



## **P.R.I.M.E. Finance Newsletter – Winter 2016/2017**

**Latest News:** P.R.I.M.E. Finance has confirmed twenty-five new appointments to its List of Experts from thirteen different countries, including a former Minister of Treasury and Finance, Minister for Defence and Minister of Justice (Luxembourg), the President of the EFTA Court (Switzerland), a retired Lord Justice of Appeal (England and Wales), and the Chairman of the Board of Piraeus Bank (Greece). To see the press statement that was released, please click [here](#).

**Additionally:** the upcoming P.R.I.M.E. Finance Annual Conference, scheduled for 23 and 24 January 2017 at the Peace Palace in The Hague, is approaching fast! Do not miss this event; register now and secure a seat [here](#).

More information on the Conference can be found in this newsletter. We look forward to welcoming many of you to The Hague later this month!

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### **1. NEW EXPERT APPOINTMENTS**

P.R.I.M.E. Finance takes great pleasure in confirming 25 new appointments to its List of Experts. P.R.I.M.E. Finance is proud to include these experienced individuals from diverse financial and legal backgrounds. The Panel is currently composed of more than 130 experts in total with more than 4,000 years of collective relevant market and legal experience. The twenty-five new members of the Panel are:

**André Andersson**, Partner, Mannheimer Swartling (Sweden)

**Professor Dr. Dr. h.c. Carl Baudenbacher**, President, EFTA Court (Switzerland)

**Joseph Bauman**, Affiliate, Rutter Associates; former Chief Administrative Officer, Athlon Group Holdings Corp.; former Chief Financial Officer, Primus Guaranty Ltd.; former Chairman, International Swaps and Derivatives Association (ISDA) (U.S.A.)

**Adrian Beltrami QC**, Barrister, Joint Head of Chambers, 3VB Chambers (U.K.)

**Henning Bruttel**, former Managing Director, Capital Markets Dresdner Kleinwort Wasserstein (Germany)

**Pedro Cardigos**, Partner, CARDIGOS (Portugal)

**Manuel Conthe**, Independent Arbitrator; former Chairman of Spain's Securities & Exchange Commission (CNMV) (Spain)

**Sir Peter Cresswell**, former English High Court Judge; Judge of the Qatar International Court; 3VB Chambers (U.K.)

**G. Massimiliano Danusso**, Partner, BonelliErede (Italy)

**Matti Engelberg**, Senior Advisor, Hannes Snellman Attorneys Ltd (Finland)

**Luc Frieden**, Partner, Elvinger Hoss Prussen, Luxembourg; former Minister of Treasury and Finance, Minister for Defence and Minister of Justice (Luxembourg)

**Matthew Gearing QC**, Global Co-Head, International Arbitration Group, Partner, Allen & Overy, Hong Kong; Incoming Chairman, Hong Kong International Arbitration Centre (Hong Kong)

**Frank Graaf**, Partner and Head of the Financial Regulatory and Derivatives Group, Clifford Chance LLP (the Netherlands)

**George Handjinicolaou**, Chairman of the Board, Piraeus Bank; former Deputy CEO, International Swaps and Derivatives Association (ISDA) (Greece)

**Mark Hapgood QC**, Barrister, Brick Court Chambers (U.K.)

**Holger Hartenfels**, Managing Director, Associate General Counsel, Deutsche Bank AG (Germany)

**Maria João Martins Parreira Ferreira Leite**, Secretary-General, Agência de Gestão da Tesouraria e da Dívida Pública – IGCP (Portuguese Treasury and Debt Management Agency) (Portugal)

**Professor Carlo Mottura**, Professor, University Roma Tre (Italy)

**Professor Loukas Mistelis**, Director, School of International Arbitration, Queen Mary University (U.K.)

**Kirsti Niinisalo-Snowden**, former Head of Legal Services and Regulatory Affairs, Nordea Bank AB (Finland)

**Professor Dr. Peter Nobel**, Founding Partner, Nobel & Hug (Switzerland)

**Professor Sir Bernard Rix**, retired Lord Justice of Appeal (England and Wales); Professor of International Commercial Law, Queen Mary University; 20 Essex Street; Judge, the Cayman Islands Court of Appeal; Judge, the Singapore International Commercial Court (U.K.)

**Professor René Smits**, Independent Consultant; Professor of the Law of the Economic and Monetary Union, University of Amsterdam; Alternate Member of the Administrative Board of Review, European Central Bank; former General Counsel, the Netherlands Central Bank (the Netherlands)

**Janet Thomas**, Managing Director, Infinity Capital Partners (U.K.)

**Don Thompson**, Retiring Managing Director and Associate General Counsel, JPMorgan Chase (U.S.A.)

## 2. NEWS OF OUR EXPERTS

**Robin Dicker QC**, a member of our P.R.I.M.E. Finance Panel of Experts, has been elected a Master of the Bench, and **Jeffrey Golden**, chairman of the Management Board of P.R.I.M.E. Finance, has been elected an Honorary Master of the Bench, at Middle Temple.

**Sandie Okoro**, a member of the Management Board of P.R.I.M.E. Finance, has been appointed as the new Senior Vice President and General Counsel of the World Bank Group.

**The Hon. Judge James M Peck**, a member of our P.R.I.M.E. Finance Panel of Experts, talked to Global Restructuring Review in a published interview about the proposed changes for the restructuring of systemically important financial institutions since Lehman, and suggested ways to enhance international cooperation between bankruptcy courts and regulators in the event of another crisis of that scale (April 2016).

**Robert Pickel**, a member of our P.R.I.M.E. Finance Panel of Experts, completed his research conducted under the Woolf fellowship at the Netherlands Institute for Advanced Study in the Humanities and Social Sciences (NIAS-KNAW) in June 2016.

**The Hon Judge Elizabeth Stong**, a member of the Management Board of P.R.I.M.E. Finance, together with **Camilla Perera – De Wit**, Head of Secretariat, P.R.I.M.E. Finance, published an article in the ABA Judges' Journal, summer 2016, entitled *New Tools for Resolving Complex Financial Disputes*.

**David Williams QC**, a member of our P.R.I.M.E. Finance Panel of Experts, has been knighted for services to international law and arbitration in the Queen's New Year Honours List for his native New Zealand. Sir David was named Knight Companion of the New Zealand Order of Merit (KNZM), one of four New Zealanders to achieve the honour.

**Lucien Wong**, a member of our Management Board and Panel of Experts, has been appointed Attorney-General of Singapore.

**Philip Wood QC, CBE**, a member of our Panel of Experts, has published a new book this past spring called *The Fall of the Priests and the Rise of the Lawyers* (Hart Publishing).

**The Rt Hon the Lord Woolf, CH**, Chairman of the Advisory Board of P.R.I.M.E. Finance, has retired from this position earlier this year. Lord Woolf was succeeded by **H.E. the Hon. Sir David Baragwanath KNZM**, a member of the Advisory Board of P.R.I.M.E. Finance, Appellate Judge and former President, the Special Tribunal for Lebanon; Overseas Bencher, the Inner Temple.

We congratulate our Board members and experts on these fantastic achievements and thank them for their invaluable support to P.R.I.M.E. Finance!

## 3. ANNUAL CONFERENCE, 23 & 24 JANUARY 2017, PEACE PALACE, THE HAGUE

Following the success of previous conferences, the 6th Annual Conference of P.R.I.M.E. Finance **will take place on 23 and 24 January 2017 at the Peace Palace in The Hague**. We will be convened by H.E. the Hon. Sir David Baragwanath KNZM, Chairman of the P.R.I.M.E. Finance Advisory Board. We encourage you all to attend, as it will offer an excellent opportunity to gain insight into recent case law and related topical issues regarding complex financial products, as well as a unique chance to personally discuss these developments with our experts and hear what issues they view as important for complex financial disputes.

The program is looking very special with an **opening keynote by ESMA Chairman, Steven Maijoor**, and topics to be covered by approx. 50 expert speakers which include Brexit, Fintech, benchmark manipulation and reform; sovereign debt; Lehman; ADR; regulatory enforcement, and a judicial panel discussion.

A full programme of the P.R.I.M.E. Finance Annual Conference can be found [here](#).

We warmly encourage you to register and join us in The Hague next week! Please do so by clicking [here](#).

For sponsorship opportunities, please contact the Secretariat via [secretary@primefinancedisputes.org](mailto:secretary@primefinancedisputes.org)

#### 4. JUDICIAL SUPPORT ACTIVITIES

##### a. Judicial support seminar – Santiago

On 31 March, and in collaboration with the International Bar Association (IBA), P.R.I.M.E. Finance conducted a judicial session at the Instituto de Estudios Judiciales, in Santiago de Chile. The session focused on *the Documentation and Economics of Derivatives, and Recent Case Law and Developments*. Rick Grove and Jonathan Ross, both P.R.I.M.E. Finance experts, led the session.

##### b. Judicial support seminar – Bucharest

On 26 and 27 September, P.R.I.M.E. Finance, in collaboration with the European Bank for Reconstruction and Development (EBRD), and the National Institute of Magistracy (NIM), organised a judicial seminar in Bucharest. The event was attended by judges from various courts, including the High Court of Cassation and Justice. Presenting were P.R.I.M.E. Finance experts Professor Jeffrey Golden, Dr. Peter Werner, Rick Grove, and Zoltan Lengyel.

#### 5. LECTURES AND STAKEHOLDERS' MEETINGS

##### a. Municipality The Hague

P.R.I.M.E. Finance's ties with the Municipality of The Hague remain strong. Several important stakeholder meetings have taken place over the course of the past two years. An important commitment of time was made by the Municipality and the other Dutch authorities over recent months to help P.R.I.M.E. Finance develop an exciting, ambitious and credible plan for expansion, building on a shared vision and the early successes of the venture. While we cherish our independence, that continued support and our growing number of cooperating entities from around the world are a true source of encouragement.

##### b. The University of Miami School of Law's International Arbitration Institute

On 17 April, Carolyn Lamm, a member of the P.R.I.M.E. Finance Panel of Experts, gave a lecture entitled "Can Process Make up for Distrust in International Arbitration?," at the University of Miami School of Law's International Arbitration Institute.

##### c. German Institution of Arbitration (DIS) Annual Spring conference - Hamburg

On 27 April, P.R.I.M.E. Finance Board member Dr. Willem Calkoen spoke at the German Institution of Arbitration (DIS) Annual Spring conference in Hamburg. The wider topic of the conference was Renewable Energies. Dr. Willem Calkoen was invited to represent P.R.I.M.E. Finance as a specialized institution and discuss how P.R.I.M.E. Finance contributes "new energy" to the dispute resolution scene.

##### d. Hazelhoff Guest Lecture - Leiden University

On 11 May, Robert Pickel, a member of the P.R.I.M.E. Finance Panel of Experts, held the eleventh Hazelhoff Guest Lecture at Leiden University. His lecture was entitled "*The Deadliest Sin of the Financial Crisis.*" For further information, click [here](#).

##### e. The EFTA Court – Spring Conference

On 3 June, P.R.I.M.E. Finance Chairman Jeffrey Golden participated as a speaker at the EFTA Court Spring Conference in Luxembourg. Professor Golden's speech was entitled "*Judges and Systemic Risk in the Capital Markets.*"

#### **f. 2016 Orientation Week Leiden, Lecture Master's Symposium**

On 1 September, Camilla Perera, Head of Secretariat at P.R.I.M.E. Finance, gave a guest lecture before a group of international law students, participating in the Orientation Week Leiden (OWL), Master's Symposium. The lecture focused on International Arbitration and Finance, and the relevance of The Hague as an arbitration center in resolving financial disputes.

#### **g. 2016 Dublin International Arbitration Day**

On 18 November, Prof. dr. Gerard Meijer, P.R.I.M.E. Finance Secretary-General, participated in a panel during the fourth annual Dublin International Arbitration Day. The panel focused on Arbitration in Financial Services, Banking and Reinsurance.

#### **h. Session with Dutch Stakeholders**

On 30 November, P.R.I.M.E. Finance representatives Prof. dr. Pim Rank, Prof. dr. Gerard Meijer, Camilla Perera, and Dr. Willem Calcoen met with leading Dutch academics, Dutch banks, financial institutions and law firms to discuss the topic of financial dispute resolution. The session was hosted by the Netherlands Central Bank in Amsterdam.

#### **i. World Bank - Law, Justice and Development Week 2016**

On 5 - 9 December, Robert Pickel, a member of the P.R.I.M.E. Finance Panel of Experts, spoke at the 2016 Law, Justice and Development Week at the World Bank Headquarters in Washington D.C. Mr. Pickel participated on a panel entitled "*Better Contract Enforcement Through Enhanced Fora & Tools.*"

### **6. INCOMING REQUESTS FOR P.R.I.M.E. FINANCE DISPUTE RESOLUTION SERVICES**

The number of inquiries or requests for arbitration or expert witness services continues to increase. All such inquiries should be directed in the first instance to Camilla Perera – De Wit, Head of the Secretariat, P.R.I.M.E. Finance Foundation, at [c.perera@primefinancedisputes.org](mailto:c.perera@primefinancedisputes.org), with a copy to the Secretariat, via [secretary@primefinancedisputes.org](mailto:secretary@primefinancedisputes.org).

### **7. NOMINEE EXPERTS**

The number of expressions of interest and nominations to join our Panel of Experts now exceeds the number of appointed Experts. All nominees, unless given written notice otherwise, should assume that their applications remain under consideration and shall receive the Selection Committee's careful consideration. We welcome further nominations. For further information, please contact the Secretariat at [secretary@primefinancedisputes.org](mailto:secretary@primefinancedisputes.org).

### **8. FRIENDS OF P.R.I.M.E.**

In 2014, a group of individuals organized "Friends of P.R.I.M.E.," to facilitate individual financial contributions to support the P.R.I.M.E. Finance Foundation and its work. The P.R.I.M.E. Finance Foundation is a not-for-profit Dutch foundation, which relies heavily on the pro bono spirited efforts and intellectual contribution of its Experts and Board members. P.R.I.M.E. Finance cherishes its independence, and donations through Friends of P.R.I.M.E. help preserve this.

The € 80,750 raised through Friends of P.R.I.M.E. went directly to program support. The 2017 Friends of P.R.I.M.E. goal is set at € 100,000. Your help is needed to reach our target goal, and there are many giving levels available. Join other experts and friends and become a friend of P.R.I.M.E. Finance now! Any contribution will be invaluable help as P.R.I.M.E. Finance expands its programs and services.

For complete information on becoming a Friend of P.R.I.M.E., please contact the Secretariat at [secretary@primefinancedisputes.org](mailto:secretary@primefinancedisputes.org).

## 9. CONTACT US

For questions, please contact the Secretariat via [secretary@primefinandisputes.org](mailto:secretary@primefinandisputes.org). If you do not wish to receive future P.R.I.M.E. Finance newsletters, please reply "unsubscribe" to [secretary@primefinancedisputes.org](mailto:secretary@primefinancedisputes.org).

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SECRETARY@PRIMEFINANCEDISPUTES.ORG  
www.primefinancedisputes.org  
The Hague