

Italy as a seat?

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Rome, Italy (Credit: Shutterstock/S.Borisov)

Speakers at an event to mark the launch of a new English-language treatise on Italian arbitration by ArbLit partner **Massimo Benedettelli** hailed the jurisdiction's favourable approach to arbitration.

The 24 June webinar, "Italy as Arbitration Seat? Not Such a Bad Place to Hang About in ...", was organised to launch Benedettelli's *International Arbitration in Italy*, a first-of-its kind book covering Italian arbitration law in English. There was also discussion on the intersection between international arbitration and Italian law.

The event was hosted by the Italian Arbitration Association (AIA) and the Milan Chamber of Arbitration (CAM) and organized by Kluwer International.

CAM director **Stefano Azzali** and AIA secretary general **Maria Beatrice Deli** opened the event before introducing **Sergio Carbone**, past president of the CAM arbitral council and professor emeritus of international law at the University of Genoa.

Carbone said the Italian legal system has over the last two decades developed an extremely favorable approach of towards parties' autonomy in arbitration. This, he continued, was confirmed by a recent judgment of the Italian Supreme Court concerning arbitration agreements.

ICCA president **Lucy Reed** said Benedettelli's book contains everything one might need to know on the impact of Italian law on international arbitration. Even for those who don't work on Italy-related disputes, Reed said they can

gain insight by comparing how Italy and their own jurisdiction deal with arbitration-related issues.

She also praised the strong theoretical framework of the book, saying that any practitioner “worth her salt” wants to know “not only the rule but also the reasons for the rule.”

Benedettelli, ICC Court member for Italy, then debated issues addressed in the book with the panelists. **Eduardo Silva Romero**, co-head of international arbitration at Dechert, talked about how the book deals notions of “law”, “arbitration” and “international arbitration”. He said these concepts are important to any issue stemming from the interplay between international law and domestic arbitration law.

Queen Mary University of London professor **Stravos Brekoulakis** discussed how Italian law deals favorably with “necessary/Indispensable” parties intervening in the proceedings. He noted the difficult balance in safeguarding the consensual nature of arbitration and the need to ensure efficiency by avoiding parallel proceedings and conflicting decisions.

The next speaker was **Marina Tavassi**, of counsel at BonelliErede and past president of the Milan Court of Appeal, which deals with most challenges to domestic arbitration awards and foreign enforcement petitions in Italy. She said that few domestic awards are set aside and most foreign awards are recognised. Objections are only upheld on grounds of public policy, which is interpreted in a very restrictive way.

She said that parties choosing Italy as seat for their arbitration would be “fair and fully justified”.

A recording of the webinar is available [here](#).

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