



Newsletter dell' Arbitration Team

26 May 2020

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[The ICC Guidance Note on Possible Measures Aimed at Mitigating the Effects of the COVID-19 Pandemic](#)

On 9 April 2020, the ICC issued the *Guidance Note on Possible Measures Aimed at Mitigating the Effects of the COVID-19 Pandemic* (the ICC Guidance Note), which encourages counsel, parties and arbitrators to manage arbitrations in a fair, expeditious and cost-effective manner, in spite of the pandemic. Amongst the tools suggested in the ICC Guidance Note to mitigate the possible delays caused by COVID-19 there is the invitation to parties to accept electronic services of awards which are collated electronically (i.e. they do not bear a certified e-signature of the arbitrators but a mere scan of the handwritten signature). As a result, no “original” award will actually come into existence or be deposited at the ICC Secretariat. In this article I explore whether or not this tool is effective when arbitrations are seated in Italy. Federica Bocci – Continue reading

[Arbitration proceeding in the time of Coronavirus](#)

The present paper explains the reasons why the measures regarding civil proceedings adopted by the Italian government in the so called Decreto cura Italia to prevent the spread of the Covid-19 contagion and to overcome the health and financial crisis of the country should apply also to pending arbitral proceedings. Such an applicability has been explicitly confirmed by the Italian legislator in law n. 27 of 24 April 2020, as far as the “arbitrato rituale” is concerned. Nevertheless doubts remain as to the “arbitrato irrituale”. Giuseppina Leoncavallo – Vittoriana Todisco – Continue reading

[Arbitration agreements between a private party and the Italian Public Administration](#)

Through the years, the stratification of the laws on the arbitrability of disputes between private parties and the Italian Public Administration has led to an increasing confusion among practitioners. Lastly, the Anti-Corruption Law introduced the requirement of prior authorization of the arbitration agreement. How does this requirement operate and how does it affect the already existing arbitration agreements? Giuseppe Giancarlo Franco – Continue reading

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