

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 is a member of Legance's Sustainability Committee.

Cecilia is a member of the Steering Committee of the Pledge and a 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, of the ICC Task Force on Arbitration of Climate Change Related Disputes and of 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.

As from December 2021, Cecilia is a member of the Beirat of DIS.

Cecilia Carrara is mentioned in several international publications as follows: "technically good in arbitration. She is estimated and appreciated" (Chambers and Partners 2022), "a very knowledgeable lawyer" and "a specialist in arbitration" (Chambers and Partners 2021), "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).







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

Cecilia Carrara has been identified by Who's Who Legal - Global Arbitration Review in 2021, 2020, 2019 and 2018 as one of the world's leading experts on commercial arbitration, and she is mentioned 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" (2021), "a practitioner to admire" and "a great lawyer", "very diligent in arbitration proceedings, with deep experience in post-M&A disputes" (2020), "pleasure to work with", "highly recommended both as counsel and arbitrator" (2018).

Cecilia is also recommended in The Legal 500 as a Next Generation Partner (2022, 2021) as follows: "Cecilia Carrara is an excellent professional in the field of Italian disputes, and certainly among the best when it comes to international arbitration. Competent, very helpful and dedicated to customers", (2022).



INFO

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PRACTICE AREAS



Dispute Resolution



Corporate Finance

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PARTNER

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

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 new Italian Arbitration legislation will make Italy a more popular seat for international cases"*, co-author with Sven von Mensenkampff, Leaders League, March 2022;
- > *"Il third-party funding: evoluzione storica e ruolo nell'arbitrato internazionale"*, Trattato di Diritto dell'Arbitrato, Vol. XII, Edizioni Scientifiche Italiane, 2021;
- > *"Being vs. Doing in the Relationships Among Arbitration Practitioners"*, New York Dispute Resolution Lawyer, Vol. 14, No. 1, 2021;
- > *"Arbitration procedures and practice in Italy: overview"*, Practical Law Global, Thomson Reuters, 2021;
- > *"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' Edition, 2017;

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

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- > *"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;*
- > *"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 internazionale/privatistico 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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LIST OF SELECTED INTERNATIONAL COMMERCIAL AND INVESTMENT ARBITRATIONS







CASES AS ARBITRATOR

- > Chair - LCIA arbitration seated in London between two Romanian citizens against a Dutch company (pending)
- > Chair - DIS arbitration seated in Frankfurt am Main between a German company and three African companies in relation to an agreement regulated by German law (pending)
- > Chair - ICC arbitration seated in Milan (Italy) between an Italian company and two Italian individuals against a U.S. Company to an agreement regulated by Italian law (pending)
- > Co-arbitrator - ICC arbitration seated in Milan involving a number of companies and individuals of different nationalities against a Dutch company in relation to a dispute concerning a share purchase agreement governed by Italian law (pending)
- > Co-arbitrator - ICC arbitration seated in Chicago (U.S.A.) and governed by the laws of the state of New York (U.S.A.). The dispute involves three US entities (one as Claimant and two as Respondents) in relation to purchase orders (pending)
- > Sole arbitrator - ICC arbitration seated in Milan between an Italian company and a Serbian company in relation to a sale of goods agreement governed by Italian law (pending)
- > Chair - DIS arbitration seated in Frankfurt am Main between a German company and a Chinese company in relation to an agreement regulated by German law (pending)
- > Co-arbitrator - ICC arbitration seated in London between two Saudi Arabian companies in relation to a subcontract agreement governed by English law and the laws of the Kingdom of Saudi Arabia
- > Sole arbitrator - ICC tribunal seated in Geneva and governed by Swiss law between a Qatar company and a French Company
- > Chair - ICC arbitration seated in Rome and governed by Italian law between an Italian subsidiary of a US group and several Italian and French entities
- > Sole arbitrator - DIS arbitration seated in Stuttgart between a German company and a Philippine company in connection with the non-performance of a sale and purchase agreement concerning high-end audio systems regulated by German law
- > Co-arbitrator - ICC arbitration seated in Hamburg governed by German law, between an Italian entity and the German subsidiary of a multinational group concerning a dispute arising out of a services and logistics agreement
- > Chair - ICC arbitration seated in Utrecht and governed by Dutch law between a German entity and an Austrian entity, concerning a dispute arising out of several related supply agreements
- > Sole Arbitrator - ICC arbitration seated in Bucharest regarding a turnkey EPC contract governed by the FIDIC Conditions between a Romanian State-owned entity and a Turkish contractor
- > Sole Arbitrator - ICC arbitration seated in Innsbruck between a German entity and an Austrian entity in connection with the non-performance of sale and purchase agreements concerning industrial supplies regulated by the Austrian law
- > Co-arbitrator - CAM arbitration seated in Milan concerning the breach of an investment contract and of a shareholders agreement, as well as the breach of relevant management agreements between the investment fund and the minority shareholder
- > Co-arbitrator - CAM arbitration seated in Milan between an Italian multinational beverage company and an agent operating in Africa, in connection with the termination of the agency contract
- > Co-arbitrator - two connected ICC arbitrations seated in Geneva and governed by the UK law, between an Italian group and an Egyptian group
- > Co-arbitrator - LCIA arbitration seated in London governed by German law between an Austrian and an Estonian company in connection with post M&A issues and termination of investment contracts
- > Chair - LCIA arbitration seated in Barcelona governed by Romanian law in connection with the non-performance of two "Soft EPC" contracts for the construction of two photovoltaic plants in Romania

CASES AS COUNSEL

- > Counsel to two companies (Italian and English) against an Indian company in a commercial arbitration proceedings seated in Rome (Italy) and pending before the ADR Center of Rome (Italy), involving a sale and purchase agreement (pending)
- > Counsel to a Turkish company against an Italian company in an ICC arbitration proceedings seated in Geneva (Switzerland) concerning a design agreement
- > Co-Counsel to a foreign sovereign State (Kazakhstan) in recognition proceedings in Italy and enforcement issues connected to a foreign award obtained by foreign investors arising out of an investment arbitration seated in Sweden (pending)

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- > Counsel in a CAM arbitration seated in Milan and governed by Italian law between an Italian party and two Italian defendants concerning a dispute arising out of a share purchase agreement related to an investment in the Czech Republic (pending)
- > Counsel in a CAM arbitration seated in Milan and governed by Italian law between a Kenyan party and an Italian defendant residing in Switzerland concerning a dispute arising out of a settlement agreement (pending)
- > Counsel for an Italian multinational group in an ICC arbitration seated in Paris in relation to the application and termination of a distribution contract with a Chinese entity. The dispute entailed also parallel litigation in China. Our team assisted the Italian company in the arbitration, as well as in the coordination of the procedural strategy in front of the Chinese courts
- > Counsel to TFA (together with the law firm White & Case), the Italian bondholders association representing around 60,000 Italian investors, in the famous ICSID arbitration proceedings pending against the Republic of Argentina, as a consequence of the default of the Argentina's Republic
- > Counsel to two Spanish construction companies in CAM arbitration proceedings seated in Milan against a number of energy companies, all of which were ultimately governed by a Chinese company controlling a Luxembourg investment fund, initiated in order to ascertain the liability of the energy companies and controlled SPVs for the unlawful termination of a turnkey EPC contract. Our team also assisted the client in relation to parallel criminal and labour litigations
- > Counsel to a US multinational in ICC arbitration proceedings seated in Milan against two Irish Companies controlled by an Italian entity, due to the alleged breach of a long-term supply agreement; the arbitration also involved several complex IP issues and parallel litigation in front of the US courts
- > Counsel to an Italian company in an ICC arbitration seated in Milan, in connection with the termination of a licence and distribution agreement with a Kuwaiti company. The matter is complicated by the existence of parallel litigation in Kuwait, including the opposition to the enforcement of the award (pending)
- > Counsel to a German company in an ICC arbitration seated in Milan, concerning the alleged breach of a long term supply agreement and of a JV agreement with an Italian company
- > Co-Counsel to a German company in an international arbitration governed by the Swiss Arbitration Rules and seated in Zurich, claimed by an Italian company and concerning the alleged breach of a SPA for culpa in contrahendo
- > Counsel to Ufficio Centrale Italiano – UCI (the National Italian Insurance Bureau) against the Versicherungsverband Österreich - VVO (the National Austrian Insurance Bureau) in arbitration proceedings arising out of insurance claims arising out of a major cross-border accident with many casualties. The arbitration was seated in Milan and was governed by the Internal Regulations of the Council of Bureaux (COB), as to the substantive law, and by the UNCITRAL Arbitration Rules, as to the procedural law



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