Conference Program

UNDERSTANDING NATIONAL SECURITY CONCERNS IN LIGHT OF FDI SCREENING

27-28th October 2022 - Rome
Opening Address (9 AM):

- Dr. Neena Malhotra
  Ambassador of India to Italy (Guest of Honour)

- Prof. Maria Amata Garito
  Rector Università Telematica Internazionale UNINETTUNO

- Prof. Dr. Andrea Sacco Ginevri
  Full Professor, Chair of the PhD in Law and Economics Università Telematica Internazionale UNINETTUNO

Keynote Address (9:20 AM):

- Prof. Dr. Bernardo Argiolas
  Presidency of the Council of Ministers
  Head of the office for preliminary activities for the exercise of the Italian golden powers
  European cooperation, study and analysis of investments in strategic sectors

Kick-off Expert Panel Discussion (9:30 – 10:30 AM):
FDI Screening: How much of it is a “National Security” Concern?

Moderator: Prof. Dr. Giulio Napolitano

Panelists:

- Prof. Dr. Filippo Annunziata
- Prof. Dr. Fabio Bassan
- Dr. Roland M. Stein
- Mr. Jens Hillebrand Pohl

Coffee Break (10:30 – 10:45 AM)
Panel 1 (10:45 AM - 12:30 PM):

Chair: Prof. Dr. Steffen Hindelang

- Overview, Perspectives and Future Trends of Italian FDI Regime
  Dr. Federico Riganti, Assistant Professor (RtdB) in Diritto dell’Economia presso Unito
  Avv. Lorenzo Locci, Ph.D. Scholar, Università Guglielmo Marconi of Rome
  Avv. Linda Lorenzon, ADVANT Nctm (Italy)

- Potential and Limits of FDI authorities’ powers
  Avv. Andrea Gemmi, Milan (Italy)

- Interpretations of “public order or security” in German FDI Screening Practice
  Mr. David Krappitz, Policy Officer, Foreign Investment Screening Unit, Federal Ministry for Economic Affairs and Climate Action (Germany)

- National Security Concerns with Regard to the Transportation Sector in Germany
  Dr. Roland M. Stein, Founding Partner, BLOMSTEIN (Germany)

Lunch Break (12:30 PM – 2:00 PM)

Panel 2 (2:15 PM – 3:45 PM):

Chair: Prof. Dr. Daniele Gallo

- Genesis and Evolution of “National Security” in the context of FDI: A comparative outlook of the Indo-European saga
  Mr. Argha Kumar Jena, LL.M. (Berlin), Ph.D. Scholar, Università Telematica Internazionale UNINETTUNO (Italy)

- National Security and Quest for Technological Leadership
  Mr. Jonas Fechter, Ph.D. Scholar, University of Münster (Germany)

- The Law of Unintended Consequences: The Perils of Chinese FDI in Europe, China’s Military-Civil Fusion and the Implications for Europe’s Security
  Ms. Judith Huismans, Head of Research, DATENNA
  Mr. Gareth Heywood, Head of Government Relations, DATENNA (The Netherlands)

- Closing remarks of the panel
  Prof. Dr. Andrea Miglionico, Associate Professor

Coffee Break (3:45 PM to 4 PM)

Panel 3 (4:00 PM – 5:45 PM):

Chair: Prof. Dr. Andrea Sacco Ginevri

Market Leaders Panel Discussion:
FDI Screening and its Impact on M&A transactions

- Avv. Filippo Troisi
- Prof. Dr. Andrea Zoppini
- Prof. Dr. Raffaele Oriani
- Dr. Michele Croci
- Avv. Lorenzo Vitali

Q&A and debate (onwards)
Panel 1 (9.00 AM – 10:30 AM):

Chair: Prof. Dr. Ferruccio Maria Sbarbaro

- **When the Dragon Comes Home to Roost: Chinese Investments, Investment Screening, and EU Membership State BITs**
  Prof. Dr. Szilárd Gáspár-Szilágyi, Assistant Professor/Lecturer in EU and International Economic Law, University of Birmingham, School of Law (England)

- **What We Talk about When We Talk about National Security: Economic Security Considerations in FDI Screening**
  Ms. Yao Yuan, LL.M. (Leiden), Ph.D. Scholar, Leiden Law School (The Netherlands)

- **“Criticality” as National Security in Investment Screening Mechanism (ISMs)**
  Dr. Manu Misra, Post-Doctoral Fellow, Fundação Getúlio Vargas School of Law, São Paulo (Brazil)

- **National security in investment screening: Any lessons learnt from the trade controls experience?**
  Avv. Alessandra Moroni, Managing Associate, Sidley Austin LLP (Belgium)

- **National Security, Energy Concerns and Investment Screening Mechanisms: Recent Developments**
  Prof. Dr. Maria Rosaria Mauro, Full Professor of International Law at the University of Molise (Italy)

Coffee Break (10:30 AM – 11:00 AM)

Panel 2 (11.00 AM – 12:00 PM):

Chair: Prof. Dr. Valerio Lemma

- **The Austrian Investment Control Act (ICA): Overview, Specificities, Decision-making and Practicalities**
  Ms. Célia Marie Chausse, Deputy Head of Unit V/9 Investment Screening, Federal Ministry for Labour and Economy (Austria)

- **Negotiating Security Undertakings: Prenup Agreements for a Ménage à Trois**
  Mr. Dominik Eisenhut, Teamlead UAS and FCAS Legal, Airbus Defence and Space, Munich (Germany)

- **The New Competencies of the Polish Competition Authority in FDI Screening**
  Prof. Dr. Anne-Marie Weber, LL.M. (Berkeley), Assistant Professor - Faculty of Law and Administration, University of Warsaw (Poland); Weronika Herbet-Homenda, LL.M. (Warsaw), Ph.D. Scholar, University of Warsaw, Faculty of Law and Administration (Poland)

- **Italian FDI screening: procedural framework and best market practice**
  Avv. Valerio Mosca, Legance Avvocati - Associati

- **Cross-border Transactions and FDI Impacts: Preliminary Thoughts**
  Avv. Edoardo Manni, Ph.D. Scholar, University of Roma 3
  Dr. Jacopo Paoloni, Researcher, University of Roma 3

Closing Remarks (12.00 PM – 12:30 PM):

- Prof. Dr. Steffen Hindelang (Full Professor and CELIS Director)
- Prof. Dr. Andrea Sacco Ginevri (Full Professor Università Telematica Internazionale UNINETTUNO and CELIS Representative for Italy)

Farewell Lunch (12:45 PM onwards)