



Regional Seminar on Legal Protection for Economic Operators

**in the framework of the
EU Rule of Law Initiative for Central Asia**

**Rome, Italy
22-24 November 2015**



EU Central Asia
Rule of Law Platform - Phase II



Background

The European Union – Central Asia Rule of Law Initiative is one of the key elements of the Union’s Strategy for a New Partnership with Central Asia. Within its framework, the EU supports the Central Asian States in core legal reforms, including reform of the justice system, in drawing up effective legislation and enhancing implementation capacities. The EU Council conclusions on the revised EU Strategy for Central Asia adopted on 22 June 2015 confirmed this strategic orientation.

The Rule of Law Initiative is jointly implemented by the Member States and the European Union. It aims at a concerted regional approach in Central Asia, taking into account national situations. By promoting regional exchange and focusing on legal and judicial issues of importance for all Central Asian States, reforms can be facilitated through knowledge transfer and thus create an open region growing in unison. France and Germany have taken the joint lead in coordinating the Initiative. Finland and Latvia are associated as European partners.

The Initiative was launched at the first EU-Central Asia Ministerial Conference on rule of law, which was held in Brussels in November 2008. On this occasion, “the importance of cooperation in the field of administrative law” was emphasised.

At the second EU-Central Asia Ministerial Conference on rule of law in Dushanbe on June 14-15, 2010, “the proposal for an EU-Central Asia «Rule of Law Platform» project to step up the policy dialogue on rule of law issues” was endorsed. The Rule of Law Platform was launched in December 2011, and, in close cooperation with France and Germany, has been actively engaged in dialogue with Central Asian partners on supporting the implementation of the Rule of Law Initiative.

At the Third Conference of Ministers of Justice of the European Union and Central Asian Countries on 6-7 December 2012, in Brussels, the Ministers reconfirmed that administrative law was a “priority area of co-operation of legal reform”, “took stock of the cooperation in the area of administrative law and endorsed the recommendations adopted by the participants of the Regional Seminar “Administrative Justice - Theory and Practice in European and Central Asian Countries” (Astana, 2-3 November, 2012)”.

At the Fourth Conference on rule of law in Astana on 14-15 October 2014, the Ministers of Justice of the EU and Central Asian states “stressed the paramount importance of the economic regulatory environment for business, as an integral part of the rule of law. They noted that international investment may only develop if





a stable level-playing field is established for business activities, including amongst other regulations and practices, enforcement of contracts and property rights, tax and trans-border trading regulation”.

The forthcoming “Regional Seminar on Legal Protection for Economic Operators” in Rome will be hosted by Italy, and organised by the Rule of Law Platform on behalf of the European Union. It will aim at deepening the dialogue and exchanges of experience on economic and commercial law, which begun with the Fourth Ministerial Conference on rule of law, and at sharing best practices and regulations governing the economic environment, based on the European model, as a key aspect for sustainable economic development and the improvement of the business climate. The development of economic legislation and its effective implementation will ensure legal security, notably for investments from countries of the European Union, thereby providing support to the countries on their road to more compliance with the rule of law.

Contact:

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Note: During the seminar, interpretation will be provided for Italian and Russian.





Agenda

November 22, 2015

*15:45: Departure from the hotel **promptly** at 15:45, by bus*

16:00 – 18:00: Guided tour of Rome, by bus

19:00 – 20:30: Welcome cocktail hosted by **Dr Cosimo Marria Ferri**, *Undersecretary of State, Ministry of Justice of the Italian Republic*

Venue: Hotel Victoria, Via Campania, 41, 00187 Rome





November 23, 2015

Venue: *Supreme Court of Cassation of Italy, Palazzo di Giustizia, Piazza dei Tribunali, 00193 Roma (Aula Magna room)*

08:30: *Departure from the hotel **promptly** at 8:30 (bus transfer from the hotel to the Supreme Court of Cassation of Italy)*

09:00 – 09:30: *Registration*

09:30 – 10:00: Opening Session

*Welcome and chairing by **Dr. Cosimo Maria Ferri**, Undersecretary of State, Ministry of Justice of the Italian Republic*

- Statement by **Mr. Giorgio Santacroce**, *First President of the Supreme Cassation Court of Italy*
- Statement by **H. E. Mr. Sergey Nurtayev**, *Ambassador of the Republic of Kazakhstan to the Italian Republic*
- Statement by **Mr. Dennis Grechannyi**, *Chargé d'Affaires ad interim for the Kyrgyz Republic to the Italian Republic*
- Statement by **H.E. Mr. Tchary Gueldyevitch Niazov**, *Ambassador of Turkmenistan to the Italian Republic*
- Statement by **Mr. Rustam Kayumov**, *First Secretary, Embassy of the Republic of Uzbekistan to the Italian Republic*
- Statement by **Mr. Xavier Barré**, *Team Leader, EU - Central Asia Rule of Law Platform, Member of the Paris and New York Bars*

10:00 – 10:30: Introduction

- **Pr. Beniamino Caravita di Toritto**, *Full Professor, University La Sapienza of Rome, Lawyer, Chairman of CdTa Law Firm*
 - **Rule of law, economic development and legal protection for economic operators**

10:30 – 11:00: *Coffee break*





11:00 – 12:15: **Part I – Competition and Intellectual Property Rights**

Moderated by Ms. Gabriella Muscolo, Commissioner, Italian Competition Authority

- **Mr. Akezhan Adilkhanov**, *Director of Department on Expertise of the Economic Integration Projects, Ministry of Justice of the Republic of Kazakhstan*
 - **Keynote statement**
- **Mr. Luca Arnaudo**, *Investigative Officer at the Italian Competition Authority, Research associate at Sant'Anna School of Advanced Studies (Pisa)*
 - **An updated introduction to antitrust, intellectual property rights and some of their intersections**
- **Mr. Najmiddin Sharipov**, *Director of the Main Department of development of competition environment, State Committee on privatisation, demonopolisation and competition environment of the Republic of Uzbekistan*
 - **Protection of intellectual property rights and control over prevention of unfair competition**
- **Mr. Luca Donelli**, *Responsible for international and European relations, Young Entrepreneurs of Confindustria and Vice-President of YES for Europe*
 - **Intellectual property rights and their impact from enterprises' inception to international growth**

12:02 – 12:15: Discussion

12:15 – 12:55: **Part II – Finance and Taxation**

Moderated by a representative of the Republic of Kazakhstan

- **Pr. Pietro Selicato**, *Associate Professor of tax law, University of Rome La Sapienza*
 - **The Italian tax regime for business abroad and foreign investments**
- **Mr. Francesco Marotta**, *Lawyer, Restructuring EMEIA, EY Law Leader*
 - **The Italian chance for investors in restructuring projects**

12:55 – 14:05: Lunch





14:05 – 14:50: Part II – Finance and Taxation (Cont'd)

Moderated by a representative of the Republic of Kazakhstan

- *Representative of the Republic of Tajikistan*

■ **Keynote statement**

- **Mr. Antonio Tomassini**, *Lawyer, Partner, Head of tax Italy, European tax dispute team leader, DLA Piper*

■ **Patent box and new forms of tax incentives in Italy**

14:35 – 14:50: *Discussion*

14:50 – 15:15: *Coffee break*

15:15 – 17:15: Part III – Cross-Border Investment

Moderated by Pr. Beniamino Caravita di Toritto, Full Professor, University of Rome La Sapienza, Lawyer, Chairman of CdTa Law Firm

- **Pr. Daniele Umberto Santosuosso**, *Full Professor of commercial law of the University of Rome La Sapienza, Lawyer, Santosuosso Law Firm*

■ **Italian and EU corporate law opportunities and cross-border investment**

- **Ms Zhanel Kushukova**, *Director of Department on Regulation of Foreign Trade Policy of the Ministry of National Economy of the Republic of Kazakhstan*

■ **Keynote statement**

- **Mr. Lucio Ghia**, *Lawyer*

■ **Keynote statement**

- **Mr. Luciano Panzani**, *President of the Court of Appeal of Rome*

■ **Improving the rule of law in crossborder transactions and in insolvency proceedings with special attention to Central Asia**

- **Ms. Dilara Arstanbaeva**, *Judge of the Supreme Court of the Kyrgyz Republic*

■ **Rights and guarantees for protection of investments in the Kyrgyz Republic**

- **Mr. Leonardo Bassilichi**, *President of the Chamber of Commerce of Florence*

■ **Central Asia between growth and reforms: challenges and opportunities for Italy**

17:00 – 17:15: *Discussion*





17:15 – 17:30: Concluding session

- **Ms. Gabriella Muscolo**, *Commissioner, Italian Competition Authority*
- **Pr. Beniamino Caravita di Toritto**, *Full Professor, University La Sapienza of Rome, Lawyer, Chairman of CdTa Law Firm*
- **Mr. Xavier Barré**, *Team Leader, EU - Central Asia Rule of Law Platform, Member of the Paris and New York Bars*
 - **Summary of the results of the seminar**
 - **Adoption of communiqué**





November 24, 2015

Visit of Italian institutions

*08:30: Departure from the hotel **promptly** at 8:30 (bus transfer from the hotel to the Italian Competition Authority)*

09:00 – 10:15: Visit of the Italian Competition Authority

Address: Piazza G. Verdi, 6/A, 00198 Rome
Tel. +39 06 85 82 11

Host: **Ms. Gabriella Muscolo**, *Commissioner, Italian Competition Authority*

Intervention followed by a guided visit of the Italian Competition Authority

10:15 – 10:45: Bus transfer to the Ministry of Justice of the Italian Republic

11:00 – 12:30: Visit of the Ministry of Justice of the Italian Republic

Address: Via Arenula 70, 00186 Rome
Tel. +39 06 68851

Host: **Dr. Cosimo Maria Ferri**, *Undersecretary of State, Ministry of Justice of the Italian Republic*

