

## CALL FOR INTEREST

# Digital Vulnerability in European Private Law (DiVE)

In recent years, vulnerability has emerged in legal discourse, in dialogue with other disciplines, as a useful concept to capture the fluid and multilayered nature of the human condition and to question the adequacy of some foundational legal and policy norms. Yet, despite the potential of the notion of vulnerability as a key tool to overcome the limits of legal formalism and paternalism and to foster substantive equality, the legal status and effects of the notion under domestic and European laws are still quite unclear. In particular, the notion of people's vulnerability has only seldom been applied to the specific forms of exposure to harm that might arise from interaction with digital technologies. In our current and pervasively digitalized world, we believe it is increasingly important to analyze how digital technologies impact preexisting forms of vulnerability or create new ones, and to understand how the law can prevent or address unequal experiences of technology.

This is what we plan to do with our project '**Digital Vulnerability in European Private Law**' (DiVE), financed by the Italian Ministry of University and Research from June 2022 to May 2025. The project aims to investigate the notion of digital vulnerability by exploring how this notion stands vis-à-vis traditional paradigms of protection of weaker parties (such as rules on incapacity, consumer protection, data protection, anti-discrimination, equality before the law) and to what extent it might properly capture risks and harms stemming from digital technologies.

Throughout the project, three international conferences will be organized.

- A first conference will be held in April/May 2023 in Ferrara, to inquiry the very boundaries of the notion of digital vulnerability.
- A second conference will be held in April 2024 in Rome, to examine how digital vulnerability matters in access to, identity construction and protection of health in the digital sphere.
- A third conference will be held in March 2025 in Trieste, to scrutinize the impact of digital vulnerability on contractual and tortious remedies.

We are particularly interested in identifying the factual conditions in which digital technology – from the web to social media, from platforms to Artificial Intelligence and Distributed Ledger Technologies – might prove disruptive and challenging for people, and in assessing under what conditions, how and to what extent the notion of digital vulnerability might be translated into claims for special legal protection.

The conferences will be held in person and in English. A few speakers will be invited; the majority of contributors will be selected through calls for papers. In line with the scope of each conference, proposals might explore how digital technologies exacerbate pre-existing vulnerabilities or create new ones, and how the notion of digital vulnerability could be translated in legal terms. Our main field of the research is domestic and European private law, but proposals can come from a variety of disciplines (including political science, sociology, linguistics, philosophy, economics) and can be theoretical or empirical, descriptive or prescriptive, quantitative or qualitative, mono-jurisdictional, comparative or pan-European, or combine methods of analysis. Contributions dealing with areas other than Europe might be accepted as well, on a case-by-case basis.

Proposals for contribution will be evaluated by the project's scientific committee, which is currently under construction. Besides members of the DiVE team, confirmed members of the Scientific Committee currently include Danielle K. Citron (University of Virginia), Hans-Wolfgang Micklitz (European University Institute), Frank Pasquale (Brooklyn Law School), Teresa Rodríguez de las Heras Ballell (University Carlos III of Madrid), Giovanni Sartor (European University Institute), Reiner Schulze (University of Münster), Gunther Teubner (Frankfurt University), Yingqin Zheng (University of London). The organizers of each conference will bear the cost of accommodation and meals for the participants whose proposals have been accepted. Selected conference papers will be published following successful peer review.

Each conference will be preceded by an autonomous call for papers; the call for papers for the Ferrara conference in May 2023 will be distributed soon.

Please feel free to share and spread the word about this call for interest. The project will soon have its own website, but for the time being, should you have any doubt or question or suggestion, please feel free to contact the Project Officer Giacomo Capuzzo at [digital.vulnerability@gmail.com](mailto:digital.vulnerability@gmail.com).

#### The DiVE Team

Claudia Amodio  
(Ferrara University)

Amalia Diurni  
(Rome Tor Vergata University),

Camilla Crea  
(Sannio University)

Marta Infantino  
(Trieste University)

Loredana Tullio  
(Molise University)

Alberto de Franceschi  
(Ferrara University)

Luca Perriello  
(Marche Polytechnic University)