



Mitja Gialuz

Full Professor

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Istruzione e formazione

2004

PhD in Criminal Sciences

The extraordinary appeal to the Court of Cassation University of Trieste - Trieste - IT

1999

Law Degree

The purposes of criminal procedural coercion - 110/110 with honors
University of Trieste - Trieste - IT

1994

Scientific high school diploma

G. Galilei Scientific High School - Trieste

Academic experience

2020 - PRESENT

Adjunct professor of Criminal Procedure Law

LUISS Guido Carli University - Rome - IT

2019 - PRESENT

Full professor of Criminal Procedure Law

University of Genoa - Genoa - IT

2014 - 2019

Associate Professor of Criminal Procedure

University of Trieste - Trieste - IT

2006 - 2014

Researcher in Criminal Procedure

University of Trieste - Trieste - IT

2006

Postdoctoral Fellow
University of Trieste - Trieste

2005

Research Fellow
University of Trieste - Trieste

Professional Experience

2025-PRESENT

Member of the Judicial Council of Liguria

2021-2022

Chair or member of various supervisory bodies of public and private companies

Freelancer

2021-2022

Member of the Technical-Scientific Committee for Monitoring the Efficiency of Criminal Justice.

Ministry of Justice

2021-2022

Member of the Commission for the development of proposals for reform of criminal procedure and the criminal justice system, as well as the statute of limitations for crimes

Ministry of Justice

2019 - PRESENT

Lawyer

Freelancer

2012 - 2022

Member of the Steering Committee of the CRTrieste Foundation

CRTrieste Foundation - Trieste

2018 - PRESENT

Chair of the Advisory Board of Barcolana Srl

Barcolana Srl - Trieste

2018 - PRESENT

Chair of the Commission established by Law No. 86 of April 15, 2003, establishing the "Giulio Onesti" allowance for Italian athletes in serious financial difficulty

Ministry of Sport

2008 - 2016

Expert of the Supervisory Court

Supervisory Court - Trieste

Language Skills

English

Expert

French

Elementary

Attività didattica

I am the official lecturer of Criminal Procedure II (9 CFU) and Prison Law at the Department of Law of the University of Genoa.

As an adjunct professor, I teach Criminal Procedure Law at LUISS-Guido Carli University in Rome.

In the past, I have taught the following courses in the Department of Legal, Linguistic, Interpreting, and Translation Studies at the University of Trieste (formerly the Faculty of Law):

- Criminal Procedure (academic years 2010/2011-2017/2018)
- Criminal Enforcement Law (academic years 2013/2014-2018/2019)
- Elements of procedural law (academic years 2010/2011-2011/2012)

Since 2009, I have lectured at specialization schools for legal professions established at various universities and given numerous lectures and presentations at study meetings organized by the Scuola Superiore della Magistratura (Higher School of the Judiciary) in Scandicci and Castel Capuano.

Teaching and research activities in higher education

Supervision of PhD Students

As a scientific tutor, I have supervised numerous PhD theses.

Participation in the teaching board for PhD programs accredited by the Ministry

Since 2022, I have been the coordinator of the public law curriculum of the PhD program in Law at the University of Genoa.

Since March 2013, I have been a member of the teaching board of the inter-university doctoral program in Legal Sciences, established between the Department of Legal, Linguistic, Interpreting, and Translation Sciences of the University of Trieste and the Department of Legal Sciences of the University of Udine. From June 2009 to May 2015, I was a member of the teaching board of the PhD program in Interpretation and Translation Studies, established at the Department of Language, Interpretation, and Translation Studies, and from January 2007 to May 2016, I was a member of the teaching staff of the PhD program in Criminal Sciences, established at the Department of Legal Sciences of the University of Trieste.

Teaching assignments in PhD programs accredited by the Ministry

I have taught courses in doctoral programs at various Italian universities (Trieste, Genoa, Milan, Milan Bicocca, Naples, Tuscia, Udine).

Research interests

My main areas of research are European criminal justice, the rights of the

accused and victims in criminal proceedings, negotiated criminal justice, and appeals.

On the first front, I have followed the bumpy road towards the creation of an area of freedom, security, and justice within the European Union, initially focusing on strengthening the tools available to law enforcement authorities during the first decade of the new millennium: This resulted in a volume dedicated to the implementation of information exchange through traditional channels and the use of databases (*Cooperazione informativa e giustizia penale nell'Unione europea*, EUT, 2009, edited together with Francesco Peroni).

Subsequently, I led an interdisciplinary research group—made up of lawyers and linguists—which produced the first English (European) translation of the Italian Code of Criminal Procedure (*The Italian Code of Criminal Procedure. Critical Essays and English Translation*, Wolters Kluwer Italia/CEDAM, first edition in 2014 and second edition in 2017, together with Luca Luparia and Federica Scarpa).

Over the years, I have shifted the focus of my studies on European criminal justice towards the analysis of fundamental rights recognized both to persons accused of a crime and to victims. This has resulted in several essays—dedicated to vulnerable victims, the right to personal freedom, and the right of access to justice—and, most recently, a monograph dedicated to the reconstruction of the right to legal assistance, which I have reconstructed as a true meta-right in a multicultural and multilingual society such as ours: a right that takes precedence over all other subjective legal positions, which was first recognized in the Strasbourg system as a fundamental element of a fair trial and then, with the ‘first EU fair trial law’ (Directive 2010/64/EU), within the European Union (*L'assistenza linguistica nel processo penale. A fundamental meta-right between the European paradigm and Italian practice*, Cedam, 2018).

Since the early 2000s, I have investigated the issue of negotiated criminal justice as an alternative paradigm to the traditional one, which poses significant challenges in terms of constitutional stability but is rapidly expanding throughout Europe. This has resulted in several essays and notes on judgments and, in 2004, a book entitled *La giustizia penale consensuale* (*Consensual Criminal Justice*), Utet, 2004, written together with Francesco Peroni, and, in 2008, an encyclopaedia entry dedicated to the ‘Application of punishment at the request of the parties’, *Annali*, II.1, Giuffrè.

A topic I have been exploring since the early 2000s is that of appeals, to which I have devoted numerous comments (on general provisions, appeals to the Court of Cassation, and review), as well as my first monograph (*Il ricorso straordinario per cassazione*, Giuffrè, 2005). I have focused in particular on extraordinary remedies, which, thanks to the work of the legislator and the Constitutional Court, have gradually seen their scope of application extended.

Over the last year, I have cultivated the study of artificial intelligence applied to the field of criminal justice, with particular regard to the use of risk assessment tools for predictive judgments of social danger.

In all my work, I have always paid particular attention to the constitutional dimension and have adopted an approach that is, on the one hand, attentive

to comparison and, on the other, empirical, i.e., aimed at reconstructing the procedural reality, investigated (where possible) using statistical data.

Research projects

2022 - 2025

DigiRights: DIGItalisation of defense RIGHTS in criminal proceedings

European Commission

Genoa unit coordinator

2024

United States Attorney and European Public Prosecutor: a comparison between two models

Northwestern University

Chicago – USA

2022 - 2023

Next Generation UPP

Ministry of Justice Genoa unit contact person

2013 - 2015

Quality and costs of language services in criminal proceedings between European directives and national systems *University of Trieste*

Scientific director

2012 - 2015

QUALETRA (Quality in Legal Translation)

European Commission Participant

2009

The Italian model of negotiated justice and the reasonable duration of criminal proceedings

University of Trieste Participant

2008 - 2010

New technologies and scientific evidence in criminal trials

MIUR

Participant

2006

European databases for security and justice purposes

MIUR

Participant

Publishing

I am deputy editor of the online journal *Sistema penale*, a member of the editorial board of the *Rivista italiana di diritto e procedura penale*, and a member of the scientific committee of the journals *Criminal Justice Network*, *Cura e giustizia*, *Diritto di Internet*, *Diritto di Difesa*, and *La legislazione penale on line (lalegislazionepenale.eu)*. I am also section coordinator and member of the editorial board of the journal *Processo penale e giustizia*. Since 2014, I have been co-editor of the series *La giustizia penale europea*, published by Cedam-Wolters Kluwer.

From 2016 to 2019, I was a member of the scientific committee of the journal *Diritto penale contemporaneo* (daily and quarterly journal).

International assignments

In 2005, I was a NATO-CNR fellow (following CNR-NATO call no. 215.36 - Advanced Fellowships Programme 2003) at the Faculty of Law of the University of Ljubljana, in order to carry out a research project on the subject of precautionary restrictions on personal freedom in the light of Slovenian constitutional case law (scientific tutor: Prof. Zvonko Fiser).

Other professional activities

Between 2020 and 2025, I was heard several times as an expert by the Justice Committees of the Chamber of Deputies and the Senate of the Republic on draft laws relating to criminal justice.

