



RADICATI DI BROZOLO  
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## Prof. Luca G. Radicati di Brozolo

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### EDUCATION

- Degree in Law (University of Parma, 1986)
- Degree in Political Science (University of Florence, 1974)

### ADMISSIONS

- Milan Bar
- Italian Supreme Court
- Registered European Lawyer with the Bar Standards Board for England and Wales

### LANGUAGES

- Italian; English; French; Spanish; German

### PROFILE

Luca is a partner of ArbLit - Milan ([www.arblit.com](http://www.arblit.com)) and a tenant of Fountain Court Chambers, London.

From 1996 until 2019 he was a Full Professor at the School of Law of the Università Cattolica di Milano, where he held the chair of Private International Law and also taught Law of International Arbitration.

### *Professional*

Luca's current practice focuses on international arbitration and litigation.

He has vast experience in commercial and investor-State arbitration, as counsel and presiding, sole and party-appointed arbitrator in ad hoc and institutional domestic and international arbitrations in many different sectors and seats, and under a variety of rules and governing laws. He appears as an expert on Italian law, arbitration law, conflict of laws and jurisdictions and competition law in proceedings before arbitral tribunals (including in ICSID cases) and domestic courts.

He is a Vice-President of the Court of the LCIA and a member of the Comisión de Recusación of the Centro Internacional de Arbitraje de Madrid and of the arbitral institutions of several Latin American and other countries. He is listed on the ICSID Panel of Arbitrators on the appointment of the Republic of Italy and on the SIAC Panel of Arbitrators, is an alternate member of the FIA Driver Contract Recognition Board, a past member of the International Court of Arbitration of the ICC, past Vice-Chair of the Arbitration Committee of the International Bar Association and was the co-rapporteur on three projects of the Committee on International Commercial Arbitration of the International Law Association.

Luca's arbitration practice builds on his broad experience as academic and practitioner. Before



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founding ArbLit, he served as a member of the office of the Legal Advisor at the Bank for International Settlements in Basel, Switzerland (1978-1984) and for thirty years was a partner in two of the most prestigious Italian law firms (Chiomenti and BonelliErede) where his practice ranged from his areas of main academic specialization (conflict of laws and jurisdictions, arbitration and public international law) to banking and finance and all aspects of European Union law and competition law. He was one of the first, and for many years of the most active and reputed, competition lawyers in Italy and was particularly involved in the initial phase of privatizations and liberalizations in Italy and appeared regularly before Italian courts, including the Supreme Court, the Council of State and the Constitutional Court, as well as the Court of Justice and the General Court of the European Union and the European Court of Human Rights, and administrative authorities (the European Commission and the Italian Competition Authority and telecoms regulator).

Luca features prominently in the directories which classify him as a “Thought Leader” (Who’s Who Legal), a Leading Individual in Dispute Resolution (Legal 500) and a Most in Demand Arbitrator (Chambers and Partners) and have referred to him as “a top arbitrator and truly international”, “driven and passionate”, “dream arbitrator”, “an excellent academic and arbitrator”, “highly recommended for domestic and international arbitration”, “very competent and extremely balanced” with “an excellent reputation for insightful, value added work” and “very well known for investment disputes” and praised his “razor-sharp legal mind” and “impressive arbitration practice” and “no stranger to breaking new legal ground at ICSID”.

### **Academic**

Luca is the author and editor or co-editor of six books and one commentary and approximately 200 contributions published in Italian and international law reviews and other publications on topics of private international law, the law of arbitration, public international law, European Union law, competition law, telecommunications law, international financial law (Publications). He is a regular speaker at, and organizer of, academic and practitioners’ conferences, symposia, workshops and courses.

In addition to his tenured position at the Law School of the Catholic University of Milan (and prior to that in several other Italian universities), he has held a variety of teaching and research appointments, including as visiting professor at New York University Law School and as Lecturer at the Hague Academy of International Law where he held a special course on arbitration at the Private International Law Session of 2003 and the General Course of Private International Law “The Legal Framework of Transnational Commercial Transactions” at the 2018 session.

Luca will give the “General Course on Commercial Arbitration” at the 2023 Session of the Paris Arbitration Academy.

## **EXPERIENCE AS ARBITRATOR AND COUNSEL**

### **ARBITRATOR**

#### ***Investor-State arbitrations***

- President of the tribunal in ICSID Case No. ARB/22/11, *CB&I UK Limited v. Republic of Colombia*
- President of the tribunal in ICSID Case No. ARB/21/10, *Telefónica, S.A. c. República del Perú*
- President of the tribunal in ICSID Case No. ARB/18/7, *Corral Morocco Holdings v. Kingdom of Morocco*
- President of the tribunal in ICSID Case No. ARB/19/19, *IC Power Ltd and Kenon Holdings Ltd v. Republic of Peru*



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- President of the tribunal in ICSID Case No. ARB/17/44, *The Lopez-Goyne Family Trust, et al. v. Republic of Nicaragua*
- President of the tribunal in ICSID Case No. ARB(AF)/16/5, *América Móvil c. República de Colombia*
- President of the Annulment Committee in ICSID Case No. ARB/13/11, *Valores Mundiales, S.L. y Consorcio Andino S.L. c. República Bolivariana de Venezuela*
- President of the tribunal in an UNCITRAL arbitration between a U.S. investor and a country of the former Soviet Union (settled)
- President of the tribunal in an *ad hoc* arbitration between a Tunisian investor and a North-African State
- Arbitrator appointed by the investor in an UNCITRAL arbitration between a former subsidiary of Yukos and Russia
- Arbitrator appointed by the investors in ICSID Case No. ARB/19/11, *Nationale-Nederlanden Holdinvest B.V. et al v. the Argentine Republic*
- Arbitrator appointed by the investor in ICSID Case No. ARB/21/35, *Vicat S.A. v. Arab Republic of Egypt* (settled)

#### **Commercial arbitrations**

- President of the Tribunal in an *ad hoc* arbitration under the UNCITRAL Rules relating to a highway concession in Lima, Peru (approximate amount USD 2 billion)
- President of the Tribunal in a Swiss Rules arbitration relating to a sale and purchase contract of oil products between a company based in the Middle East and one based in the Far East
- President of the Tribunal in a Stockholm Chamber arbitration arising from an electricity supply contract (approximate amount in dispute USD 70 million)
- President of the tribunal in an LCIA arbitration arising from a transaction involving the issue of cryptocurrencies (amount in excess of USD 200 million)
- President of the tribunal in an ICC arbitration between an international mining group and a Latin American State relating to the tax treatment of a mining project
- President of the tribunal in an ICC arbitration relating to a project for the construction of a waste-to-energy plant between a European company and a Middle Eastern State (approximate amount EUR 200 million)
- President of the tribunal in an ICC arbitration relating to an oil refinery joint venture in Costa Rica (approximate amount USD 115 million)
- President of the tribunal in an ICC arbitration relating to a trans-European pipeline (approximate amount EUR 150 million)
- President of the tribunal in an ICC arbitration relating to an agency agreement for the supply of military aircraft to a Middle Eastern country (approximate amount EUR 100 million)
- President of the tribunal in an ICC arbitration between US investors and the national electricity company of West African country relating to a project for the improvement of the electricity sector (approximate amount USD 250 million)
- President of the tribunal in an ICC arbitration relating to the earn-out under a Share Purchase Agreement between two European companies
- President of the tribunal in an ICC arbitration relating to a highway construction contract in Paraguay



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- President of the tribunal in an ICC arbitration relating to a refinery in Peru (approximate amount USD 250 million)
- President of the tribunal in an ICC arbitration relating to an oilfield in Albania (approximate amount USD 1 billion)
- President of the tribunal in an ICC arbitration relating to a mining joint venture in Bolivia (approximate amount USD 90 million)
- President of the tribunal under the rules of the Chambre Arbitrale Internationale de Paris in an arbitration relating to a highway concession in Peru (approximate amount EUR 50 million)
- President of the tribunal in an arbitration administered by the Corte de Arbitraje de Madrid in a dispute between highway concessionaries in a European country (approximate value EUR 200 million; settled)
- President of the arbitral tribunal in an UNCITRAL arbitration arising from an intra-European electricity supply contract
- President of the tribunal in an UNCITRAL arbitration arising from a refinery project in Ecuador
- President of the tribunal in an ICC arbitration relating to a share purchase agreement between a French and a Luxembourg companies (approximate amount USD 80 million)
- President of the tribunal in an arbitration under the rules of the Danish Institute of Arbitration relating to the sale of marine engines
- President of the tribunal in an LCIA arbitration between a European State and the developer and concessionaire of major international airport (approximate amount EUR 27 million)
- President of the tribunal in three parallel LCIA arbitrations concerning the validity and enforceability of a third-party funding agreement for an ICSID arbitration
- President of the tribunal in an ICC arbitration between a European manufacturer of railway rolling stock and an agent in a country of the far East
- President of the tribunal in a Cairo Regional Centre arbitration arising out of a crude oil supply agreement between a Cayman Islands company and a Swiss company (approximate value USD 140 million)
- President of the tribunal in an ICC arbitration relating to a contract for the supply of copper wire rod between a Greek seller and an Algerian buyer
- President of the tribunal in a Milan Chamber arbitration arising from claims of breaches of non-compete obligations and unfair competition between crane manufacturers
- President of the tribunal in a Milan Chamber arbitration relating to the termination of an agreement between freight handlers
- President of the tribunal in an ICC arbitration arising from the termination of a commercial relationship for the distribution of medical equipment in a North African country
- President of the tribunal in a Swiss Chambers arbitration between a bank and several providers of monitoring, inspection, collateral management and supervision services
- President of the tribunal in a Danish Institute of Arbitration arbitration between a European insurance company and a Latin-American distributor
- President of the tribunal an ICC arbitration between a manufacturer of airport handling equipment and an agent in a Middle Eastern country
- President of the tribunal in an ICC arbitration relating to a sale and purchase agreement of a company operating in the private security sector (settled)
- Emergency arbitrator in an ICC arbitration concerning a dispute between shareholders of a



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concessionaire in the gambling sector in a West European country

- Sole arbitrator in a Stockholm Chamber arbitration relating to a distribution agreement of natural food products
- Sole Arbitrator in an ICC arbitration concerning a dispute arising from an alleged breach of a commercial agent agreement for the distribution of pharmaceutical products in a North African country
- Sole arbitrator in a Swiss Chambers arbitration between an international law firm and a client relating to the payment of a success fee in respect of representation in an international arbitration
- Co-arbitrator on five-member panel appointed by the ICC in a dispute between shareholders of a telecommunications company in Angola (claim USD 4 billion)
- Co-arbitrator appointed by the ICC in an arbitration relating to the supply of natural gas between Argentina and Chile (approximate amount USD 200 million)
- Co-arbitrator in an ICC arbitration between an electric power company and a state entity and a Latin American State relating to the calculation of energy tariffs
- Co-arbitrator in an ICC arbitration between an Italian contractor and a French principal relating to a project for the development of a hydrocarbon field (amount in dispute approximately € 1 billion)
- Co-arbitrator in a Lima Arbitration Chamber Arbitration relating to a post M&A dispute
- Co-arbitrator in an ICC arbitration between an Italian company and a French company relating to the lease of real estate for a tourist resort
- Co-arbitrator in an ICC arbitration between a manufacturer of homeopathic products and a distributor
- Co-arbitrator in an ICC arbitration over a dispute between the members of a consortium engaged in works on the Panama Canal (settled)
- Co-arbitrator in an ICC arbitration in a dispute between two major manufactures of aircraft components
- Co-arbitrator in an ICC arbitration relating to a gas price dispute
- Co-arbitrator in a Milan Chamber arbitration relating a dispute between shareholders of a waste recycling company
- Co-arbitrator in an ICC arbitration relating to a dispute between and Italian subcontractor and a Russian contractor
- Co-arbitrator in an ICC arbitration relating to a dispute between a North African oil company and a consortium of French companies for the provision of security technology for a pipeline
- Co-arbitrator in a Milan Chamber arbitration relating a dispute between a fashion company and a distributor in a North-European country
- Co-arbitrator in an ICC arbitration relating to a consultancy agreement for oil exploration and production in a North African country
- Co-arbitrator in an ICC arbitration relating to a sale and purchase agreement for the shares of a company operating in the railway sector
- Co-arbitrator in an ICC arbitration relating to a long-term contract for the use of telecommunications infrastructure in Italy
- Co-arbitrator in a LCIA arbitration relating to a dispute between partners of a wind farm
- Co-arbitrator in an ICC arbitration relating to a dispute between a major airline and a supplier of aircraft equipment



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- Co-arbitrator in a Milan Chamber arbitration between shareholders relating to the valuation of a company
- Co-arbitrator in a Milan Chamber arbitration between an Italian publisher and a German provider of editorial content
- Co-arbitrator in a Milan Chamber arbitration relating to the termination of an agreement between a fashion company and a designer
- Co-arbitrator in an ICC arbitration on a sub-contract relating to an infrastructure project in a Middle Eastern country

## COUNSEL

### *Investor State arbitrations*

- Representing ten photovoltaic investors of different nationalities in six UNCITRAL arbitrations against the Czech Republic brought under the ECT and various intra-EU BITs (overall amount in dispute € 100 million). In the largest of these proceedings (which are still ongoing) the investors prevailed on the merits
- Representing Italian bondholders in two ICSID arbitrations against the Argentine Republic arising from the State's default (ICSID Case No. ARB/08/9, *Ambiente Ufficio and others v. Argentine Republic* and ICSID Case No. ARB/07/8, *Giovanni Alemanni and others v. Argentine Republic*)
- Representing Saipem S.p.A. in an ICSID arbitration relating to the unlawful interference with an ICC arbitration by the state courts of the seat of arbitration (ICSID Case No. ARB/05/07, *Saipem S.p.A. v. The People's Republic of Bangladesh*)
- Representing two leading dredging companies in an ICSID arbitration against Egypt (ICSID Case No. ARB/04/13, *Jan de Nul N.V. and Dredging International N.V. v. Arab Republic of Egypt*)
- Representing an Italian investor in an ICSID arbitration relating to the expropriation of a pipe plant in Georgia (ICSID Case No. ARB/05/23, *Ares International S.r.l. and Metalgeo S.r.l. v. Georgia*)
- Representing two Italian construction companies in an ICSID arbitration relating to a project for the construction of a dam (ICSID Case No. ARB/05/3, *L.E.S.I. S.p.A. and ASTALDI S.p.A. v. République Algérienne Démocratique et Populaire*)

### *Commercial arbitrations*

- Representing an Italian company in an ICC arbitration brought by a subsidiary of a Swiss electricity producer arising from the exercise of a call option in a shareholders' agreement
- Representing an Italian group in proceedings in an ICC arbitration against a German multinational group arising from an M&A transaction in the renewables sector
- Representing an Italian group and a French multinational group in an ICC arbitration brought by a US company arising from an M&A transaction in the oil & gas sector
- Representing a leading German multinational group against a multibillion Euro claim in ICC proceedings brought by a European State in the defense sector
- Representing two leading Italian construction companies in a Panama-seated ICC arbitration brought by a Latin American company in a dispute relating to a hydroelectric project (amount in dispute € 70 million)
- Representing a railway contractor in a Paris-seated ICC arbitration relating to a FIDIC dispute



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against two East European public entities (amount in dispute approximately € 25 million)

- Representing an Argentine company in a Buenos Aires-seated ICC arbitration relating to the supply of machinery
- Successfully defending four European energy companies in ICC proceedings in a € 14 million post-M&A dispute with a U.S. multinational group
- Successfully representing a joint venture of Italian companies in an Addis Ababa-seated European Development Fund arbitration against the Federal Democratic Republic of Ethiopia and the Republic of Djibouti concerning a project for the rehabilitation of a railway line (amount in dispute approximately € 100 million)
- Representing a joint venture between two Italian companies and a French company in an Addis Ababa-seated European Development Fund arbitration against the Ministry of Water, Irrigation and Electricity of the Federal Democratic Republic of Ethiopia concerning a project for the construction of a water network (amount in dispute approximately € 30 million)
- Representing an Italian construction company in a European Development Fund arbitration against a Haitian state entity relating to a road rehabilitation project, which ended in a settlement
- Representing the investors in proceedings before the Swiss Federal Tribunal for the set-aside of an award in investor-State proceedings against the Czech Republic
- Assisting an Italian joint venture before Ethiopian courts in proceedings for the set-aside of an award we obtained in a European Development Fund arbitration against the Federal Democratic Republic of Ethiopia and the Republic of Djibouti
- Representing an Italian defense manufacturer in an ICC arbitration with a foreign company relating to a project for the development of advanced armament system Representing a utility in proceedings now before the Italian Supreme Court in a follow-on antitrust damages suit arising from a commitments decision of the Italian competition authority
- Representing a manufacturer of telecommunications infrastructure equipment in an *ad hoc* arbitration relating to a dispute with an Italian mobile telecoms operator
- Representing the seller in an ICC arbitration relating to an earn-out clause in a post-M&A dispute
- Representing a Spanish agent in a dispute with a manufacturer of railroad rolling stock in an ICC arbitration

## PUBLICATIONS

### Arbitration

#### BOOKS

- *The legal framework of international commercial transactions – General Course of Private International Law*, forthcoming in Collected Courses of the Hague Academy of International Law (course delivered at the 2015 of the Hague Academy of International Law)
- *Commentario breve al diritto dell'arbitrato interno e internazionale* (2nd ed), Cedam, Padova, 2018, (co- editor with Massimo Benedettelli and Claudio Consolo)
- *Arbitrage commercial international et lois de police: considérations sur les conflits de juridictions dans le commerce international*, in Collected Courses of the Hague Academy of International Law, vol. 315, 2006, pp. 269-501 (course delivered at the 2003 Session of the Hague Academy of International Law)
- *The Legal Framework of Transnational Commercial Transactions, General Course in Private International Law*, forthcoming (General course delivered at the 2018 Session of the Hague

## ARTICLES

- "Uniform arbitration-specific rules v. domestic law and conflict of laws in international commercial arbitration", in *Recueil des Cours de l'Académie de droit international de la Haye*, 2023, forthcoming
- "What rules must international arbitrators apply to decide according to law?", in *Arbitration International*, 2023, forthcoming
- "La valeur du précédent en arbitrage commercial international", in *Revue de l'arbitrage*, 2023, 37 ff.
- "Domestic Law and Conflict of Laws: What Should Their Role be in International Arbitration?", in G. Cordero Moss & D. Fernández Arroyo (eds.), *Applicable Law Issues in International Arbitration*, forthcoming, 2023, Brill
- "Emmanuel Gaillard's Theory of International Arbitration: The Basis for a Uniform Law of International Arbitration", in *Mélanges en mémoire d'Emmanuel Gaillard*, 2023, forthcoming.
- "I caratteri fondamentali dell'arbitrato commerciale internazionale", in M. Coccia and M.B. Deli, *Arbitrato commerciale internazionale*, forthcoming 2023
- "International commercial arbitration and private international law", in F. Ferrari, A. Bjorklund and S. Kröll (eds.), *Cambridge compendium of international commercial and investment arbitration*, 2023, vol. 1, 441-467
- "The Need for Arbitration-Specific Rules on Ethics: A Plea for a Collective Effort", in M. Abdel Wahab et. al. (Eds.) *Leadership, Legitimacy, Legacy, a Tribute to Alexis Mourre*, Paris, 2022, 105 ff (with Flavio Ponzano)
- "¿Cuán transnacional es el arbitraje?" in *Revista argentina de arbitraje*, 2022
- "The value and values of international investment protection law", in *Studi in onore di Francesco Salerno*, Jovene, 2021, 825 (and in *Diritto del Commercio Internazionale*, 2021, 941)
- "L'arbitrato come sistema transnazionale di soluzione delle controversie: caratteristiche e rapporto con il diritto interno", *Rivista dell'arbitrato*, 2020, 1
- "El rol del derecho en el arbitraje internacional", in *Studi in onore di Angelo Davì*, 2020, p. 2003
- "Competition between Cross-Border Dispute Settlement Mechanisms: Domestic Courts, Arbitration and International Commercial Courts – Procedural and Substantive Options for Litigants", in *Festschrift für Herbert Kronke*, Giesecking, 2020, 447
- "Reasons in international commercial and investment arbitration awards" in A. Crivellaro and M. Hodgson, *Explaining why you lost – Reasoning in arbitration*, Dossiers of the ICC Institute of World Business Law, 2019
- "Applying the rules governing the merits in international commercial arbitration", in F. Ferrari (ed.), *Inherent powers in international adjudication*, 2018
- "International Commercial Arbitration", in J. Basedow, F. Ferrari, P. De Miguel Asensio, G. Ruhl (Eds.), *Encyclopedia of Private International Law*, Edward Elgar, vol. 1, 2018, 86-97
- "When, Why and How must Arbitrators Apply Overriding Mandatory Provisions?", in F. Ferrari (ed.), *The Impact of EU Law on international commercial arbitration*, Juris, 2017, 351-382
- "Party Autonomy and the Rules Applicable to the Merits in International Arbitration", in F. Ferrari (ed.), *Limits to Party Autonomy in International Commercial Arbitration*, Juris, 2016, 331-362
- "L'autorité de la chose jugée des décisions relatives à l'annulation des sentences: l'expérience récente des Etats Unis" in *Revue de l'arbitrage*, 2016



- "Representative Aspects of Mass Claim Proceedings" in ICC Dossier XIV on Class & Group Actions in Arbitration, 2016 (with F. Ponzano)
- "Autonomia negoziale e ruolo del diritto materiale nell'arbitrato internazionale e interno" in Rivista dell'Arbitrato, 2016, 1-31 (also in Atti del 10° Convegno Internazionale della Società Italiana degli Studiosi del Diritto Civile, 2016, 203-238)
- "Usages and Implied Terms in Italy", in F. Gélinas (ed.) Trade Usages and Implied Terms in the Age of Arbitration, Oxford, 2016, 59-80 (with G. Marchisio)
- "Confidentiality within Arbitration", in Confidential and Restricted Access to Information in International Arbitration, ASA Special Series No. 43, 2016, 1-20 (with F. Ponzano)
- "Where is Investor-State Arbitration Heading? Reflections on the Debate over EU Investor Protection Agreements", in International Arbitration Under Review, Essays in Honour of John Beechey, ICC, 2015, p. 319-342
- "Ethics and the Law Applicable to the Merits in Arbitration", *Mélanges en l'honneur du Professeur Pierre Mayer*, LGDJ, Paris, 2015, 753-769
- "Remedies against state interference with arbitration", [2015] *International Arbitration Law Review*, 27-33
- "Arbitration under Investment Protection Agreements between the EU and Non-Member States", *World Arbitration Reports*, Rel. 8-2015 (with Federica Iorio)
- "The enforcement of annulled awards: further reflections in light of Thai Lao-Lignite", 25 *The American Review of International Arbitration*, 47-61 (2014)
- "The Inherent Powers of Arbitrators", Final Report of the Committee on International Commercial Arbitration of the International Law Association presented at the Washington, DC Conference, May 2014 (co-rapporteur with Mark W. Friedman)
- "Class arbitration in Europe?", in A. Nuyts & N.E. Hatzimihail (Eds.), *Cross-Border Class Actions, The European Way*, Sellier, 2013, 209
- "The enforcement of annulled awards: an important step in the right direction", *Cahiers de l'Arbitrage / Paris Journal of International Arbitration*, 2013, 1027
- "EU Merger Control Commitments and Arbitration: Reti Televisive Italiane v. Sky TV", *Arbitration International*, 2013, 223-242 (in Italian in *Rivista dell'arbitrato*, 2013, 227-246)
- "International Arbitration and Domestic Law", *International Commercial Arbitration - Different Forms and Their Features* (G. Cordero Moss, ed.), Cambridge University Press, 2013, 40-59
- "Las normas imperativas y el arbitraje internacional", in Cuestiones claves del arbitraje internacional (E. Gaillard, D. P. Fernandez Arroyo, eds), Bogota, 2013, 189-224
- "The control system of arbitral awards: a pro-arbitration critique of Michael Reisman's 'Normative architecture of international commercial arbitration'", *Arbitration? The Next Fifty Years*, ICCA Congress Series No. 16, 2012, 74-102
- "Arbitration and Mandatory Rules", *American Review of International Arbitration*, 2012, 49-74
- "Enhancing the Effectiveness of Arbitration in Asia: Towards Less State Interference?", *Transnational Dispute Management*, December 2011, Issue 5
- "Competition Law and Arbitration", *Competition Law International*, November 2011, 12
- "The impact of National Law and Courts on International Commercial Arbitration: Mythology, Physiology, Pathology, Remedies and Trends", *Les Cahiers de l'Arbitrage - The Paris International Arbitration Journal*, 2011, 663
- "Res judicata", Post Award Issues (P. Tercier, ed.), ASA Special Series No. 38, 2011, 127 (in Portuguese: "Os efeitos de coisa julgada de sentenças arbitrais internacionais", *Arbitragem e*

Comércio Internacional, Estudos em Homagem a Luiz Olavo Baptista, Sao Paulo, 2013, 735)

- “Arbitration and the draft revised Brussels I Regulation: Seeds of home country control and of harmonization?”, *Journal of Private International Law*, 2011, 423 (in Italian in *Rivista dell'Arbitrato*, 2011, 187)
- “L'Italia e l'arbitrato internazionale”, *Corriere Giuridico*, 2011/1 (with Massimo V. Benedettelli)
- “Arbitration and Competition Law: the Position of Courts and of Arbitrators”, *Arbitration International*, 2011, 1 and *Revista de Arbitragem e Mediação* (in Portuguese), 2010, 162
- “Confidentiality in International Commercial Arbitration”, Final Report of the Committee on International Commercial Arbitration of the International Law Association adopted at the Hague Conference, August 2010 (co-rapporteur with Mark Friedman), *Arbitration International*, 2012, 355
- “Requiem pour le régime dualiste de l'arbitrage? Réflexions sur la réforme italienne de l'arbitrage international”, *Arbitrage interne et international* (A. Bonomi, A. Bochatay, Eds.), Genève, 2010, 217 (also *Rivista di diritto processuale*, 2010, 1267 in Italian and in *Revista Brasileira de Arbitragem*, in Portuguese)
- “Arbitrage et droit de la concurrence: vers un consensus”, *Les Cahiers de l'Arbitrage - The Paris International Arbitration Journal*, 2010, 181
- “Choice of court and arbitration agreements and the review of the Brussels I Regulation”, *IPRax - Praxis des internationalen privat- und verfahrensrecht*, 2010, 121
- “Unlawful Interference with international arbitration by national courts of the seat in the aftermath of *Saipem v. Bangladesh*”, *Liber Amicorum Bernardo Cremades*, Madrid, 2010, 993 (with L. Malintoppi)
- “Interference by national courts with international arbitration: the situation after *Saipem v. Bangladesh*”, *New Developments in International Commercial Arbitration 2009* (A. Müller, A. Rigozzi, eds.), Zürich, 2009, 1
- “Court Review of Competition Law Awards in Setting Aside and Enforcements Proceedings”, *EU and US Antitrust Arbitration* (G. Blanke, Ph. Landolt, eds.), Kluwer, 2010, § 35-001
- “Ascertaining the Content of the Applicable Law in International Commercial Arbitration”, Final Report of the Committee on International Commercial Arbitration of the International Law Association adopted at the Rio de Janeiro Conference of 2008 (co-rapporteur with Mark Friedman), *Arbitration International*, 2010, n. 2
- “Chassés croisés franco-belge: à propos de l'affaire *Cytec*”, *Rev. Arbitrage*, 2007, 318 (note à Trib. Première instance de Bruxelles, 8 mars 2007) (with A. Mourre)
- “Arbitration in EC Merger Control : Old Wine in a New Bottle”, *European Journal of Business Law*, 2007, 7
- “L'insoutenable légèreté de l'ordre public (encore à propos du droit de la concurrence)”, note à Tribunal Fédéral Suisse, 8 mars 2006, *Revue de l'arbitrage*, 2006, 769
- “Arbitrato e norme imperative: oltre l'arbitrabilità”, *AIDA - Annali Italiani del Diritto d'Autore*, 2006, 111
- “Controllo del lodo internazionale e ordine pubblico”, *Riv. dell'arbitrato*, 2006, 629
- “L'illicéité «qui crève les yeux» : le critère de contrôle des sentences au regard de l'ordre public international”, *Revue de l'arbitrage*, 2005, 529 (note à Appel Paris, 18 novembre 2004, *Thalès c. Euromissile*)
- “Towards finality in international arbitration : two steps forward and one step back”, *J. of Int'l Arb.*, 2006, 171 (with A. Mourre)
- “Arbitrato e diritto della concorrenza: il problema risolto e le questioni aperte”, *Rivista dell'arbitrato*,

2004, 1 "Antitrust: A Paradigm of the Relations Between Arbitration and Mandatory Rules ? A Fresh Look at the 'Second Look' ", *International Arbitration Law Review*, 2004, 23

- "The settlement of disputes in the Telecommunications Sector: NRAs vs Arbitration", Report at the ICC Seminar on Dispute Settlement in the Telecommunications Sector, International Chamber of Commerce, September 2004"
- "Mondialisation, juridiction, arbitrage: vers des lois d'application semi-immédiate?", *Revue critique de droit international privé*, 2003, 1
- "Arbitrato, diritto della concorrenza, diritto comunitario e regole di procedura nazionali", *Rivista dell'arbitrato*, 1999, 665

## Conflicts of Laws and Jurisdictions

### BOOKS

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