

UGO DRAETTA – Curriculum Vitae

ACADEMIC DEGREES/QUALIFICATIONS

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).

EDUCATION/TITLES/POSITIONS HELD

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.

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

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.

January 1999 to present:

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:

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.
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, Giuffrè, Milano, Fourth edition, 2020.

LANGUAGE SKILLS

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