

MARCO FISICARO

Postdoctoral Research Fellow in International Law and European Union Law, University of Rome Unitelma Sapienza

marco.fisicaro@unitelmasapienza.it

Marco Fisicaro is a postdoctoral research fellow and lecturer at the University of Rome Unitelma Sapienza. He holds a Master's degree and a Ph.D. in Law from the University of Catania, as well as a post-graduate Diploma in Social Sciences from the *Scuola Superiore di Catania*. His Ph.D. thesis, "Conditionality and the Making of the EU Spending Power: Origins, Evolution, Challenges", dealt with the legal challenges raised by the increasing use of conditionality in the administration of EU funding. As the winner of the "Giuseppe Sperduti" prize (XIII ed.), annually awarded by the *Società italiana per l'organizzazione internazionale* (SIOI), he spent a period as *stagiaire* at the European Court of Human Rights. He was visiting scholar at the University of Vienna and at the Max Planck Institute for Comparative Public Law and International Law. He is managing editor of "European Papers - A Journal on Law and Integration" and member of the editorial staff of "Diritti umani e diritto internazionale".

CURRENT POSITION

2021 - today	UNIVERSITY OF ROME UNITELMA SAPIENZA - Rome (Italy) Postdoctoral research fellow and lecturer Project: 'The Principle of Judicial Independence in the European Area: The Interaction Between the European Union and the Council of Europe'.
--------------	--

EDUCATION

2022	UNIVERSITY OF CATANIA - Catania (Italy) Ph.D. in European Union Law – ' <i>Doctor Europaeus</i> ' certificate Thesis: 'Conditionality and the Making of the EU Spending Power: Origins, Evolution, Challenges'.
2021	SCUOLA SUPERIORE DI CATANIA - Catania (Italy) Post-graduate Diploma in Social Sciences (<i>cum laude</i>) Thesis: 'Membership Without Value(s)? EU Post-Accession Political Conditionality and the Rule of Law Crisis'.
2018	UNIVERSITY OF CATANIA - Catania (Italy) Master's Degree in Law (<i>cum laude</i>) Thesis: 'Consiglio di Sicurezza e diritti umani: una riflessione a margine del caso <i>Al-Dulimi</i> ' (Security Council and Human Rights: A Reflection After the <i>Al-Dulimi</i> case).
2017	UNIVERSITY OF LIMERICK - Limerick (Ireland) Semester abroad financed under the <i>Erasmus+</i> programme.

VISITING POSITIONS

05-07/2021	MAX PLANCK INSTITUTE FOR COMPARATIVE PUBLIC LAW AND INTERNATIONAL LAW	Heidelberg (Germany)
03-06/2020	UNIVERSITY OF VIENNA	Vienna (Austria)

OTHER TRAINING EXPERIENCES

2022	UNIVERSITY PARIS 1 PANTHEON-SORBONNE , Paris (France) EP-JMN Summer School 'Rule of Law and Human Rights in Europe and the World in Times of Contestation'.
------	---

2021	UNIVERSITY OF ROME ‘LA SAPIENZA’ , Rome (Italy) EP-JMN Summer School ‘Gaetano Morelli’ Lectures (6 th Edition).
2021	EUROPEAN UNIVERSITY INSTITUTE , Florence (Italy) Academy of European Law - Summer Course in ‘The Law of the European Union’.
2018	UNIVERSITY OF NAPLES FEDERICO II , Naples (Italy) Post-graduate advanced course (<i>Corso di perfezionamento</i>) in European Union Law.
2018	EUROPEAN UNIVERSITY INSTITUTE , Florence (Italy) Academy of European Law - Summer Courses in ‘Human Rights Law’ and ‘The Law of the European Union’.
2017 - today	LEGAL CLINIC ‘COESIONE E DIRITTO’ , Catania (Italy) Member of the Steering Committee.
2016	EUROPEAN COURT OF HUMAN RIGHTS , Strasbourg (France) <i>Stagiaire</i> at the Registry of the Court.

MEMBERSHIP IN EDITORIAL BOARDS

2021 - today	EUROPEAN PAPERS - A JOURNAL ON LAW AND INTEGRATION Managing Editor.
2022 - today	DIRITTI UMANI E DIRITTO INTERNAZIONALE Member of the Editorial Staff.

AWARDS

2015	‘GIUSEPPE SPERDUTI’ AWARD <i>Società Italiana per l’Organizzazione Internazionale</i> (SIOI) Winner of the national moot court competition on the European Convention on Human Rights organised by SIOI, XIII Edition.
------	---

SELECTED PUBLICATIONS

I. ARTICLES

- ‘Safeguarding Judicial Independence (and Subsidiarity) Through Interim Measures: The New ECtHR’s Strategy at the Height of the Polish Constitutional Crisis’, in *Diritti umani e diritto internazionale* 2022, p. 637;
- ‘Beyond the Rule of Law Conditionality: Exploiting the EU Spending Power to Foster the Union’s Values’, in *European Papers – A Journal on Law and Integration*, 2022, p. 697;
- ‘La Corte di giustizia nella sala degli specchi: il principio di indipendenza giudiziaria tra art. 267 TFUE, art. 47 della Carta e art. 19 TUE’, in *Diritti umani e diritto internazionale*, 2022, p. 384;
- ‘Protection of the Rule of Law and ‘Competence Creep’ via the Budget: The Court of Justice on the Legality of the Conditionality Regulation’, in *European Constitutional Law Review*, 2022, p. 334;
- (with E. Caruso), ‘Aborto e declino democratico in Polonia: una riflessione a margine della sentenza del Tribunale costituzionale polacco del 22 ottobre 2020’, in *Genius*, 2020, p. 186;
- ‘Rule of Law Conditionality in EU Funds: The Value of Money in the Crisis of European Values’, in *European Papers - A Journal on Law and Integration*, 2019, p. 695;
- ‘Condizionalità macroeconomica e politica di coesione: la solidarietà europea alla prova dei vincoli economico-finanziari’, in *Rivista Giuridica del Mezzogiorno*, 2019, p. 413.

II. BOOK CHAPTERS

- 'Rule of Law Conditionality in EU Funds' Management: Is It the Right Way to Take Values Seriously?', in C. Amalfitano, I. Anrò (eds), *Cahiers Jean Monnet - Actes des ateliers doctoraux 'The Rule of Law'*, Toulouse, 2020, p. 135.

SEMINARS AND CONFERENCE PRESENTATIONS

- 'The Normalisation of Conditionality in EU Internal Governance: What Implications for Solidarity?', presented at the 2022 ICON•S Annual Conference on '*Global Problems and Prospects in Public Law*' (University of Wrocław, 4-6 July 2022).
- Seminar on 'La condizionalità come strumento di *public enforcement* del diritto dell'Unione europea: potenziale e limiti alla luce delle sentenze della Corte di giustizia nei casi *Ungheria c. Parlamento e Consiglio* (C-156/21) e *Polonia c. Parlamento e Consiglio* (C-157/21)', (University of Rome 'La Sapienza', 8 March 2022).
- 'Beyond the Rule of Law Conditionality: Exploiting the EU Spending Power to Foster European Values', presented at the Jean Monnet NOVA-EU Workshop '*EU Democracy and the Rule of Law*' (Maastricht University, 24-25 June 2021).
- Presentation of the Ph.D. project on 'Conditionality and the Making of the EU Spending Power: Origins, Evolution, Challenges' at the X Edition of the doctoral meeting 'Alberico Gentili', co-organised by *Società italiana di diritto internazionale e dell'Unione europea* (SIDI) and *Centro Internazionale di Studi Gentiliani* (San Ginesio, 25 March 2021).
- Seminar on 'Condizionalità e valori europei: il difficile percorso dell'Unione europea tra crisi pandemica e crisi dello Stato di diritto' (University of Catania, 30 November 2020).
- 'Promoting EU Values Through Financial Instruments: The Proposal for a Rule of Law Conditionality in EU Funds', presented at the conference '*Fundamental Values in the EU: Problems and Challenges*', co-organised by the University of Catania and the University of Ljubljana (University of Catania, 16 September 2019).
- 'Rule of Law Conditionality in EU Funds: Is It the Right Way to Take Values Seriously?', presented at the Ateliers doctoraux '*The Rule of Law*', co-organised by the University of Milan and the University of Toulouse 1 Capitole (University of Milan, 4-5 July 2019).

ACADEMIC AFFILIATIONS

- European Society of International Law (ESIL)
Member of the Local Secretariat of the 2021 ESIL Research Forum, '*Solidarity: The Quest for Founding Utopias of International Law*' (University of Catania, 15-16 April 2021).
- Società Italiana di Diritto Internazionale e di Diritto dell'Unione europea (SIDI)
- Associazione Italiana Studiosi Diritto dell'Unione Europea (AISDUE)
- International Society of Public Law (ICON•S)

LANGUAGES

Italian	Mother tongue.
English	Full professional proficiency - TOEFL Certificate: 109/120 (9 November 2019).

Last update: January 2023