



UNIVERSITÀ DEGLI STUDI DI MILANO

CONCORSO PUBBLICO, PER TITOLI ED ESAMI, PER L'ASSUNZIONE A TEMPO INDETERMINATO DI N. 1 DIRIGENTE DI SECONDA FASCIA PRESSO L'UNIVERSITÀ DEGLI STUDI DI MILANO - DIREZIONE AFFARI ISTITUZIONALI - BANDITO CON DETERMINA DIRETTORIALE N. 15517 DEL 7.10.2021, CON AVVISO PUBBLICATO SULLA G.U. N. 83 DEL 19.10.2021 - CODICE 21505

La Commissione giudicatrice del concorso, nominata con Determina Direttoriale n. 4965 del 8.4.2022, composta da:

Prof. Morzenti Pellegrini Remo	Presidente
Dott.ssa Luzzi Loredana Monica	Componente
Dott.ssa Varasio Emma	Componente
Sig.ra Beretta Manuela Piera	Segretaria

comunica i quesiti relativi alla prova orale:

Busta 1

1. accesso ai documenti amministrativo FOIA
2. Compiti e funzioni del Senato Accademico
3. Archivi cartacei e archivi digitale - modalità di gestione
4. Il piano anticorruzione e trasparenza redazione - la rete dei referenti - il PIAO

In all major fields of international law—e.g. environmental law, economic law, human rights law, international humanitarian law, health law, peace-and-security law—demands for more transparency have recently been voiced by civil-society actors, by states, and within the international institutions themselves—or transparency has been brought about by illegal means. In response, much more transparency has been created in international institutions and procedures in the last 10 years. This paper diagnoses a genuine “transparency turn” in international law, it analyses the functions and drawbacks of increased transparency in global governance (especially for the well-functioning of negotiations and deliberations); it asks whether a cross-cutting legal principle of transparency is emerging, and what this might mean for international law as a whole. It concludes that from a governance perspective, transparency is only a necessary, and not a sufficient condition for bringing about participation, accountability, and possibly democracy in the global sphere.

Busta 2

1. Il nucleo di valutazione composizione e compiti
2. Le principali dimensioni per la misurazione della performance organizzativa nelle PA, secondo l'art.8, comma 1, del d.lgs. 150/2009 come modificato dal d.lgs. 74/2017
3. L'elezione del Rettore/ della Rettrice
4. Il diritto di accesso agli atti

At Michigan Law, we are committed to the idea that the best lawyers understand something about how the law operates beyond the borders of their own country. Studying international or comparative law helps you reflect on your own legal system and navigate cross-border issues that arise in your practice.

Since the University's founding in 1837, when our statutory mission demanded the law department have a faculty member devoted to international law, Michigan Law has been uniquely committed to the study of law beyond our borders. Time and again, our faculty have pioneered new fields of global study, changing the landscape of American legal education and beyond.

Our approach goes broad and deep—with a great many classes offered in a variety of formats. If you are interested in studying international law, our Center for Comparative and International Law will



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be an important point of contact and source of constant support throughout your law school career—and beyond.

From cross-border issues such as war, trade, commercial arbitration, and human rights to deep considerations of legal issues within different regions or countries, you'll have extensive access to numerous programs, clinics, and externship and fellowship opportunities.

Michigan Law is home to the Program in European Legal Studies, Program in Refugee and Asylum Law, Chinese Legal Studies Program, and Japanese Legal Studies Program, to name a few. Through these offerings, you'll get a chance to not just study international law, but to get hands-on experience in jurisdictions around the world.

Busta 3

1. L'archivio storico come farlo diventare un asset e uno strumento al servizio delle risorse aziendali.
2. I Compiti e le funzioni del Consiglio di amministrazione
3. Obiettivi della Piattaforma notifiche digitali degli atti pubblici (PND)
4. Il Responsabile del trattamento ai sensi del GDPR

Transparency International Ireland is an independent, non-profit and non-partisan organisation. Our vision is of an Ireland that is open and fair - and where entrusted power is used in the public interest. Our mission is to empower people with the support they need to promote integrity in public life and stop corruption in all its forms.

The Speak Up Helpline was launched by Transparency International Ireland in May 2011 to provide support to whistleblowers, witnesses and victims of corruption and other wrongdoing. Since then, it has provided information, and referral services to over 1,700 people. Our team has also provided advocacy support to clients including Garda whistleblowers Maurice McCabe and John Wilson, helping counter the narrative of them as 'trouble-makers'

Busta 4

1. La conservazione digitale e sostitutiva dei documenti
2. I Compiti e le funzioni del Consiglio degli Studenti
3. Gli Obiettivi gestionali di una Direzione Affari Generale nella logica del PIAO
4. Il Codice di comportamento dei dipendenti pubblici e le disposizioni per i dirigenti

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Busta 5

1. La performance individuale e organizzativa
2. il Collegio di Disciplina
3. Lavoro agile - smart working - telelavoro riflessi e ricadute sull'organizzazione del lavoro
4. Obiettivi, indicatori e target del PTPC di un Ateneo

While the Speak Up Helpline offers support and advice to members of the public on reporting wrongdoing, Transparency International Ireland has focussed most of its resources on developing expertise and resources to promote whistleblowing based on the understanding that whistleblowers are more likely to uncover and expose corruption and relevant wrongdoing than anyone else. The experiences of Speak Up Helpline and Transparency Legal Advice Centre (TLAC) clients have been



informative in helping Transparency International Ireland identify legal and practical obstacles to disclosing wrongdoing, in addition to the experiences of clients whose employers are members of the Integrity at Work programme. To that end, much of this report (on pages 25 and 35) deals with the Protected Disclosures Act, how it has been amended, and the changes that will be introduced when the EU Whistleblowing Directive comes into force by December 2021.

Busta 6

1. All'interno dei principi della trasparenza, anticorruzione e privacy all'interno di un Ateneo, si evidenzino gli obblighi di comunicazione e di pubblicazione
2. Il consiglio degli studenti compiti
3. La gestione degli archivi cartacei: la scelta e la razionalizzazione degli spazi, la logistica, il reperimento della documentazione e gli scarti periodici. Analisi dei problemi principali, monitoraggio delle criticità, valutazione delle esigenze.
4. Performance individuale e performance organizzativa

In the last reporting period, 27% of calls were from whistleblowers (i.e. those who had reported wrongdoing witnessed at work), 24% were from witnesses, and 39% were classified as victims. This was a significant increase over the figures from the 2015 report, when just 15% of callers were categorised as whistleblowers. Between January 2017 and 31 December 2019, Transparency International Ireland received an additional 566 unique calls to the Helpline and the number of whistleblowers continued to increase. During this time-frame, 33% of calls were from whistleblowers, 19% were from witnesses, and 46% were classified as victims.⁵ Transparency International Ireland launched the Integrity at Work initiative and Transparency Legal Advice Centre in 2016, and the number of members of Integrity at Work has grown steadily. Members signpost their staff to the Speak Up Helpline for independent guidance on speaking up. There is also more awareness of the availability of free legal advice on making protected disclosures from Transparency Legal Advice Centre. This may partially explain the increase in the number of whistleblowers calling the Helpline. Other factors could include the prevalence of whistleblowing cases in the media, such as coverage of the proceedings and findings of the Charleton Tribunal in 2018.⁷ Not all callers felt comfortable disclosing their location. The total share of callers who identified their location as Dublin increased significantly over previous years, while there was a substantial decrease in the number of callers who came from Cork.

Busta 7

1. Il conflitto di interessi e le disposizioni di legge in materia
2. Compiti e funzioni del Direttore Generale
3. Il manuale di gestione documentale
4. Obiettivi, indicatori e target del PTPC di un Ateneo

Drawing on the research of academics in anti-corruption and white-collar crime such as Donald R Cressey and Robert Klitgaard, Transparency International Ireland suggests that the risk of corruption can be determined by a combination of factors. It can be calculated as a function of incentive, opportunity and inclination which is limited by external oversight (the possibility that a person will be held to account for his/her behaviour) and the individual's and society's own commitment to living by ethical values (integrity). In other words:

$$\text{CORRUPTION} = (\text{INCENTIVE} + \text{OPPORTUNITY} + \text{INCLINATION}) / (\text{TRANSPARENCY} + \text{ACCOUNTABILITY} + \text{INTEGRITY})$$

It usually follows that the biggest risk of corruption lies where there are significant financial incentives and little chance of being detected. The risks are increased where institutions and laws are ill-equipped to prevent corruption or hold the corrupt officials to account.

The most common concerns reported by Speak Up callers were breaches of regulations. These were predominantly regulations governing health and safety, although they also included breaches of the Data Protection Acts. This is reflected in the top concerns reported by those categorised as whistleblowers over the same period. This could indicate that more workers are contacting the Speak Up Helpline for guidance



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on reporting wrongdoing in the workplace as public awareness of the Protected Disclosures Act increases. This may also explain an increase in the number of cases relating to bullying and harassment that Helpline callers report

Milano, 9 maggio 2022

La Commissione

Prof. Morzenti Pellegrini Remo - Presidente

Dott.ssa Luzzi Loredana Monica - Componente

Dott.ssa Varasio Emma - Componente

Sig.ra Beretta Manuela Piera - Segretaria