

# Cecilia Carrara

## PARTNER

*Cecilia Carrara has significant experience in the field of national and international, commercial and investment arbitration proceedings, both institutional and ad hoc, acting as counsel and as arbitrator. She further represents international and Italian companies in arbitration-related proceedings in front of the national courts, such as recognition and enforcement proceedings of arbitral awards. Cecilia has been admitted to practice before the Italian Supreme Court.*

*Cecilia also focuses on mergers & acquisitions, extraordinary corporate transactions and commercial contracts, mainly representing foreign clients investing in Italy. In particular, Cecilia is responsible for the Legance German desk, having a specific focus on German speaking countries and Eastern Europe. Cecilia coordinates the corporate social activities of the Firm.*

*Cecilia is a member of the Steering Committee of the Pledge and the IBA Task Force in charge of reviewing the 2010 IBA Rules on the Taking of Evidence in International Arbitration. She is co-founder of ArbIt (the Italian Forum for Arbitration and ADR) and member of its Advisory Board.*

*Cecilia is also member of the board of directors of AIA (Associazione Italiana per l'Arbitrato).*

*She has been a member of the ICC International Court of Arbitration from July 2015 until January 2020, of the Board Council of ICC Italy from January 2018 until May 2019, co-chair of the arbitration working group of ASLA (the Association of Italian Law Firms) from January 2014 to November 2019 and Vice Chair of the Host Committee of the IBA Annual Conference held in Rome in October 2018. She has also been a member of the ICC Task Force on Emergency Arbitrator Proceedings and of the ICC Task Force on Arbitration of Climate Change Related Disputes. Cecilia is also a member of DIS and has been in charge of reviewing the translation into Italian of the new DIS Rules as well as the update of the translation into German of the new Rules of the Milan Chamber of Arbitration. As from May 2020 she is member of the PROLAW advisory board (Rule of Law for Development Program - Loyola University Chicago School of Law).*

*Cecilia Carrara is mentioned in several international publications as follows: "Cecilia is very proactive and is able to provide sophisticated advice at short notice", "an extremely able lawyer and arbitrator", "she's highly intelligent and good to work with, with a broad legal knowledge" (WWL 2021), "a practitioner to admire" and "a great lawyer", "very diligent in arbitration proceedings, with deep experience in post-M&A disputes" (WWL 2020), "an experienced international arbitration specialist" (Chambers and Partners 2020), "She is excellent" (Chambers and Partners 2019), "able to quickly grasp the issues and is a very intelligent lawyer who has in-depth knowledge of international arbitration" (Chambers and Partners 2018), "pleasure to work with", "highly recommended both as counsel and arbitrator" (WWL 2018).*

*In 2019 Cecilia has been ranked by Leaders League in "excellent tier", for the area Litigation & Arbitration-Commercial Litigation – Italy Law Firm.*







*Cecilia Carrara was identified by Global Arbitration Review and Who's Who Legal 2019, 2018 as one of the world's leading commercial arbitration experts.*

## PROFESSIONAL EXPERIENCE

- Partner** | 2011  
Legance – Avvocati Associati, Rome, Italy
- Senior Counsel** | 2009 – 2010  
Legance – Avvocati Associati, Rome, Italy
- Professor** | 2006 – 2016  
of comparative corporate law, Università "LUISS – Guido Carli", Rome, Italy
- Partner** | 1997 – 2009  
Studio Legale Macchi di Cellere Gangemi, Rome, Italy
- Experience Abroad** | 2000  
Visiting lawyer, Hengeler Mueller, Berlin, Germany



## INFO

-  **Date of Birth**  
19<sup>th</sup> September 1975
-  **Telephone**  
+39 06 93 18 271  
**Fax**  
+39 06 93 18 27 403
-  **E-Mail**  
ccarrara@legance.it
-  **Website**  
www.legance.com
-  **Office**  
Rome, Italy
-  **Languages**  
Italian  
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German  
French  
Spanish

## PRACTICE AREAS



Dispute Resolution



Corporate Finance

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## EDUCATION





- 2010**  
Supplementary specialization training for Mediators, ADR Center, Rome, Italy
- 2005**  
Ph.D., Comparative and International Private Law, Humboldt Universität, Berlin, Germany
- 2000**  
Admitted to the Bar. Member of the Rome Bar, Italy
- 1999**  
LL.M., Comparative and International Private Law, Humboldt Universität, Berlin, Germany
- 1997**  
Law Degree, summa cum laude, Università "LUISS - Guido Carli", Rome, Italy

## PUBLICATIONS

Cecilia Carrara is the author and co-author of numerous articles and commentaries including:

- > *"The multiple usages of the UNIDROIT principles and the rules governing limitation"*, The multiple uses of the unidroit principles of the international commercial contracts: theory and practice, Galizzi, Rojas Elgueta, Veneziano, Giuffrè Contratti & Commercio Internazionale, November 2020;
- > *"The Impact of Cognitive Science and Artificial Intelligence on Arbitral Proceedings – Ethical Issues"*, Austrian Yearbook on International Arbitration 2020, February 2020;
- > *Competition Litigation Comparative Legal Guide*, The Legal 500, August 2019;
- > *"International Arbitration Q&A"*, Chambers and Partners, August 2019;
- > *"I nuovi fronti della Class Action"*, Il Sole 24 Ore, 22.05.2019;
- > *"How to productively conduct a case management conference – well begun is half done"*, New York Dispute Resolution Lawyer, Spring 2019, 43;
- > *"An Italian Perspective"*, ICC Dispute Resolution Bulletin 2018 | ISSUE 3;
- > *"New York Convention 60 years later: a never-ending search for a balance between comitas and internationality"*, Rivista dell'Arbitrato, Anno XXVIII Fasc. 1 – 2018;
- > *"Challenge of arbitral award for errors of law: Italian Constitutional Court upholds double-track mechanism"*, Practical Law, 2018;
- > *"Doing Business 2018: Reforming to Create Jobs"*, World Bank Group, 2018;
- > *"Danni punitivi, un'apertura alla nuova responsabilità civile"*, Il Sole 24 Ore, 08.07.2017;
- > *"Gli effetti dei lodi arbitrali e l'acquisto dell'efficacia esecutiva"* in Commentario breve al diritto dell'arbitrato nazionale ed internazionale, L. Melchionda, C. Carrara, Wolters Kluwer - CEDAM 2<sup>a</sup> Edition, 2017;
- > *"Liability of directors and statutory auditors is an arbitrable matter (Italian Supreme Court)"*, Practical Law, 2017;
- > *"Italian Supreme Court decides important issues regarding international arbitration agreement"*, Practical Law, 2017;
- > *"Recusal of arbitrator cannot be appealed (Italian Court of Cassation)"*, Practical Law, 2017;
- > *"Note sulla consulenza tecnica negli arbitrati della CAM alla luce della prassi dell'arbitrato internazionale"*; La consulenza tecnica nel giudizio arbitrale, Azzali, Rojas Elgueta, Zoppini, Giuffrè 2016, pp 198 and ss;
- > *"Partial award on jurisdiction or preliminary issues not immediately challengeable before Italian courts (Italian Court of Cassation)"*, Practical Law, 2016;
- > *"Italian courts tend to uphold arbitral awards, study concludes"*, Practical Law, 2016;
- > *"Getting the Deal Through: Arbitration 2016" / "Italy"*, Law Business Research, 2016;
- > *"L'arbitrato per attrarre investimenti in Italia"*, La Voce, 21.07.2015;
- > *"L'arbitrato societario allarga i confini"*, Il Sole 24 Ore, 20.09.2015;
- > *"Getting the Deal Through: Arbitration 2015" / "Italy"*, Law Business Research, 2015;
- > *"Giurisdizione italiana in materia fallimentare ed effetti del fallimento dichiarato all'estero, Trattato delle procedure concorsuali"* (The jurisdiction of the Italian courts in insolvency matters and the effects of insolvency proceedings opened abroad), Trattato delle Procedure Concorsuali, supervised by Lucio Ghia, Carlo Piccininni, Fausto Severini, Utet, 2010;
- > *"The new rules on mediation in civil and commercial matters"*, Commentary on Articles 6 and 7, edited by Bandini/Soldati, ISDACI, Giuffrè 2010;
- > *"COMI – Forum shopping and why timing is crucial"*, Eurofenix, Summer 2008, 20;
- > *"Regole di condotta per i colloqui di selezione degli arbitri"* (Rules of conduct for interviewing prospective arbitrators), Rivista dell'Arbitrato, 2008, 117;

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- > *"Lo stato di insolvenza nel diritto fallimentare americano"* (The concept of insolvency under US insolvency law), Stato di Crisi e stato di insolvenza, edited by G. Terranova, G. Giappichelli Editore, 2007;
- > *"The Parmalat Case"*, RabelsZ, June/July 2006;
- > *"Interessenkonflikte bei Interessenwahrungsverträgen – Eine rechtsvergleichende Untersuchung nach italienischem und deutschem Recht und unter Berücksichtigung des Common Law"* (Conflicts of interest in agency relationships - A comparative study between Italy, Germany and common law legal systems), Berliner Wissenschaftsverlag, 2005;
- > *"Il conflitto di interessi nell'arbitrato commerciale"* (Conflicts of interests in commercial arbitration), Diritto e Pratica delle Società, 23.05.2005;
- > *"I principi europei di diritto fallimentare: un recente progetto accademico per l'individuazione di principi comuni europei sul fallimento"* (The European principles of insolvency law: a recent academic project for the development of common European principles on insolvency), Riv. dir. fallim. e delle società commerciali, n. 3-4 /2004;
- > *"Main changes in the system of corporate controls after the reform of Italian joint stock companies"*, Diritto e Pratica della Società, n. 11-18.06.2014;
- > *"Critical Analysis of the New Italian Rules on Arbitration in Corporate Matters"*, International arbitration law review, n. 7/2004;
- > *"Le nuove regole del governo societario negli Stati Uniti e in Europa"* (The new rules of corporate governance in the U.S.A. and in Europe), Luiss University Press, Roma, Co-Autore con V. Panzironi, a cura di E. Ruggiero, 2004;
- > *"L'onere della prova e i criteri di collegamento con un ordinamento straniero"* (The burden of proof and the elements of connection with foreign legal systems in international private law), Il Foro Padano, n. 4/2003;
- > *"Disapplicazione della "legge Prodi" ed esercizio dell'azione revocatoria"* (Disapplication of the "Prodi law" and exercise of the revocatory action), Riv. dir. fallim. e delle società commerciali, n. 2/2002;
- > *"Giurisdizione italiana in materia fallimentare ed effetti del fallimento dichiarato all'estero"* ("The jurisdiction of the Italian courts in insolvency matters and the recognition of foreign insolvency proceedings), Riv. dir. fallim. e delle società commerciali, n. 3/2002;
- > *"Il caso Centros Ltd. c. Erhvervs -og Selskabsstyrelsen e il criterio di collegamento internazionalprivatistico della sede effettiva"* (The case Centros Ltd. c. Erhvervs -og Selskabsstyrelsen and the "real seat" doctrine in the conflict of laws principles), Riv. dir. fallim. e delle società commerciali, n. 4/2001;
- > *"Principles of European Law on Security Rights / Italian Chapter"* – ed. Prof. S. Kortmann (Neijmegen University), Kluwer.



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