

## **Report of the AIDP Italian Group**

**Year 2019/2020**

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The activities carried out within the Italian Group of the International Association of Penal Law show the constant attention of its members to the most relevant problems of the criminal justice system, whose traditional paradigms today are often subject to rethinking, in the light of the risks and challenges posed by modernity.

Last year has undoubtedly been a truly fruitful one for the Italian Group which, in 2019, reached the number of 124 members (almost half of which are young people) and, in addition to the ordinary initiatives, had the honor to host the **XX International Congress of Penal Law on “Criminal Justice and Corporate Business”, held from 13 to 16 November 2019 at Luiss University, Rome.**

More than 650 people from more than 30 countries registered to attend the Congress and contributed in an active and enthusiastic way to the scientific debate and to the success of our activities, by animating them with their presence.

This event has been a privileged forum to foster the international dialogue on the relationship between criminal justice and business activities, due to the growing role assumed by corporations in our society as proactive actors in the prevention of crime-risk, a theme that has imposed – and still imposes – a continuous, multilateral reflection aimed at providing guidance to national legislators.

The several plenary and parallel sessions in which the Congress was articulated have hosted distinguished speakers not only from the academic community, but also representatives of the judiciary and of leading companies, focusing on topics of particular relevance: food law and criminal justice, the fight against corruption, new technologies and business criminal law, regulation and control of markets from a domestic and European perspective, the accountability of corporations for the protection of human rights, the elaboration of a genuinely supranational business criminal law, the harmonisation of international regulations to promote the development of fair competition.

The importance of the contributions and the absolute relevance of the debate that took place during the Congress have also suggested to work on the publication of conference proceedings, in

order to offer a broad overview of the issues addressed and in the perspective of a progressive path of international harmonisation of criminal justice systems that might properly balance the needs of companies with those of public governance. These documents will soon be published in a volume of the *Revue Internationale de Droit Pénal* (RIDP), as was the case for previous preparatory colloquia.

Together with the International Congress, the **VII Symposium of Young Penalists on “The Criminal Law Protection of Our Common Home”** was held on 11 and 12 November 2019 at **Luiss University, Rome**. On that occasion, young researchers of different nationalities discussed the issue of environmental protection in the broad sense, with reference to climate change and biodiversity, questioning the opportunity and limits of criminal intervention in this area and the role of restorative justice; in addition, the reflection focused on the importance of environmental compliance and the desirability of the use of artificial intelligence in crime-risk assessment and management activities.

The conclusions of the Symposium were presented during the session “Corporate Criminal Law and Environmental Protection” of the International Congress of Penal Law, which was greatly appreciated by the participants.

Also with regard to this initiative, it was decided to collect the most significant contributions which, following a careful peer review, are forthcoming in the issue no. 1/2020 of the Association’s *Revue*.

In addition to these initiatives, the ordinary events that the Italian Group usually organise on an annual basis have taken place.

First of all, it is worth mentioning the **VII Annual Conference of Young Penalists, held at the University of Milan “Cesare Beccaria” on 18 January 2019** and dedicated to the subject of criminal liability in healthcare. The Conference offered interesting insights both with respect to the latest (and controversial) Italian reform of the sector and to the traditional problems of criminal law in this specific field – from causal relationship to negligence in equine treatments.

As already happened for the previous Conferences of the Young Penalists, also in this case the papers that passed the peer review process have been published in a special issue (no. 4/2019) of *Diritto penale contemporaneo – Rivista trimestrale*, classified as a first class (A) journal in the Italian system.

Moreover, **on 22 and 23 March 2019, the annual conference of the Italian AIDP Group was organised at Teramo University** on an extremely relevant and problematic issue, namely the

relationship between new technologies and criminal justice – recently chosen also as topic of the next cycle of the AIDP scientific agenda for the period 2019-2024.

The discussion, in addition to the forms of crime that can occur on the Internet – opinion crimes, financial cybercrime, etc. – and the related investigative and procedural aspects, focused on the analysis of the different implications between artificial intelligence and criminal law, an issue that has long been crucial in the national and international debate.

On this occasion, for the first time the four best speakers of the IX Interdoctoral Training Course of Criminal Law and Criminal Procedural Law “Giuliano Vassalli” for PhD students and PhDs, held at the Siracusa International Institute from 29 November to 1 December 2018 and entitled “*New Technological Frontiers and Criminal Justice System. Computer security, Tools of Repression and Prevention Techniques*”, were given the opportunity to present their papers. The selection was made through a vote of the participants of this course.

Also during 2019, the proceedings of the IX Interdoctoral Training Course in Criminal Law and Criminal Procedure held in 2018 were published in no. 2/2019 of the journal *Diritto penale contemporaneo – Rivista trimestrale*.

In the first months of 2020, the usual initiatives of the Association were temporarily suspended due to the pandemic triggered by the spread of Covid-19, but this did not stop the members of the Italian Group to start again their activities in the second part of the year, replacing the traditional meetings with the ones held on digital platforms.

On June 15, 2020, thanks to the technical-logistical support of Luiss University, Rome, the **Webinar on “Teaching and Research in Criminal Law”** was organised, during which Italian young researchers working abroad shared their experiences.

In addition, the activities dedicated to the young members of the Group have been further developed, and particularly the **X Interdoctoral Training Course of Criminal Law and Criminal Procedural Law “Giuliano Vassalli”** and the **VIII Conference of Young Penalists of the AIDP Italian Group on “The New Faces of the Criminal Justice System Between Public-Private Cooperation and Mechanisms of Integration Between Hard and Soft Law”**. The two events have been held jointly from 22 to 24 October 2020 and, due to the pandemic restrictions, they have been hosted virtually by the Syracuse International Institute.

This has been a renewed and profitable opportunity for discussion to draw an initial assessment of the now widespread partnership between public authorities and private entities in the definition and implementation of criminal policy strategies.