



**UNIVERSITÀ
DI FOGGIA**



UAB
Universitat Autònoma
de Barcelona

MEMORANDUM OF UNDERSTANDING

BETWEEN

The Department of Law (Dipartimento di Giurisprudenza) of the University of Foggia (hereafter called “UNIFG Department”) fiscal code n. 94045260711, with registered office in Foggia, via A. Gramsci n. 98/91, in the person of the Head of the Department Prof.ssa Donatella Curtotti domiciled at Largo Papa Giovanni Paolo II, 1

AND

The he Universitat Autònoma de Barcelona- the Institut d’Estudis Europeus (hereafter called UAB) fiscal code n. Q 0818002, with registered office in campus UAB- Bellaterra, 08193 Cerdanyola del Vallès, Barcelona, in the person of Rosa M. Sebastián Pérez, domiciled at the registered office.

GIVEN THAT

Both the University of Foggia, through its Department of Law, and the University of UAB, Dept. of Institut d’Estudis Europeus, are engaged in multiple fields of research.

In particular they are leading researchers in the issues of the regulation of new technologies. The University of Foggia funded, by PRA 2021, a project entitled ““The Digital Transition among the living: Drivers, Tools and Goals (Digi.T.Drives.To.Goals)”, (Prof. Gianpaolo Maria Ruotolo as PI).

The latter has these tasks:

The governance of ICTs developments is typically a multilevel process, which requires the involvement of a plurality of actors: States, international organizations, economic operators, NGOs and the so-called civil society (U.N. World Summit on the Information Society,

Declaration of Principles, WSIS-03/GENEVA/DOC/4-E, 12 December, 2003, art. 49, at www.itu.int).

The legal analysis of the impact produced by information technologies dates back to the birth of Internet, but the spread of autonomous decision systems poses new and urgent challenges to scholars and policy makers to foster both development and dissemination of new technologies while ensuring that they do not jeopardize safety, dignity and human freedom (see OECD Recommendation on AI, and the G20 non-binding principles on AI). Not surprisingly, this aim is one of the pillars of the program of the new Presidency of the European Commission. After the resolutions adopted by the European Parliament from 2017 on, the Commission has launched a package of measures, inspired by an anthropocentric vision of AI, currently under examination. As it is clearly stated in the Foreword of the Alan Turing Institute's feasibility study for the Council of Europe: "It has never been clearer, particularly after this year of COVID has exposed our ever greater reliance on digital technology, that we need to retain public trust in the adoption of AI." [Leslie, D., Burr, C., Aitken, M., Cowls, J., Katell, M., and Briggs, M. (2021). Artificial intelligence, human rights, democracy, and the rule of law: a primer. The Council of Europe].

The proposed project aims to study, in a broad multidisciplinary perspective, the approach to the governance of the digital transition, having regard to the initiatives underway at the international level and within the European Union, to the positions adopted by the market big players and to the academic debate. The objective is to verify if there is a "third way" to the problems of regulation, which overcomes the classic alternative between public and private ordering by introducing a mix of flexible instruments adapted to sector specificities. A clear example of this new approach is the proposed Regulation on Artificial Intelligence, which is based on a combination of prescriptive rules, self-responsibility of operators, standard settings organizations and public authorities.

The regulatory models will be scrutinized both from an institutional point of view (international and EU law; issues of coordination between general rules and the regulation of specific sectors; market drivers) including their macro-economic impact and taxation policy, and in the context of substantial specific sectors, which can serve as case studies

(agriculture, adjudication, labour, social media, finance, digital services, energy), in order to focus also on tools and objectives of regulation (hard regulatory framework, self-regulation. soft law approaches).

- it is in the common interest of the two parties to formalize and develop a scientific collaboration, without either party having to pay funds or material assets to the other party, for the pursuit of broader results in scientific research on these issues, already activated and in those that can jointly be activated.

IT IS HEREBY AGREED AS FOLLOWS:

ART. 1

The preamble to this Agreement shall constitute an integral part hereof.

ART. 2

The UNIFG Department and that of Institut d'Estudis Europeus confirm the readiness to cooperate in carrying out research, study and training in the field of legal regulation of new technologies, also in order to build a network for European projects.

ART. 3

The following are hereby appointed Scientific Managers of this Agreement:

- for the UNIFG Department, Prof. Gianpaolo Maria Ruotolo, full professor of international law.
- for the Institut d'Estudis Europeus, Prof. Antoni Abat i Ninet

ART. 4

The Parties shall make available their own instrumentation and technological resources and personnel in relation to the individual collaborative initiatives to be implemented, without

any party having to pay funds or material assets to the other and without CHARGES to the departmental institutions

ART. 5

To achieve the objectives set out in this Agreement, the Parties, in a manner to be agreed separately by the scientific managers of the UNIFG Department (Prof. Ruotolo) and the Institut d'Estudis Europeus (Prof. Antoni Abat i Ninet) They may define specific research programs which, from time to time, must be approved by the respective Departmental Councils.

ART. 6

Both parties undertake to observe and enforce the confidentiality of the facts, documents of the parties involved in the individual activities of which the staff involved may become aware during the collaborations, unless expressly authorized in writing for particular cases. It is intended to respect scientific research and the dissemination of its results guaranteed by the Constitution and by existing EU and State legislation.

ART. 7

The intellectual property of the results of the research carried out jointly by the Parties pursuant to this Agreement shall equally belong to the Parties.

All publications relating to such research will mention collaboration between the Parties and each of them.

ART. 8

Each Party shall provide insurance coverage for its staff and the costs of its scientific actions, without financial contributions from the other Party.

ART. 9

This Agreement is effective as of the last signature date issued by the parties until December 31, 2024.

For the Department of Law – UniFg
The Director Prof.ssa Donatella Curtotti

For the UAB
The Vice-rector Rosa M. Sebastián Pérez