

# Curriculum Vitae

## INFORMAZIONI PERSONALI

*Cittadinanza*

*Data di nascita*

## ESPERIENZE PRINCIPALI

### ACADEMIC DEGREES/QUALIFICATIONS

### EDUCATION/TITLES/POSITIONS HELD

## Ugo Draetta

Italiana

- Past Professor of International Law at the Catholic University of Milan.
- Course taught in 2006 at The Hague Academy of International Law on Internet and Electronic Commerce in International Business Law.
- Graduation from the Academy of American and International Law, at the International and Comparative Law Center, University of Texas at Dallas – South-Western Legal Foundation (1976).
- L.L.B., summa cum laude, Naples University School of Law.  
PhD in International Law equivalent ("Libera docenza") (1968).
- Admitted to the Milan Bar (1967).
- Member of the Council of the ICC Institute of World Business Law.
- Member of the ICC Commission on Arbitration and ADR.
- Member of the Arbitration Chamber of the Italian Anti-corruption Authority.
- Member of the Club of Arbitrators, c/o the Milan Arbitration Chamber.
- Included in the arbitrators' panel of DIAC (Dubai International Arbitration Center).
- Included in the arbitrators' panel of VIAC (Vienna International Arbitration Center).
- Included in the arbitrators' panel of KLRCA (Kuala Lumpur Regional Centre for Arbitration).
- Member of the Scientific Committee of the Italian Arbitration Association (AIA).
- Co-founder and co-editor of the review "Diritto del Commercio Internazionale".
- Member of the Scientific Committee of the Revue de droit des affaires internationales/ International Business Law Journal, published by Sweet & Maxwell.
- Corporate Counsel Advisory Editor of the European International Arbitration Review, published by JurisNet.

## EDUCATION/TITLES/POSITIONS HELD

- Member of the International Advisory Board of Transparency International (TI, a NGO dealing with the fight of corruption) (from 2000 to 2015) and founder of the Italian Chapter of TI.
- Delegate of the Italian Government at the OECD Working Group on Bribery (from 2002 to 2004 and occasionally afterwards).
- Delegate of the Italian Government at the UNCITRAL Working Group on e-commerce (from 2002 to 2004).
- Chairman, upon nomination from the Italian Government, of the Stability Pact Anticorruption Initiative (SPAI) headquartered in Brussels (from 2001 to 2007).
- Honorary member of AIGI (Italian Association of Company Counsel).

## PAST AND CURRENT PROFESSIONAL EXPERIENCE

January 1999 to present

- July 1964 to June 1978 – General Counsel and Secretary of the Italian subsidiary of General Electric Co. (USA) and then General Counsel – Europe Business Division of General Electric Co. (USA), based in Brussels.
- September 1978 to July 1980 – General Counsel and Secretary of FIAT SpA, based in Turin.
- August 1980 to September 1987 – Division Counsel – International Construction Business Division of General Electric, Power Systems Group, based in the USA (Westport, CT).
- October 1987 to December 1998 – Vice President and Senior Counsel – International of General Electric Co (USA), based in London.
- September 2002 – March 2003 – Member of the Board of Directors of FIAT SpA.
- Consultant to major US and Italian corporations.
- Arbitrator in international commercial arbitrations (ICC, UNCITRAL, IAA, Milan, Madrid, Vienna and Dubai international arbitration chambers, ad hoc arbitrations) – almost 80 cases since 2000.
- Vice President of the Board of Directors of GE Italy Holding SpA.
- Member of the Board of Directors of GE Medical Systems Italia SpA
- Member of the Board of Directors of GE Healthcare Srl
- Chairman of the Board of Directors of GE Capital Interbanca (until November 2016).
- Independent Member of the Surveillance Body of ENI SpA (from 2014 to 2020).
- Chairman of the Surveillance Body of EF Solare Italia SpA (from 2017 to 2019).
- Chairman of the Surveillance Body of Enel Distribuzione Srl (from 2019 to 2020).
- Chairman of the Surveillance Body of Enel Italia Srl (from 2017 to 2020).
- Chairman of the Surveillance Body of Enel Green Power Italia Srl (from 2020).
- Member of the Surveillance Body of Enel Produzione Srl (from 2020).

## ARBITRATION EXPERIENCE AND AREAS OF EXPERTISE

■ Areas of expertise: International law; lex mercatoria; EU law; antitrust law; conflicts of laws and procedure; intellectual property law; construction contracts; agreements for the sale of goods; merger and acquisition agreements; shareholders' and joint venture agreements; R&D agreements; distribution agreements; telecommunications, State contracts; investment projects.

■ Arbitration experience: see separate page.

## MAIN PUBLICATIONS

*Author of many publications in the fields of international law, industrial law, international trade law, EU law, including the following:  
Università di Roma "La Sapienza"*

- The Dark Side of Arbitration, JurisNet, Huntington, New York, 2018.
- Monads or Triads: Conflict and Cooperation Among Arbitrators, JurisNet, Huntington, New York, 2016.
- Cooperation Among Arbitrators in International Arbitration, in Indian Journal of Arbitration Law, vol. 5, Issue 1 (2016), at 107-146.
- Internal Conflicts Among Arbitrators in International Arbitration, in Diritto del Commercio Internazionale/The Law of International Trade, 2016, at 47-93.
- The Transnational Procedural Rules for Arbitration and the Risks of Overregulation and Bureaucratization, in ASA Bulletin, vol. 33, n. 2, at 327-342.
- Counsel as Client's First Enemy in Arbitration?, JurisNet, Huntington, New York, 2014.
- Potential Inefficiencies Caused by the Document Production Process in International Arbitration, in Les cahiers de l'arbitrage, n. 2014/2, at 225-242.
- Italy as a Place for International Arbitrations: the Myths of the "Italian torpedo", the "Irritual" Arbitration et alia, in Revue de droit des affaires internationales/International Business Law Journal, 2013, at 159-166.
- What Does "Ethics in Arbitration" Really Mean, in European International Arbitration Review (EIAR), Vol. 1 / No.1, 57-72, 2012 JurisNet.
- International Arbitration as a Public Function: Some Short Considerations, in Revue de droit des affaires internationales/International Business Law Journal, 2012, pp. 319-326.
- The 1980 United Nations Convention on Contracts for the International Sale of Goods and Arbitration, in Revue de droit des affaires internationales/International Business Law Journal, 2012, pp. 193-206.
- Les dynamiques du délibéré dans l'arbitrage : quelques réflexions personnelles, in Revue de droit des affaires internationales/International Business Law Journal, 2011, pp. 219-229.
- Behind the Scenes in International Arbitration, JurisNet, Huntington, New York, 2011.
- Short Practical Notes on Security for Costs in Arbitration, in Les cahiers de l'arbitrage, n. 2011/1, pp. 77-87.
- Dispute Resolution in International Construction Linked Contracts, in Revue de droit des affaires internationales/International Business Law Journal, 2011, pp. 69-83.
- Arbitration Exception and Brussels I Regulation: No Need for Change (with A. Santini), in Revue de droit des affaires internationales/International Business Law Journal, 2009, pp. 741-748.
- The Role of In-House Counsel in International Arbitration, in (2009) 75 Arbitration 468.

## MAIN PUBLICATIONS

- Leveraging the Arbitral Process to Encourage Settlement: Some Practical and Legal Issues, in *Revue de droit des affaires internationales/International Business Law Journal*, 2009, pp. 487-496.
- Arbitration in international construction contracts: selected practical problems, in *Les cahiers de l'arbitrage*, n. 2008/4, pp. 13-22.
- The International Arbitration Clause: Essential and Optional Elements – An Update, in *Revue de droit des affaires internationales/International Business Law Journal*, 2004, p. 577 et seq.
- Internet et commerce électronique en droit international des affaires, *Recueil des cours de l'Académie de droit international de La Haye*, tome 314 (2005).
- Breach and Adaptation of International Contracts. An Introduction to *Lex Mercatoria*, Butterworth (USA), 1992 (with R. LAKE and V. NANDA)
- Letters of Intent and Other Precontractual Documents. Comparative Analysis and Forms, Butterworths, USA, 1990 e 1994 (Second edition) (with R. LAKE)
- Contrats internationaux – Pathologie et Remèdes, Bruylant, Bruxelles, 1996 (with R. LAKE).
- Les clauses de Force Majeure et de Hardship dans les contrats internationaux, in *Revue de droit des affaires internationales/International Business Law Journal*, 2002, p. 347 et seq.
- Il regime internazionale della proprietà industriale, Milano, Giuffrè, 1967.
- Il diritto dei contratti internazionali. La formazione dei contratti, Padova, CEDAM, 1984.
- Il diritto dei contratti internazionali. La cooperazione tra imprese, Padova, CEDAM, 1985.
- Il diritto dei contratti internazionali. La patologia dei contratti, Padova, CEDAM, 1988.
- Clausole abusive e contratti conclusi dai consumatori, Research for the Chamber of Commerce of Milan, edited with Parisi, Rinoldi, Chamber of Commerce, Milan, 2001.
- Elementi di diritto dell'Unione Europea, Giuffrè, Milano, Fifth edition, 2009.
- Principi di diritto delle organizzazioni internazionali, Giuffré, Milano, Fourth edition, 2020.

## LANGUAGE SKILLS

- Mother language: Italian
- Fluent in English, French
- Reads and understands Spanish
- Basic knowledge of German, Portuguese