



CALL FOR PUBLIC SELECTION FOR THE AWARD OF 1 DEPARTMENTAL RESEARCH GRANT entitled: "Individual and collective sanctions in commercial relations between States and between States and private individuals". Responsible Prof. Paolo Bertoli and Prof. Fabrizio Vismara (Code DIDEC2022-adr003).

Scientific responsibilities: Prof. Fabrizio Vismara and Prof. Paolo Bertoli
(Code DIDEC2022-adr003)

A selection is called, by titles and possible interview, for the conferment of n. 1 Departmental research grant lasting 12 months for carrying out research activities in the COMPETITION SECTOR 12/E1- S.S.D. IUS/13

The amount of the research grant is € **19367.00** gross percipient.

The award of the grant involves the realization, at the Department of Law, Economics and Cultures and under the guidance of Profs. Paolo Bertoli and Fabrizio Vismara, of the following activities briefly reported:

The research program aims to study the impact of individual and collective sanctions, also in the light of the recent sanctions adopted against the Russian Federation, on trade relations interstate and infraprivati, also with reference to the sanctions adopted by the Swiss Confederation.

Art. 1 - ADMISSION REQUIREMENTS

Scholars with a professional scientific curriculum suitable for carrying out research activities provided for in this selection in possession of the following qualification can participate in the selection:

- Master's Degree in LAW
- PhD in International Law (IUS/13) or related subjects

Or similar academic qualifications obtained abroad and recognized as equivalent to the Italian title by the competent academic authorities.

The following shall be considered as preferential titles:
have gained experience in the field of research.

Admission to the selection is also required to meet the following requirements:

- not be excluded from the active political electorate;
- not have reported criminal convictions and do not have ongoing criminal proceedings.

The requirements must be met on the date of expiry of the deadline set for the submission of the application for admission.

The University of Insubria may order at any time, with a reasoned measure, the exclusion of candidates for lack of the prescribed requirements.





Qualifications obtained abroad that have not already been declared equivalent pursuant to current legislation, will be evaluated, solely for the purpose of selection, by the Selection Committee; to this end, candidates must attach to the application form the original qualification or replacement certificate accompanied by:

1. official translation into Italian.¹
2. legalization and "Declaration of Value on site" of the title.²

Candidates who cannot deliver the required documentation before the competition will be admitted with reservation. In this case, the required documentation must be delivered before the contract is signed.

Art. 2 - INCOMPATIBILITY AND PROHIBITION OF CUMULATION

Grants for research activities may not be awarded to permanent staff of universities, public research and experimentation bodies, the National Agency for New Technologies, Energy and Sustainable Economic Development (ENEA) and the Italian Space Agency (ASI), as well as institutions whose scientific specialization diploma has been recognised as equivalent to the title of PhD in accordance with Article 74, fourth paragraph, of presidential decree no. 382 of 11 July 1980.

The ownership of the allowance is not compatible with enrolment in degree courses, master's or master's degree, master's degree, PhD with scholarship or medical specialization school, in Italy or abroad, and involves placement on leave without grants, for the period of duration of the research grant, for the employee in service with Public Administrations, even if with a part-time employment relationship, other than those referred to in the preceding subparagraph.

The allowance cannot be combined with scholarships in any capacity awarded, unless waived in case of award of the check, except with those granted by national or foreign institutions useful to integrate, with stays abroad, the research activity, nor can it be combined with employment, even if private and part-time, with other checks or with proceeds deriving from free-professional activities carried out continuously.

Candidates must not have exceeded or are about to exceed the maximum allowed limit of six years of allowance awarded pursuant to art. 22 of Law no. 240/2010, with the exception of the period in which the grant was used in conjunction with the PhD without scholarship within the maximum limit of the legal duration of the relative course.

The total duration of the relationships established with the holders of checks and contracts referred to in art. 24 of Law no. 240/2010 (fixed-term researchers), also with different universities, state, non-state or telematic, as well as with the bodies referred to in art. 22 paragraph 1 of Law no. 240/2010, with the same subject, may not in any case exceed twelve years, even if not continuous. For the purposes of the duration of the aforementioned relationships, the periods spent on leave for maternity or for health reasons according to current legislation are not relevant.

The holder of the grant cannot be in a relationship of kinship and affinity, up to and including the fourth degree, with a professor belonging to the Research Facility or with the Rector, the General Manager or a member of the Board of Directors of the University, as required by art. 18, paragraph 1, letter .c) of Law no. 240 of 30 December 2010.

¹ In Italy you can contact the local court, official sworn translators, or the consular diplomatic representations, operating in Italy, of the country where the document was issued. In the case of translation issued by foreign translators operating in the candidates' country of origin, the Italian representation competent for the territory must certify the conformity of the translation.

² Issued by the Italian Representation, competent for the territory, in the country to whose law the institution which issued the licence belongs. If the degree was obtained at European universities it is possible, as an alternative to the Declaration of Value, to present the Diploma Supplement, legalised by the competent authorities. The university reserves the right to request the "declaration of value on site" in any case in which there are doubts about the validity of the title.



The holder of the grant may carry out a limited activity of self-employment, subject to the authorization of the research manager, which does not involve a conflict of interest with the research activity carried out for the University.

Art. 3 - SUBMISSION OF REQUESTS TO PARTICIPATE

The application for participation in the public selection, as well as the titles held, documents and publications deemed useful for the competition, **must be submitted, under penalty of exclusion, electronically**, using the computer application dedicated to the page:

<https://pica.cineca.it/uninsubria/didec2022-adr003>

The computer application will necessarily require the possession of an e-mail address in order to self-register with the system. The candidate must enter all the data required for the production of the application and attach the documents in electronic PDF/a format. It will be possible to attach a maximum of 30 documents for publications and 30 documents for other titles to be evaluated, and a maximum size of 30 Mb.

The application form must be completed in all its parts, as indicated in the electronic procedure, and must include:

- Curriculum of his scientific and professional activity
- Copy of a valid identity document

Other forms of sending applications or documentation useful for participation in the procedure are not allowed.

By the deadline for submitting the application, the system allows saving in draft mode. The date of electronic submission of the application for participation in the selection is certified by the computer system by means of a receipt that will be automatically sent by e-mail.

At the end of the deadline for submission, the system will no longer allow access and the consequent sending of the application

Each application will be assigned an identification number which, together with the competition code indicated in the COMPUTER application, must be specified for any subsequent communication.

The procedure for completing and sending the application electronically must be **completed no later than 11.50 pm on 23 April 2022**

The submission of the application must be completed and concluded in the following ways:

- **Sign the document on the ConFirma server**
To digitally sign the document it is necessary to have a hardware equipment (for example smart card or USB device with digital subscription certificate issued by an accredited Certifier) compatible with the ConFirma service. After signing you will be able to download the signed PDF
- **Digitally sign the document on your electronic device**
To digitally sign the document it is necessary to have a hardware equipment (for example smart card or USB device with digital certificate of subscription issued by an accredited Certifier) and digital signature software with which to generate, starting from the PDF file of the document downloaded from this site, the signed file in pdf.p7m format to be reloaded on the site itself
- **Sign the document manually**
To manually sign the document you need to download the PDF of the document to your computer, print it, sign it manually, scan it into a PDF file and upload the latter to the site.



ATTENTION: the scan, in addition to the pages of the application, must contain on the last page a copy of a valid identity document (this step is not necessary if the copy of the identity document has been included among the attachments to the application).

Applications without the candidate's signature will be declared inadmissible.

Foreign citizens residing in Italy can make use of the above self-certification, limited to cases in which it is a matter of proving states, facts and personal qualities that can be certified or attested by Italian public or private subjects (Art. 3 D.P.R. n. 445/2000).

Foreign citizens not resident in Italy can not make use in any way of the institution of self-certification (art. 3 D.P.R. n. 445/2000).

Titles, certificates and publications produced in a manner different from the above will not be taken into account. In application of the rules on self-certification, the University will verify the veracity of the substitute declarations and self-certifications pursuant to Presidential Decree no. 445/2000.

Only the documentation received within the peremptory deadline indicated in the announcement is considered validly produced. It is not admissible to include in the competitive evaluation of qualifications obtained or submitted after the expiry date of the call.

It is not allowed to refer to documents and publications already submitted for participation in other competitions at this or other Administrations.

Candidates must provide at their own expense for the return of titles and publications sent for participation in the selection, subject to agreement with the Research and Internationalization Service of the University of Insubria.

For technical problems related to the online registration procedure contact support via the link at the bottom of the page <https://pica.cineca.it/uninsubria>

Art. 4 - SELECTIVE PROCEDURE

The selection is made by a special Selection Board composed of three members

- the Head of Research with the function of President of the Commission
- two members identified among the professors and researchers, also outside the University, experts in the field covered by the call.

The Selection Board shall carry out a comparative evaluation of the curricula of the candidates who have applied on the basis of their qualifications and publications.

The evaluation will be supplemented by an interview, in public session, which will focus on the illustration of the candidate's professional experience to assess the suitability for carrying out the research activity covered by the grant.

Candidates will be notified of the date of the interview at least 7 days in advance by e-mail sent to the address indicated in the application.

Failure to present the interview is considered an explicit and definitive manifestation of the candidate's willingness to renounce the selection.

To take the interview, candidates must be provided with a valid identification document or an equivalent identification document pursuant to art. 35, paragraph 2, of Presidential Decree 28/12/2000, n. 445.

Candidates recognized as disabled must specify in the application the necessary help in relation to their disability, as well as the possible need for additional time for the completion of any tests, pursuant to Law 5 February 1992, n.104.



For the evaluation of candidates, the Commission has 60 points of which:

- for scientific and professional qualifications: up to a maximum of 50 points
- for scientific publications: up to a maximum of 10 points

In particular, the evaluation of scientific and professional qualifications will take place according to the following scheme:

Degree (four-year, single-cycle or specialized):

- 110 laude: 20 points
- from 106 to 110: 15 points
- from 99 to 105: 10 points
- from 90 to 98: 5 points

Doctoral diploma: up to 3 points (1 point for each year of admission and attendance, in case you have not yet obtained the title):

Specialization schools, specialization courses / higher education or Masters: up to 5 points

Passing state exams/public competitions: up to 2 points

Other (scientific activity [teaching, lectures, participation in conferences as a speaker] or professional [territorial journalistic activity, management / administrative, marketing, management / tourist consulting]): up to 20 points.

The scores attributed to the titles and publications are made known to the candidate before the start of the interview.

For inclusion in the ranking list, candidates must have obtained an overall score of not less than 48/60 following the evaluation of the titles and publications

The evaluation of the interview can have a maximum score of 40 points that will be added to the score attributed to the titles and publications up to a maximum of 100 points. For inclusion in the ranking following the interview, candidates must have obtained an overall score of not less than 70/100.

The final ranking is approved by provision of the Department Director and will be published in the Rector's Register of the University and on the University website with the value of notification to the interested parties.

The merit ranking will be used in case of renunciation or termination of the check, on the proposal of the research manager, provided that the period proposed for the contract is not less than one year.

Art. 5 - EXCLUSION FROM THE PROCEDURE

Candidates are admitted with reservations.

It involves the exclusion from the procedure:

1. the application submitted or received after the peremptory deadline for the notice;
2. failure to sign the application form;
3. the lack of participation requirements;
4. the existence of situations of incompatibility.

The exclusion is ordered by reasoned measure of the Department Director and is communicated to the interested party by e-mail to the address indicated in the application.

Art. 6 - WAIVER OF THE CANDIDATE FROM THE PROCEDURE

Any renunciation of the candidate to participate in the procedure must be sent only and exclusively electronically to the address indicated above, art. 3 of this announcement, by filling out the waiver form.



Art. 7 – CONTRACT

The winner of the cheque will be invited to enter into the private law contract within a specified period, under penalty of forfeiture.

The award of the grant involves the realization of the activities envisaged within the research project object of the collaboration under the guidance of the scientific manager of the research project.

The tasks are determined by the individual collaboration contract and are carried out under the direction of the project manager, who will verify the activity carried out pursuant to art. 34 of the Regulations for the award of grants for carrying out research activities.

The grant is awarded for a **period of 12 months** and may be renewed for periods of not less than one year, under the conditions provided for by the University Regulations.

Pursuant to art. 22 paragraph 3 of Law no. 240/2010 and art. 6 paragraph 2-bis of Law no. 11/2015, **the maximum limit of use of checks for each subject is 6 years**, even if conferred following different competitions at separate bodies / universities.

The allowances used at the same time as attending a doctoral course (without scholarship) within the maximum limit of the legal duration of the relative course do not contribute to the achievement of the 6-year ceiling.

For the purposes of the duration of the aforementioned relationships, the periods spent on leave for maternity or for health reasons in accordance with the provisions of current legislation are not relevant.

The renewal is in any case subject to a positive evaluation of the activity carried out by the Department Council, as well as to the actual availability of budget funds.

The collaboration does not constitute an employment relationship and does not give rise to rights regarding access to university roles. The University guarantees equal opportunities between men and women.

For non-EU citizens, the allowance will start from the obtaining of the residence permit in the Italian territory and from the actual start of the research activity.

Art.8 - ECONOMIC TREATMENT

The amount of the research grant is € **19367.00** including the costs borne by the percipient, with the exclusion of the costs for insurance coverage against accidents and civil liability, which are borne by the Administration, and any mission expenses. The check is paid in monthly installments.

The check is exempt from Irpef pursuant to art. 4 of Law no. 476 of 13 August 1984 and subsequent .m.i. and is subject, in social security matters, to the rules referred to in art. 2 paragraph 26 and following of Law 8 August 1995, n. 335 and subsequent .m.i.

Art. 9 - SUSPENSION OF THE CONTRACT FOR MATERNITY AND ILLNESS

The research activity is suspended for maternity. In this case, the provisions of the Decree of the Minister of Labour and Social Security of 12 July 2007, published in the Official Gazette no. 247 of 23 October 2007, apply.

During the period of compulsory abstention, the grant holders are entitled to receive the maternity allowance paid by the INPS pursuant to art. 5 of the aforementioned decree of 12 July 2007, supplemented by the University up to the full amount of the research grant, on funds borne by the administrative unit located for the research.



The period of compulsory suspension for maternity must be recovered at the end of the natural expiry of the contract in accordance with the provisions of current legislation.

With regard to sick leave, Article 1, paragraph 788, of Law no. 296 of 27 December 2006, as amended, applies.

Suspension measures are ordered by the Department Director.

Art. 10 - WITHDRAWAL OF THE HOLDER OF THE RESEARCH GRANT

The holder of the grant has the right to withdraw from the relationship, giving notice to the Research Managers and to the Department Director at least thirty days before.

Failure to communicate entails the retention of the consideration in relation to the period of non-notice.

Art. 11 - TERMINATION OF THE CONTRACT

If the research fellow does not continue the activity envisaged by the research program without justified reason or is responsible for serious or repeated shortcomings, upon a motivated report of the Research Manager and by resolution of the Department Council, the termination of the contract may be ordered.

The contract is terminated automatically, without prior notice, in the following cases:

- unjustified failure to start or delay the activity;
- unjustified suspension of activity for a period exceeding 15 days;
- serious breach of the incompatibility regime;
- negative evaluation of the research activity expressed by the Department Council.

Resolution measures are ordered by the Department Director.

Art. 12 - PROCESSING OF PERSONAL DATA

Pursuant to Regulation (EU) no. 2016/679 and Legislative Decree no. 196/2003, the University undertakes to respect the confidential nature of the information provided by the candidate. All the data provided will be processed exclusively for the purposes of managing the selection procedure and the possible management of the collaboration relationship in compliance with the provisions in force as per the information available on the website www.uninsubria.it

Art. 13 – INFORMATION ON THE APPLICATION OF LEGISLATION ON THE PREVENTION OF CORRUPTION

The University, in implementation of the relevant legislation, has adopted its own Three-Year Plan for the prevention of corruption and appointed the Head of Corruption Prevention. The Three-Year Plan is published on the institutional website at <http://www4.uninsubria.it/online/home/naviga-per-tema/amministrazione-trasparente/articolo4719.html>. Any reports can be sent to the address: anticorruzione@uninsubria.it

Art. 14 - RESPONSIBLE FOR THE PROCEDURE



The Head of the Administrative Procedure (L. 241/1990) is the Administrative Secretary email: di-partimento.dec@uninsubria.it

Art. 15 - FINAL RULES AND INFORMATION

For anything not provided for in this announcement, reference is made to the current laws and regulations on the subject.

The announcement will be published, pursuant to art. 11 paragraph 2 of the current University Regulations on the award of research grants, to the Register of the University and made public on the website of the University, the Ministry of University, Education and Research and the European Union.

Annex 2

INFORMATION PURSUANT TO THE GENERAL DATA PROTECTION REGULATION – EU REGULATION 2016/679 AND LEGISLATIVE DECREE NO. 196/2003 AND SUBSEQUENT amendments .M.I. "CODE REGARDING THE PROTECTION OF PERSONAL DATA"

The personal data provided in relation to the selection procedure referred to in the subject are processed in accordance with the General Data Protection Regulation - EU Regulation 2016/679 and Legislative Decree no. 196/2003 and subsequent amendments "Code regarding the protection of personal data". This information is provided, pursuant to the General Data Protection Regulation - EU Regulation 2016/679 to those who intend to participate in the aforementioned selection procedure.

1. Data Controller, Data Protection Officer

The Data Controller is the University of Insubria, in the person of the Rector, with registered office in Varese (VA) Via Ravasi, 2, pec ateneo@pec.uninsubria.it

Data subjects may contact the Data Protection Officer for the exercise of the rights provided for by the GDPR (articles 12 to 21) using the following e-mail address: privacy@uninsubria.it. The updated list of data processors and data processors is kept at the headquarters of the Data Controller.

2. Object of the treatment

Personal and particular personal data (name, surname, date and place of birth, CF residence, citizenship), identity document, contacts, curriculum vitae, any disabilities, any criminal convictions, titles, etc., competition results.

3. Purposes of the processing for which the data are intended:

Verification of the existence of the requisites required for participation in the selection procedure for the conferral of n. 1 individual assignment of self-employment, for the performance of highly qualified activities, having as its object:

1) Identification of the associations / institutions that protect victims of crime, functional to the establishment of the multidisciplinary network of support and protection of victims of crime,



as an advisory body of the Guarantor composed of representatives of associations, organizations, services and institutions that, in various capacities, operate on the regional territory, for the purpose of protecting, supporting and protecting victims of crime;

2) Creation of information sheets of the activities carried out by the associations / institutions in support of the victims, including the related contact information (indication, for example, of the name, of the regional headquarters, of the legal representative, of the activities of interest to the Guarantor);

3) Elaboration of common guidelines for interventions in favor of victims of crime, including the identification of possible actions for the development of prevention policies to protect the people most exposed to the risk of criminal activities. These guidelines also take into account the European Best Practices made available by the Regional Council

4. **Legal Basis of the Treatments**

The legal basis of the processing, pursuant to art. 6, paragraph 1, letter c) of the GDPR, is the need to fulfill a legal obligation to which the data controller is subject.

5. **Processing methods**

The collection of data takes place in compliance with the principles of lawfulness, correctness, relevance, completeness and non-excess in relation to the purposes for which they are processed. Personal data are processed in compliance with the principles of lawfulness, correctness and transparency, provided for by law, with the help of tools to record and store the data and in any case in such a way as to guarantee its security and protect the utmost confidentiality of the interested party.

6. **Data retention period**

Personal data relating to the personal data and data concerning rankings or minutes are kept unlimited in time also for historical interest based on the archiving obligations imposed by current legislation (Presidential Decree 445/2000, Legislative Decree 42/2004, dpcm 3 December 2013).

7. **Subjects or categories of subjects to whom the data may be communicated or who can learn about it as Managers or Authorized**

The data processed for the aforementioned purposes will be communicated or will in any case be accessible to employees and collaborators assigned to the competent offices of the University of Insubria.

The University may communicate the personal data of which it is also the owner to other public administrations if they have to process the same for any procedures of its institutional competence as well as to all those public subjects to whom, in the presence of the relative conditions, the communication is mandatorily provided for by Community provisions, laws or regulations. The management and storage of personal data collected takes place at the University and / or at service providers necessary for technical-administrative management who, for the sole purpose of the requested service, could become aware of the personal data of the interested parties appointed as Data Processors pursuant to art. 28 of the GDPR.

The complete and updated list of Data Processors can be known upon mere request at the headquarters of the Data Controller.

8. **Data transfer abroad**

There are no data transfers abroad.

9. **Rights of the interested party**

These are the rights that can be exercised against the University of Insubria (Data Controller):
–right of access to your personal data and to all the information referred to in Article 15 of the GDPR,

–right to rectification of inaccurate personal data and the integration of incomplete data,



–right to cancellation of their data, except for those contained in acts that must be mandatorily kept by the University and unless there is a prevailing legitimate reason to proceed with the processing;

–right to limit the processing where one of the hypotheses referred to in art. 18 of the GDPR.

–right to object to the processing of their personal data, without prejudice to the provisions regarding the necessity and mandatory nature of the processing for the purpose of establishing the relationship

–right to revoke any consent given for non-mandatory data processing, without prejudice to the lawfulness of the processing based on the consent given before the revocation.

To exercise these rights, the interested party can contact the Data Protection Officer by sending the request by e-mail to the address privacy@uninsubria.it.

10. Complaint

The interested party also has the right to lodge a complaint with the Guarantor for the Protection of Personal Data (www.garanteprivacy.it) or with the Guarantor Authority of the EU State in which the interested party habitually resides or works, or of the place where the alleged violation occurred, in relation to a treatment that he considers non-compliant.

11. Obligatory or not to provide data

The provision of data is mandatory, therefore any refusal to provide them will result in exclusion from the insolvency procedure.