



MILAN
CHAMBER OF
ARBITRATION

Criminal Law in Arbitration

Catch me if you can!

Milan, 29 November 2024

15th CAM Annual conference

BIO OF THE SPEAKERS



Paolo Marzolini

Founding Partner of Patocchi & Marzolini, Geneva

**Chair of the 15th
CAM Annual
Conference**

Paolo Marzolini is a founding partner of Patocchi & Marzolini (Geneva).

Paolo acts as counsel and sits as arbitrator in Switzerland and a number of other jurisdictions under various sets of arbitration rules (including, but not limited to, the ICC Rules, Swiss Rules, LCIA Rules, UNCITRAL Rules, DIAC Rules, ISTAC Rules, VIAC Rules, DIS Rules, CAM Rules, CAS Rules, JAMS Rules, QICCA Rules and WIPO Rules).

Paolo has experience as member of dispute boards in complex construction projects. Paolo has been serving as a member of the Court of the Swiss Arbitration Centre (“Court”) since 1 June 2020, as a member of the Court’s Special Committee since 1 July 2022 and as Secretary to the Court since 1 January 2024.



Michele Potestà

Partner, Lévy Kaufmann-Kohler
(Geneva)

PANEL 1

*The Interplay between
Criminal Law and
International
Arbitration*

Michele Potestà is a partner at Lévy Kaufmann-Kohler, specializing in international commercial and investment arbitration and public international law.

With over 50 cases under major arbitral rules, he handles complex disputes in energy and natural resources, real estate, pharmaceuticals, telecommunications, and more, frequently involving states and state entities.

He has advised sovereign states on investment treaty programs and currently acts as an expert advisor to the Swiss Government on ISDS reforms with UNCITRAL. Michele is on the ICSID Panels of Arbitrators and Conciliators and the European Commission's list of arbitrators for trade and sustainable development disputes. He is also a panel member for VIAC, LCIA, SIAC, AIAC, KCAB International, and Delos.



Mark Pieth

Former Professor of Criminal Law,
University of Basel

PANEL 1
*The Interplay between
Criminal Law and
International
Arbitration*

Mark Pieth was, up to his retirement in 2020, a Swiss Professor of Criminal Law specialized in economic and organized crime.

He has chaired the OECD Working Group on Bribery for 24 years and assumed many roles in international organisations, namely as Member of the Independent Inquiry Committee into the UN's Oil-for-Food Programme.

He holds an Honorary Doctorate of the University of Sussex (UK).

Currently Prof. Pieth is running a law firm specialized on expert opinions in international cases.



Mohamed Shelbaya

Founding Partner at Gaillard
Banifatemi Shelbaya Disputes

PANEL 2

***Arbitrating Pleas of
Illegality: Corruption
and Beyond***

Mohamed Shelbaya, a founding partner at Gaillard Banifatemi Shelbaya Disputes, is renowned as a leading figure in arbitration.

Formerly a partner at Shearman & Sterling LLP for over twelve years, he specialized in oil and gas and Middle Eastern disputes. Mohamed has handled over 80 significant commercial and investment treaty cases, achieving landmark victories in high-stakes disputes.

He serves as an arbitrator in various roles and teaches investment arbitration at Sciences Po Law School. Clients and peers praise him as one of the top global lawyers in oil and gas disputes. Mohamed was also featured in the 2023 edition of Global Arbitration Review's "45 Under 45."



Loukas Mistelis

Partner, International Arbitration,
Clyde & Co LLP and Clive M
Schmitthoff
Professor of Transnational Law and
Arbitration, Queen Mary University of
London

PANEL 2
*Arbitrating Pleas of
Illegality: Corruption
and Beyond*

Professor Loukas Mistelis is an International Arbitration Partner at Clyde & Co LLP in London and the Clive Schmitthoff Professor of Transnational Commercial Law and Arbitration at Queen Mary University of London.

Renowned for his expertise in international dispute resolution and investment treaty law, he has been recognized as a leading figure in arbitration since 2006 and listed as a Global Thought Leader in International Arbitration since 2017.

Loukas regularly serves as an arbitrator and counsel, handling cases under various rules (ad hoc, ICC, ICSID, LCIA, UNCITRAL, and more) across a broad range of industries and countries. His experience spans foreign investment, sales contracts, aviation, finance, construction, and natural resources, among others.



Attila Tanzi

Professor of International Law,
University of Bologna
Associate Member - 3VB Chambers,
London

CASE STUDY
The *Enrica Lexie* Case

Attila Tanzi, PhD, is Professor of International Law at the University of Bologna. He was a visiting professor at Queen Mary University of London, at the University of Paris 2 Panthéon-Assas and the University of Vienna, and director of studies at the Hague Academy of International Law. He is a member of the Permanent Court of Arbitration, a member of the ICSID Panel of Arbitrators, a member of the Supervisory Board of the Tashkent International Arbitration Centre, a member of the International Supervisory Board of the Organisation of Islamic Cooperation Arbitration Centre (OIC-AC).

He was a legal advisor to the Italian Ministry of Foreign Affairs and the Ministry of Environment. On several occasions, he was a member of Italy's delegation to the Sixth Committee (Legal) of the UN General Assembly and international diplomatic conferences.

He regularly advises governments and international organisations on international law matters, including questions concerning investment law, treaty interpretation, environmental law, the law of the sea, State immunity, the law of international organisations and international procedural law.



Kathrin Betz

Attorney at Law at Betz Law
(Basel)

Co-Founder of the Competence
Centre Arbitration and Crime

PANEL 3
Focus on Evidence

Dr. iur. Kathrin Betz is attorney at law in Basel, Switzerland, admitted to all Swiss courts.

Her areas of practise include:

- Criminal law (criminal complaints, criminal defence, representation of victims) including criminal procedure and mutual legal assistance in criminal matters
- Economic crime (corruption, money laundering, corporate criminal liability etc.)
- Administrative criminal law including environmental crime
- Civil law (labour law, commercial and corporate law)
- Protection of human rights
- International law

She acts in a forensic and advisory capacity.

She is a lecturer for criminal law at the University of Basel and co-founder of the Competence Centre Arbitration and Crime.



Kamalia Mehtiyeva

Professor of Law, University
Paris-Est Créteil
Member of Paris Bar

PANEL 3
Focus on Evidence

Kamalia Mehtiyeva is a Professor of Law at the University of Paris-Est Créteil (France). Her teaching and research fields focus on international arbitration law, civil procedure, mutual legal assistance in both civil and criminal matters, international sanctions, as well as international enforcement.

She is admitted to the Paris bar. Prior to becoming a Professor of law, she practiced in the Public International Law and Arbitration Group of Shearman & Sterling in Paris (2007-2014).

She is the co-founder of the law firm Barbier Mehtiyeva Law, which focuses on international arbitration and international litigation.

Kamalia also regularly acts as arbitrator and conducts proceedings in French, English, Russian, Turkish and Azerbaijani.

Kamalia is also a member of the ICC International Court of Arbitration, President of the Azerbaijan Arbitration Association and co-President of the Turkic Arbitration Association.