

## Prof. Sergio Ortino



Full professor of Economic Law at the University Florence. He taught at several Universities in Italy. He has been visiting and adjunct professor in many universities abroad. He is member of scientific and cultural associations and director of three books series, co-director of a banking law review, and director of a national research on the principal legal systems in Europe. He has written many books and articles on constitutional and European law, federalism, central banking and banking system, minorities self-government, technological innovations and forms of government. He has been member of many public commissions appointed by national and foreign governments.

### CURRICULUM VITAE

Date of Birth: December 29, 1940

Address (office): Dipartimento di diritto dell'economia (Facoltà di Economia)  
I - 50127 Firenze - Via delle Pandette, 9 - tel. 055.4374634 fax 055.4374909

(home): Via Quintole per Le Rose, 44 - 50029 Impruneta / Firenze  
phone 055/ 237.3103, fax 055/237.9843  
E-Mail: [sergio@ortino.it](mailto:sergio@ortino.it)

Present Position: Full Professor of Law, Faculty of Economics, University of Florence

Status: Married with five children

#### EDUCATION

- 1960 Italian High School Diploma: 7/10
- 1962 Scholarship for the Winter Semester, University of Heidelberg; financing institution: Max Planck Institut für Völkerrecht und öffentliches Recht, Heidelberg (Germany).
- 1963 Scholarship for the Summer Semester, University of Berlin (Germany) financing institution: Camera di Commercio ed Industria, Firenze.
- 1964-1965 Scholarship, University of München; financing institution: Deutscher Akademischer Austauschdienst, Bad Godesberg.
- 1965 Graduated Law and Political Science from the University of Florence, magna cum laude, with a doctor thesis on the German Bundesverfassungsgericht.

EXPERIENCE:  
ACADEMIC

- 1965 to 1967 Junior Research Assistant at the University of Florence in Italian and Comparative Constitutional Law.
- 1967 to 1973 Senior Research Assistant in Italian and Comparative Constitutional Law, University of Florence.
- 1973 to 1980 Assistant Professor of Parliamentary and constitutional Comparative law, University of Pisa.
- 1978 Summer, Visiting lectureship at the University of Tegucigalpa, Honduras, on Economic Law.
- 1979 to date Member of the Italian Association of Comparative Law.
- 1980 to 1994 Professor of Constitutional and Comparative Law, University of Bologna.
- 1980 Autumn, Visiting lectureship at the University of Freiburg i.Br.(Germany), on Central Banks and International Monetary System.
- 1980 to date Member of the Italian Society on Electoral Studies.
- 1981 to 1983 Lecturer in Public Law at the Institute of Naval Warfare, Leghorn.
- 1983 Autumn, Visiting lectureship at the University of Paris X (France), on the Italian Constitutional System.
- 1984 Member of the Italian Association of Constitutional Law.
- 1984 to 1986 Lecturer in Public Law, Department of Political Science, University of Bologna.
- 1987 May to April '88 Scholarship grant) at the Georgetown University, Washington D.C. (USA); financing institution: Fulbright.
- 1988 November to September 1989 Adjunct Professor at Georgetown University, Washington D.C.(USA); subject taught American Banking Law in comparison with the European Banking Laws.
- 1991 Associate to the Centre for Commercial Law Studies, University of London, Queen Mary and Westfield College (UK).
- 1991 to 1994 Associate to the Interdepartmental Centre for Researches on European Community Law, University of Bologna.
- 1993 January, 8-15, Special lecture series on Maastricht and the European Community's New Constitutional Order, at the Centre for European Economic and Public Affairs, University College Dublin, (Ireland)
- 1993 Twelfth Annual 'OR' Emet Lecture, January 20, Osgoode Hall Law School, York University, Ontario (Canada)
- 1994 up to date Professor of Law & Economics, Law Department, Faculty of Economics, University of Florence
- 1998 October 21-November 5, Visiting Professor at the University of Hong Kong, Faculty of Law and at the Universidade de Macau, Faculdade de Direito
- 1999-2002 Lecturer in Comparative Public Law, Faculty of Law, University of Verona.
- 2000 January, Budapest, Master in Ethnic Minorities, University of Strasbourg and of Budapest (Hungary)
- 2000-2003 Lecturer in Economic Law, Faculty of Economics, Free University of Bolzano
- 2002-2007 Lecturer in Economic Law, Faculty of Economics, Free University of Verona

EXPERIENCE:  
CONSULTANT

1972 Member of the Electoral commission of the Ministry of Interior - General political elections.

1973 Member of the Electoral Commission of the University of Florence.

1976-78 Advisor for commercial and trading Italian companies in Saudi Arabia and Kuwait

1978 Member of a scientific mission to Central America in the area of economic public law Honduras and Costa Rica).

1980 Member of the Italian Honduran committee, of the Institute of Sociology, University of Pisa, studying the problems of economic growth and state intervention in the Economy of Honduras.

1981 Member of the Italian Costa Rican committee studying the problems of economic growth and state intervention in the economy of Costa Rica, at the Institute of Sociology, University of Pisa.

1983 Member of the Board of Examiners for solicitors, at the Law Court of Bologna.

1992 to date Co-director of the Executive Board of the Revue: "Banca Impresa Società".

1992 to 1995 Member of the Regional Control Committee of Emilia-Romagna.

1994 to 1995 Coordinator of the Center for Studies on Constitutions and Democratic Development (The Bologna Johns Hopkins University &

Faculty of Law University of Bologna).

1994 Member of the National Government Committee of experts for a constitutional reform project; charged to submit the final report on the State form.

1996 up to date Director of research area "Minorities and Autonomies" at the Europäische Akademie Bolzano (Italy)

1997 to date Legal Advisor of the Tibetan Government in exile

1998 November 21-December 1, Consulting activity on constitutional matter to the Tibetan Government in Exile, Dharamsala (India)

1999 February-May, Member of the National Government Committee of experts for a reform project concerning the implementation of the European Law in Italy

1999 November 14-21 Consultant activity on constitutional matter in a meeting with the Tibetan Government in Exile, New Dehli (India)

#### EXPERIENCE:

#### RESEARCH

1969 Scholarship for the Winter Semester, University of Bonn (Germany); financing institution: Deutscher Akademischer Austauschdienst, Bad Godesberg.

1979 Scholarship at the Ministry of Transport, London (UK); financing institution: Automobil Club d'Italia, Milano.

1980 Director of a research project (Compilazioni Codici Costituzionali) financed by CNR and by the Ministry of Education, devoted to the translation of and commentary on the main laws of the legal systems of western democracies.

1980 Scholarship at the Columbia University, New York (USA); financing institution: Banco di Roma, Roma.

1981 Scholarship at the Istituto Giuridico, University of Bologna; on Monetary Union in Europe, financing institution: EEC Commission.

1982 to date Editor of the series "Costituzioni e Leggi Complementari Commentate". The series consists of a compilation of foreign constitutional laws with commentary. Twelve volumes have been published.

1987 September to August '88 Fellow at the Woodrow Wilson Center, Washington D.C.(USA); subject studied: constitutional problems involved in the creation of a European Central Bank.

1987 to 1989 Deputy Director of the Center for Studies in Comparative Constitutional Courts, founded by the University of Bologna in connection with the principal Supreme Courts.

1988 August to October Visiting Scholar at Georgetown University, Washington D.C.(USA); on federalism in USA and Europe, financing institution: NATO CNR.

1994 to 1997 Co-director of the Research Plan: The Applicability of the federative model in the relations between States in Postcommunist Europe (grant by Council for European Studies, New York).

1999 2002 Director of the Department Law and Economics, University of Florence

1996 to 2004

Director of the Research Department "Minorities and Autonomies" of the European Academy of Bolzano

#### EXPERIENCE:

#### CONFERENCES & SEMINARS ABROAD

1966 July 12, Conference paper at the University of Köln, (Germany), on the Italian Political System.

1968 July 24, Conference paper at the University of Köln, (Germany), on the Electoral Reforms in Italy.

1969 October 15, Conference paper at the University of Bonn, (Germany), on Judicial Review.

1978 July 15, Conference paper at the University of San Jose', (Costa Rica), on Public Enterprise in Italy.

1980 November 20 Conference paper at the University of Basel (Switzerland), on referenda in Italy.

1989 Conference 27-30 October on the new banking law in USA, Washington D.C (USA)

1994 July, 27-29, Paper at the Conference on Redesigning the State, at the Federalism Research Centre, Australian National University, Canberra (Australia)

1997 May 24, Paper at the conference Federalismusgespräche 97, at the University of Innsbruck (Austria), Faculty of Law

1997 May 29-June 1, Paper at the Conference on Constitutional Transition, at the University of Hong Kong, Faculty of Law

1997 June, 10-20, Visiting Professor at Murdoch University, Western Australia (Australia), Asia Research Centre

1997 October 23-26, Paper at the conference Frieden und Sicherheit I: die Euroregion als Mittel der Konfliktentschärfung, Marienbad, (Czech Republic).

2000 March, 20-21, Budapest (Hungary), 18th European Carrefour on Regions in the enlarged European Union (European Commission)

2000 International Congress, Xi'an (China) 2000, June 28 – July 3, "Exploring Cultural Perspective"

2000 "International Congress, Bolzano, August, 24-26: "Asian Confederation" (chief executive)

2004 February-March, Visiting professor at the Universities of New York (NYU), Yale (Connecticut), Rutgers (New Jersey), Los Angeles (UCLA).

2004 15-25 May Kathmandu, Workshop "Combating racism, xenophobia, discrimination against minorities and indigenous peoples" sponsored by the European Commission.

2004 Fifth Pan-European International Relations Conference Netherlands Congress Centre, The Hague, September 9-11

#### LANGUAGES

Native Italian, fluent in English and German, proficient in French, functional commands of Spanish.

#### Publications

- L'esperienza della corte costituzionale di Karlsruhe, Giuffrè, Milano, pp. 1-228.
- Considerazioni sui sistemi elettorali nella teoria e nella realtà, Vallecchi, Firenze 1968, pp. IX-XXXIII.
- Proporz und Staatskrise in Italien, in Verfassung und Verfassungswirklichkeit, Westdeutschen Verlag, Köln u. Opladen, pp. 82-122.
- Riforme elettorali in Germania, Vallecchi, Firenze, pp. 1-219.
- La responsabilità costituzionale del presidente della repubblica, in Rivista italiana di scienze giuridiche, Giuffrè, Milano, pp. 17-88.
- L'indipendenza del giudice secondo la giurisprudenza costituzionale, in L'ordinamento giudiziario, il Mulino, Bologna 1974, pp. 390-407.
- Forme di governo in diritto comparato, Logos, 1975, Firenze, pp. 1-46.
- La nascita della Banca Centrale, in Impresa, ambiente e pubblica amministrazione, Milano 1975, pp. 1-81.
- La Bundesbank e la legge sulla stabilità economica, in Economia pubblica, aprile 1975, pp. 13-18.
- I poteri della Banca d'Italia e il loro uso dopo l'inizio della crisi, in Città e Regione, dicembre 1976, Firenze, pp. 30-42.
- La riforma del § 218 C.P. della Repubblica federale tedesca sull'aborto, in Giurisprudenza costituzionale, febbraio 1978, Milano, pp. 372-414.
- Banca d'Italia e Costituzione, Pacini, Pisa, pp. 1-426.
- La disciplina dell'autotrasporto merci per conto terzi in Gran Bretagna, Repubblica federale tedesca, Francia, Belgio, in XXXVI Conferenza del traffico e della circolazione, Stresa 1979, pp. 149-159.
- La legislazione bancaria degli anni trenta negli Stati Uniti, Svizzera, Germania, Belgio, in Banca e industria fra le due guerre. Le Riforme istituzionali e il pensiero giuridico, Il Mulino, Bologna 1981, pp. 349-400.
- Astensionismo elettorale, Stato democratico, Stato di diritto, in Il voto di chi non vota, Comunità, Milano 1983, pp. 173-183.
- Per una ricostruzione teorica dei partiti politici negli Stati contemporanei, in Il Foro Amministrativo, Milano 1983, pp. 1273-1281.
- Governo parlamentare ed elezione diretta del capo dello Stato: il caso austriaco, in Quaderni Costituzionali, a. III, n. 2, Il Mulino, Bologna 1983, pp. 311-322.
- Banca d'Italia, in Enciclopedia giuridica, Istituto dell'Enciclopedia Italiana, Istituto Treccani, Roma 1983, pp. 1-10.
- Diritto costituzionale, storia-ordinamenti-teoria, Cedeur, Firenze, pp. 1-267.

- Banche centrali tra autonomia ed indipendenza, in *Banca, Impresa, Società*, n. 3, Bologna 1986, pp. 1-76.
- 1936/1986: mezzo secolo di legislazione bancaria in Italia e in Occidente, relazione di base al Symposium del Monte dei Paschi di Siena, 7/8 novembre 1986, pp. 1-80.
- Riflessioni in tema di concorrenza bancaria, in *Note economiche*, n. 3/4 1986 pp. 297-306.
- Uguaglianza concorrenziale e sistema bancario USA, Il Mulino, Bologna, pp. 1-418.
- Some Remarks on Republican Governments established since the Fall of the Western Roman Empire, in *Historia Administrativa y Ciencia de la Administracion Comparada* "Trabajos en Homenaje a Ferran Valls i Taberner", vol. XV, Barcelona, pp. 4253-4215.
- Ordinamenti costituzionali federativi, Cedeur, Firenze 1990, pp. 1-474.
- Profili costituzionali della Banca Centrale Europea, in *Banca Impresa Società*, 1990, n. 3, pp. 279-303.
- Diritto bancario tra pluralismo istituzionale e direttive comunitarie, in *Banca Impresa Società*, n. 1, Bologna 1991, pp. 3-18.
- Il sistema europeo di Banche centrali dopo gli accordi di Maastricht: premesse giuridico-istituzionali, in *Banca Impresa Società*, 1992, n. 1, pp. 41-60.
- Revisione della costituzione e altri modelli comparati, in *Orientamenti sociali*, gennaio-marzo 1992, 1, pp. 59-68.
- Introduzione al diritto costituzionale federativo, Giappichelli Editore, Torino 1993, pp. 1-379.
- L'ordinamento bancario in Italia e in Spagna: una comparazione diacronico-sistematica, in *Legislazioni bancarie della Comunità Europea*, vol. 3, La Spagna, Bancaria Editrice, Roma 1993, pp. 149-213.
- Per un federalismo funzionale, Giappichelli Editore, Torino 1994, pp. 1-113.
- Diritto costituzionale comparato, il Mulino, Bologna 1994, 1-496.
- Globalizzazione e federalismo funzionale tra descrizione e prescrizione, in *Bollettino di informazioni costituzionali e parlamentari*, Camera dei Deputati, 1995.
- Relazione sulla parte riguardante la forma di Stato, in *Giurisprudenza Costituzionale*, Anno XL – Fasc. 3, Giuffrè Editore, Milano 1995, pp. 2236-2248.
- Regionalismo e federalismo. Il punto su un dibattito, in *Archivio Giuridico*, vol. CCXVI – Fasc. 4, Mucchi Editore, Modena 1996, pp. 471-481.
- Federalismo funzionale e globalizzazione, in *Regionalismo e federalismo in Europa*, seminario 6-7 giugno 1996, Provincia Autonoma di Trento 1997, pp. 205-212.
- Auf dem Weg zu einem neuen Nomos der Erde, *Quaderno*, N. 5, Accademia Europea di Bolzano, Bolzano 1997.
- Pacchetto per l'Europa (a cura di), in *Quaderni*, N. 10, Accademia Europea di Bolzano, Bolzano 1998.
- Audizione davanti alla commissione parlamentare per le questioni regionali sul tema "Nuovo assetto dei poteri regionali e ripartizione delle competenze dopo la legge 15 marzo 1997, n. 59, mercoledì 2 dicembre 1997, atti parlamentari XIII legislatura, Indagini conoscitive e documentazioni legislative n. 11. 1998.
- Guardare avanti, guardare indietro: il dilemma della Bicamerale, in *Rassegna Parlamentare*, Anno XL – Fasc. 2, Giuffrè Editore, Milano 1998, pp. 319-334.
- Referendum e assemblea costituente, in *Scritti in onore di Giuseppe Guarino*, Volume terzo, pp. 123-141, Giuffrè Editore, Milano 1998.
- Institutionelle Antworten auf Geopolitik und wirtschaftliche Globalisation, in: Berchtold, Johannes/Simhandl, Fritz (a cura di), *Freiheit und Verantwortung. 1848-1998 - 150 Jahre auf dem Weg zur Demokratie. Jahrbuch für politische Erneuerung 1998*, Wien 1998, pagg. 113 – 131.
- La tutela delle minoranze nel diritto internazionale: evoluzione o mutamento di prospettiva?, in *Studi in onore di Leopoldo Elia*, Tomo II, Giuffrè, Milano 1999, p. 1113-1126.
- Elaborazione e attuazione del diritto comunitario (a cura di), in *Quaderni*, N. 11, Accademia Europea di Bolzano, Bolzano 1999.
- Il nuovo Nomos della Terra, Edizioni il Mulino, Bologna 1999, 1-160.
- Minority protection under international law: evolution or new perspective? In *The Banaras Law Journal*, vol. 29, 2000, 18-33.
- Costituzione materiale e innovazioni tecnologiche. Attualità di un concetto. In *La costituzione materiale*, a cura di Alessandro Catalani e Silvano Labriola, Giuffrè, Milano 2001, pp. 483-486.
- L'ordinamento speciale della Provincia autonoma di Bolzano, (a cura di), Cedam, Padova, 2001.
- La cooperazione internazionale e transfrontaliera in materia di vigilanza bancaria. Il ruolo della Banca Centrale Europea, in *Istituzioni Mercato e Democrazia, Liber Amicorum per gli ottanta anni di Alberto Predieri*, a cura di Amoroso, Morbidelli, Morisi, Giappichelli, Torino 2002.
- *The Nomos of the Earth*, Nomos Verlag, Baden Baden, 2002.
- Ripensare lo Stato nel ripensare le nuove forme politiche, in *Ripensare lo Stato* a cura di Silvano Labriola, ISLE, Giuffrè, Milano 2003, pp. 187-198.
- Struttura di vertice e sistema di vigilanza, in *Diritto delle Banche, degli Intermediari finanziari e dei Mercati*, a cura di Francesco Capriglione, Cacucci, Bari 2003, pp. 63-94.
- Functional Federalism between Geopolitics and Geo-economics, in *The Changing Faces of Federalism*, (eds) Sergio Ortino, Vojtech Mastny, Mitja Zagar, Manchester University Press, 2004.
- *The Changing Faces of Federalism*, Manchester University Press, 2004, co-editors Vojtech Mastny, Mitja Zagar.
- International and Cross-border Co-operation among Banking Supervisors. The role of the European Central Bank, in *European Business Law Review*, issue 5, volume 15 (2004).

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