

Press release

## **Innovative Change at the Milan Chamber of Arbitration**

### **THE NEW ARBITRAL COUNCIL, THE TECHNICAL BODY THAT OVERSEES ALL STAGES OF ARBITRATION, IS BORN**

**It appoints arbitrators, supervises their activities and the duration of proceedings, ensuring that disputes are resolved expeditiously**

### **Internationally renowned experts join the team**

**Milan, March 2021.** News in arbitration: the members of the new Arbitration Council of the Milan Chamber of Arbitration (CAM) were appointed. They are law professors, lawyers and ADR experts at national and international level. They join the CAM team to perform high-profile functions aimed at ensuring the application of the Arbitration Rules. Specifically, the Arbitral Council appoints and confirms arbitrators according to the provisions of the Rules, settles the fees and costs of the proceedings, supervises the duration of the arbitral proceedings, with the support of the General Secretariat, and monitors the activities of arbitrators and parties to ensure an expeditious resolution of disputes. The new Board takes office on March 26, with a two-year term.

**The Arbitral Council. Its powers.** The Arbitral Council is a technical body of the Milan Chamber of Arbitration. It has general jurisdiction over all matters relating to the administration of arbitration proceedings and can adopt all necessary measures as provided for by the Rules, except for the powers attributed by the Rules to the General Secretariat.

**Jurisprudence of the Arbitral Council.** The decisions of the Arbitral Council are periodically published on the website of the Milan Chamber of Arbitration ([link](#) for consultation). The publication consists of an anonymous collection of cases in which the Arbitral Council is called upon, to assess the confirmation or the non-confirmation of the arbitrator, on the basis of the declaration of independence and on the observations or challenges submitted by the parties. The published cases constitute a first institutional jurisprudence on arbitration matters and contribute to a better dissemination of the culture of independence and third-party status of the arbitrator.

**The new Arbitral Council.** The news. The new president is è Enrico Giliberti.



Enrico Giliberti is a lawyer who practice before Superior Courts (cassazionista); considered one of Italy's leading experts in the fields of litigation and international arbitration, he is the founder of the firm Giliberti, Triscornia and Associates. He has been involved in some of the most important and extraordinary transactions in the country and has served on the Board of Directors of major Italian companies. Enrico Giliberti has worked as a visiting foreign lawyer with Cahill Gordon & Ohl in New York.

**Councillors:**



**Raffaele Lener**

Lawyer and full professor of commercial law and financial market law in the Department of Law of the University of Rome Tor Vergata; he also teaches commercial law at LUISS-Guido Carli University. Founder of the firm Lener&Partner, Vice-President of the Association of Professors of Economic Law (ADDE). Formerly a member of the ABF-Financial Banking Arbitrator at the Bank of Italy, he is currently a member of the ACF-Arbitrator for Financial Disputes at Consob. He is a member of the Supervisory Committee of the Financial Advisors Body and a member of the Assoreti Jury.



**Loretta Malintoppi**

Lawyer in Singapore, expert in international commercial arbitration, investment arbitration, litigation and public international law. She has extensive experience as an arbitrator in numerous commercial law disputes, in the field of international transactions (including construction contracts, infrastructure projects, international sale of goods, agency, oil and gas, shareholders' agreements and distribution). She also an advisor and counsel in a number of cases before the International Court of Justice (ICJ).



**Chiara Giovannucci Orlandi**

**Formerly** Professor of Civil Procedure, Domestic and International Arbitration and ADR at the Business School of the Bologna University, Visiting Professor of International Commercial Arbitration, School of Law, Pittsburgh University and Professor of Civil Procedure at University of Paris, Ouest la Defence, member of the Arbitration and Mediation committee at Unioncamere, honorary member of AIA, Italian Association for Arbitration. Referee, mediator, trainer.



**Enzo Roppo.**

Professor of civil law at the Law School of the University of Genoa and practicing lawyer, with a wide experience and scientific production, with particular reference to contract and tort law, as well as to information, mass media and financial market law. Member of the board of directors of several law journals.

**Confirmed Councillors.** The new Arbitral Council members join the confirmed Councillors, who are:

**Christian Aschauer**, Professor of Arbitration law, University of Graz, lawyer in Vienna, Austria; **Giuditta Cordero-Moss**, Professor of International Commercial law, University of Oslo, Norway; **Diego P. Fernandez Arroyo**, Professor of Comparative law, Sciences Po Paris, France; **Francesco P. Luiso**, Professor of civil procedural law, University of Pisa, lawyer in Lucca, Italy; **Mario Napoli**, lawyer in Turin, Italy; **Luigi Rovelli**, First Honorary President at the Supreme Court of Cassation, Genoa, Italy.

The new **President Giliberti** takes the place of the outgoing president **Sergio Maria Carbone**, emeritus Professor of European Union law, University of Genoa, lawyer in Genoa, Italy.

*“Experience and international vocation - said **Stefano Azzali**, from the Milan Chamber of Arbitration - the key words that sum up this new chapter at the Milan Chamber. The new professionalism of the Arbitration Council, which is takes office today, will embark on important challenges, aimed at attracting foreign investments and support the growth and diffusion of the arbitration practice – as it has done until now. Thanks to the high level of expertise and personal qualities of the new members, we will be able to carry on what has been built so far, with the aim of offering a service that is increasingly reflecting all the needs of businesses. We would like to thank all of those who, over the years, have enabled us to guarantee a high-quality service. A sincere wish to those who are joining us today, that the years to come will be characterized of exciting new challenges”.*