

TIPOLOGIA DI PROGETTO	
PRIN 2022 (ricerca nazionale)	
TITOLO DEL PROGETTO DI RICERCA	
“Cybersecurity strategy, legal framework and social impact. International and European perspectives” (Codice CUP: H53D23002750006)	
BREVE DESCRIZIONE DEL PROGETTO	
<p>Our society, economy, and critical infrastructures have become largely dependent on computer networks and information technology solutions. Against this digital transformation, while, on one hand, cybersecurity is taking an increasingly significant role, on the other hand, it should be noted that there is a lack of comprehensive studies on cybersecurity from a legal perspective. The project on “Cybersecurity strategy, legal framework and social impact. International and European perspectives” will address the topic of cybersecurity under a holistic approach and aims at: i) describing the legal challenges imposed by cyberspace for States and individuals; ii) identifying the applicable international and EU law standards; iii) recognizing any gaps and iv) proposing feasible and legal methods and recommendations fit-for-purpose.</p> <p>The research project will examine the issue of cybersecurity from four interconnected perspectives: 1) public international law; 2) international humanitarian law; 3) international investment law; 4) European Union law and private international law issues.</p> <p>First, the project is intended to determine the rules of public international law applicable to cyberspace with particular attention to the UN Charter and in general to the law on the responsible conduct of States in cyberspace. More in detail, it will assess whether cyber-attacks can constitute a violation of the prohibition of the use of force (pursuant to Article 2(4) of the UN Charter) or, alternatively, violate the principles of sovereignty and non-interference in the internal affairs of States. Particular attention will also be paid to the possibility of developing a due diligence obligation for the State specifically in relation to cyberspace activities.</p> <p>The second line of research aims to examine the applicability of international humanitarian law to cyber warfare and the legal qualification of hackers taking part in conflicts, especially in the light of actual scenarios, for instance with reference to the difficult and uncertain qualification of Anonymous in the Russian-Ukrainian conflict.</p> <p>The third research line will analyse, starting from the existing normative and instruments, the compatibility of international investment law with the blockchain and related services. Then the focus will shift on how international investment law could adapt to these tools, providing suggestions on how to update International Investment Agreements and the investor/State arbitration mechanisms in the cyberspace in order to facilitate the reception of innovations brought by the blockchain.</p> <p>The last line of research will investigate the role of the European Union in the context of cybersecurity with regard not only to the digital governance, but also to the protection of citizens, their digital identity and rights, with a view to determining, under the private international law perspective, jurisdictional competence and applicable law in a-territorial situations.</p>	
COMPOSIZIONE DEL GRUPPO DI RICERCA	
I	Università degli Studi di Napoli Federico II – STIANO Alessandro
II	Università degli Studi di Bergamo – PERARO Cinzia
III	Università degli Studi di BOLOGNA – FARNELLI Gian Maria
IV	Università degli Studi di CASSINO e del LAZIO MERIDIONALE - MAIELLO Francesco

RISULTATI/PUBBLICAZIONI

Convegno “Cybersecurity e realizzazione del mercato unico digitale”. Bergamo 23 febbraio 2024 (Evento organizzato dall’Unità Università degli Studi di Bergamo)

Convegno “Cybersecurity diritti regolazione e strumenti per gli ecosistemi cyber-fisici”, Bologna 20 giugno 2024 ((Evento organizzato dall’Unità Università degli Studi di Bologna)

Convegno “Reati informatici transnazionali: conseguenze nell’ordinamento giuridico interno e internazionale”, Cassino 26 marzo 2025 (evento organizzato dall’Unità di Cassino in collaborazione con l’Unità di Bari