



UNIVERSITÀ
DEGLI STUDI
DEL MOLISE

STATE AND ENTERPRISE IN THE LAW OF THE TRANSNATIONAL ECONOMIC RELATIONS

STATO E IMPRESA NEL DIRITTO DELLE RELAZIONI ECONOMICHE TRANSNAZIONALI

9.00 | WELCOME REMARKS

9.30 | State and Enterprise in the law of the transnational economic relations: elements of conflict, support, identity
Lo Stato e l'Impresa nel diritto delle relazioni economiche transnazionali: elementi di conflittualità, sostegno, identità | MARIA ROSARIA **MAURO** | FEDERICO **PERNAZZA** | Università degli Studi del Molise

I SESSION | STATE V. ENTERPRISE | CHAIRMAN | DIEGO **CORAPI** | Emerito Università La Sapienza, Rome

10.00 | The national security provision in international economic agreements and new protectionism trends
La clausola di sicurezza nazionale negli accordi internazionali economici e nuove tendenze protezionistiche | SAVERIO **DI BENEDETTO** | Università del Salento

10.20 | The US regulation of foreign investments | La regolazione degli investimenti stranieri in USA | ANDREA **GUACCERO** | Università Roma Tre

10.40 | The Golden Powers in strategic sectors: a European perspective | I Golden Powers nei settori strategici nella prospettiva europea | GIANLUCA **SCARCHILLO** | Università La Sapienza

11.00 | Q & A

II SESSION | STATE = ENTERPRISE; ENTERPRISE = STATE | CHAIRMAN | BARBARA **DE DONNO** | Luiss - Rome

11.20 | Emerging Rules on Fair Trade and Approaches to Further Reform of State-owned Enterprises in China
L'emersione di regole sul Fair Trade e l'approccio alle future riforme delle Società partecipate dallo Stato in Cina | KONG **QINGJIANG** | China University of Political Science and Law, Beijing

11.40 | State and enterprises in contemporary Russia | Lo Stato e l'Impresa nella Russia contemporanea | KSENIYA **TYURENKOVA** | Astrakhan University

12.00 | Management of public economic entities: fair, accountable and controlled - State liability
La gestione degli enti pubblici economici: correttezza, responsabilità, controllo - La responsabilità statale | GUY **HORMANS** | Emérite de l'Université de Louvain

12.20 | Q & A

13.00 | LUNCH BREAK

III SESSION | ENTERPRISE V. STATE | CHAIRMAN | ANGELA **DEL VECCHIO** | Luiss - Rome

14.00 | Multinational enterprises and Host Countries | Multinazionali e Host Countries | PIA **ACCONCI** | Università di Teramo

14.20 | Reflexiones sobre la inversion extranjera y los nuevos sujetos de la economía cubana | Riflessioni sugli investimenti esteri e sui nuovi soggetti dell'economia cubana
| FREDDY ANDRÉS **HUNG GIL** | Universidad de La Habana

14.40 | Clip their wings: Vultures Funds and Sovereign Debt | Tarpate loro le ali: Fondi Avvoltoio e Debito Sovrano | DOMENICO **PAUCIULO** | Università Luiss

15.00 | Q & A

FINAL REMARKS

15.30 | DIEGO **CORAPI** | Emerito Università La Sapienza

16.00_18.00 | LAUNCH OF THE BOOK IN MEMORY OF CLAUDE **DUCOULOUX-FAVARD** | Round table with the Editors and the Authors

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UNIVERSITÀ DEGLI
STUDI DEL MOLISE

**DIPARTIMENTO
GIURIDICO**

CAMPOBASSO

[HTTP://WEBTV.UNIMOL.IT/EVENT/LIVE.HTM](http://webtv.unimol.it/event/live.htm)

The first decades of the XXI century are marked by a disruptive change in the global framework of geopolitics. A brand new scenario has been determined by the end of the contrast between Western and Eastern blocks, the opening of new markets, the broadening of the area governed by WTO rules, the new technologies, the growing political and economic role of BRICS countries, and namely of China. The current framework represents a challenge for the status quo of the law in the transnational economic relationships.

A key element in this new scenario is determined by the relationships between states and enterprises that are globally established under the legal form of transnational corporations, operating in different political and geo-economic contexts, which may affect their functioning and the ability to compete in international markets.

After all, some multinational corporations, namely those that offer services through networks, have reached a dimension and a level of internationalization that enable them to practice forum shopping strategies and to influence the fiscal policy and the legal and economic regulation of States. Moreover, the opposition between some business activities and the policies of countries is particularly emphasized with respect to countries deeply in debt, which are subject to legal and economic pressures and influences from financial markets and the main global financial operators.

At the same time, the collapse of political and economic barriers and the global adoption of WTO's free market principles enable new opportunities of geopolitical competition, where political agreements and business initiative intersect, especially in the sector of strategic structures.

In this composite framework, the conference is intended to face some of the main issues that show frictions between the two main actors of the transnational economic relationships: States and enterprises, under three perspectives:

- A** States as main actors of political and legislative initiatives to ban, restrict or regulate the activities of enterprises, both national or foreign, in case they endanger fundamental interests of the state or are in conflict with fundamental rights granted by the legal system.
- B** Enterprises as main actors of commercial, organizational or financial initiatives, that may directly or indirectly affect the legal and economic structure of States;
- C** States that through public enterprises or enterprises controlled by the political power pursue geopolitical goals, and enterprises that rely on the political, financial and strategic support of states to pursue their own goals of business expansion.

Under each perspective and for every hypothesis of conflict of interest which may arise, the goals of the conference are to outline the cases and to find out the possible solutions of balance, based on the principles of law that enable the creation of a coherent and non adversarial system of relationships among States and enterprises, in compliance with the values and the fundamental principles globally acknowledged.