



## Università degli studi di Cagliari

*Avviso per la presentazione di progetti di ricerca biennali nell'Università di Cagliari  
(Convenzione triennale tra la Fondazione di Sardegna e gli Atenei Sardi)*

*Annualità 2018*

### Research project submission form

#### PART A – Summary

<b>Principal Investigator (first name, last name, date of birth, position, Department)</b>	GIANMARIO DEMURO, 7 July 1960, full professor, law Department
<b>Project title (max 500 characters including spaces)</b>	Big data and fundamental rights
<b>Principal ERC sector (eg: SH1; The ERC sector should be strictly connected to the area to which the Principal Investigator belongs)</b>	SH2
<b>Secondary ERC sector (eg: SH3)</b>	
<b>Sub-sector of the principal ERC sector (eg: SH1_2)</b>	SH2_8 Legal studies, constitutions, comparative law, human rights
<b>Sub-sector of the secondary ERC sector (eg: SH3_1)</b>	
<b>Key words (5)</b>	Big Data Fundamental rights Health Tourism Property
<b>Abstract (Max. 3.000 characters excluding spaces)</b>	National legal systems are not prepared to deal with storage and mining of Big data. Technology moves much faster than ethics and law, so national rules are always a step back this type of phenomena. But above all, it is the lack of obstacles to the circulation of electronic data to clash with the national borders of internal rules. The context of the research will be the Sharing economy, in particular the exploitation of Big data for scientific, economic and social purposes. The research will focus on issues related to storage, transfer and ownership of data sets. Our primary goal will be to find a realistic model of governance, able to prevent data sets abnormal or criminal uses by public administrations or private organizations.

	<p>Further, we are going to analyze the reliability of data placed on the web. In particular, we will try to identify validation criteria aimed to simplify the assessment of their reliability.</p> <p>Those criteria will be essential for the protection of fundamental rights. This matter will be considered with reference to privacy issues, right to correct information and data owners' accountability. It will be considered also the liability for damages caused by data manipulation.</p> <p>The last point to be addressed will be the transparency of data sets, which have so far remained in the exclusive economic operators' availability.</p>
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## PART B – Analytical description of the project

1. State of the art (max 3000 characters including spaces)

March, 2 2018. Two robbers were arrested in Milan after a robbery in a large store. Policemen were not there by chance, nor had they been called by a passer-by.

Cops were stationing in front of the store. "Keycrime", a software, had foreseen as highly probable the commission of a crime, in that specific place and at that particular time.

This is just one of the possible applications of Big Data.

The concept "Big Data" refers to very large sets of data and information. They may be of different nature and type. The only thing they share is big data can be stored, analyzed and processed through computer software.

In 2005 Jeff Bezos, founder and CEO of Amazon, revealed that sales data-analysts had discovered that Zen books fans often bought books focused on how to have a tidy desk as well. Although there was no logical connection between the two interests.

That's the point.

Connections made through data analysis cannot always be explained on rational basis. In other words, raw data not always reveal a reason for doing something in a certain situation.

By comparing a huge number of variables with algorithms which go far beyond any possibility for a human brain, we are now able to get to results which are not only plausible, but most of the time completely reliable.

Every activity involving the use of new technologies leaves indelible marks.

From data related to our exact location on the globe, to those revealing purchases made by credit card. From data captured by sensors spread out through our cities, to images captured by cameras. But what leaves indelible marks is above all the increasingly widespread habit of recording and sharing everything through the social networks.

Our information, on the other hand, flows into enormous "data lakes": the exploitation relies solely on technical capacities to process them and cross-reference existing data sets.

Not long ago Alexander Jaimes, a Yahoo researcher, simply said "We are data". That is personal information does not constitute our computer *alter ego*, but the true expression of our personality, our tastes, our sexual preferences, our bank account, etc.

Our research will focus on the rise of relevant legal issues linked to the fact that legal systems are proving to be not only unprepared, but lagging behind the pace of what is going on.

There have been attempts to produce standard rules.

The recent EU Regulation (27 April 2016) No. 679, GDPR, lends itself to a twofolded reading.

On the one hand, in fact, EU law has recognized the right of informational self-determination, considering the right to the protection of one's own data as a fundamental right of natural persons (Art. 1, para. 2).

On the other hand, the Regulation ended up shifting the focus of protection from the very person who materially produced it to the accountability of those responsible for processing the information itself.

This is why a research aimed to find out possible tools and solutions for governing the big data phenomenon is very likely welcomed.

**2. Detailed description of the project: methodology, targets and results that the project aims to achieve and their significance in terms of advancement of knowledge (max 8.000 characters including spaces; max 2 figures/tables). The Research group could list further resources that may contribute to the project**

During the first Italian conference “Consortium TOP-IX” (Turin, 2-3 December 2010), entirely dedicated to management and access to data sets, Alexander Jaimes (Yahoo.com), asked the audience to reflect on the amount of data produced and exchanged to perform even any very simple operation, such as buying a pint of milk.

His aim was to make it clear that (almost) all our activities, even the most elementary ones, presuppose computational activities involving the management of complex data. In this case, he added, to the amount of information produced and transmitted since the merchant ordered the goods, we must add those for its transportation to destination, delivery, labeling and placement on the shelves, and finally the purchase by the consumer, perhaps by credit card.

If you think about how many times one carries out such operations every day, you can understand the extent of the phenomenon.

In addition to data on commercial operations, most of them produced over our control, you have to consider daily information creates to cultivate professional or social relationships, to communicate and document, in various forms, every single aspect of our lives.

Despite what one might think, all this information has no ephemeral life. Data are not going to be destroyed once their very function is exhausted. Conversely, they are stored in huge warehouses, the so-called data lakes, capable of collecting an unimaginable amount of data, even if unstructured and uneven.

Information produced by sensors inside the industrial machinery is stored and it gives the chance to an overall view of the state of the equipment, avoiding expensive stops through preventive and targeted maintenance.

Records of human language are also preserved, by storage on the web, and can be processed through refined techniques of semantic analysis.

Data sets -including data from tweets, blogs and other social media- can also be processed through crawling, parsing and entity extraction techniques. This involves web-browsing information, providing to skillful analysts excellent starting profiling points for habits, tastes, and preferences of possible buyers of goods or services.

Also geological survey data may reveal people’s movement in real time.

The enormous value offered by all this information must, however, come to terms with its substantial uselessness in the raw or unrefined state.

In other words, the issue is no longer how much storage space is needed for data sets, but how difficult is analyzing and comparing all recorded data each other. The Big Data revolution does not therefore concern the size of the raw material, but computers capability to connect those big amounts of unstructured data in an acceptable time, and with reasonable costs. At the very end, the issue is ensuring an overall picture for the fruitful interpretation of data sets, which was unthinkable until a few years ago.

Like many other capital goods, big data have become very valuable raw material, potentially workable for producing huge profits.

In 2016, the international management consulting firm McKinsey Global Institute, in its study on "The age of analytics", considered underestimated calculations already reached in a

previous (2011) study, which had quantified in USD 600 million the increase in business value achievable through the commercial use of mere information on personal location data.

Just like any other production factor, information (rather, the ability to process it in time and with acceptable costs) raises many delicate ethical, economic and legal issues. It has long been addressed the problem of the obscure and non-transparent way by which various actors handle information produced, consciously or unconsciously, for purely commercial purposes by consumers.

It has been said how likely is to foresee purchasing guidelines simply based on previous customers' behaviors or decisions. Now the possibility of supporting or even replacing human decisions through algorithms has been studied for some time; for example, some believe algorithms should be used to form more equal and fair judicial decision.

Addressing every legal problem posed by Big Data, and especially its use in the current economic and social context, would be overly ambitious, perhaps even unrealistic in the short term of two years. It therefore seemed right to focus our research on "Big Data and Fundamental Rights" through three sub-topics, to be entrusted to the research units which make up the research team.

The project lasts 24 months and provides for three different phases:

*First phase (6 months)*

The research group discuss in monthly meetings, the status of legal research on Big Data and their use in the current national, EU and international law systems.

*Second phase (12 months)*

The team will try to enhance the contribution of external scholars of clear reputation, who will be invited to hold thematic workshops, open to students, faculty and the general audience, on individual topics and case-studies relevant to research matter. Three external researchers will also be commissioned to carry out specific studies which need for a specific analysis has emerged.

The three research units proceed separately, in a continuous and permanent coordination:

a) private law scholars will examine in depth the question of ownership, possession and circulation models of stored data;

b) constitutional law unit will focus on the relationship between Big Data and the fundamental right to health. Specifically, the scholars will examine the relationship between big data and human rights. In fact, their use involve personal sphere of real people. In particular, when big data involve the fundamental right to health (art. 32 Italian Constitution) there are a lot of risks because of the lack of specific rules. The EU Regulation No. 679/2016 doesn't discipline the *right of privacy*, but a new public interest called "*free movement of data*" in *cyberspace*. So the scholars will imagine how can regulate data governance and, especially, how prevent the analysis of this sensible information can be used to earn

c) tourism law scholars, will study issues related to commercial information sharing by air transport operators and hotels. It is more and more frequent that airlines and touristic website use big data for customer profiling. Until now this has happened absolutely without any control and rules.

*Third phase (6 months)*

The last part of the work is dedicated to the collection and dissemination of research results, which will be collected in a dedicated book.

As a whole, the research will be conducted following an approach that is as pragmatic and proactive as possible, i.e. aimed not only at the reconstruction of abstract legal categories, but also suggesting substantial models of regulation.

We expect not only a general reflection on the relationship between Big Data and people fundamental rights, but also in-depth studies on issues which have been little considered by legal science so far.

We firmly believe that the ongoing global dimension of Big Data issues does not fit national legal systems. Hopefully, research results would offer the scholar community a first-glance proposal for a wider and comprehensive regulation of the Big Data phenomenon at the EU and international levels.

**3. Project development and timetable and identification of research groups (where present) organization and modalities of integration and collaboration among the participants (max 4000 characters including spaces; max 2 figures/tables).**

The project will be carried out by 12 scholars, divided into three research units. Each unit will focus on the aspects directly relevant to their own scientific discipline area.

The research will last 24 months.

*First phase (Preliminary investigation).*

During the first 6 months the team will work together for reconstructing and analyzing the national and international scientific production, on matters related to Big data and fundamental human rights.

The survey will not be carried out with exclusive reference to the Italian legal system but, as much as possible, in a comparative key allowing the team to analyze all the possible approaches so far attempted in the legal and socio-economic perspective on the governance of Big Data phenomenon.

The activity will be carried out in a continuous connection and coordination between researchers. The sharing of results will be guaranteed by special meetings, to be held at least monthly and with the participation of the entire research team.

The first part of the research is essentially intended on building the basis of the subsequent development of the project.

*Second phase (Research by the various units).*

Starting from the seventh month, and for the following 12 months, each unit will begin working concretely.

The first unit, composed by private law scholars, will investigate the issues relating to the legal nature of Big data and the events of their transfer or sharing from one subject to another. Although it is clear that these are intangible assets of a completely new type, the dynamics are not yet absolutely clear. Data lakes, in fact, contain information produced by individual users or commercial operators, essentially for purposes other than mere storage and their use by third parties. Moreover, the relationship between single data and the whole data set is still not clear.

The second unit, composed by constitutional law scholars, will investigate the relationship between Big Data and the right to health, involving issues of diagnostic networking and therapeutic information, which affects public expenditure and effective healthcare models.

However, the topic also poses significant ethical and legal problems, which the new EU Regulation No. 679/2016 provisions have not yet solved at all, even though they have strengthened the accountability of data controllers.

In the absence of clear and specific disciplinary rules for data governance, health related information are lent to become a formidable profit tool. In the same way, however, the use and analysis of this information cannot be completely banned.

The third unit, made up by tourism law scholars, will analyze the use of information collected from airlines, hotels and generally tour operators.

For some time now, those data have been processed and used not only to differentiate fares according to cyclical peaks in demand, but also to profile users in order to offer specific additional services, such the proliferation of extra-hotel offers, i.e. Air-bnb.com etc.



During this phase, monthly meetings will keep going on, but a further opportunity for comparison and sharing of results between the participants will be represented by a series of public workshops where experts of clear reputation provide further contribution in the analysis of the most delicate issues.

Moreover, research grants may be activated to commission specific and in-depth analysis and particular issues will be addressed.

*Third phase (Results dissemination).*

All researchers will provide written contributions on issues directly relevant to the topic addressed by their unit. Their contributions will be collected in a dedicated book, which will be presented during the final research conference.

From the beginning of the project, moreover, a specific web page will be activated on the website unica.it. It is going to be used not only to publicize the scheduled meetings, but also to share documents, scholarships and research materials and results achieved.

#### 4. References (max. 20)

- 1) ANRO I., NASCIMBENE B., *La tutela dei diritti fondamentali nella giurisprudenza della Corte di giustizia: nuove sfide, nuove prospettive*, in *Rivista Italiana di Diritto Pubblico Comunitario*, fasc.2, 1 aprile 2017, pag. 323.
- 2) ATZORI M., *Tecnologia blockchain e governance decentralizzata: lo Stato è ancora necessario?*, dicembre 2015.
- 3) BERLINGÒ V., *Il fenomeno della datificazione e la sua giuridificazione*, in *Rivista Trimestrale di Diritto Pubblico*, fasc.3, 1 settembre 2017, pag. 641.
- 4) BEYER M.A., LANEY D., *The importance of big data: a definition*, Stamford, Gartner Retrieved, 21 June 2012.
- 5) COLANGELO G., *Big data, piattaforme digitali e antitrust*, in *Mercato concorrenza regole*, fascicolo 3, dicembre 2016.
- 6) CUCCURU P., *Blockchain e automazione contrattuale. Riflessioni sugli smart contract*, in *Nuova giur. civ. comm.*, 2017, pp. 107 ss.
- 7) D'ACQUISTO G., NALDI M., *Big data e privacy by design: anonimizzazione pseudonimizzazione sicurezza*, prefazione di Franco Pizzetti, Giappichelli, Torino, 2017.
- 8) DE TULLIO M.F., *La privacy e i big data verso una dimensione costituzionale collettiva*, in *Politica del diritto*, fascicolo 4, dicembre 2016.
- 9) FALCONE M., *Big data e pubbliche amministrazioni: nuove prospettive per la funzione conoscitiva pubblica*, in *Rivista Trimestrale di Diritto Pubblico*, fasc.3, 1 settembre 2017, pag. 601.
- 10) GIANNACARI A., *La storia dei Big Data, tra riflessioni teoriche e primi casi applicativi*, in *Mercato concorrenza regole*, fascicolo 2, agosto 2017.
- 11) MANTELERO A., *From Group Privacy to Collective Privacy: Towards a New Dimension of Privacy and Data Protection in the Big Data Era*, in *Group Privacy New Challenges of Data Technologies / Taylor L., Floridi L., van der Sloot B. Springer International Publishing*, pp. 139-158.
- 12) MANTELERO A., VACIAGO G., *Legal aspects of information science, data science, and Big Data*, in *Frontiers in Data Science / Matthias Debmer, Frank Emmert-Streib CRC Press*, pp 46, pagine 1-46.
- 13) G. TEUBNER, *Ibridi e attanti*, Milano, 2015.
- 14) MANTELERO A., *Responsabilità e rischio nel Reg. UE 2016/679*, in *LE NUOVE LEGGI CIVILI COMMENTATE*, 2017, Cedam Spa, pp 21, pagine 144-164. ISSN: 0391-3740
- 15) M. ZALNIERIUTE, *Developing a European Standard for international data Transfers after Snowden, Opinion 1/15 on the EU-Canada PNR Agreement*, in *The modern law review*, 2018, pp. 1046 e ss.
- 16) MAYER SCHOMBERGER V., CUKIER K., *Big data. Una rivoluzione che trasformerà il nostro modo di vivere e già minaccia la nostra libertà*, trad. it. MERLINI R., Garzanti, Milano, 2013.
- 17) OREFICE M., *I big data. Regole e concorrenza*, in *Politica del diritto*, fascicolo 4, dicembre 2016.
- 18) PIRAINO F., *Il regolamento generale sulla protezione dei dati personali e i diritti dell'interessato*, in *Nuove leggi civ. comm.*, 2017, 378.
- 19) PITRUZZELLA G., *Big data, competition and privacy: a look from the antitrust perspective*, in DI PORTO F. (a cura di), *Big data e concorrenza*, Giuffrè, Milano, 2016.
- 20) PIZZETTI F., *Privacy e il diritto europeo alla protezione dei dati personali. Il Regolamento europeo 2016/679*, Giappichelli, Torino, 2016.

5 – Budget (allocated funds: € 39.720,64)

Macro item spending	Spending item	Research Unit (if any)	Amount €	Subtotals €
Human resources				15.000
Consumables				250
Durable goods and library material				1720,64
Services, Publications and congress organization expenses, registration fees				16800
Missions (max 15% of the total project cost)				5950
<b>TOTAL</b>				<b>39.720,64</b>

## PART C

### Components of the research group

Last name	First name	Position	Research unit
Demuro	Gianmario	PO	PI, 2
Deffenu	Andrea	PO	2
Caredda	Valeria	PO	1
Ugas	Anna Paola	PA	1
Bandiera	Franco	PA	1
Corona	Valentina	R	3
Ancis	Luca	R	3
Ruggiu	Ilenia	PO	2
Cherchi	Roberto	PA	2
Betzu	Marco	RTD	2
Fadda	Rossella	PA	1
Siniscalchi	Anna Maria	PA	1

**CV of Principal Investigator (max 4.000 characters including spaces)**

**GIANMARIO DEMURO**

**Born:** Cagliari 07/07/1960 **Address:** Dipartimento di Giurisprudenza, Viale Sant'Ignazio 17, Cagliari  
**mail:** demuro@unica.it

**ACADEMIC EMPLOYMENT**

**1990-2000:** Researcher, Constitutional Law, School of Law, University of Cagliari

**2000-present:** Professor, Constitutional Law, School of Law, University of Cagliari

**Academic activities:**

**1998-2005:** member (director) of the PhD School (EU and Comparative Law), School of Law, University of Cagliari and University of Palermo;

**2000-present:** member (director) of the advanced School of Legal Studies for Practitioners, School of Law, University of Cagliari;

**2001-present:** editor (Board Member) of the Law Journals *Rassegna di diritto pubblico europeo* and *Nuove autonomie*;

**2003-2006:** responsible, on behalf of the University of Cagliari, school of Law, for the project *TEMPUS Good governance*; official website: <http://ggc.wu-wien.ac.at/>

**2004-2006:** responsible, on behalf of the University of Cagliari, for the relationship between the University of Cagliari and South American academic institutions;

**2005-2013:** member (director) of the PhD School (Constitutional Law), School of Law, University of Ferrara, University of Trieste and University of Cagliari;

**2006-2009:** Member of the Commission of the Regional Government of Sardinia;

**2007-2014:** Director of the Master "Multilevel governance, " University of Cagliari;

**2007-present:** Editor, on-line law review *Osservatorio sulle Fonti*;

**2009-2012:** *Associazione Italiana dei costituzionalisti*, Board member;

**2010-present:** Responsible for the project *Specialità e differenziazione in Sardegna. Uno studio interdisciplinare e comparato su istituzioni, identità e diritti*, University of Cagliari (in collaboration with the University of Edinburgh, United Kingdom);

**2012-present:** board member (online law review) *Costituzionalismo.it*;

**2012-2014:** Director, Summer School *Europe Regions and Human Rights* (Intensive program Erasmus Mundus), University of Cagliari, School of Law.

**2018:** Responsible for the project *Governance dei Big data e politiche pubbliche*, University of Cagliari.

**Legal Drafting:**

**1995:** appointed by the Autonomous Region of Sardinia as member of the working group on the legal reform of the Regional Government of Sardinia;

**1997:** appointed by the Autonomous Region of Sardinia as director (head) of the working group on the regulation of subsidiary bodies of the Autonomous Region of Sardinia;

**1997-98:** member of the Sardinian Regional Committee for the regulation of the use of radio and television platforms; drafter of the law establishing the Regional Committee for Communication;

**1997-98:** instructor (Constitutional Law) for *Consorzio Tecnofor-Università di Cagliari*; author of the official compendium of legislation for teachers of primary school in Sardinia;

**1998:** Formez (project *TESEO-Regione Sardegna*), instructor responsible for teaching methodologies of normative drafting of six laws of administrative simplification in the fields of tourism, jobs, the environment, enterprise and agriculture.

**1998:** responsible for the normative drafting of PUP-PTC regulations for *Provincia di Cagliari*.

**2002:** member of the Committee for the regulation of the use public goods of the Region of Tuscany, Italy

**2004:** Autonomous Region of Sardinia, Responsible for the drafting of the Statutory Law of Sardinia (legge statutaria) in the fields of public ethics, conflict of interests, institutional reform of the Regional Government of Sardinia;

**2012:**Autonomous Region of Sardinia-Council of Local Autonomies, normative drafting of the bill on Governance of Local Autonomies in Sardinia.

**Public Institutions:**

**2003:** Instructor, Corso Formez per i funzionari del Comune di Cagliari;

**2004:** Instructor, Corso-concorso per l'assunzione Dirigenti dell'Università di Cagliari

**Institutional positions**

**2011-2014:** Board Member *ERSU Ente regionale diritto allo studio di Cagliari*;

**2014-2016:** Autonomous Region of Sardinia, Regional Minister for Public affairs and reform

**Principal publications of the Principal Investigator (max 15)**

- 1) G. DEMURO, *Costituzionalismo europeo e tutela multilivello dei diritti. Lezioni*, Torino, 2009;
- 2) G. DEMURO and W. T. B. Mock (eds.), *Human Rights in Europe, Commentary on the Charter of Fundamental Rights of the European Union*, Carolina Academic Press, 2010. G. Demuro, *Regole costituzionali non scritte tra diritto ed altre scienze*, Giappichelli, Torino, 2003;
- 3) G. DEMURO, *Costituzionalismo europeo e tutela multilivello dei diritti. Lezioni*, Torino, 2009;
- 4) G. Demuro, *I rapporti fra Corte di giustizia delle comunità europee e Corte europea dei diritti dell'uomo. Problemi e prospettive*, in *Rass. Dir. Pubbl. Europeo*, 2003 (also published in P. Falzea, A. Spadaro and L. Ventura, *La Corte costituzionale e le Corti d'Europa*, Giappichelli, Torino, 2003);
- 5) G. DEMURO, *Università e ricerca come risorsa economica. La rivoluzione dell'intelligenza* in R. Bin e L. Coen (eds.), *Poteri pubblici e sviluppo economico locale*, Udine, 2009 (also published in *Le istituzioni del federalismo*, 2-2009);
- 6) G. DEMURO, *Commentary on Article 13 – Freedom of the Arts and Sciences*, in *Human Rights in Europe, Commentary on the Charter of Fundamental Rights of the European Union*, W. BT. MOCK G. DEMURO Editors, Carolina Academic Press, 2010.
- 7) G. DEMURO, *Commentary on Article 14 – Right to education*, in *Human Rights in Europe, Commentary on the Charter of Fundamental Rights of the European Union*, W. BT. MOCK G. DEMURO Editors, Carolina Academic Press, 2010.
- 8) G. DEMURO, *Commentary on Article 15 – Freedom to choose an occupation and right to engage in work*, in *Human Rights in Europe, Commentary on the Charter of Fundamental Rights of the European Union*, W. BT. MOCK G. DEMURO Editors, Carolina Academic Press, 2010.
- 9) G. DEMURO, *Commentary on Article 45 – Freedom of Movement and of residence in Europe*, in *Human Rights in Europe, Commentary on the Charter of Fundamental Rights of the European Union*, W. BT. MOCK G. DEMURO Editors, Carolina Academic Press, 2010.
- 10) G. DEMURO, *La prise en compte des faits de l'espece dans l'interpretation de la loi par le juge constitutionnel*, in *Rivista AIC*, n. 3/2011.
- 11) G. DEMURO, *La libertà di comunicazione. Profili dogmatici e problemi di regolazione*, in M. VILLONE, A. CIANCIO, G. DE MINICO, G. DEMURO, F. DONATI (a cura di), *Nuovi mezzi di comunicazione e identità. Omologazione o diversità?*, Aracne, 2012.
- 12) G. DEMURO, *La ricerca scientifica e il diritto alla salute*, in *Rivista AIC*, 3-2013.
- 13) G. DEMURO, *A Eu Constitutional identity? An Inquiry into the legal and extra-legal elements of legitimation of the EU Process of integration*, in J. W. PICHER, A. BALTHASAR, *The report on the future of Europe*, Wien Graz, 2014.
- 14) G. DEMURO, *Gli organi di Governo nella realtà costituzionale*, in *Rivista AIC*, n. 4/2014.

15) G. DEMURO, *I diritti sociali tra dimensione europea e identità costituzionale degli Stati*, in A. Ciancio (a cura di), *Le trasformazioni istituzionali a sessant'anni dai Trattati di Roma: Atti di convegno* (Catania, 31 marzo - 1 aprile 2017), Giappichelli, Torino, 2017

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**CV of the other research group components (max 2.000 characters including spaces for each component) and Principal publications of the other research group components (max 10 for each component) \***

**CV of component (First name and Last name) (max 2000 caratteri)**

**ANDREA DEFFENU**

Andrea Deffenu is a full professor of Public Law, in the Department of Law, University of Cagliari.

#### 1. EDUCATION AND CULTURAL DEVELOPMENT

2017 – VISITING PROFESSOR at the University of Paris 13 (France).

2010 - VISITING PROFESSOR at the University of Caen (France).

2009 - VISITING PROFESSOR at the University of Caen (France).

2008 - VISITING PROFESSOR at the University of Reims (France).

2006 - VISITING PROFESSOR at the University of Caen (France).

2006 – ASSOCIATE PROFESSOR of Constitutional Law, at the University of Cagliari.

2004 – PHD in “Constitutional Justice and safeguard of fundamental rights”, at the University of Pisa

2002 – RESEARCHER AT THE UNIVERSITY of Constitutional Law, at the University of Cagliari.

1999 –GRADUATED WITH HONOURS in Constitutional Law at the Faculty of Law, University of Cagliari.

#### 2. SCIENTIFIC RESEARCH

Main research interests: regional law, affirmative action and actions against discriminations.

National major research projects which he has taken part:

2007/2008: PRIN about “Stabilità e rafforzamento degli esecutivi tra evoluzione del sistema politico e dinamiche della governance multilivello”.

2005/2006: PRIN about “Organi e procedure di cooperazione tra Unione europea, Stato ed enti territoriali”.

2003/2004: PRIN about “Il Trattato costituzionale nel processo di integrazione europea”.

He makes his activity of research in the University of Cagliari.

### 3. TEACHING

2009/2018: Public Law, Regional Law.

2008/2009: Institutions of Public Law, Regional Constitutional Law.

2007/2008: Institutions of Public Law, Constitutional Law, Regional Law, in the Master concerning “Operators for public administration in Sardegna” (University of Cagliari)  
2005/2006: Institutions of Public Law.

### 4. OTHER ACTIVITIES OF SCIENTIFIC IMPORTANCE

Member of the association between young scholars of Constitutional Law “Gruppo di Pisa”.

Member of the editorial board of the magazine on line [www.costituzionalismo.it](http://www.costituzionalismo.it)

### 5. FOREIGN LANGUAGES

English.

French.

### Principal publications (max 10)

1) A. DEFFENU, *La frontiere entre l'autonomie et l'indépendance : l'unité nationale et les instances territoriales dans l'évolution du régionalisme italien*, in *Civitas Europa*, n. 38, 2017, p. 271 ss.;

2) A. DEFFENU, *Sardinia*, in *The emergence of a democratic right to self-determination in Europe*, a cura di D. Turp, M. Sanjaume-Calvet, CMP, Bruxelles, 2016, ISBN: 9789082632101;

3) A. DEFFENU, *Dichiarazioni identitarie e Statuti speciali: per una valorizzazione dell'identità in una prospettiva laica e cosmopolita*, in *Identità e autonomia in Sardegna e Scozia*, a cura di G. Demuro, F. Mola, I. Ruggiu, Maggioli, Bologna, 2013, pp. 78-90; ISBN: 9788838782435;

4) A. DEFFENU, *Il ridimensionamento delle Province nell'epoca dell'emergenza finanziaria tra riduzione delle funzioni, soppressione dell'elezione diretta e accorpamento*, in *Osservatorio sulle fonti*, n. 3, 2012, pp. 1-30, ISSN: 2038-5633;

5) A. DEFFENU, *Tributi propri delle Regioni speciali e armonia con i principi del sistema tributario statale tra rationes contraddittorie e discriminazioni irragionevoli*, in *Le Regioni*, n. 3, 2008, pp. 729-738, ISSN: 0391-7576;

6) A. DEFFENU, *Come rafforzare l'autonomia regionale nella scelta della forma di governo. Alcune proposte di modifica dello Statuto*, in *La riforma della Regione speciale: dalla legge statutaria al nuovo Statuto speciale*, a cura di



O. Chessa, P. Pinna, Giappichelli, Torino, 2008, ISBN: 9788834883693;

7) A. DEFFENU, *L'urgenza di un nuovo Statuto speciale*, in *I diritti delle persone dentro e fuori i confini costituzionali*, a cura di R. Deplano, Carocci, Roma, 2008, ISBN: 9788843048762;

8) A. DEFFENU, *La Cour constitutionnelle italienne arbitre des conflits entre l'Etat et les régions: l'interprétation du titre V de la Constitution*, in *Cahiers de la recherche sur les droits fondamentaux*, n. 5, 2007, pp. 115-122, ISSN: 1634-8842;

9) A. DEFFENU, *La forma di governo della Regione Sardegna*, in *L'autonomia positiva. Proposte per un nuovo Statuto della Sardegna*, a cura di G. Demuro, Aisara, Cagliari, 2007, ISBN: 9788861040052;

10) A. DEFFENU, *Art. 121 Cost.*, in *Commentario alla Costituzione*, a cura di R. Bifulco, A. Celotto, M. Olivetti, vol. III, Utet giuridica, Torino, 2006, pp. 2401-2423, ISBN: 8859800463.

**\*replicate the schema for each component**

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**CV of the other research group components (max 2.000 characters including spaces for each components) and Principal publications of the other research group components (max 10 for each components) \***

**CV of component (First name and Last name) (max 2000 caratteri)**

**VALERIA CAREDDA**

Full professor in the Disciplinary-Scientific Sector IUS01 at the University of Cagliari, Department of Law, since 2006. Lecturing on an ongoing basis from 1996/1997 at the University of Cagliari, especially in the Faculty of Law: *Private law, Family law, Contract law, Private law advanced course* and other courses. From 2014/2015: *Private Law*, in the degree course in Law and, from 2017/2018, *Law and autonomy of individuals*.

International conference "*Mediacion y genero: un camino hacia la igualdad*", *II encuentro internacional sobre mediacion, penal, civil y familiar*, 06/2014, University of Sevilla, presentation entitled *Mediacion y filiacion, en Italia*;

Lectures at national conferences: 27/11/2014 *Dalle invalidità matrimoniali alle tutele dei rapporti*, within the conference *L'evoluzione delle tutele nella prospettiva europea*, University Of Cagliari; 3/7/2015, Ass. CamMiNo and Unicef, *La responsabilità genitoriale alla luce delle recenti riforme; Responsabilità genitoriale, interesse e ascolto della persona di età minore*; 2/2/2017 *Liberalità e causa: definizioni preventive e cautele successive*, "*circolazione di beni di provenienza donativa*", Cagliari Notary Council; 4/5/2017 *Danneggiato e danneggiante a confronto*, responsabilità sanitaria, Department of Law, University of Cagliari; 6/12/2017 *Donazione e liberalità: il confine tracciato dalle Sezioni Unite*, Civil Chamber of Lawyers of Udine.

In June 2017: research as a visiting scholar at CEDCACE (*Centre de Droit civil des affaires et du contentieux économique*) at the University of Paris X Ouest-Nanterre.

Member of the Scientific Evaluation Committee of the series *Quaderni di conciliazione*

Member of the evaluation committee of the journal *Diritto delle successioni e della famiglia*

Member of the panel of referees of the Journal *Jus civile*; of the Journal *Il nuovo diritto civile*; of the *Rivista trimestrale di diritto e procedura civile*.

### Principal publications (max 10)

- 1) V. CAREDDA, *Le liberalità diverse dalla donazione*, Torino, 1996;
- 2) V. CAREDDA, *Autoresponsabilità e autonomia privata*, Torino, 2004;
- 3) V. CAREDDA, *L'onere. Conversazioni sul diritto privato*, Cagliari, 2013;
- 4) V. CAREDDA, *Concorso del fatto colposo del creditore Art. 1227*, in *Il codice civile. Commentario*, diretto da F. D. Busnelli, Milano, 2015.
- 5) V. CAREDDA, *Imperfecta lex, sed lex. Note a margine di una norma senza sanzione*, in *Riv. dir. civ.*, II, 2013, p. 633 ss.;
- 6) V. CAREDDA, *Spunti evolutivi sull'art. 258 cod. civ.: il riconoscimento, la parentela, la famiglia*, in *Riv. trim. dir. e proc. civ.*, 2015;
- 7) V. CAREDDA, *Provocazione e concorso del fatto colposo del danneggiato: una veduta di scorcio dell'ordinamento*, in *Riv. trim. dir. e proc. civ.*, 1, 2017.;
- 8) V. CAREDDA, *Sulle oscillazioni interpretative dell'art. 1227*, in *La nuova giur. civ. comm.*, 2017, II;
- 9) V. CAREDDA, *Matrimonio "misto": efficacia e trascrivibilità*, in *La nuova giur. civ. comm.*, 2018, 10, 1436 ss.
- 10) V. CAREDDA, *Le liberalità tra vivi*, in *Diritto civile. Norme Questioni Concetti*, a cura di Amadio e Macario, Bologna, 2014;

**\*replicate the schema for each component**

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**CV of the other research group components (max 2.000 characters including spaces for each components) and Principal publications of the other research group components (max 10 for each components) \***

### CV of component (First name and Last name) (max 2000 caratteri)

#### ANNA PAOLA UGAS

Anna Paola Ugas became a full-time research associate in the Private Law - scientific disciplinary sector in 1995 after winning the pertaining competitive examination, and was confirmed in 1998. Since the academic year 1998-1999, she has taught Institutions of Private Law at the Faculty of Political Science, University of Cagliari. In 2002 she became Associate Professor after winning a competitive examination and was confirmed in 2005, then teaching Private Law in two of the different three-year degree courses included in the Faculty of Political Science at the University of Cagliari. In 2018 she is qualified as full Professor. She has directed and coordinated several local research projects, and she was part of one project (2012-2015) financed by the Region of Sardinia (Regional Law n. 7/2007).

In 2007-2008 she was assigned the course on Law and Economics (contracts) included in the Master's Degree in Science of Public Administration activated by the above-mentioned Faculty. Since the academic year 2014-2015 she held a course on Institutions of Private Law at the Faculty of Law in Cagliari. She has held and still holds lectures for the Postgraduate Course for Legal Professions at the Faculty of Law in Cagliari, and for the Sardinian Notary School "Salvatore Satta". She is referee of the Sardinian Law Magazine. She was part of the teaching body for the Contract Law PhD programme.

Her research activity has been focused on juridical facts and legal transactions and in 2002 the result was a monograph called "Il negozio giuridico come fonte di qualificazione e disciplina di fatti" (Legal transactions as a source to qualify and discipline facts), publisher Giappichelli, the monograph "Fatto e dinamica nel diritto" (Fact and dynamics in law), published in 2011 by Giappichelli, in the

collection "Studi di diritto privato". In 2018 she published the monograph "Delle obbligazioni divisibili e indivisibili" ("Obligaciones divisibles and indivisibles") by ESI Editor.

### Principal publications (max 10)

- 1) A. P. UGAS, *Il negozio giuridico come fonte di qualificazione e disciplina di fatti*, Torino, 2002.
- 2) A. P. UGAS, *Fatto e dinamica nel diritto*, in *Studi di diritto privato* collana diretta da Busnelli, Patti, Scalisi, Zatti, Torino, 2011.
- 3) A. P. UGAS, *Le obbligazioni divisibili e indivisibili. Indagine sui contenuti teorici e applicativi dell'immedesimazione soggettiva e della comunione di prestazione*, Napoli, 2018.
- 4) A. P. UGAS, *Evizione, Artt. 1483 c.c. – 1488 c.c.*, in *Codice della vendita*, a cura di Vincenzo Buonocore, Angelo Luminoso, Giuseppe Fauceglia, IV ed., in *Le fonti del diritto italiano*, Milano, 2018, pp. 732-792.
- 5) A. P. UGAS, *Le obbligazioni a soggetto multiplo: la complessità del problema ed un'ipotesi ricostruttiva*, in *Liber amicorum per Bruno Troisi*, a cura di C. Cicero e G. Perlingieri, Napoli, 2017, pp. 1358-1398.
- 6) A. P. UGAS, *Profili di crisi nella distinzione tra diritti reali e diritti di credito*, in *Diritto e crisi* a cura di A. Luminoso, in *Atti del Convegno di Studi per i trent'anni della Rivista Giuridica Sarda 27-28 novembre 2016*, Milano, 2016.
- 7) A. P. UGAS, *Art. 1659. Variazioni concordate al progetto*, in *Codice dell'Appalto privato*, a cura di Angelo Luminoso, Milano, 2 ed., 2016, pp. 369-413.
- 8) A. P. UGAS, *Art. 2232 Esecuzione dell'opera*, in *Commentario del codice civile*, diretto da G. Gabrielli, *Dell'impresa e del lavoro* a cura di Oreste Cagnasso e Antonio Vallebona, 2188-2246, Milano, 2014, pp. 740-816.
- 9) A. P. UGAS, *Art. 2236 Responsabilità del prestatore d'opera*, in *Commentario del codice civile*, diretto da G. Gabrielli, *Dell'impresa e del lavoro* a cura di Oreste Cagnasso e Antonio Vallebona, 2188-2246, Milano, 2014, pp. 880-903.
- 10) A. P. UGAS, *Circolazione ed immedesimazione nella vicenda del credito e del contratto*, in *Liber amicorum*, per Angelo Luminoso, *Contratto e mercato*, Vol. I, Milano, 2013, pp.107-209.

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**CV of component (First name and Last name) (max 2000 caratteri)**

**FRANCO BANDIERA**

Degree in law with marks 110/110 cum laude on June 30<sup>th</sup> 1988 in University of Cagliari – Faculty of Law.

He became a full-time research associate in the Private Law - scientific disciplinary sector IUS-01 in 2002 after winning the pertaining competitive examination, and was confirmed in 2006.

He currently teaches private law in the University of Cagliari.

He teaches also in the advanced School of Legal Studies for Practitioners, School of Law, University of Cagliari.

Member of the editorial board of *Rivista giuridica Sarda*.

Responsibility For Scientific Studies And Research

- *Right of withdrawal in contracts for the provision of services;*
- *Contracts with parties who have to be determined*
- *From 2009 to 2013- The impossibility of the object of the contract*

Lawyer of the forum of Cagliari.

He delivered many lectures in scientific conferences.

### Principal publications (max 10)

- 1) F. BANDIERA, *Il recesso del committente nei contratti per l'esecuzione di opere o servizi*, Cagliari, 2000.;
- 2) F. BANDIERA, *Il contratto per conto di chi spetta*, Cagliari (ed. provv.), 2000;
- 3) F. BANDIERA, *Commento all'art. 2229 c.c.*, in *Commentario del cod. civ.* diretto da Gabrielli, *Dell'impresa e del lavoro*, artt. 2188-2246, a cura di Cagnasso e Vallebona, Torino, 2014, p. 421 – 492;
- 4) F. BANDIERA – A.P. UGAS, *Commento all'art. 2230 c.c.*, in *Commentario del cod. civ.* diretto da Gabrielli, *Dell'impresa e del lavoro*, artt. 2188-2246, a cura di Cagnasso e Vallebona, Torino, 2014, p. 492 – 554;
- 5) F. BANDIERA, *Commento all'art. 2237 c.c.*, in *Commentario del cod. civ.* diretto da Gabrielli, *Dell'impresa e del lavoro*, artt. 2188-2246, a cura di Cagnasso e Vallebona, Torino, 2014, p. 903 – 954.
- 6) F. BANDIERA, *Art. 2238 – Rinvio*, in *Commentario del cod. civ.* diretto da Gabrielli, *Dell'impresa e del lavoro*, artt. 2188-2246, a cura di Cagnasso e Vallebona, Torino, 2014, p. 955-990;
- 7) F. BANDIERA, *Vendita di cosa altrui. Buona fede del compratore*, sub artt. 1478-1479, in *Codice della vendita*, a cura di Buonocore, Luminoso e Miraglia, Giuffrè, Milano, agg. 2018, pp. 664 - 706.;
- 8) F. BANDIERA, *Recesso del committente, mora accipiendi e impossibilità della prestazione per fatto imputabile al creditore*, in *Liber amicorum per Angelo Luminoso*, II, *Contratto e mercato*, Giuffrè, Milano, 2013, pp. 733 - 782.;
- 9) F. BANDIERA, *Successione di leggi nel tempo e onere della prova del momento perfezionativo della fattispecie*, in *Riv. dir. civ.*, 2005, I, p. 709 ss.
- 10) F. BANDIERA, *La determinazione dell'oggetto del contratto nella somministrazione e la c.d. esclusiva «implicita»*, in *Contratto e impresa*, 1998, 2, p. 687 ss. e (con alcune significative modifiche), in *Studi Economico-Giuridici della Facoltà di Giurisprudenza dell'Università di Cagliari*, v. LVII, 1997-1998, *In memoria di Lino Salis*, I, Torino, 2000, p. 120 ss.

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**CV of the other research group components (max 2.000 characters including spaces for each component) and Principal publications of the other research group components (max 10 for each component) \***

**CV of component (First name and Last name) (max 2000 caratteri)**

**VALENTINA CORONA**

Degree in law with marks 110/110 cum laude on June 25<sup>th</sup> 1998 in University of Cagliari – Faculty of Law.

From 2000 to 2003 attended the doctorate course on “Private law in maritime and air law” in the Faculty of Law of the University of Campobasso and reached the doctor’s degree on March the 23<sup>rd</sup> 2004 with a thesis on “Charterparties for carriage of dry and liquid cargoes”.

Since January the 2<sup>nd</sup> 2005 researcher at University of Cagliari Faculty of law in air and maritime law.

From 2005 to 2013 supply professor in Tourist Law in Univ. Cagliari seat of Oristano.

From 2004 to 2006 supply professor in Maritime Law in Univ. Cagliari Faculty of Natural Science.

Since 2008 supply professor in tourist law at University of Cagliari Faculty of law.

Since 2005 teacher in seminars in the University of Cagliari – Law School – relating to “Enforcement of use in maritime bargaining” and “Common law rules on maritime carrier’s liability”.

In 2008 teacher of maritime and air law in the University MYKOLO ROMERIO UNIVERSITETO in Vilnius Lithuania in the Erasmus TS Visit Program.

Since 2005 scientific manager for local research projects for 60%

- “Freight risk in charterparty contracts” (2005)

- “Carriage of luggage” (2006)

- “Issues and doubts in the system of air passengers’ protection” (2007)

Since 2000 member of study groups for the following researches:

Particular issues in the contract of towage (2000)

Common maritime usages between borderline areas of Sardinia and south Corsica – PIC - INTERREG II, (1998/2000)

Charges in air transport services and territorial continuity for the maritime carriage of passengers and goods (2001)

The new European regulation for overbooking (2002/2003)

Transports law and territorial continuity between maritime peripheral areas – PIC - INTERREG III (2002/2003)

New trends on tourist and recreational licenses on public maritime domain (2003)

The new International law on securities on aircrafts and the Italian Navigation Code (2004)

**Principal publications (max 10)**

1) V. CORONA, *I contratti del diporto nautico*, in *Manuale del diritto del turismo*, Torino, 2017, pag. 291 e ss.;

2) V. CORONA, *La tutela del passeggero aereo in caso di downgrading*, *Diritto dei trasporti*, 2017, pp. 254 e ss.;

3) V. CORONA, *L’inefficacia del reg. (CE) n. 261/2004 sui poteri degli organismi nazionali*, *Diritto dei trasporti*, 2016, pp. 794 e ss.;

4) V. CORONA, *Ancora sulla portata delle circostanze eccezionali*, *Diritto dei trasporti*, 2016, pp. 179 e ss.;

5) V. CORONA, *La tutela del passeggero in caso di ritardo alla luce della giurisprudenza della Corte di Giustizia CE*, *Rivista giuridica Sarda*, pp. 605 e ss.;

6) V. CORONA, *Il contratto di noleggio di nave*, in *Codice dei Trasporti* (a cura di Tullio e Deiana), Milano, 2011, pag. 583 e ss.;

- 7) V. CORONA-M.DEIANA, *Manuale di legislazione turistica della Sardegna*, Cagliari, 2008;
- 8) V. CORONA, *La compensazione pecuniaria per ritardo aereo fra diritto positivo e giurisprudenza interpretativa della Corte di Giustizia*, *Diritto dei trasporti*, 2010, pp. 123 e ss.;
- 9) V. CORONA, *Le circostanze eccezionali e le prestazioni del vettore aereo in caso di cancellazione del volo*, *Diritto dei trasporti*, 2009, pp. 808 e ss.;
- 10) V. CORONA, *La tutela per overbooking nella Convenzione di Varsavia*, *Diritto dei trasporti*, 2004, pp. 335 e ss.;

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**CV of the other research group components (max 2.000 characters including spaces for each components) and Principal publications of the other research group components (max 10 for each components) \***

**CV of component (First name and Last name) (max 2000 caratteri)**

**LUCA ANCIS**

In 1999, he graduated in law at the law faculty of the University of Cagliari, reporting the grade of 110/110.

In 2004 he became philosophy doctor in navigation and transport law at the University of Messina  
In October, 2012, he was nominated researcher of air and maritime law at the faculty of law at the University of Cagliari.

In 2015 he has been confirmed as researcher.

From 2013 to 2015 supply professor in Air and Maritime Law in Univ. Cagliari.

From 2013 is supply professor in Tourist Law in University of Cagliari, seat of Oristano.

*Since 2000 member of study groups for the following researches:*

2008 PRIN - The regulation of the maritime domain

2010-2012 MAPMED - Management of Port Aereas in the MEDiterranean sea basin, To improve the environmental sustainability of tourist coastal areas in the Countries of the Mediterranean Sea Basin through the optimization, validation and transfer of tools to guide institutional authorities in the sustainable management of tourist ports with regard to monitoring and reduction of marine pollution.

From 2017 to 2019 - Theory and practice of subjective rights in new technological scenarios, supported by the Sardinia's Foundation.

Beneficiary of the annual individual funding of basic research activities (FFABR 2017)

*Presentations at Conferences and Seminars*

Among others:

2012, April, *The pricing criteria of law cost transport*, V international meeting of aeronautical law, in Cagliari;

2016, August, *The state of art of international law on Space Debris issue*, XL Jornadas Latino Americanas de Derecho Aeronautico y Espacial, in Mendoza, Argentina;

2017, June, *The traveler's assistance in new EU directive n. 2302/2015 relating to package travel and linked travel arrangements*, in XLI Jornadas Latino Americanas de Derecho Aeronautico y Espacial, in Varsovia, Poland;

2017, October, *Public investment in airports: Commission simplifies rules*, in Rome;

2018, April, *The system of air service charges in EU law*, in Buenos Aires, Argentina.

**Principal publications (max 10)**

- 1) L. ANCIS, *La Corte di Cassazione italiana si pronuncia sulla distribuzione del carico probatorio in relazione*

*alla responsabilità del vettore aereo per ritardo e ai fini della compensazione pecuniaria di cui al Reg. CE n. 261/2004*, in *Revista de derecho del transporte*, 2018, pp. 314 e ss.;

- 2) L. ANCIS, *Il nuovo sistema di responsabilità civile dei piloti marittimi*, in *Diritto dei trasporti*, 2017, pp. 823 e ss.;
- 3) L. ANCIS, *Informazione e assistenza del passeggero nel trasporto aereo. Il mutamento dei connotati dell'obbligo di protezione*, 2017, Napoli, pp. 1-490;
- 4) L. ANCIS, *Il risarcimento del danno da abbandono in aeroporto per la Corte di Cassazione*, in *Rivista italiana di diritto del turismo*, 2017, pp. 67 e ss.;
- 5) L. ANCIS, *L'assistenza del viaggiatore nella nuova direttiva UE n. 2302/2015 relativa ai pacchetti turistici e ai servizi collegati*, in *Revista Latino Americana de Derecho Aeronautico*, 2017, XXXIX;
- 6) L. ANCIS, *Nuove prospettive qualificatorie della spiaggia, delle lagune e dei bacini di acqua salsa o salmastra. In Demanio marittimo e porti – Spunti di studio per una ri-codificazione*, a cura di Leopoldo Tullio e Massimo Deiana, Cagliari, 2014, p. 39-67;
- 7) L. ANCIS, *La delicata problematica dei rifiuti abbandonati nello spazio*, *Diritto dei trasporti*, 2016, pp. 725 e ss.;
- 8) L. ANCIS, *Negato imbarco, capacità di sintesi e rigore lessicale della Corte di Giustizia*, *Diritto dei trasporti*, 2013, pp. 477 e ss.;
- 9) L. ANCIS, *La scorporazione del prezzo nel trasporto aereo low cost.*, in *Profili giuridici del trasporto aereo low cost*, a cura di Deiana, Cagliari, 2013, pagg. 177 e ss.;
- 10) L. ANCIS, *Il contratto di trasporto aereo*, in *Codice dei Trasporti*, Milano, 2011, pp. 861 e ss.

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**CV of the other research group components (max 2.000 characters including spaces for each components) and Principal publications of the other research group components (max 10 for each components) \***

**CV of component (First name and Last name) (max 2000 caratteri)**

### **ILENIA RUGGIU**

Ilenia Ruggiu is full professor at the Department of Jurisprudence, University of Cagliari where she teaches Constitutional law. She graduated at the School of Law-Cagliari in 1998 with summa cum laude, passed the Bar exam to become a lawyer in 2001, became Lecturer at the University of Cagliari in 2002, and received her PhD in “European and Public Law” at the University of Palermo in 2004. Prof. Ruggiu is currently the Coordinator of CLISEL 700385 “Climate Security with Local Authority” an Horizon2020 project whose aim is to analyze how local authorities face immigration security issues, particularly multicultural conflicts. Prof. Ruggiu coordinates – together with Giacinto Bisogni, justice at the Italian Supreme Court of Cassation, and Paola Lovati, Attorney in Milan – the Italian Observatory on Justice, Transcultural Dialogues and International Protection, an organization of judges, lawyers and cultural experts founded in Italy in May 2017 with the scope of provide practical tools to judges and lawyers facing the challenges of cultural diversity.

### **Principal publications (max 10)**

- 1) I. RUGGIU, *Contro la Camera delle Regioni. Istituzioni e prassi della rappresentanza territoriale*, p. 1-413, Napoli: Jovene, 2006.

- 2) I. RUGGIU, *Il Giudice Antropologo. Costituzione e tecniche di composizione dei conflitti multiculturali*, p. 1-389, Milano: Franco Angeli, 2012.
- 3) I. RUGGIU, *The Crucifix and the Margin of Appreciation*, in G. REPETTO (a cura di), *The Constitutional Relevance of the ECHR in Domestic and European Law*, p. 149-158, Cambridge: Intersentia, 2013.
- 4) I. RUGGIU, *The Scottish Referendum: the View from Italy and Sardinia*, in *Scottish Affairs* 23.3, 2014, p. 407-414.
- 5) I. RUGGIU, *Begging a Roma Cultural Practice? Answers from the Italian Law and Anthropology*. *Romani Studies*, Vol. 26, 2016, No. 1, p. 31-61.
- 6) I. RUGGIU, *Referendum e secessione. L'appello al popolo per l'indipendenza in Scozia e Catalogna*, in *Costituzionalismo.it*, 2016, p. 70-102.
- 7) I. RUGGIU, *Interpreting Culture in Italian Courts: A Proposal of a "Cultural Test"*, in *Law and Ethics of Human rights*, 2016, p. 1-28
- 8) I. RUGGIU, *S.A.S. vs. Francia: si conferma il divieto francese al burqa con l'argomento del "vivere insieme"*, in *Quaderni Costituzionali*, vol. 4, 2014, p. 957-960.
- 9) I. RUGGIU, *From Culture to Patriarchy: Recent Changes in Judicial Reasoning and in Normative calssifications of Multicultural Conflicts*, in E. Olivito, (a cura di), *Gender and Migration in Italy. A Multilayered Perspective*, 2015, p. 161-176, Londra: Ashgate.
- 10) I. RUGGIU, *Il giudice antropologo e il test culturale*, in *Questione Giustizia*, fasc. 1/2017 "Il Multiculturalismo e le Corti" in [www.questionegiustizia.it](http://www.questionegiustizia.it)

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CV of component (First name and Last name) (max 2000 caratteri)

## ROBERTO CHERCHI

In 1996, he graduated in law at the law faculty of the University of Cagliari, reporting the grade of 110/110, cum laude.

In May, 2000, he was nominated researcher of Constitutional law at the faculty of law at the University of Cagliari

In February, 2002, he became philosophy doctor in European Union law at the University of Palermo.

In march, 2011, he became associated professor of public law at the University of Cagliari.

In November 2014, he has achieved the national qualification required in order to become full professor of Constitutional law.

2001-2002 and 2002-2003 and from 2010/2011 to 2015/2016 he has been professor of public law at the University of Cagliari.

2005-2006, 2006-2007 2007-2008 he has been professor of European union law at the University of Cagliari.

From 2003/2004 to 2009/2010 he has been professor of Constitutional procedures at the University of Cagliari.

2011/2012 and 2012/2013 he has been professor of European Union law at the University of Cagliari.



From 2012/2013 to 2015/2016 he has been professor of local government at the University of Cagliari.

In August and September 2002, he was visiting research fellow at the University of Nottingham, where he carries out studies on the Westminster model.

In May 2004, he was visiting research fellow at the University of Manchester, where he carries out studies on the Westminster model. In September 2010, he was visiting professor at the University of Buenos Aires and at the Kennedy University in Buenos Aires, where he lectured on Parliamentary Government and on the Italian Constitutional principles of the process of law.

In May 2012, he was visiting scholar at the University of Southern California, Los Angeles.

**Principal publications (max 10)**

- 1) R. CHERCHI, *Le convenzioni "costituzionali" nell'Unione europea, ovvero dell'utilità di un concetto*, in M. Scudiero (a cura di), *Il diritto costituzionale comune europeo. Principi e diritti fondamentali*, Napoli, Jovene editore, 2002;
- 2) R. CHERCHI-A. DEFFENU, *Le politiche comunitarie di lotta alla discriminazione*, in G. Demuro (a cura di), *Le politiche europee*, in *Rassegna di diritto pubblico europeo*, 2004;
- 3) R. CHERCHI, *Il Governo di coalizione in ambiente maggioritario*, Jovene, Napoli, 2006, pp. 1-480;
- 4) R. CHERCHI, *La forma di governo all'alba del XXI secolo: dalle coalizioni ai partiti*, in *Costituzionalismo.it*, fascicolo 3/2008;
- 5) R. CHERCHI, *La prescrittività tra testo costituzionale e legge: osservazioni a margine della sentenza 138 del 2010 sul matrimonio omosessuale*, in *Costituzionalismo.it*, 2/2010;
- 6) R. CHERCHI, *Lo straniero e la Costituzione. Ingresso, soggiorno e allontanamento*, Napoli, Jovene, 2012;
- 7) R. CHERCHI, *La condizione giuridica dello straniero irregolarmente soggiornante tra legge e diritti della persona*, in *Costituzionalismo.it*, 2 ottobre 2013;
- 8) R. CHERCHI, *Il trattenimento dello straniero nei centri di identificazione e di espulsione: Le norme vigenti, i motivi di illegittimità costituzionale e le proposte di riforma*, in *Questione giustizia*, 3/2014;
- 9) R. CHERCHI, *L'esecutivo tra effettività costituzionale e revisione costituzionale: verso la "presidenzializzazione" del Governo?* in *Costituzionalismo.it*, 19 febbraio 2016 (fascicolo 3/2015);
- 10) R. CHERCHI, *I diritti dello straniero e la democrazia*, in V. Baldini (a cura di), *Cos'è un diritto fondamentale?* Atti del Convegno annuale di Cassino, 10-11 giugno 2016, Collana del gruppo di Pisa, Editoriale scientifica, Napoli, 2017.

\*replicate the schema for each component

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**CV of the other research group components (max 2.000 characters including spaces for each components) and Principal publications of the other research group components (max 10 for each components) \***

**CV of component (First name and Last name) (max 2000 caratteri)**

**MARCO BETZU**

*Present Positions*

Assistant Professor of Constitutional Law, Department of Law, University of Cagliari - He obtained the National Scientific Qualification for the Sector 12/C1 - Constitutional Law - First Level (Full Professors)

Quality Referent for the Department of Law.

Member of the Board of the PhD in Legal Science at the University of Cagliari.

Member of the Scientific Committee of the Master's Degree in Multilevel Governance: Integrated Management of Public Policies.

Member of the Coordinating Committee of the School for the Landscape of Sardinia, representing the University of Cagliari

Member of the Editorial Board of *Costituzionalismo.it*

Member of the Editorial Board of *Diritto costituzionale*. Rivista quadrimestrale, published by Franco Angeli and directed by Prof. Roberto Bin

*Responsibility For Scientific Studies And Research*

Regione Autonoma della Sardegna, Scientific Manager of the Project "Right to Water and Integrated Water Service in the Sardinia Model", April 2017 - April 2019.

*Awards and Recognitions*

Winner of the fourth competition of the journal *Quaderni Costituzionali*, published by Il Mulino, on the theme "The impact of science and technology on law and rights", with the essay entitled "Communication, manifestation of thought and multifunctional technologies".

Beneficiary of the annual individual funding of basic research activities (FFABR 2017)

*Presentations at Conferences and Seminars*

Among others:

Nation States and International Economic Institutions, John Marshall Law School, Chicago, 10.23.2018

Il governo di Internet, PhD in Legal Studies, Università degli Studi di Bologna, 23.06.2016.

Testo e contesto: interpretazione e sovra-interpretazione dei diritti costituzionali nel cyberspazio – Relazione al Convegno Nazionale Nuovi mezzi di comunicazione e identità: omologazione o diversità?, Università degli Studi di Napoli, 17 e 18 settembre 2012

**Principal publications (max 10)**

- 1) M. BETZU, *Regolare Internet. Le libertà di informazione e di comunicazione nell'era digitale*, Giappichelli, Torino, 2012;
- 2) M. BETZU, *Stati e istituzioni economiche sovranazionali*, Giappichelli, Torino, 2018;
- 3) M. BETZU, *Comunicazione, manifestazione del pensiero e tecnologie polifunzionali*, in *Quaderni costituzionali*, il Mulino, Bologna, 3/2006;
- 4) M. BETZU, *Corte costituzionale e tecnologie polifunzionali della comunicazione*, in R. Bin, G. Brunelli, A. Pugiotto, P. Veronesi (a cura di), *Effettività e seguito delle tecniche decisorie della Corte costituzionale*, E.S.I., Napoli, 2006;
- 5) M. BETZU, *La libertà di corrispondenza e comunicazione nel contesto digitale: profili dogmatici e problemi pratici*, in M. Cuniberti (a cura di), *Nuove tecnologie e libertà della comunicazione. Profili costituzionali e pubblicitari*, Giuffrè, Milano, 2008;
- 6) M. BETZU, *Anonimato e responsabilità in Internet*, in *Costituzionalismo.it*, fasc. 2/2011;

- 7) M. BETZU, *Interpretazione e sovra-interpretazione dei diritti costituzionali nel cyberspazio*, in Nuovi mezzi di comunicazione e identità. Omologazione o diversità?, a cura di M. Villone, A. Ciancio, G. De Minico, G. Demuro e F. Donati, Aracne, Roma, 2012;
- 8) M. BETZU, *Mistica della governabilità e sistema delle fonti: la riforma costituzionale Renzi-Boschi*, in *Costituzionalismo.it*, fasc. 3/2015 (4 aprile 2016);
- 9) M. BETZU, *Il risarcimento del danno ambientale tra esigenze unitarie e interessi territoriali*, con S. Aru, in *Giurisprudenza costituzionale*, Giuffrè, Milano, n. 4/2016;
- 10) M. BETZU, *Diritto giurisprudenziale versus occasionalismo giurisprudenziale*, in *Diritto pubblico*, il Mulino, Bologna, fasc. 1/2017.

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CV of the other research group components (max 2.000 characters including spaces for each components) and Principal publications of the other research group components (max 10 for each components) \*

CV of component (First name and Last name) (max 2000 caratteri)

### **ROSSELLA FADDA**

Rossella Fadda is associate professor in the Disciplinary-Scientific Sector IUS/01 at the University of Cagliari Department.

Since 1996 she collaborated as an expert of this discipline with the chairs of civil and private law, family law and bank law, at the Faculty of Law, University of Cagliari.

Researcher since 30-12-2002 at the the Faculty of Law, at the University of Cagliari.

Her name is in the register of lawyers of Oristano.

She teaches family law and private law at the University of Cagliari.

She is a member of the redaction Committee of the journal "Rivista giuridica sarda"; she is a member of the panel of referees of the journal "Nuovo diritto civile".

She is a member of the board of professors of PhD in legal Sciences of Department of Law of University of Cagliari.

She in the coordinator of the degree course in Sciences of legal services of the University of Cagliari since July 2018.

She published more of 50 scientific works, and, between them, three monograph, many articles and contributions in pieces of work of different authors.

### **Principal publications (max 10)**

- 1) R. FADDA, *La riparazione e la sostituzione del bene difettoso nella vendita (Dal codice civile al codice del consumo)*, Napoli, 2007;
- 2) R. FADDA, *La tutela preventiva dei diritti di credito*, Napoli, 2012;
- 3) R. FADDA, *Delle prove della celebrazione del matrimonio, Artt. 130-133*, in *Il Codice civile Commentario*, fondato da Schlesinger e diretto da Busnelli, Milano, 2016;

- 4) R. FADDA, *The Italian Marriage: Crisis or Tradition?*, in *The Italian law journal*, vol. 4, n. 1 (2018);
- 5) R. FADDA, *Modelli familiari, elasticità della causa matrimoniale e accordi sui doveri coniugali*, in *Riv. dir. civ.*, 2018, p. 1188;
- 6) R. FADDA, *Le unioni civili e il matrimonio: vincoli a confronto*, in *Nuova giur. civ. comm.*, 2016, p. 1386;
- 7) R. FADDA, *Azione di esatto adempimento* (art. 1476, sez. III), in *Codice della vendita, Le fonti del diritto italiano*, a cura di Buonocore, Luminoso, Fauceglia, IV ed. Giuffrè, Milano, 2018;
- 8) R. FADDA, *Garanzia per i vizi della cosa venduta* (art. 1490), in *Codice della vendita, Le fonti del diritto italiano*, a cura di Buonocore, Luminoso, Fauceglia, IV ed. Giuffrè, Milano, 2018;
- 9) R. FADDA, *Mancanza di qualità* (art. 1497), in *Codice della vendita, Le fonti del diritto italiano*, a cura di Buonocore, Luminoso, Fauceglia, IV ed. Giuffrè, Milano, 2018;
- 10) R. FADDA, *Il difetto di conformità: generalità* (art. 1519-ter, sez. I), in *Codice della vendita, Le fonti del diritto italiano*, a cura di Buonocore, Luminoso, Fauceglia, IV ed. Giuffrè, Milano, 2018.

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### **ANNA MARIA SINISCALCHI**

Anna Maria Siniscalchi obtained a degree in Law in the academic year 1988/1989 at the Luiss "Guido Carli" with marks 110/110 cum laude.

-In. 1989/1990 she was awarded the scholarship for the Parliamentary Studies and Research Seminar at the Faculty of Law and Political Science of the University of Florence; from a.a. 1991/1992 to a.a. 1999/2000 was awarded a research grant at the Department of Private Law Institutions of the Faculty of Political Sciences of Luiss; 1996/1997 and 1997/1998 was awarded the research grant at the chair of Civil Law of the Faculty of Law of Luiss; 1997/1998 and 1999/2000 was awarded the research grant at the chair of Institutions of private law of the Faculty of Law of Luiss; 1999/2000 was the winner of the comparative evaluation for the assignment of a four-year research grant in the private scientific disciplinary area at the Luiss;

- from 1 November 2001 she took up the position of Associate Professor for the disciplinary scientific sector IUS01 - Private Law - at the Faculty of Economics of the University of Cagliari and from 1 November 2004 was confirmed in the role of associate professor;

She is currently an Associate Professor confirmed at the Department of Law of the University of Cagliari and holds the chair of private law in the course of business administration, and of law and contract law at the Master's Degree in Law. She also teaches at the School of Specialization in Legal Professions.

She has also taught at Masters and Specialization Courses.

- She was a member of the PhD in Contract law and business economics at the Faculty of Economics of the University "La Sapienza" of Rome.

She has developed both local and national research projects. She has been a speaker in Conventions. She is the author of publications in various areas of private law.

She is qualified to practice as a lawyer and is enrolled in the special register of lawyers of Benevento.

Principal publications (max 10)

- 1) A.M. SINISCALCHI, *Gli obblighi di informazione dell'avvocato nell'ambito delle professioni intellettuali*, in *Persona e mercato.it*, n. 3, 2018, p. 192-209;
- 2) A.M. SINISCALCHI, *La clausola "visto e piaciuto" nella vendita*, in *Clausole negoziali. Profili teorici e applicativi di clausole tipiche e atipiche*, a cura di M. Confortini, p. 892-910, UTET, 2017;
- 3) A.M. SINISCALCHI, *Consenso informato, mutamento dell'intervento chirurgico e suo esito positivo: vecchi problemi e nuove prospettive*, p.1183-1204. In *Liber amicorum per Bruno Troisi*, vol. II, ESI, 2017;
- 4) A.M. SINISCALCHI, *Il consenso informato nell'attività medica*, in *Diritto privato e interessi pubblici*, in *Scritti in onore del prof. L.V. Moscarini*, a cura di N. Corbo, M. Nuzzo e F. Ricci, p. 353-376, Vol. I, Aracne, 2016;
- 5) A.M. SINISCALCHI, *Chirurgia estetica e responsabilità per violazione dell'obbligo informativo*, in *Giustizia civile.com*, 2015, p. 1-11;
- 6) A.M. SINISCALCHI, *Piano di rientro e contestazione successiva delle clausole nulle preesistenti*, in *Giustizia civile.com*, 2015, 1-7;
- 7) A.M. SINISCALCHI, *La nullità dei patti lesivi dei diritti del consumatore*. pp.1341-1380. In *Contratto e responsabilità. Il contratto dei consumatori, dei turisti, dei clienti, degli investitori e delle imprese deboli. Oltre il consumatore*, Cedam, 2013;
- 8). A.M. SINISCALCHI, *La violazione dell'onere di forma nella locazione abitativa*. pp.826-833. In *Obbligazioni e Contr.*, 2011;
- 9) A.M. SINISCALCHI, *Solemnitates e probationes all'alba della prima codificazione italiana*, in *Riv. dir. civ.*, 2005, I, p.377-415;
- 10) A.M. SINISCALCHI, *Formazione del contratto e determinazione del prezzo nel diritto uniforme della vendita internazionale*, ESI, 2001, p.1-111.

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