International Commercial and Investment Arbitration Theory and Practice Oth edition Rome

16-20 September, 2019









MILAN CHAMBER OF ARBITRATION

Certificate

International Commercial and Investment Arbitration T heory and Practice

6th 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

CNF

Consiglio Nazionale Forense



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Monday

16

Welcome breakfast and introduction 8.30

Morning session 9.15 - 10.45

• Setting the scenario: nature, scope and legal framework of international arbitration

Break 10.45 - 11.00

11.00 - 12.30

• Founding principles and core elements of international arbitration

Break 12.30 - 14.00

Afternoon session 14.00 - 15.30

- ArbIt roundtable. Assessing your options:
 - institutional
 - *ad hoc* arbitration

Break 15.30 - 15.45

15.45 - 17.15

• Meeting the institutions: an inside view

Certificate's inaugural aperitivo at Cleary Gottlieb Steen and Hamilton LLP 19:00 - 21:00

• "The Cleary's Terrace Talk" delivered by William W. Burke-White, followed by reception

Tuesday

17

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

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Afternoon session 14.00 - 15.30 • 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

Wednesday

18

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 • Running the arbitration: organization of proceedings

Break 15.30 - 15.45

15.45- 17.15

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

Thursday

19

*Morning session*9.15 - 10.45International arbitration and foreign investment protection

Break 10.45 - 11.00

11.00 - 12.30

• Investment treaty arbitration: procedure

Break 12.30 - 14.00

Afternoon session 14.00 - 15.30

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

Break 15.30 - 15.45

15.45-17.15

· Enforcement of investment treaty and commercial awards



20

Friday

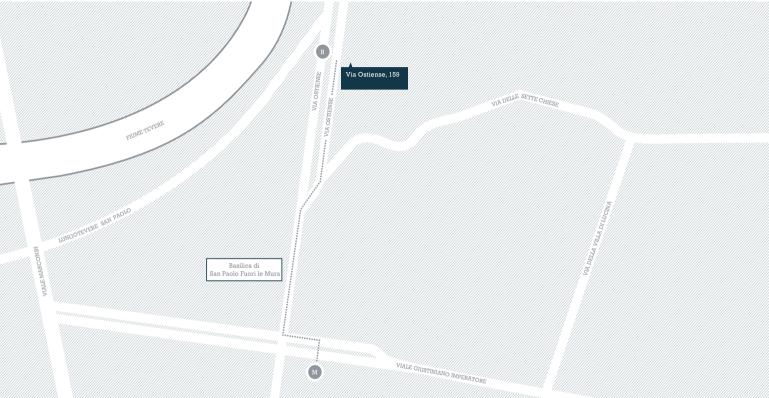
10.00

 University of Roma Tre - UNIDROIT 6th Annual International Arbitration Lecture In memory of Prof. Alberto Mazzoni *Globalization. A Deconstruction and Reformulation of Investor-State Arbitration within the Rubric of UNIDROIT Principles. A Conceptual Journey* Delivered by Pedro J. Martinez-Fraga

12.00

- Lunch at UNIDROIT
- Conferral of certificates





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

Networking Activities

Meeting the international arbitration players

Friday 20 September

Following the Roma Tre - UNIDROIT Annual Lecture

Lunch at UNIDROIT

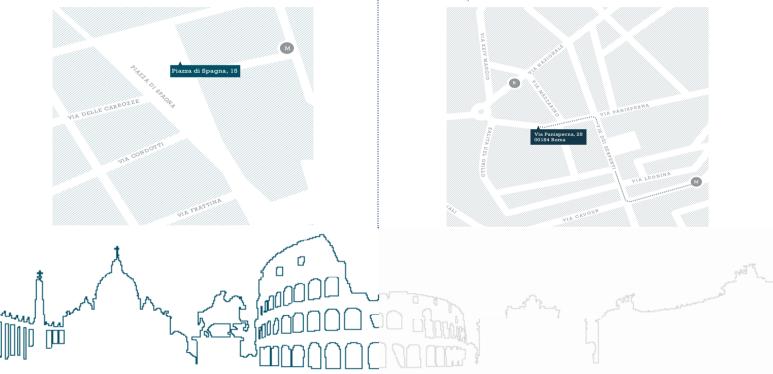
Via Panisperna, 28

12.00

Monday 16 September 19.00

Inaugural Aperitivo at Cleary Gottlieb Steen & Hamilton LLP Piazza di Spagna, 15

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





Angelo Anglani

Partner at Nctm Studio Legale

Angelo Anglani practices in the areas of disputes resolution (litigation, international and domestic arbitration, ADR), commercial contracts, restructuring and turnaround, unfair competition, product liability, environmental matters. Angelo is Senior Vice Chair of the International Bar Association Litigation Committee, member of AIA (the Italian Association for Arbitration), among the founders, as well as current Co-Chair, of ArbIt (the Italian Forum for Arbitration and ADR) and a member of the Appointing Authority of the Chinese European Arbitration Center. He gained extensive experience in the area of international and domestic arbitration, whether under the rules of ICC International Court of Arbitration and other arbitral institutions, under ad-hoc rules, or in the context of court challenges of arbitration awards. He is frequently appointed as arbitrator.



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 and mediation. He is: co-founding member of Arblt (Italian Forum for Arbitration and ADR); member of the ICC Commission on Arbitration and ADR; member of the Board of Directors and of the Court of the Italian Association for Arbitration (AIA); Secretary of the Scientific Committee of ISDACI.





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Richard Perry Professor and Inaugural Director, Perry World House, University of Pennsylvania Deputy Dean and Professor of Law, Penn Law School

William Burke-White is a professor of law at Penn Law School, inaugural director of Perry World House, and a co-faculty lead for the Global Order: Power, Technology, and Governance research theme. He served in the Obama Administration (2009-2011) on Secretary Clinton's Policy Planning Staff, also contributing as principal drafter of the Quadrennial Diplomacy and Development Review. He regularly serves as an expert for foreign governments in international investment disputes. Previously, he worked with the Government of Cambodia and the U.N. Transitional Administration in East Timor. He served as Special Rapporteur and Advisor to the Legal and Constitutional Commission of the Government of Rwanda, as visiting scholar at the International Criminal Court, as legal assistant at the ICTY, and in the international law group at Clifford Chance, L.L.P. in London.



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 ArbIt (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.



Valentine Chessa

Partner at CastaldiPartners

Valentine Chessa, is an Italian national admitted to the Paris Bar. She joined the arbitration practice of Castaldi Mourre & Partners in 2010 after starting her career at the secretariat of the ICC International Court of Arbitration as Deputy Counsel. She acts as counsel in cases under the main institutional rules and ad hoc proceedings, from the pre-arbitration phase to enforcement of the award. She also acts as arbitrator and secretary to arbitral tribunals. She is Co-Chair of ArbIt (the Italian Forum for Arbitration and ADR), board member and Events Co-Director for Europe of Arbitral Women, and one of the Institute for Transnational Arbitration reporters for France. Her working languages are English, Italian and French.



Benedetta Coppo

Milan Chamber of Arbitration, Head of the Rome branch office

Benedetta Coppo joined the Milan Chamber of Arbitration 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 and 2019 revisions of the CAM Arbitration Rules. Since 2014, she leads the Rome branch office of the Chamber. Benedetta is member of the Advisory Board of Arbit (the Italian Forum for Arbitration and ADR).





Secretary General of the Italian Association for Arbitration (AIA) Secretary General of ICC Italy **Certificate's Director**



Maria Beatrice Deli is Professor of International Law at the University of Molise and of International Arbitration at the Department of Law, Roma Tre University. Her fields of expertise are public and private international law and international commercial and investment arbitration. She acts as arbitrator and counsel in ad hoc and institutional arbitrations and she is currently partner at a newly-founded arbitration and litigation boutique. She is Secretary General of the Italian Association for Arbitration (AIA) and Secretary General of ICC Italy. She is co-founder of Arblt (Italian Forum for arbitration and ADR) and a member of the editorial board of the "Rivista dell'Arbitrato" and "Diritto del Commercio Internazionale".



Domenico Di Pietro

Bryan Cave Leighton Paisner LLP Certificate's Director

Domenico Di Pietro has taught international arbitration at major academic institutions and has lectured on the same topic worldwide. His publications on arbitration have been cited by leading judicial authorities in several countries. He has practiced commercial and investor-State arbitration for 25 years in jurisdictions as diverse as Italy, England, Japan and the U.S. He appeared in several arbitrations at the Olympics and frequently serves as an arbitrator under the rules of all major institutions. 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 and is a Freeman of the Worshipful Company of Arbitrators. He is qualified in Italy and in England and Wales. He is currently based in Miami, Florida.



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 two books 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 Law School. He is fluent in English and proficient in Spanish.



John Fellas

Partner at Hughes Hubbard & Reed

John Fellas is a partner in the New York office of Hughes Hubbard & Reed. He is co-chair of the firm's International Arbitration practice and co-chair of the International practice. John received a B.A. (Hons.) from the University of Durham, England, and both an LL.M. and an S.LD. from Harvard Law School. He is both a member of the New York City Bar Association and a solicitor of the Supreme Court of England and Wales. He has served as counsel, chair, sole arbitrator and co-arbitrator in arbitrations under the American Arbitration Association (AAA), International Chamber of Commerce (ICC) and ad hoc rules. John has also been retained to act as an expert witness on US law in proceedings in other countries. Among his other activities, he also serves on the Mediation Panel of the District Court for the Southern District of New York.



Gustav Flecke-Giammarco

Partner at Seven Summits Arbitration

Gustav Flecke-Giammarco regularly acts as counsel and arbitrator in domestic and international arbitral proceedings. Prior to setting up Seven Summits Arbitration, a Munich-based boutique law firm founded in 2017, Gustav was a Senior Associate in the litigation and arbitration practice group at Heuking Kühn Lüer Wojtek. Before joining Heuking Kühn Lüer Wojtek in 2015, Gustav worked at the Secretariat of the ICC International Court of Arbitration as Deputy Counsel (2009-2011) and Counsel (2011-2015). He is a guest lecturer at the University of Bonn, Swiss Arbitration Academy and Swiss International Law School. In addition, Gustav is a member of the editorial board of the Journal of International Arbitration and regularly publishes on international commercial arbitration.



Alma Forgò

Head of Commercial Litigation and Arbitration at Airbus SE

Alma Forgò is a German-qualified lawyer. Before joining Airbus, she worked as Deputy Counsel at the ICC International Court of Arbitration in Paris, where she was in charge of international arbitration cases mainly involving parties from Germany, Austria, Switzerland and the Baltic countries. Before joining the ICC, Alma trained in the International Arbitration departments of Wilmer Hale in London and of Freshfields Bruckhaus Deringer in Paris. Alma holds law degrees from the Universities of Munich and Paris II.



Rémi Garros-Quinn

Legal Case Manager at WIPO Arbitration and Mediation Center

Rémi Garros-Quinn is currently a legal case manager in the IP disputes section of the WIPO Arbitration and Mediation Center. He administers international commercial arbitrations and mediations related to IP and technology disputes, with specific focus on patent disputes in the context of commercial licensing and distribution agreements. He obtained his Master's Degree in Business Law from Université de Paris 1 Panthéon-Sorbonne in 2017 and the following year he received his LL.M. in International Dispute Settlement (MIDS) from the Graduate Institute of International and Development Studies. Remi teaches regularly in arbitration seminars and participates as a speaker in IP commercial arbitration conferences.



Giulio Giannini

Head of Legal Affairs and Compliance (Italy and Romania) at DS Smith

Giulio Giannini, admitted to the Italian Bar and Solicitor of England & Wales, serves as Head of legal affairs and compliance for the Italian and Romanian area at DS Smith. He also sits as Antitrust Compliance Officer for the Italian Companies of the DS Smith Group. Before joining DS Smith, he worked as International Legal Counsel at Snam and was subsequently Senior Legal Counsel for the Southern European area at GE Power. Giulio is also a member of the Advisory Board of Arblt (the Italian Forum for Arbitration and ADR) and practiced in the international arbitration department of major law firms.



Rosanna Grosso

Senior Counsel Litigation at Siemens AG

Rosanna Grosso plays a key role at Siemens in the strategic planning, early case assessment, preparation and defense of complex litigation and arbitration matters with a particular focus on international commercial disputes across various sectors and project disputes. She obtained an LL.M. in common law studies from Georgetown Law School. After working in Brussels, Shanghai, Stuttgart and Frankfurt, in 2002 she joined the legal department of Siemens in Munich. She started advising the sales and execution teams of the IT Business on international outsourcing transactions and moved on to assist the Mobility and Wind Divisions on complex international supply, system and plant projects. Rosanna speaks fluently English, German, French and Spanish.



Martin Gusy

Partner at K&L Gates LLP Head of the U.S. International Arbitration Practice

Martin Gusy is a partner in K&L Gates LLP's New York office and heads the firm's U.S. international arbitration practice. He has more than 15 years of international dispute resolution, litigation and corporate experience. Martin focuses on international arbitration and complex cross-border litigation involving private parties and sovereigns both as counsel and as an arbitrator covering matters in Africa, Asia, Australia, Europe, North and South America. Ranked in Chambers Global for his international arbitration expertise, he is civil/common law dual-licensed and his working languages include English, German, Spanish and French.



Hussein Haeri

Partner at Withers LLP Co-Head of the International Arbitration Group

Hussein Haeri is a Partner and Co-Head of the International Arbitration Group at the law firm Withers in London. Hussein advises and represents States, multinational corporations and international organisations on international arbitration matters around the world. He practised law in New York and Paris before returning to London where he is a Solicitor-Advocate of the Senior Courts of England and Wales. Hussein has taught international arbitration and international law at the London School of Economics, University College London and King's College London in the UK and at Sciences Po and the University of Versailles in France. He is recognised in Who's Who Legal (Arbitration: Future Leaders) and by Legal 500 as a Next Generation Lawyer.



Yasmine Lahlou

Partner at Chaffetz Lindsey LLP

Yasmine Lahlou, who is fluent in English, French, and Italian, has 15 years of experience of international arbitration and litigation and has been with Chaffetz Lindsey since 2009. She advises and represents U.S. and international clients on a range of commercial disputes, in both international arbitration and litigation proceedings. Initially trained in Paris and admitted both in Paris and New York, Yasmine is experienced in civil and common law systems. She has represented clients in arbitration proceedings conducted under the ICC, ICDR, LCIA, UNCITRAL and ad hoc rules. She has acted as a sole and co-arbitrator in ICC and SCC arbitrations. Yasmine practiced in Paris for over four years at Castaldi Mourre & Partners, before joining Clifford Chance in New York in 2005.





Founder at Studio Legale Landi in association with BeecheyArbitration

Niccolò Landi graduated in Law from the University of Siena and obtained an LL.M. on international commercial law from the University College Dublin. He is the founder of Studio Legale Landi in association with BeecheyArbitration. Previously, he was an attorney at Gianni, Origoni, Grippo, Cappelli & Partners where he specialized in international arbitration. Author of several legal publications and articles on arbitration, EU law and international sale of goods. Lecturer at the Master in Public Procurement Management for Sustainable Development and at the Master in International Trade Law at the International Training Centre of the International Labour Organization. Niccolò is a past Co-Chair of ArbIt (the Italian Forum for Arbitration and ADR).



Paolo Marzolini

Name Partner, Patocchi & Marzolini Attorneys-at-law

Paolo Marzolini is name partner of Patocchi & Marzolini Attorneys-at-law, a law firm based in Geneva specialising in international arbitration. Paolo acts as counsel representing clients and sits as arbitrator in a number of jurisdictions under various sets of arbitration rules. He has been involved in several major international arbitrations. Paolo has published exténsively on international arbitration and is often called as speaker in seminars dealing with arbitration-related matters and lecturer in international arbitration programmes. He is past Co-Chair and current member of the advisory board of ArbIt (Italian Forum for Arbitration and ADR) as well as member of IBA, ICCA, CIArb, ASA, the Ítalian Association for Arbitration (AIA), the Geneva Bar Association and the Pavia Bar Association.



Giulio Palermo

Partner at Archipel

Giulio Palermo is an arbitration specialist and a Swiss, Italian and Spanish qualified lawyer. He is a partner at the Geneva office of Archipel, a dispute resolution boutique with offices in Geneva and Paris. Over the past 10 years, he has been involved in over forty international arbitrations in English, Spanish, Italian and French, administered by all major institutions. He mainly acts as counsel and also sits as an arbitrator and is recognized among the most leading individuals in International Arbitration by Who's Who Future Leaders. Clients and peers single him out as "an excellent lawyer with unquestionable advocacy skills" who "tackles complex issues with ease and is a pleasure to work with". Giulio also advises clients on contractual matters, pre-arbitration assessments, negotiations, mediations and arbitration-related court. Giulio has published extensively on arbitration and is often called as a speaker in seminars dealing with international dispute resolution.



Luís Paradell Trius

Counsel at Freshfields Bruckhaus Deringer

Luís Paradell Trius is counsel in the international arbitration and public international law groups at Freshfields Bruckhaus Deringer in Rome. Lluís specialises in investor-state arbitration and investment protection. He is also involved in commercial arbitration, acting both as counsel and arbitrator. He has a Ph.D. in public international law from Cambridge University as well as degrees in international relations (Cambridge). European law (Brussels), and Spanish law (Barcelona). He is co-author of the book Law and Practice of Investment Treaties (Kluwer 2009).





Andrew G. Paton

Partner at De Berti Jacchia Franchini Forlani Studio Legale

Andrew G. Paton, an Australian national, has been working for 30 years in international commercial arbitration, both as legal counsel and as an arbitrator. Andrew is based in Rome and holds both common law and civil law qualifications (Italy, Australia and England). He has far-reaching experience in arbitration involving parties from different legal cultures, mainly in international trade, joint ventures, construction and investment and has acted as lead counsel in complex multi-jurisdictional disputes. Andrew is on the panel of several arbitral institutions in Europe and Asia, a member of the ICC Commission on Arbitration, a fellow of the CIArb, a founding member of Arblt, a member of the editorial board of the 'Rivista dell'Arbitrato'.



Giacomo Rojas Elgueta

Associate Professor of Private Law and Economic Analysis of Law at Roma Tre University, School of Law **Certificate's Director**

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 three 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. He is admitted to the Rome, Italy (2004) and New York Bar (2010). Giacomo is past Co-Chair of ArbIt and is actively involved in commercial and investment arbitration as counsel, expert witness and arbitrator. He has acted as sole arbitrator and co-arbitrator in various arbitration proceedings, both ad hoc and under the rules of the ICC and the Milan Chamber of Arbitration with seat in countries including Italy and Switzerland. Giacomo is currently partner at a newly-founded ar-bitration & litigation boutique.



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 November 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 is Head of Group Significant Litigations Department at Enel Group. She has extensive experi-ence in domestic and international arbitration and litigation in a variety of disputes in the energy sector. She has been involved in many arbitrations under a variety of applicable laws and arbitration rules in construction cases, as well as post-M&A and other transaction-related disputes. As in-house counsel she has handled many types of court proceedings and ad-vised on litigation tactics and many other issues di-rectly or indirectly bearing on pending or envisaged litigation. She graduated at Universidad CEU San Pablo (Spain) and holds a Master degree from Uni-versité Paris 1 Panthéon - Sorbonne. She is admitted to practice in Spain and Italy. Her working languages include English, Italian, Spanish and French.

Sylvia Tonova

Partner at Jones Day

Sylvia Tonova represents investors and states in investment treaty and commercial arbitrations for more than a decade. Her experience includes arbitrations conducted under the rules of ICSID and the ICSID Additional Facility, UNCITRAL, ICC, LCIA, and VIAC. She is also a member of the ICSID Panel of Arbitrators. Sylvia has extensive experience with investments in emerging markets and regularly advises on drafting arbitration clauses and structuring or restructuring investments to minimize political risks. Sylvia is recognized in Who's Who Legal: Arbitration -Future Leaders (2018) and Legal 500 (2018) and serves on the Executive Committee of the Institute for Transnational Arbitration and on the Advisory Board of Young ICCA.



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

6th Annual International Arbitration Lecture

In memory of Prof. Alberto Mazzoni

Globalization. A Deconstruction and Reformulation of Investor-State Arbitration within the Rubric of the UNIDROIT Principles. A Conceptual Journey

Pedro J. Martinez-Fraga

Co-Head, International Arbitration, BCLP - Adjunct Professor, NYU School of Law - ICSID Panel of Conciliators

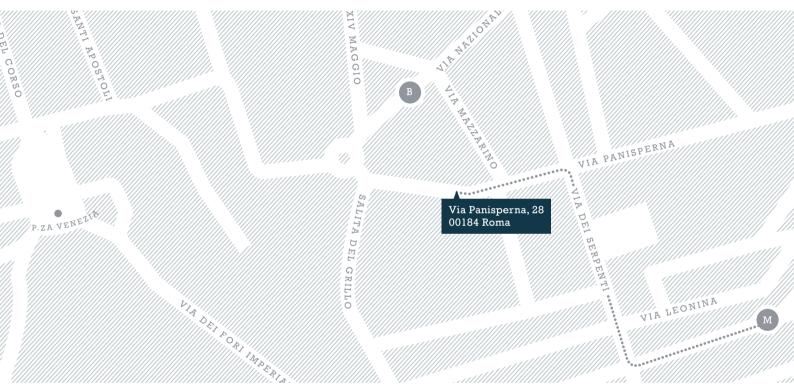
Welcome address

Ignacio Tirado - Secretary General of UNIDROIT; Professor of Commercial Law, Universidad Autónoma de Madrid

Andrea $\mathbb{Z}oppini$ - Professor of Private Law, Roma Tre University

Friday 20 September, 2019, 10.00

Followed by reception



Directions

The 6th Annual International Arbitration Lecture will be held at UNIDROIT

\mathbb{H} ow 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

- www.arbitrationcertificate.com
- arbitration.certificate@uniroma3.it
- The Certificate has requested the approval of the Consiglio Nazionale Forense for the recognition of 20 "professional education credits" to Italian lawyers attending the program

Visit www.arbitrationcertificate.com and download the registration form

Euro 550,00

Fees include:

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



Information

Registration





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





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