



## UNIVERSITY OF TRENTO - Italy

### **Announcement of selection for PhD positions in the Graduate School in “Comparative and European Legal Studies” – 21<sup>st</sup> cycle**

#### THE RECTOR

Given Law no. 210 of 03.07.1998, and in particular, art. 4, which assigns the organization of PhD programmes to universities in accordance with the general criteria stipulated by ministerial regulations;

Given the Ministerial Decree no. 224 of 30.04.1999, regarding the general criteria to be followed by individual universities in the organization of PhD programmes;

Given the Decree by the Prime Minister of 09.04.2001, and subsequent amendments to the general criteria for equal opportunities regarding the right to higher education;

Given the Charter of the University of Trento and in particular, art. 8, paragraph 3;

Given the University Regulations for Research Doctorate Programmes, issued with the Rector's Decree no. 997 of 16.12.2003;

Given the proposals made by the Department of Legal Sciences;

Given the report by the Scientific Committee in its session on 10.06.2004 on the scientific relevance of the proposal to set up PhD Programmes;

Given the report of the internal Evaluation Committee of 19.05.2004 on the requirements for the PhD Programmes proposed;

Given the resolution made jointly by the Academic Senate and the Scientific Research Committee on 7.04.2005

decrees

## ART. 1 - INSTITUTION

The University of Trento announces the 21<sup>st</sup> cycle of the Graduate School in Comparative and European Legal Studies in co-operation with:

- Juristisches Seminar Universität Greifswald (Germany)
- Departamento de Derecho publico Universidad di Castellón de la Plana (Spain)
- Universidad Pompeu-Fabra Barcelona (Spain)
- Universidad de Salamanca - Facultad de Derecho (Spain)
- Faculty of Law, Maastricht University (Netherlands)
- University of Illinois at Urbana Champaign (USA)
- École Normale Supérieure Lyon (France)
- Max-Planck-Institut für ausländisches und internationales Strafrecht – Friburgo (Germany).

**Length:** three years

**Specialized curricula:** Private Law and Comparative Private Law  
Substantive and Procedural Labour Law  
Criminal Law and Procedure  
Public Jurisprudence  
History of Law and Juridical Thought in Europe

**Scientific – disciplinary areas:** IUS / 01 Private Law  
IUS / 02 Comparative Private Law  
IUS / 07 Labour Law  
IUS / 09 Institutions of Public Law  
IUS / 10 Administrative Law  
IUS / 15 Civil Procedural Law  
IUS / 16 Criminal Procedural Law  
IUS / 17 Criminal Law  
IUS / 19 History of Medieval and Modern Law  
IUS / 21 Comparative Public Law  
SPS / 02 History of Political Doctrines

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**Official languages:** Italian and English

This hereby announces the selection process for **16** PhD positions in the PhD Programme. **8** positions will be assigned grants financed by the University of Trento (Italy).

The number of grant-assisted places may be increased by funds from universities, public research bodies or qualified private organizations made available after the publication of this announcement and before the beginning of the selection. Any increase in the number of available places resulting from an increase of grants will be communicated through the official notice board of the University of Trento, and posted on the website: [http://www.unitn.it/ricerca/dottorati\\_form\\_av/ciclo\\_21/bandi.htm](http://www.unitn.it/ricerca/dottorati_form_av/ciclo_21/bandi.htm)

## ART. 2 –ADMISSION REQUIREMENTS

Applications for PhD positions are accepted from candidates, regardless of sex, age and nationality, holding a “laurea specialistica italiana” (master's degree), according to Ministerial Decree no. 509 of 3.11.1999, a university degree compliant with the terms of the previous regulations in effect, or an equivalent degree qualification obtained abroad.

Applicants who have a foreign qualification that has not been officially recognized as equivalent to an Italian degree should submit a request for equivalence to be recognized in their application for the selection.

In this case, the following documents must be attached to the application:

- degree certificate or degree self-certification (according to Presidential Decree no. 445 of 28.12.2000 concerning EU citizens);
- translation into English of the degree certificate with exams and grades obtained and furthermore signed by the applicant to enable the Graduate School Committee to declare its equivalence, for the sole purpose of being admitted to the selection of the PhD Programme.

After their admission to the School, successful non EU applicants who hold a foreign qualification must present the degree certificate with exams and grades obtained, translated and certified by the Italian Embassy in the country of the university that issued the degree, and the declaration of equivalent value (“Dichiarazione di valore”) **no later than the date set for enrolment in the Graduate School.**

Applications are also invited from students who expect to complete their degree by the date of the first selection examination. In such cases, admission will be "conditional" and the applicant must be able to present the relevant degree certificate, or a declaration that the degree has been conferred (according to Presidential Decree no. 445 of 28.12.2000, applicable only to citizens of the European Union), by the date of the first examination.

## ART. 3 – THE PhD PROGRAMME

The first-year curriculum is common to all specialised pathways. It is based on a series of scientific seminars on interdisciplinary issues, divided into four modules (“The economic analysis of law”; “The formation of European jurisprudence”; “The functions and methods of jurisprudential comparison”; and “The protection of fundamental rights”), for a total 120 hours of lecture time.

The following topics will be dealt with in detail:

- the formation of the sources of European law;
- the history of the concept of justice;
- the development of European jurisprudence;
- the concept of the propagation of juridical models;
- the comparison between systems of common law and civil law;
- the economic analysis of law;
- institutes of Islamic law;
- methods and goals of research in comparative jurisprudence;
- resisting and innovative factors in globalisation;

- the regime and evolution of fundamental rights;
- the transformation of constitutional law in the comparative perspective;
- processes of integration between judiciary codes;
- the institution of international criminal courts;
- the relationship between criminal studies and social sciences;
- alternatives to conflict resolution.

Lectures will be held in part by professors from the Graduate School Committee and the Department of Legal Sciences at the University of Trento, and in part by internationally acknowledged Italian and international professors.

Some of the lectures will be given in English.

All students will spend a total of 6 months (not necessarily consecutive) studying abroad in institutions that have expressed their willingness to host them.

Students will be encouraged to do an internship or to attend external courses as part of young researchers exchange programmes at prominent foreign universities, where members of the Graduate School Committee lecture either on a permanent basis or as visiting professors.

#### **Curricula for the following years** (organised by specialised subject)

##### **Private Law and Comparative Private Law**

The topics handled during the second and third years of the PhD course are as follows:

- understanding models – macro-comparison and diachronic comparison;
- the comparison of institutes – micro-comparison and synchronic comparison.

The following course module topics will be explored in detail:

- Comparative legal systems – Property, contract issues and liabilities in civil law and common law;
- The formation of a common European private law;
- The propagation of models in European private law – The propagation of models of civil law and common law;
- The law of economics – The propagation of models and economic analysis.

Already by its 19<sup>th</sup> and 20<sup>th</sup> cycles, the Economic Analysis of Law course held by the Graduate School of Comparative and European Legal Studies had established close collaborative ties with the Department of Economics for the realisation of a number of initiatives for PhD students. Of particular interest, and an initiative that the School intends to repeat, was the round table on “The theory and practice of regulation”, involving the participation of Prof. Lorenzo Sacconi. In this cycle too, the students will be able to participate in other initiatives organised by the Department of Economics, such as the Summer Institute in Behavioural Economics, and other seminars on topics of research common to both the Department of Legal Sciences and the Department of Economics. There are also plans for a series of lectures in the Economic Analysis of Law, conducted together with the Graduate School of Economics and Management.

## **Substantive and Procedural Labour Law**

The topics handled during the second and third years of the course will study aspects of labour law in detail and, in particular, discipline in individual and collective labour relations in a European and trans-national context, and basic profiles of labour procedures and arbitration.

This part of the course will closely assess, through interdisciplinary studies, discipline in labour relations (subordinate, para-subordinate and autonomous) and the forms and methods of protection for workers (judicial and extra-judicial), in a broad sense and in a national and trans-national context.

As the study of these topics enters the realms of a system in which a multitude of national, international and EU sources of law interact, in order to optimise the use of comparative methods, the curriculum has been structured into two levels: the first level studies the general principles of the protection of fundamental individual rights and the characterising principles of fair trial; the second level studies more specific topics, which are closely related to substantial and procedural labour law and the protection of workers. While these are two different focal points, they both play a part in the same unitary perspective, both on a national and comparative law scale and an international and supra-national scale.

In this light, particular focus must be given to issues related to the increasingly forceful drive towards legislative harmonisation due, undoubtedly, to the strengthening of the European Union - with effects notable on a trans-national scale - that substantially weakens the role of national sovereignty which is at the core of all traditional social security systems.

As a result, in addition to generalised problems concerning the protection of rights and fundamental individual liberties, the curriculum will also deal with the following major topics:

- the relation between supra-national law – with particular regard for European Union and ILO law – and national law;
- the harmonisation or “communitisation” of disciplines in different areas, with particular reference to:
  - Freedom of movement for workers.
  - The rights of EU citizen workers and non-EU citizen workers.
  - The protection of gender equality and positive action.
  - The protection of confidentiality and new technologies.
  - The promotion of employment and professional training.
  - Work safety and the working environment.
  - Types of labour relationships: subordinated, para-subordinated and autonomous.
  - The promotion of instruments for flexibility in entering and leaving the job market.
  - Creditor’s powers and the rights of the worker.
  - Instruments and methods for protection: self-protection and judicial protection: civil, criminal and administrative.
  - Alternative protection measures to judicial action: conciliation and arbitration.
  - The role of collective interest organisations in a national, EU and international context.
  - Trans-national and European collective contract negotiation.

The PhD students will also be encouraged to participate in cultural and research initiatives organised by the Italian Association of Labour Law and Social Security Law (AIDLASS) and in initiatives promoted by the Italian Association of researchers into civil procedure.

### **Criminal Law and Procedure**

In part, the research topics proposed will analyse the subjects already handled by previous cycles of the Criminal Law curriculum:

- a) the harmonisation of criminal law and criminal procedural law in a European and trans-national context;
- b) criminal law of economics and new technologies;
- c) alternative means to resolve conflicts of a criminal nature: substantive and procedural issues of mediation in dealings with minors and the criminal jurisdiction of the justice of the peace.

Other parts of the curriculum provide more detail, with more specialised aspects related to the following particularly relevant issues:

1. The relations between the criminal justice systems (in both substantive and procedural aspects) and supra-national law, with specific regard for:

- a) Community law and European Union law, particularly in view of the new European Constitution. The increasing drive towards the harmonisation of judiciary codes, including criminal codes, of the Member States, and in particular, the instruments of the Third Pillar (framework conventions and decisions on issues such as the fight against fraud, terrorism, organised crime, money laundering, the trafficking of human beings, environmental protection, etc.) offer new and wider scope for research, in view of the imminent approval of the European Constitution which ratifies the jurisdiction of the European Union in criminal matters and of effective Europe-wide projects for the unification of criminal law and criminal procedural law in individual areas (the Corpus Juris project for the criminal protection of EU financial interests and for the establishment of a European Public Prosecutor; the European arrest warrant; Eurojust etc.);
- b) Criminal law, criminal procedure and international tools for the protection of fundamental rights, specifically the European Convention on Human Rights and the jurisprudence of the European Court of Justice in Strasbourg. The development and increasing influence of European jurisprudence in national criminal legal systems, in large part assimilated by the European Court of Justice, make it relevant to assess the effective role that fundamental rights play as “subjects” and “limits” in modern criminal law, and what powers they exert in the procedure;
- c) International criminal law and procedure, particularly in light of the Rome Statute of the International Criminal Court (ICC) and the jurisprudence of ad hoc Tribunals for Rwanda and former Yugoslavia. The entry in effect of the International Criminal Court, the prolific production of relative doctrine and the significant extension of the jurisprudence of ad hoc Tribunals have allowed for a wide spectrum of research into the general aspect and general theories of crime in the new international criminal law (assumptions for individual and joint responsibility, the subjective factor and error, extenuating circumstances, commensurate sentencing, etc.), into individual instances of crime encountered (genocide, war crimes, crimes against humanity, crimes of aggression), and into the basic categories in the nascent international criminal procedure

(action; role of the prosecution; investigation techniques and international cooperation; the formation of evidence; final judgement and the so-called international *ne bis in idem*).

2. The criminal law of new technologies, with particular regard for criminal law for IT and the Internet (computercrime and cybercrime), genetics, assisted fertility techniques, end of life health treatment etc. and related procedural profiles. The extraordinary development of IT and the Internet, combined with today's new needs for discipline and harmonisation in all judiciary codes, which are monitored by several supra-national bodies (UN, the European Council, specifically with the 2001 Convention on Cybercrime, the European Union, WIPO, etc.), is opening up new, extensive fields of research, in a trans-national and comparative context, in many areas: from the criminal protection of confidentiality and copyright, the fight against fraud, counterfeiting, damages, illegal access and interception, the distribution of pornography and offensive content, etc. to the allocation of responsibility to service-providers and professionals, specifically business and organisation owners, etc. with the establishment and experimentation of new juridical institutes, also on procedural and probational levels, and forms of international cooperation.

3. Non-penitentiary punishments and alternative means for criminal conflict resolution, with particular regard for the criminal jurisdiction system of justices of the peace and the juvenile courts. The general and universally acknowledged crisis in the use of detention as a normal means to control deviance and resolve conflicts of a largely interpersonal nature (excluding serious forms of crime or violence towards assets of particular importance to the collective or the individual) has prompted research (not merely theoretical research, but also including the experimentation of legislative and applicative practices in many foreign judiciary codes) into non-penitentiary punishments and alternative means to resolve conflicts in a criminal context. In particular, the curriculum studies subjects of research such as institutes for restorative justice, (criminal) mediation between perpetrator and victim, the promotion of reparatory and recompensatory conducts and their favourable effects on criminal procedure, opportunities for voluntary discontinuance of or withdrawal from legal action due to the tenuous or irrelevant nature of the fact, when it is unnecessary or inappropriate to proceed with or conclude a trial; etc. These institutes, first introduced in our judiciary code within the area of juvenile criminal justice (in particular, through the "alternative definitions" of the procedure introduced by Presidential Decree no. 448 of 22.9.1988), have recently been extended to apply to adult criminal justice, through legislation introducing the criminal jurisdiction of the Justice of the Peace (Law Decree no. 274 of 28.8.2000, implementing the Delegation Law no. 468 of 24.11.1999). In this matter, there has been much debate regarding doctrine, and the first significant facts on judiciary practice are now emerging.

### **Public Jurisprudence**

The topics handled during the second and third years of the course will study aspects of jurisprudence in detail and, in particular, the protection of fundamental rights.

During this part of the course, the specialised curriculum will maintain a unitary structure, albeit spread over several disciplinary focal points, which are all interrelated in a perspective of both national and comparative

law, and of international and Community law, due to the similarities in the substantial and procedural foundations of the protection of fundamental rights.

Specifically, the curriculum will handle the following topics:

- Fundamental rights: philosophical origins and constitutional codification.
- Fundamental rights: foundations, regime, structure and content.
- The rights of EU citizens.
- The rights of non-EU citizens.
- The international instruments of protection: universal instruments (UN) and regional instruments (the Council of Europe, OAU and OAS).
- International and supra-national procedural instruments: international judges and Community judges; relations with national jurisdictions.
- Sector-specific instruments of protection: freedom of thought (freedom of information, freedom of communication, rights of access to administrative documentation, the protection of health information, the protection of statistical data and the system of derogation); participation in the administrative process; the charter of services (the user's position in relation with the providers of public services); the instruments of implementation of the principle of horizontal subsidiarity.
- The rights of minorities (ethnic and linguistic): instruments for individual and collective protection.
- Fundamental rights in relation to new technologies (BioLaw).
- Instruments of protection: a) constitutional justice; b) administrative justice and c) ordinary jurisdiction.
- Instruments of protection: final protection and precautionary protection.

### **The History of Law and Juridical Thought in Europe**

The topics handled in the second and third years of the course will deal with a wide panorama of historical-legal studies, from the laws of antiquity and Romanist traditions to common law and complete modernity, with special focus on the jurisprudential and doctrinal aspects of law. The historical-juridical curriculum is not intended to play an inceptive role but, rather, to highlight the intrinsic historical dimension of jurisprudence and, in particular, legal-doctrinal developments in the long history of the *ius commune Europaeum*.

The contribution of historical disciplines in the PhD course will, therefore, on the one hand deal with the dissemination of the methodological and conceptual legacies contained in the European legal tradition and, on the other, with the understanding of specific issues in the history of law, identified by the topics of research of each PhD student.

The specific topics of research which will be conducted during the two years following the first, common year will cover matters relative to the production of doctrine in public law, the procedure, the relationship between forms of literature and theoretical development (consultant and commentary literature) and the comparison of laws in their historical context.

Overall, the curriculum will promote a concept of multidimensionality in law and its concrete manifestations.

#### ART. 4 – APPLICATION TO PARTICIPATE IN THE SELECTION

Application should be made using the application form attached to this announcement.

The application, including a photocopy of the candidate's identity card or passport, must reach the University of Trento **by the 23<sup>rd</sup> of September 2005** by one of the following means:

- delivered in person to the University of Trento - Ufficio Dottorati di Ricerca, Via Inama 5 – 38100 Trento (TN), from 10:00 am to 12:00 a.m., Monday to Friday;
- by post to the following address: Magnifico Rettore dell'Università degli Studi di Trento - via Belenzani 12 – 38100 Trento (TN), ITALY (please write "PhD Programme in Comparative and European Legal Studies" on the envelope);
- by fax to the following number: 0039 0461 882191.

The applicant should ensure that the address given for correspondence and the telephone number are correct, and that any changes are reported as soon as possible to the University of Trento - Ufficio Dottorati di Ricerca. The University of Trento declines all responsibility for post office mishandling.

**Applications arriving after the 23<sup>rd</sup> of September 2005 will not be considered, even if sent before this date.**

According to Italian Law no. 104/92, art. 20, and to Italian Law no. 68/99, art. 16, para. 1, applicants with special needs are required to explicitly indicate, in their application, whether they require special assistance or extra time during the examinations. Under Legislative Decree 196/03, all information will be handled confidentially.

#### **Applications should include:**

- a photocopy of the applicant's identity card or passport;
- curriculum vitae;
- any certificates proving the applicant's knowledge of the English language.

Applicants with a foreign qualification that has not been officially recognized as equivalent to the Italian degree are required to attach a translation in English of the degree certificate, with exams and scores obtained, signed under their own responsibility, so as to allow the Graduate School Committee to declare the equivalence. This is valid for the sole purpose of participating in the selection.

If, pursuant to submission of their application, applicants wish to add further information, it must reach the University offices by **the 23<sup>rd</sup> of September 2005**. The applicant's name, the Graduate School he or she is applying for and the subject ("integrazione domanda") must be clearly written on the envelope.

The University of Trento reserves the right to verify (including spot checking), declarations and documents submitted by candidates, according to art. 71 and subsequent articles of Presidential Decree no. 445, dated 28.12.2000.

At any time, candidates failing to meet the requisites specified, may be omitted from the selection process for the Graduate School Committee.

## ART. 5 – SELECTION

Selection procedures may be held in Italian or in a foreign language chosen by candidates among English, German, French, or Spanish. The selection aims to assess the candidate's knowledge and aptitude for scientific research in the area of the **specialized curriculum** chosen by the candidate.

The selection consists in:

- a written exam on a topic involving one of the basic disciplines selected from the scientific areas of each curriculum;
- an oral exam, which will also evaluate the candidate's knowledge of a chosen language among English, German, French and Spanish.

Applicants must display an identifying document in order to be admitted to the examination.

Only applicants obtaining a minimum score of 36/60 in the written exam will be admitted to the oral exam, that is successfully passed with a minimum 36/60 point score.

No later than 20 days before the date of the examination, the time and location of the examination will be displayed on the website: [http://www.unitn.it/ricerca/dottorati\\_form\\_av/ciclo\\_21/calendario\\_prove.htm](http://www.unitn.it/ricerca/dottorati_form_av/ciclo_21/calendario_prove.htm) as specified in Art. 19 of the University Regulations for Research Doctorate Programmes.

## ART. 6 – PROGRAMME OF THE EXAMINATION

The **written examination** will consist in a dissertation on a topic related to one of the specialised subjects. Candidates selecting the Public Jurisprudence curriculum will be given a choice between a topic concerning Constitutional Law and a topic concerning Administrative Law, whereas students selecting the Private Law and Comparative Private Law curriculum will be given a choice between a topic concerning Comparative Private Law and a topic concerning the Economic Analysis of Law. Candidates selecting the Substantive and Procedural Labour Law curriculum will be given a choice between a topic concerning Labour Law and a topic concerning Civil Procedural Law, whereas students selecting the Criminal Law and Procedure curriculum will be given a choice between a topic concerning Criminal Law and a topic concerning Criminal Procedural Law.

The **oral examination** will generally assess the candidate's knowledge of the topics of the selected curriculum and will also assess the subject of the research that the candidate intends to conduct.

## ART. 7 – ADMISSIONS COMMITTEE

The Rector, after hearing the Graduate School Committee, will appoint the Admissions Committee. It will consist of 3 members, chosen from among Italian and foreign tenured professors and researchers, who are experts in the scientific areas of the PhD Programme. The Committee may also include two experts from public and private national and international research institutes. Appointment of these experts is compulsory for conventions or agreements with small-medium size companies

The Admissions Committee may specify different topics of exam relative to the individual areas of research (curricula).

Upon completion of the admission examinations, the Committee will draw up a general merit-based ranking based on the grades obtained by the applicants in each examination. The final ranking of candidates will be posted on the website:

[http://www.unitn.it/ricerca/dottorati\\_form\\_av/ciclo\\_21/graduatorie/index.htm](http://www.unitn.it/ricerca/dottorati_form_av/ciclo_21/graduatorie/index.htm)

**The publication of this list constitutes the formal notification of the results.**

Successful applicants will not receive personal notification of the results.

#### ART. 8 - ADMISSION TO THE PHD PROGRAMME

Short-listed applicants will be admitted to the PhD Programme according to their order on the list until all available places have been filled.

If more than one candidate merits admission equally, the students' economic situation will be evaluated for places that include a grant, in accordance with the amended Decree by the President of the Council of Ministers (D.P.C.M.) dated 9.04.2001; for places not subject to a grant, the younger student shall be given priority.

If a successful applicant withdraws before the beginning of the course, the next applicant on the list will be offered the place.

If a successful applicant withdraws or is excluded in the first three-month term of the first year, the Graduate School Committee may decide to fill the vacant place with another candidate from the list.

According to art. 18, paragraph 3, of the University Regulations for Research Doctorate Programmes and according to previous Graduate School Committee resolutions, the Admissions Committee **may allocate** up to **12.5%** of the total assigned places for the School to candidates who are deemed eligible in the general ranking, if they belong to the following categories:

- applicants from non-E.U. countries who have been awarded any kind of grant;
- applicants from a country with a specific intergovernmental agreement with Italy, on the basis of a bilateral agreement between the University of Trento and the foreign university (with no obligatory financial responsibility for the University of Trento);
- short-listed applicants who have been awarded grants under Law 449/97, Art. 51 ("Assegni di ricerca").

#### ART. 9 – HOW TO ENROL

Successful applicants should forward their application for enrolment with tax stamps to the **University of Trento - Direzione Servizi e Comunicazione – Ufficio Dottorati di Ricerca, Via Inama 5 – 38100 Trento (ITALY)**, **within 15 days** of the date of the publication of the final list.

If applicable, the receipt for payment of the provincial tax for the right to university study (TDS) must be attached to applications.

In their applications (application forms are available at the University of Trento - Ufficio Dottorati di Ricerca and on the website:

[http://www.unitn.it/ricerca/dottorati\\_form\\_av/ciclo\\_21/download/modulo\\_iscrizione\\_eng.doc](http://www.unitn.it/ricerca/dottorati_form_av/ciclo_21/download/modulo_iscrizione_eng.doc))

candidates should:

- ask/ask not to be awarded a grant (including successful applicants who are not eligible for a grant in case an applicant eligible for a grant gives up his/her place);
- declare that they have not already enrolled and undertake not to enrol in any other programme for a diploma, degree, an Italian “Scuola di Specializzazione” (Specialisation programmes), Research Doctorate programmes or master’s programmes, whether of the I or the II level, for the duration of this PhD Programme;
- declare that they have/have not already been awarded (even for a single year only) an Italian grant for a PhD Programme;
- declare that they are/are not employed by the Italian public sector;
- declare that they will request authorization for employment from the Graduate School Committee in advance;
- undertake to inform the University immediately of any changes to their residential details or address.

Successful applicants from a non-E.U. country, who have a foreign qualification, must attach their degree certificate with the examinations passed and the scores obtained, translated and authenticated by an Italian consulate, embassy or diplomatic representative in the country of the university that issued the degree and the respective declaration of equivalent value (“Dichiarazione di valore”).

Successful applicants who do not send their application **within 15 days** following the date of publication of the list on the website:

[http://www.unitn.it/ricerca/dottorati\\_form\\_av/ciclo\\_21/graduatorie/index.htm](http://www.unitn.it/ricerca/dottorati_form_av/ciclo_21/graduatorie/index.htm)

lose the right to enrol and the corresponding place will be offered to the next candidate on the list.

#### ART. 10 – GRANTS

Grants are assigned according to the merit-based applicant ranking drawn up by the Admissions Committee. Should a candidate awarded a grant forfeits this right, the next candidate on the list will be offered the grant. Successful applicants may choose one of the grants financed by the University or those financed by external bodies according to their position. If a grant financed by an external body is submitted to a specific area of research, the candidate may accept or decline the grant. If he/she accepts the grant, he/she must mention the body which financed the grant in the doctoral thesis and provide it with a copy.

The annual gross sum of the study grant, determined according to art. 1, paragraph 1, letter a), of Law no. 315 of 3.08.1998, as amended, is €10,561.54<sup>1</sup>.

The grant is usually paid bi-monthly in advance, and all undue payments will be recovered in the event of the student’s expulsion or suspension.

The grant cannot be combined with other grants, except those awarded by national or foreign scientific institutes for periods spent abroad and deemed useful for the research activities of the student.

The grant will be increased by 50% for any periods spent abroad authorized by the Coordinator or by the Graduate School Committee.

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<sup>1</sup> At the time of publication, Italian Law states that the PhD scholarship is subject to social security contributions (INPS 10% or 18%, 1/3 of which must be paid by the PhD student), according to art .2, para. 26 of Law no. 335/95 as amended.

The study grant is awarded for the entire duration of the Programme, subject to annual confirmation from the Graduate School Committee of the results achieved.

Failure to attend the Programme for over thirty days will result in the suspension of the grant.

#### ART. 11 - PhD STUDENTS' RIGHTS AND OBLIGATIONS

PhD students must undertake to attend the PhD Programme and to carry out research activities on a full time basis, according to the schedules and the regulations laid down by the Graduate School Committee, as specified in Art. 3 of this announcement.

Students participating in a thesis co-tutorship programme are required to conduct study and research activities in compliance with the agreement with the foreign university.

From the start of the second year to the end of the third year of the course, each PhD student is required to spend **at least six months** (not necessarily consecutive) in research at a foreign institution, unless an exception is made by the Graduate School Committee, on specific request of the candidate.

The Rector may expel students from the PhD Programme on the basis of an unfavourable assessment by the Graduate School Committee of the activities and studies conducted.

Grants financed by external bodies where specific research is required limit the grant holder to carry out this work for the duration of the Programme.

For the duration of the PhD Programme, students are insured by the University against accidents and damage to third parties occurring in circumstances pertaining to the PhD Programme.

From the start, and for the whole duration of the PhD course, public service employees accepted to take part in a PhD Programme may request leave of absence for reasons of study, without monetary allowances, and may benefit from the study grant, where the required conditions are met.

In the event of admission to a PhD Programme without a grant, or should he/she waive said grant, the person on absence of leave will receive the payment, social insurance coverage and retirement benefits applicable in the employing public administration. Should the employee terminate employment in public administration during the two years succeeding his / her having obtained a PhD, the sums paid during the course of the PhD studies will be reclaimed.

#### ART. 12 – PhD TITLE CONFERRAL

The title of PhD, conferred by the Rector, is granted when the student passes the final examination, which will take place at the end of the three-year PhD Programme.

The Examining Committee will be nominated by the Rector, upon the advice of the Graduate School Committee according to the University Regulations for PhD Research Programmes.

The candidate will take the final exam in the language agreed with the Coordinator.

#### ART. 12 bis– EUROPEAN PhD PROGRAMME

The doctorate will be recognised on a European level, provided that it complies with the requirements specified by the declaration of the Confederation of European Union Rectors' Conferences, concurred at the Salamanca Convention in 1991.

In particular:

1. the doctoral thesis must be approved by at least two dons from two European States other than Italy;
2. at least two members of the Examining Committee must be professors in one of these two States other than Italy;
3. at least a part of the discussion of the thesis must be in a language (German, Spanish, English or French) other than the language of the State in which the final examination is taken;
4. the thesis will be based on research activities entailing at least one trimester spent abroad at either an associated university and research institute, or one that has expressed its intention to collaborate with the student.

#### ART. 13 – PERSONAL DATA

The University of Trento, in accordance with Legislative Decree 196/03 (“Italian Personal Data Protection Code”) and subsequent amendments, will use the applicants’ personal data solely for activities strictly pertinent to the selection procedure and for institutional reasons.

In observance of the aforementioned law, participation in the selection requires the applicant to give the University of Trento permission to publish his/her personal data concerning the results of the selection procedure on the University website.

#### ART. 14 – REFERRAL RULE

For matters not explicitly mentioned in this announcement, art. 4 of Law no. 210 of 03.07.1998, the Ministerial Decree no. 224 of 30.04.1999 and the University Regulations for Research Doctorate Programmes issued with the Rector's Decree no. 997 of 16.12. 2003 shall apply.

Trento, 13 luglio 2005

The Rector  
Prof. Davide Bassi

**TO THE MAGNIFICO RETTORE  
UNIVERSITÀ DEGLI STUDI DI TRENTO  
VIA BELENZANI, 12  
38100 TRENTO – ITALY**

**I, the undersigned, apply to be considered in the competitive selection for the PhD Programme in**

**COMPARATIVE AND EUROPEAN LEGAL STUDIES - 21<sup>st</sup> CYCLE**

**Preferred Specialized Curricula<sup>2</sup>.**

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**For this purpose I, the undersigned, declare:**

**SURNAME**

**FIRST NAME**

**DATE OF BIRTH**

**PLACE OF BIRTH** Town|City

**Country**

**CITIZENSHIP**


**RESIDENTIAL ADDRESS**

<b>Address</b>	
<b>Post/Zip Code</b>	<b>Country</b>
<b>Tel</b>	<b>Fax</b>
<b>E-mail</b>	

**POSTAL ADDRESS (if different from residential)**

<b>Address</b>	
<b>Post/Zip Code</b>	<b>Country</b>
<b>Tel</b>	<b>Fax</b>

- **TO HOLD \_\_\_\_\_ CITIZENSHIP**
- **TO HOLD AN ITALIAN DEGREE (“LAUREA”) \_\_\_\_\_ with mark \_\_\_\_\_**

**IN (subject)**

**FROM (University)**

**CONFERRED ON (date)**


<sup>2</sup> Pursuant to Article 3 of the announcement of selection, the candidate must choose only one curriculum among Private Law, Comparative Private Law, Substantive and Procedural Labour Law, Law and Criminal Procedure, Public Sciences, Law and European legal Theory History.

- **TO HAVE NOT YET GRADUATED**, that I am aware that my admission to the PhD Programme depends on the presentation of my degree certificate by the date of the first examination and that I am currently

**STUDYING (subject)**

**AT (University)**

**COUNTRY**


- **TO HOLD A FOREIGN QUALIFICATION, recognized as equivalent to the Italian degree**

<b>Italian Rector's Decree recognizing equivalence</b>	<b>N°.</b>
	<b>On (date)</b>
	<b>University of</b>

- **TO HOLD A FOREIGN QUALIFICATION and I request the Graduate School Committee to recognize its equivalence to the Italian degree** <sup>3</sup>

- **TO SPEAK THE FOLLOWING LANGUAGE(S):**

<input type="checkbox"/> <b>Italian</b>	<input type="checkbox"/> <b>English</b>	<input type="checkbox"/> <b>French</b>	<input type="checkbox"/> <b>Spanish</b>	<input type="checkbox"/> <b>German</b>	<input type="checkbox"/> _____
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- **TO REQUEST THE WRITTEN EXAM IN THE FOLLOWING LANGUAGE:**

<input type="checkbox"/> <b>Italian</b>	<input type="checkbox"/> <b>English</b>	<input type="checkbox"/> <b>French</b>	<input type="checkbox"/> <b>Spanish</b>	<input type="checkbox"/> <b>German</b>
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- **TO REQUEST THE ORAL EXAM IN THE FOLLOWING LANGUAGE:**

<input type="checkbox"/> <b>Italian</b>	<input type="checkbox"/> <b>English</b>	<input type="checkbox"/> <b>French</b>	<input type="checkbox"/> <b>Spanish</b>	<input type="checkbox"/> <b>German</b>
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- **TO REQUEST A LANGUAGE VERIFICATION IN THE FOLLOWING LANGUAGE (other than the languages chosen for the written and oral exams):**

<input type="checkbox"/> <b>Italian</b>	<input type="checkbox"/> <b>English</b>	<input type="checkbox"/> <b>French</b>	<input type="checkbox"/> <b>Spanish</b>	<input type="checkbox"/> <b>German</b>
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- **TO UNDERTAKE to inform the University of any changes to my address for correspondence and/or my telephone number**

- **THAT I HAVE / DO NOT HAVE** <sup>4</sup> **A DISABILITY (art. 4 L. 104/92) and need:**

- **the following assistance:** \_\_\_\_\_
- **and/or extra time (cross out as necessary):**    **YES**                      **NO**

- **TO BE AWARE AND TO ACCEPT THE REGULATIONS REGARDING:**

- **the present call**
- **the University Regulations for Research Doctorate Programmes:**  
[http://www.unitn.it/ateneo/norme\\_regolamenti/regolamenti/download/ricerca\\_prod\\_intel/Regol\\_in\\_materia\\_di\\_Scuole\\_dottorato\\_ricerca\\_vers\\_ingl.pdf](http://www.unitn.it/ateneo/norme_regolamenti/regolamenti/download/ricerca_prod_intel/Regol_in_materia_di_Scuole_dottorato_ricerca_vers_ingl.pdf)
- **the Implementing Regulations of the PhD Programme in Comparative and European Legal Studies:**  
[http://www.unitn.it/ateneo/norme\\_regolamenti/regolamenti/download/ricerca\\_prod\\_intel/norme/Norme\\_attuative\\_Studi\\_Giuridici.doc](http://www.unitn.it/ateneo/norme_regolamenti/regolamenti/download/ricerca_prod_intel/norme/Norme_attuative_Studi_Giuridici.doc)

Date \_\_\_\_\_

Signature \_\_\_\_\_

<sup>3</sup> Candidates who have a foreign qualification that has not been officially recognised as equivalent to the Italian degree must send an English translation, signed by the PhD student, to enable the Graduate School Committee to declare its equivalence, valid for the only purpose of participating in the selection. Successful applicants from a non-E.U. country, who have a foreign qualification, have to attach their degree certificate with the examinations passed and the scores obtained, translated and authenticated by an Italian consulate, embassy or diplomatic representative in the country of the university that issued the degree and the respective declaration of equivalent value ("Dichiarazione di valore") not later than the date set for enrolment in the Graduate School.

<sup>4</sup> Cross out non-applicable items.

## **ANNEXES<sup>5</sup>:**

- a photocopy of the applicant's identity card or passport;
- curriculum studiorum;
- any certificates proving the knowledge of foreign languages.

Applicants holding a foreign qualification that has not been officially recognized as equivalent to the Italian degree are required to attach a translation in English of the degree certificate, with exams and scores obtained, signed under their own responsibility, in order to allow the Graduate School Committee to declare its equivalence, valid for the sole purpose of participating in the selection.

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<sup>5</sup> After the conclusion of the entrance examination procedure, applicants who wish the documents attached to their application for the PhD Programme returned must explicitly request their return in writing to the Administration (Ufficio Dottorati di Ricerca), within one year of the expiry date of this announcement. All postal costs are at the applicant's expense.