

Certificate

in

*I*nternational *C*ommercial and *I*nternational *A*rbitration
*T*heory and *P*ractice

3rd edition

*R*ome

26-30 September, 2016





Certificate

in

International Commercial and Investment Arbitration

Theory and Practice

3rd edition

Program led by leading academics,
in-house counsel and practitioners aimed at providing theoretical and practical insights, including
interactive workshops, about investment and commercial arbitration

In partnership with

CLEARY
GOTTLIEB



Rome

26-30 September, 2016

26

Monday

Welcome breakfast and introduction 8.30

Morning session

9.15 - 10.45

- Setting the scenario: foundations of international arbitration

Break 10.45 - 11.00

11.00 - 12.30

- Setting the scenario: international conventions and harmonisation instruments

Break 12.30 - 14.00

Afternoon session

14.00 - 15.30

- Assessing your options:
 - institutional and *ad hoc* arbitration
 - arbitral institutions: characteristics and dynamics

Break 15.30 - 15.45

15.45 - 17.15

- International arbitration and foreign investment protection
-

19.00

- Meeting the international arbitration players
- Reception at Cleary Gottlieb Steen & Hamilton LLP

27

Tuesday

Morning session

9.15 - 10.45

- **The arbitration agreement: formal and substantive validity**

Break 10.45 - 11.00

11.00 - 12.30

- **Complex privity: extension of arbitration obligations in multiparty transactions**

*Break 12.30 - 14.00**Afternoon session*

14.00 - 15.30

- **ArbIt roundtable: selecting, analysing and drafting arbitration agreements**

Break 15.30 - 15.45

15.45 - 17.15

- **In-house counsel debate: dispute resolution options and management of disputes**



28

Wednesday

Morning session

9.15 - 10.45

- The Arbitral Tribunal:
 - selection of arbitrators
 - strategy of appointment: powers and reach

Break 10.45 - 11.00

11.00 - 12.30

- Independence and impartiality of arbitrators:
 - disclosure
 - challenges
 - removals

*Break 12.30 - 14.00**Afternoon session*

14.00 - 15.30

- The mechanics of investors-State arbitration under the ICSID Convention

Break 15.30 - 15.45

15.45 - 17.15

- Meeting the institutions:
hands on seminar on the formation of arbitral tribunals with ICC, CAM, AIA

29

Thursday

Morning session

9.15 - 10.45

- Running the arbitration: organisation of proceedings

Break 10.45 - 11.00

11.00 - 12.30

- The gathering of evidence in international arbitration:
 - expert reports
 - fact witnesses
 - disclosure of evidence

*Break 12.30 - 14.00**Afternoon session*

14.00 - 15.30

- Enforcement of investment treaty awards

Break 15.30 - 16.00

16.00 - 18.30

- Conference on emergency arbitration
Followed by reception



30

Friday

Morning session

9.15 - 10.45

- The arbitral award: deliberation and drafting
- Challenging arbitral awards: grounds and international overview

Break 10.45 - 11.00

11.00 - 12.30

- Enforcement of arbitral awards world-wide: the New York Convention 1958

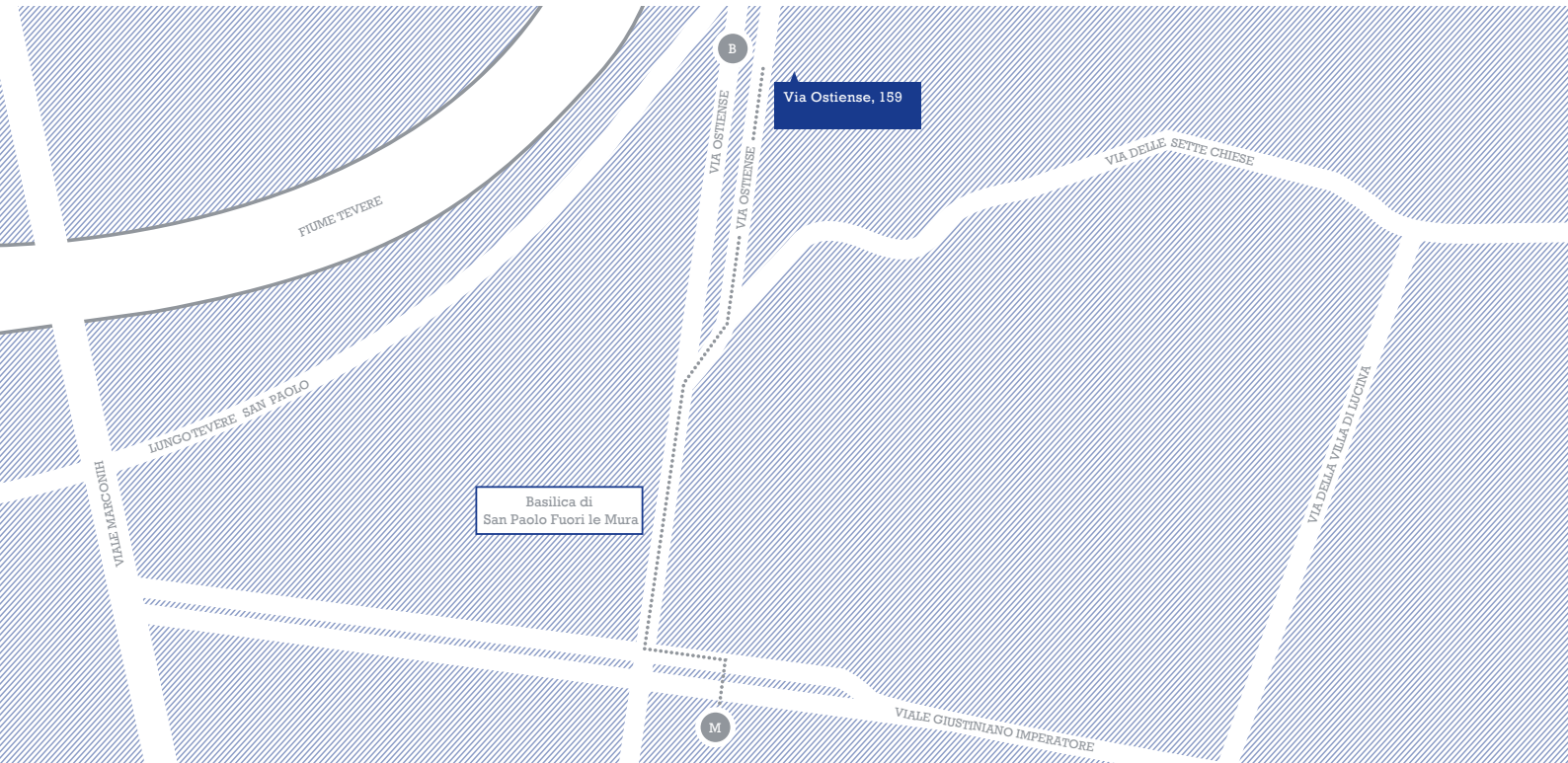
*Break 12.30 - 14.00**Afternoon session*

15.30

- University of Roma Tre - UNIDROIT:
3rd Annual International Arbitration Lecture



All the Certificate's sessions will be held at University of Roma Tre - School of Law



How to arrive:

From Termini Train Station: take Metro Line B towards Laurentina and get off at Basilica San Paolo station.

Bus stop: 23, 271, 769

Meeting the international arbitration players

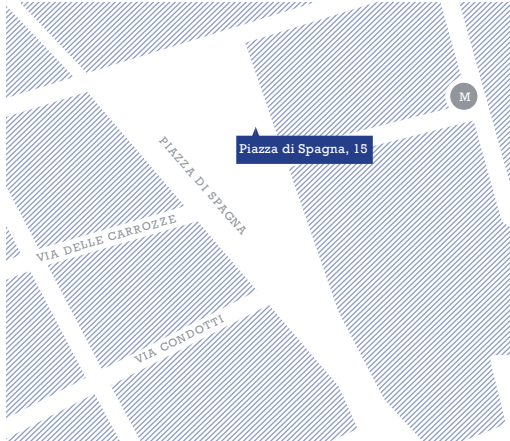
Monday 26 September

19.00

Reception at Cleary Gottlieb Steen & Hamilton LLP

Piazza di Spagna, 15

How to arrive: take Metro Line A and get off at Spagna Station



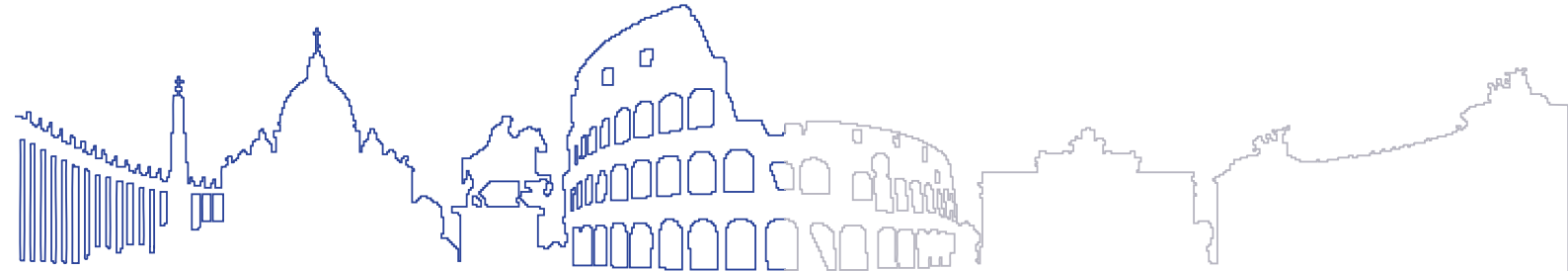
Thursday 29 September

16.00

Conference on emergency arbitration

Followed by reception

University of Roma Tre - School of Law





Stefano Azzali

Secretary General of the Milan Chamber of Arbitration

Stefano Azzali also acts as Secretary of the International Federation of Commercial Arbitration Institutions (IFCAI) and of the Institute for the Promotion of Arbitration and Mediation in the Mediterranean (IS-PRAMED). He is Director of the Institute for the Diffusion of Arbitration (ISDACI). Since 2005, Stefano is Visiting Professor of Arbitration Law at Bocconi University - School of Law in Milan and, since 2012, he is also Fellow at the Centre for Transnational Litigation and Commercial Law, New York University, School of Law.



Andrea Carlevaris

Secretary General of the ICC International Court of Arbitration and Director of Dispute Resolution Services of the ICC

Andrea Carlevaris is a member of the Council of the ICC Institute for International Business Law, of the Steering Committee of the International Arbitration Commission of the Union internationale des Avocats, a member of the Board of Directors of the Italian Association for Arbitration (AIA), of IMI (the International Mediation Institute) and of EFILA (the European Forum for International Law and Arbitration). He is a co-founder of Arblt (Italian forum on international arbitration and ADR) and a member of the editorial board of several law periodicals. Before joining the ICC in September 2012, he was a partner at Bonelli Erede Pappalardo and a member of the ICC International Court of Arbitration.



Andrea Bandini

Studio Legale Bandini

Andrea Bandini was admitted to the Bar of Rome in 1991. His activity is mainly focused on civil and commercial law and international contracts. He acts as arbitrator and counsel in administered and ad hoc arbitration, domestic and international and as mediator. He is lecturer and trainer in several post-graduate seminars on arbitration, mediation and EU law. He is: founding member of Arblt (Italian forum on international arbitration and ADR); member of the Court of Arbitration and of the Board of Directors of the Italian Association for Arbitration (AIA); Secretary of the Scientific committee of ISDACI.



Cecilia Carrara

Partner at Legance Avvocati Associati

Cecilia Carrara is active in the field of national and international, commercial and investment arbitration, both institutional and ad hoc, acting both as counsel and as arbitrator. She obtained a LL.M. in comparative and international private law and a Ph.D from the Humboldt University. Cecilia is member for Italy of the ICC International Court of Arbitration, of the ICC Commission and of the ICC Task Force on Emergency Arbitrator Proceedings. She is also co-founder of Arblt (Italian forum on international arbitration and ADR) and member of the Council of the Italian Association for Arbitration (AIA). She is the author of several articles published in international specialised reviews and has held speeches at important seminars, both in Italy and abroad.



Benedetta Coppo

Head of Milan Chamber of Arbitration - Rome branch office

Benedetta Coppo joined the Milan Chamber of Arbitration (CAM) in 2001, where she has been head of the arbitration department (2007-2013), administering both domestic and international arbitration proceedings. As a member of the Secretariat of the Milan Chamber of Arbitration, she also took part in the 2010 revision of the CAM Arbitration Rules. Since 2014, she leads the Rome branch office of the Chamber. Benedetta is member of the Advisory Board of Arblt (Italian forum on international arbitration and ADR).



Maria Beatrice Deli

Secretary General of the Italian Association for Arbitration (AIA) and Secretary General of ICC Italy

Certificate's Coordinator

Maria Beatrice Deli is Professor of International Law at Molise University School of Law. She also teaches International Arbitration at the Department of Law, Roma Tre University. Before becoming Secretary General of the Italian Association for Arbitration (AIA), she gained an extensive experience on international arbitration at Chiomenti Studio Legale.



Domenico Di Pietro

*Freshfields Bruckhaus Deringer
Lecturer of International Arbitration at Roma Tre University, School of Law*

Certificate's Coordinator

Domenico Di Pietro lectures International Arbitration at Roma Tre and practises international arbitration with Freshfields Bruckhaus Deringer in Italy and Japan after several years of practise in London. He has acted in a great variety of arbitrations worldwide including commercial and investment disputes as well as sport disputes at the Olympics. He frequently serves as an arbitrator. He graduated at "La Sapienza" and received his LL.M. from Queen Mary, University of London. He is a past Fellow of New York University School of Law. He is qualified to practise in Italy and in England and Wales.



Ferdinando Emanuele

Partner at Cleary Gottlieb Steen & Hamilton LLP

Ferdinando Emanuele's practice focuses on national and international litigation and arbitration. He is considered to be one of the leading Italian experts in international arbitration, multi-plaintiff and class actions litigations. Ferdinando has authored a book and various law review articles on international arbitration. He served as one of the 15 members of the Rome Bar Council (Consiglio dell'Ordine) from 2004 to 2006. Ferdinando obtained an LL.M. from the University of Michigan. He is fluent in English and proficient in Spanish.



Pietro Galizzi

Eni S.p.A.'s Retail Market Gas & Power Legal Assistance Senior Vice President

Before being Retail Market Gas & Power Legal Assistance Senior Vice President, Pietro Galizzi was in charge of all legal assistance to the Eni's International Downstream activities. Before joining Eni, from 2002 to 2013, Pietro was Saipem's General Counsel. In these roles, Pietro has covered a wide cross section of legal activity, including compliance, litigation/arbitration, contract negotiation, contract administration and the full range of corporate legal activities. He is a member of the UNIDROIT Working Group on International Long-Term Contracts and participated in the ICC, Commission on Arbitration, Working Group on the Role of In-house Counsel in Dispute Resolution.



James Hosking

Partner at Chaffetz Lindsey LLP

Based in New York, James Hosking focuses his practice on international commercial and investment arbitration. He has handled arbitrations under the rules of all the leading arbitral institutions, including ICC, AAA/ICDR, SIAC, LCIA, WIPO, CRCICA and ICSID, as well as under the UNCITRAL Rules. James also sits as an arbitrator. He was previously an Adjunct Professor at the University of Pennsylvania School of Law and University of Auckland, where he taught International Commercial Arbitration. Before founding Chaffetz Lindsey LLP, he was a partner in the New York office of Clifford Chance.



Martin Gusy

Cozen O'Connor's International Arbitration Practice

Martin Gusy is Chair of Cozen O'Connor's International Arbitration Practice. He has been named a Leading Lawyer 100 in the field of Dispute Resolution by Lawyer Monthly and is a member of the AAA/ICDR Roster of International Arbitrators and Mediators. He is the co-author of "A Guide to the ICDR International Arbitration Rules", a leading industry text published by Oxford University Press. He is an attorney-at-law in New York and a Rechtsanwalt in Germany, and his working languages include German, English, French and Spanish.



Niccolò Landi

Associate at Gianni Origoni Grippo Cappelli & Partners

Niccolò Landi graduated in Law from the University of Siena and he obtained an LL.M. on international commercial law from the University College Dublin. He is an attorney at Gianni, Origoni, Grippo, Cappelli & Partners and he specializes in international practice, providing assistance to Italian and foreign corporate clients. Author of several legal publications and articles on arbitration, EU law and international sale of goods. Lecturer at the University of Milan on the subjects of legal advocacy. Niccolò is Co-Chair of ArbIt (Italian forum on international arbitration and ADR).



Christian Leathley

Partner at Herbert Smith Freehills LLP

Christian Leathley is based in the New York office and specialises in international commercial and investment arbitration. He is qualified to practise in New York and in England and Wales and has acted for individuals, corporations and sovereign states in cases arising from all major industry sectors, under the rules of the ICC, ICSID, LCIA, AAA (ICDR), and UNCITRAL. Christian is also the author of the book "International Dispute Resolution in Latin America: An Institutional Overview" (Kluwer Law International). Christian is fluent in English and Spanish, and has a working knowledge of Brazilian Portuguese.



Paolo Marzolini

Patocchi & Marzolini Attorneys-at-law

Paolo Marzolini acts as counsel representing clients and sits as arbitrator in Switzerland and in a number of other jurisdictions under various sets of arbitration rules (including ICC, Swiss Rules, UNCITRAL and WIPO Rules). He has been involved in several major international arbitrations. Paolo has published extensively on international arbitration and is very regularly called as speaker in seminars dealing with arbitration-related matters. He is co-chair and member of the advisory board of Arblt (Italian forum on international arbitration and ADR) as well as member of IBA, ICCA, the Chartered Institute of Arbitrators (CIArb), ASA, ASA Below 40, the Italian Association for Arbitration (AIA), the Geneva Bar Association and the Pavia Bar Association.



Kristina Osswald

Head of ADR at the German Institution of Arbitration (DIS)

Prior to joining the DIS in 2015, Kristina Osswald was Strategic Project Manager (2009-2011) and Deputy Counsel & Project Coordinator (2011-2013) at the International Court of Arbitration of the International Chamber of Commerce (ICC). Prior to joining the ICC, she worked within the International Arbitration Group of Lovells in Paris. Kristina completed her legal education at the Universities of Cologne, Paris I (Panthéon-Sorbonne) and the Institut d'Etudes Politiques de Paris (Sciences-Po). She holds an LL.M. from the Georgetown University Law Center and is admitted to the New York State Bar.



Andrew G. Paton

Partner at De Berti Jacchia Franchini Forlani Studio Legale

Andrew Paton holds both common law and civil law qualifications, and is admitted to practice in Italy, Australia and England. He has been appointed arbitrator or acted as legal counsel in many international commercial arbitrations, often involving parties from different legal traditions. He has particular experience in complex multi-jurisdictional disputes. He is on the panel of several arbitral institutions in Europe and Asia, a founding member of Arblt (Italian forum on international arbitration and ADR) and on the editorial board of Rivista dell'Arbitrato.



Marco Perrini

Studio Legale Perrini

Marco Perrini represents and advises Italian and foreign companies in disputes before courts and arbitral tribunals and sits as chairman, sole arbitrator and co-arbitrator in domestic and international arbitrations, ad hoc (including UNCITRAL) and under the rules of, inter alia, ICC, AIA, CAM. Author of publications on arbitration and ADR issues. He is member of the ICC Commission on Arbitration, the ICC Institute of World Business Law, the Board of Directors of the Italian Association for Arbitration (AIA) and past co-chair and co-founder of ArbIt (Italian forum on international arbitration and ADR).



Maria Theresia Roerig Corsini

Partner at Bucciarelli Ducci Corsini (BDC) Studio Legale

Maria Theresia Roerig Corsini is admitted to practice in Germany and Italy, where she leads the German and International Desk at BDC Studio Legale. She practices in the areas of private, commercial and corporate law matters and specializes in (international) dispute resolution and arbitration both as counsel and as (sole) arbitrator. Maria Theresia also works at the Studies Department of the Italian Constitutional Court as a Consultant and an Expert in German and Comparative Law and has published numerous academic works. Maria Theresia is a co-founder and a member of the advisory board of ArbIt (Italian forum on international arbitration and ADR).



Giacomo Rojas Elgueta

Associate Professor of Private Law and Economic Analysis of Law at Roma Tre University, School of Law

Certificate's Coordinator

Giacomo Rojas Elgueta earned a LL.M. with distinction and a S.J.D. from the University of Pennsylvania. He was a Visiting Scholar at Yale Law School. He is the author of two books and several articles in major Italian and U.S. law reviews. He consulted the Italian Government for law reforms on bankruptcy law, trust law and security interests. Giacomo is a member of the Advisory Board of ArbIt (Italian forum on international arbitration and ADR) and is actively involved in arbitration both as counsel and arbitrator.



Gabriele Ruscalla

Counsel of the Italian-Swiss Team at the Secretariat of the ICC International Court of Arbitration

Gabriele Ruscalla joined the Secretariat of the ICC International Court of Arbitration in 2015, where he manages a team that administers a significant volume of international commercial and investment arbitrations. Prior to joining the ICC, he was an associate in the Shearman & Sterling's International Arbitration Group in Paris and a Senior Research Fellow at the Max Planck Institute for Procedural Law. In May 2015, he defended his PhD thesis in International Arbitration at Bocconi University. Gabriele has taught seminars on issues of international commercial and investment arbitration, published notes and articles and participates as speaker at conferences on international-arbitration-related subjects.



Beatriz Saiz Marti

Enel S.p.A.'s in-house counsel

Beatriz Saiz Marti is responsible of Group Significant Litigations within the Enel Group, managing arbitration proceedings in different languages taking place across the globe in the energy sector. She is qualified as a Abogado in Spain as well as Avvocato in Italy and holds a Master degree at the University Paris I Panthéon – Sorbonne.



Natali Sequeira

ICSID Legal Counsel

Natali Sequeira joined ICSID in September 2005. Prior to joining ICSID, she worked as a Senior Consultant with Ernst & Young (2004 – 2005), as a foreign associate with the law firm of White & Case in Washington, D.C. (2003 – 2004) and as a consultant with KPMG (2000 – 2002) and PricewaterhouseCoopers (1998 – 2000). She holds degrees from Georgetown University Law Center (LL.M. in International Legal Studies) and the University of Costa Rica (Juris Doctor and Bachelor in Business Administration).



Carlo Santoro

Partner at Cleary Gottlieb Steen & Hamilton LLP

Carlo Santoro specializes in the fields of litigation and national and international arbitrations. He regularly represents domestic and foreign clients in a wide range of disputes involving corporate, commercial, banking and financial matters, as well as bankruptcy and competition issues. He earned a LL.M. degree at New York University School of Law in 2003. He was a Visiting Scholar at London School of Economics in 1998.



Baiju Vasani

Partner at Jones Day

Baiju Vasani is an international arbitration lawyer and arbitrator. He also has advised states on the negotiation and drafting of treaties and companies in investment structuring. Baiju is a Fellow of the Chartered Institute of Arbitrators. He previously served as an adjunct professor of law at Georgetown University and also has given visiting lectures at, among other universities, Harvard, Northwestern, Columbia, and SOAS. He is currently a Visiting Lecturer at the University of Bedfordshire.





Andrea Zoppini

Full Professor of Private Law at Roma Tre University, School of Law

Andrea Zoppini studied at the Universities of Cambridge and Heidelberg; he was Visiting Scholar at the Yale University Law School and at New York University. He holds seminars and conferences in Italy and abroad and has published and edited numerous books and articles in Italian and foreign law journals. Legal Advisor to the Italian Government, he has been member of several law reform committees.





University of Roma Tre - UNIDROIT

3rd Annual International Arbitration Lecture

*Mandatory rules and international arbitrators,
in the light of Article 1.4 of the UNIDROIT Principles*

delivered by

Yves Derains

Chairman of the ICC Institute of World Business Law

Welcome address

Alberto Mazzoni - President of UNIDROIT - Full Professor of Corporate Law, Università Cattolica del Sacro Cuore

Andrea Zoppini - Full Professor of Private Law, Roma Tre University

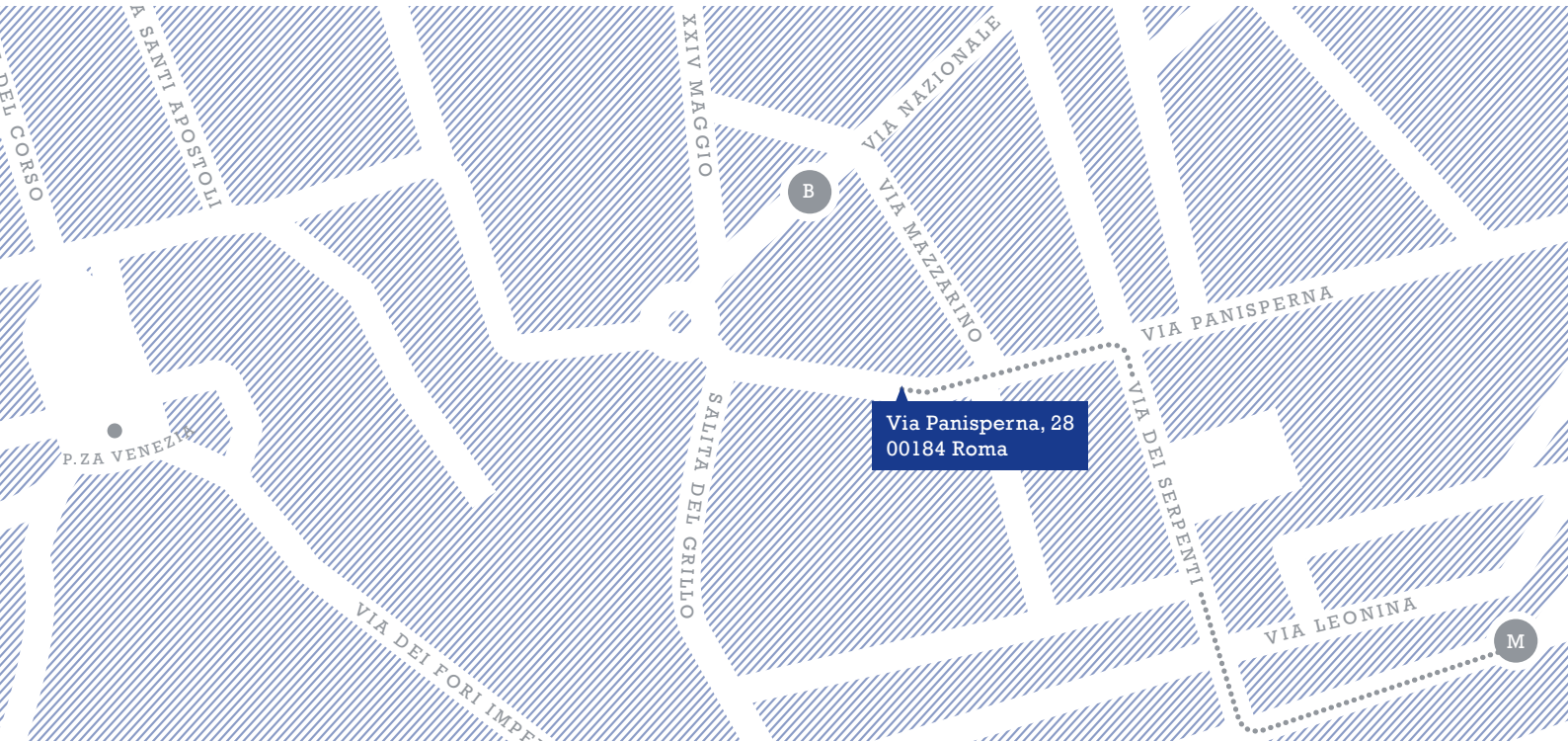
Friday

30 September, 2016, 15.30



Followed by reception

The 3rd Annual International Arbitration Lecture will be held at UNIDROIT



How to arrive:

From Termini Train Station: take Metro Line B towards Laurentina and get off at Cavour station.

Bus stop: 170, 40,60, 64, 70,H

Information

- www.arbitrationcertificate.com
- arbitration.certificate@uniroma3.it
- The Certificate has been approved by Consiglio Nazionale Forense. Lawyers attending the Certificate will be granted 20 “professional education credits”

Registration

Visit www.arbitrationcertificate.com and download the registration form

Fees

Euro 500,00

Fees include:

- All materials in electronic format
- Participation to networking events
- Coffee breaks
- Lunches from Monday to Thursday



Hotel Adriano

via di Pallacorda, 2
www.hoteladriano.com
info@hoteladriano.com
Tel. +39 06 68802451

Hotel Duca d'Alba

via Leonina, 14
www.hotelducadalba.com
info@hotelducadalba.com
Tel. +39 06 484471

Hotel Locarno

via della Penna, 22
www.hotellocarno.com
booking@hotellocarno.com
Tel. +39 06 3610841

Hotel Italia

via di Venezia, 18
www.hotelitaliaroma.it
info@hotelitaliaroma.it
Tel. +39 06 4828355

Hotel Diana

via Principe Amedeo, 4
www.hoteldianaroma.com
info@hoteldianaroma.com
Tel. +39 06 478681

Hotel Art Margutta

via Margutta, 56
www.hotelart.it
info@hotelart.it
Tel. +39 06 328711

Residenza Torre Colonna

via delle tre Cannelle, 18
www.torrecolonna.com
residenza@torrecolonna.it
Tel. +39 06 83600192

Abitart Hotel

via Pellegrino Matteucci, 10/20
www.abitarthotel.com
info@abitarthotel.com
Tel. +39 06 4543191

Piranesi Hotel

via del Babuino, 196
www.hotelpiranesi.com
info@hotelpiranesi.com
Tel. +39 06 328041

Domus Romana Hotel

via delle Quattro Fontane, 113
www.domusromanahotel.com
info@domusromanahotel.com
Tel. +39 06 489441







Information: arbitration.certificate@uniroma3.it
www.arbitrationcertificate.com



Associazione
Italiana per l'Arbitrato



INTERNATIONAL
CHAMBER
OF COMMERCE



CAMERA
ARBITRALE
MILANO

In partnership with

CLEARY
GOTTLIEB



Consiglio Nazionale Forense
presso il Ministero della Giustizia

