

CURRICULUM VITAE

Andrea Bigiarini

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Current Position

- *Trainee Magistrate* at Tribunale di Bologna
- *Ph.D. Student* in Criminal procedure law – University of Trento.
Supervising Professors (co-tutoring): Carlotta Conti, Full Professor of criminal procedure law at University of Florence – Gabriella Di Paolo, Associate Professor of criminal procedure law at University of Trento.
- *Teaching Assistant* in Criminal procedure law - University of Florence.

Education, Training and Research Experiences

- **August 16th - 31st, 2018**: Visiting research fellow at Institut für Italienisches Recht, University of Innsbruck – Innsbruck, Austria.
- **From October 1st, 2017 to February 16th, 2018**: Visiting research fellow at Max Planck Institut für ausländisches und internationales Strafrecht – Freiburg, Germany.
- **May 18th, 2017**: Become member of the Italian Magistrature.
- **December 1st, 2016**: Admitted to the Italian Bar
- **September 30th, 2016**: Admitted to the Doctoral Programme in Comparative and European Legal Studies – University of Trento
- **July 14th, 2015**: Master's Degree in Scuola di Specializzazione per le Professioni Legali (SSPL) – University of Florence
- **October 10th, 2013**: Degree in Law, awarded *summa cum laude* – University of Florence. Dissertation (in Criminal procedure law): *Persona offesa e imputato nel processo penale in una prospettiva europea (Victim and accused in criminal proceedings from a european perspective)*. Supervisor: Paolo Tonini, Professor emeritus of Criminal procedure law at University of Florence.
- **From September 2012 to February 2013**: Erasmus Programme – Katholieke Universiteit Leuven, Belgium. Courses taken at KU Leuven (in English): *Psychology, Law and Criminal Justice* (Professor G. Vervaeke); *International and European Human Rights Law* (Professor P. Lemmens; Professor K. Lemmens); *European Criminal Law* (Professor F. Verbruggen).

Publications

- Bigiarini A., *Il caso Contrada e l'esecuzione delle sentenze della Cedu. Il punto di vista del processualista*, Diritto penale e processo, Ipsoa, 2018, 2, p. 232
- Bigiarini A., *La prova culturale nel processo penale – The cultural evidence in criminal proceedings*, Cassazione penale, Giuffrè, 2018, 1, p. 411
- Bigiarini A., *Mandato di arresto europeo e reciproco riconoscimento delle sentenze penali nei processi in absentia*, Diritto penale e processo, Ipsoa, 2016, 8, p. 999
- Bigiarini A., (Omicidio stradale) *Gli aspetti processuali più rilevanti: prelievo biologico coattivo, arresto in flagranza e competenza del giudice*, Diritto penale e processo, Ipsoa, 2016, 4, p. 442
- Bigiarini A., Ne bis in idem: *il cortocircuito del “doppio binario” sanzionatorio in relazione a fatti di criminalità economica*, Diritto penale e processo, Ipsoa, 2016, 2, p. 262

- Bigiarini A., *Procedura passiva di consegna e clausola di rinvio in tema di m.a.e.*, Diritto penale e processo, Ipsoa, 2015, 2, p. 191
- Bigiarini A., *Il caso Drassich dopo la sentenza della Corte Costituzionale n. 113 del 2011*, Diritto penale e processo, Ipsoa, 2014, 7, p. 845

Awards

- **April 24th - 27th, 2018:** Third place in the 2018 EJTN THEMIS Competition, *International cooperation in criminal matters*, being part of the “Team Italy”, at the Spanish Judicial School – Barcelona, Spain. Paper title: *Cooperation in criminal matters relating to detainees: the interaction between mutual trust and fundamental rights*.

Research topic: *The progressive erosion of the criminal res judicata as a result of the case law of the European Court of Human Rights*

The research project aims to investigate the effects of the case law of the ECtHR on the criminal *res judicata*, in particular as regards the progressive erosion of its traditional features of stability and immutability.

Given that the Italian Legislator has not yet adopted any measures in order to execute the ECtHR’s judgments, it is up to the domestic judges to actually adapt the inner legal system to such international case-law.

The study of how other civil-law system States have solved (or not) this issue is central in the present research, whose aim is not only to describe the state of the arts, but even to propose new solutions. Thus, the comparative perspective is fundamental, especially for the conclusions, even though the starting point is based on a domestic issue.