Elena Militello from Italy), 26 May 2021.
- **“Urbanism+New Work”** May 2021  
 Conference organized by the University of Hannover, with Severine Marguin, sociologist at Technical University of Berlin, within the cycle of dialogues “New Bauhaus City”, 4 May 2021.
- **“South: Projects to start again”** Mar. 2021  
 “SUD - progetti per ripartire”, conference organized by the Minister for South and Cohesion, Mara Carfagna, to discuss the use of the EU Recovery Fund, opened by the President of the Ministers’ Council Mario Draghi, and with the involvement of different stakeholders. Participation in the panel “Digital Innovation”, chaired by MEP Lello Vitiello. 23 March 2021.
- **“Collaboration agreements and community hubs”** Feb. 2021  
 “Patti di collaborazione e presidi di comunità” – Chairing the meeting co-organized with “LABSUS – Laboratorio per la Sussidiarietà”, an organization within the Roma Tre University, with three members of the organization and South Working’s Vice-President. 3 February 2021.
- **“Presentazione dell’iniziativa South Working - Lavorare dal Sud”** Nov. 2020  
 Presenting the South Working project with its funding partner, Fondazione Con il Sud, with Carlo Borgomeo (president of *Fondazione Con il Sud*), Mario Mirabile (vicepresident and cofounder of South Working – Lavorare dal Sud), Giorgio Righetti (General Director of *ACRI-Associazione di Fondazioni e Casse di Risparmio*), Domenico De Masi (full professor of sociology). 12 November 2020.

## 7. GUEST LECTURER

- Cambridge (USA) – Massachusetts Institute of Technology (MIT) – Department of Urban Studies and Planning (DUSP); 11.338 Urban Design Studio: Smart Villages of Italy – Prof. Brent Ryan – Lecture on “South Working” Sep. 16, 2022
- Pettorano sul Gizio (Italy) – MIT Italy - Summer '22 Global Classroom: Rebuilding the Edge – Liminal LAB - Lecture on “South Working: the idea and the project’s development 2020-2022” Jun. 14, 2022

## 8. MEMBERSHIPS

- *Association internationale de droit pénal* (AIDP) (since 2018);
- European Forum for Restorative Justice (EFRJ) (since 2018);
- Global Shapers – World Economic Forum (since 2019);
- RENA (since 2020);
- AISRE: Italian Association for Regional Studies (since 2021);
- Liminal: network of young international professionals providing support and guidance in reshaping struggling rural territories dotted with small cities and towns (since 2021).

## 9. LANGUAGES

Native in Italian. Fluent in English, French and German. Good knowledge of Spanish. Currently learning Portuguese.

## LIST OF PUBLICATIONS

### A. BOOK

- E. MILITELLO, *Criminal investigations on corporate liability. A comparative account on Italy and the United States*, Pacini, 2020.

### B. EDITED BOOK

- E. MILITELLO, M. MIRABILE (EDS.), *South Working. Per un future sostenibile del lavoro agile in Italia*, Donzelli, 2022.

### C. ARTICLES IN SCIENTIFIC JOURNALS REVIEWS:

- “Which Determinants for South Working? A New Development Proposal for the South, Inner Areas and the Country?” July 2022  
D. DI MATTEO, R. LA REGINA, I. MARIOTTI, E. MILITELLO, *Quali determinanti per il South Working?. una nuova proposta nuova di sviluppo per il Sud, le aree interne e il Paese*, in *Rivista Economica del Mezzogiorno*, Special issue “Mercato del lavoro e Mezzogiorno”, 2022.
- “Sexual assault and State repression’s effectiveness: a warning from the ECtHR on the duty to effectively protect victims and avoid de facto impunity” May 2021  
E. MILITELLO, *Violenza sessuale ed efficacia della repressione statale: dalla Corte EDU un monito agli Stati sull’obbligo di tutelare efficacemente le vittime ed evitare l’impunità de facto*, in *Foro italiano*, 21.05.2021, available online: [www.foroitaliano.it](http://www.foroitaliano.it).
- “Creating specialized judges: The case of drug courts in the United States” May 2018  
E. MILITELLO, “L’istituzione di giudici specializzati nell’esperienza delle *drug court* statunitensi”, in *Cassazione penale*, 5/2018, pp. 1779-1792.
- “Recent Immigration Executive Orders and their justiciability in the US federal system” Jun. 2017  
E. MILITELLO, “I recenti executive order in materia di immigrazione nella gerarchia delle fonti del sistema federale statunitense”, in *Cassazione Penale*, 6/2017, pp. 2489-2510.
- “Recent developments in the field of European Criminal Law” Apr. 2017  
E. MILITELLO, “Recenti novità in tema di diritto penale europeo”, in *Cassazione Penale*, 4/2017.
- MILITELLO, E. (2017). Book review: La giustizia riparativa. Formanti, parole e metodi. *Newsletter of the European Forum for Restorative Justice* 18(1):8. Review of LODIGIANI, G. A., MANNOZZI, G., *La Giustizia riparativa: Formanti, parole e metodi*, Giappichelli, 2017. Mar. 2017
- F. RUGGIERI, E. MILITELLO, “Chronicle of 2016 EU law developments with criminal law and procedure implications” in *e-Revue Internationale de Droit Pénal*, 2017. Jan. 2017
- “Limits to the secrecy of communication with regard to the prevention of terrorism crimes in the US” Dec. 2016  
E. MILITELLO, “Limiti alla segretezza delle comunicazioni e prevenzione dei reati di terrorismo nell’ordinamento federale statunitense”, in *L’Indice Penale*, 2/2017, 624-651.

### D. BOOK CHAPTERS:

- E. MILITELLO, *Which role for the trial stage in the new criminal justice reform?*, in *The Cartabia criminal justice reform. Conference proceedings from 21 April 2022*, Giappichelli, forthcoming. forthcoming
- E. MILITELLO, *Geolocation in crime detection and prevention*, in L. BACHMAIER WINTER L., RUGGIERI S. (EDS.), *Investigating Crime in the Digital Era. New Safeguards, New Rights*, Springer, forthcoming. Nov. 2021
- S. ALLEGREZZA, V. COVOLO, E. MILITELLO, L. ROMANO, *Comparative Approach To Criminal Procedure Aspects*, in DONINI M., BIN L., DIAMANTI (EDS.), *Preventing International Terrorism. European Models Of Rewarding Measures For Judicial Cooperators, Final publication of the research project «Fight Against International Terrorism Discovering European Models of Rewarding Measures to Prevent Terrorism» funded by European Commission in the framework of the call proposal JUST-2018-JCOO-AG*, Jovene, 2021, pp. 417-435. Feb. 2021
- E. MILITELLO, *Partire (e agire) per tornare*, in M. CARTA (ED.), *Una biografia progettuale per Palermo*, Lettera Ventidue Edizioni, 2021, 72. Oct. 2020
- E. MILITELLO, M. MIRABILE, *Focus - Il progetto «South working» – Lavorare dal Sud*, in SVIMEZ, *L’economia e la società del Mezzogiorno*, Il Mulino, 2020, pp. 223-234. Sep. 2020
- E. MILITELLO, *Legal entities as accused in criminal trials: procedural safeguards under EU law*, in S. ALLEGREZZA, V. COVOLO (EDS.), *EU Fair Trial Rights in Criminal Proceedings*, Hart Publishing, 2021, forthcoming. Apr. 2020
- E. MILITELLO, *Restorative justice and social conflicts: a focus on the issue of hate incidents*, in G. GRANDI, S. GRIGOLETTO (EDS.), *Restorative Approach and Social Innovation: From Theoretical Grounds to Sustainable Practices*, Padova University Press, 2019, pp. 83-104. Jan. 2019
- S. MARCOLINI – E. MILITELLO – F. RUGGIERI, *Il caso Taricco e l’affermazione del principio di legalità processuale*, in A. BERNARDI, C. CUPELLI (EDS.), *Il caso Taricco e il dialogo tra le Corti. L’ordinanza 24/2017 della Corte Costituzionale*, Naples, Jovene. 2017, pp. 223-240. Apr. 2017

### **E. OTHER PUBLICATIONS**

- Author of a supplement to the handbook of Italian criminal law Fiandaca-Musco (*Manuale di diritto penale*) on the reforms of July 2017 (published anonymously); Jul. 2017
- Book review: MILITELLO, E. (2017). Book review: La giustizia riparativa. Formanti, parole e metodi. *Newsletter of the European Forum for Restorative Justice* 18(1):8. Review of Lodigiani, G. A. and Mannozi, G. (2017) *La Giustizia riparativa: Formanti, parole e metodi* Turin: Giappichelli, available online. Mar. 2017