



**P.R.I.M.E. FINANCE**

*A unique collaboration of experts in law and finance*

## **P.R.I.M.E. Finance London Conference 2024**

**7 October 2024 | Linklaters LLP, 1 Silk Street**

### **Agenda**

**8:30 – 9:00 Registration**

**9:00 – 9:45 Opening Proceedings**

1. Welcome and Opening Remarks - **Bob Pickel**, Chair of P.R.I.M.E. Finance
2. Welcome - **Simon Firth**, Linklaters LLP
3. Keynote Speaker - **The Hon. Mr Justice Henshaw**, Judge in Charge of the Commercial Court

**9:45 – 10:45 Market Developments and Geo-Political Tensions - Potential Sources for Disputes**

A panel of P.R.I.M.E. Finance experts from Europe, Asia and the Americas will highlight current market developments and their potential to cause financial market disputes. They will be joined by a speaker from the International Institute for Strategic Studies who will discuss some of the current and potential sources of geo-political tension that may result in financial market disruption and disputes.

#### **Moderator:**

**Rick Grove** Member, P.R.I.M.E. Finance Management Board; Chief Executive Officer and Partner, Rutter Associates LLC (New York); P.R.I.M.E. Finance Expert

#### **Speakers:**

**Dr. Sharon Brown-Hruska** Principal of Hruska Economics LLC and an Affiliate of NERA Economic Consulting in their Global Securities and Finance and White Collar, Investigations and Enforcement Practices. She served as Chief Economist, US State Department; and Commissioner and Acting Chairman, US Commodity Futures Trading Commission (CFTC). She is a Director of FMX Futures, Athena Technology II and a member of the P.R.I.M.E. Finance Management Board; P.R.I.M.E. Finance Expert.

**Nigel Gould-Davies** Senior Fellow for Russia and Eurasia, International Institute for Strategic Studies.

**Amane Oshima** President & CEO of Japan ICT Fund. He has more than 30 years of experience in Global Markets business both in IBJ and Mizuho Bank and he headed its Global Markets Division from 2014 to 2018. Prior to current job, he was President & CEO of Mizuho DL Financial Technology Co, Ltd. He works for ISDA Japan office as Auditor and has concurrently served as a Senior Advisor to Barclays Securities Japan Limited since June 2024. He is a P.R.I.M.E. Finance Expert.



**Franck Risler Ph.D.** Senior Managing Director and leader of the Securities, Commodities and Derivatives practice at FTI Consulting. He assists clients on a wide range of transactional, advisory, and contentious matters involving securities, commodities, and derivatives. Dr. Risler combines deep industry expertise and academic rigor. He has traded global markets, built, and managed leading trading businesses and advised on high-profile transactions and litigation in global capital markets and commodity industries. Dr. Risler is a member of the FTI AI Leadership Committee and is the co-developer of Quantum, FTI Consulting's proprietary analytics and risk management flagship technology solution.

### **10:45 - 11:15 Focus on Ethics**

This session will discuss topical ethical considerations for in-house counsel. Featuring meaningful dialogue on recent examples, such as the British Post Office scandal, this session will explore the scope of professional duty.

#### **Moderator:**

**Habib Motani** Consultant to Clifford Chance LLP, having been a partner in the firm's banking and finance practice for over 30 years, during which he established and led the firm's worldwide Derivatives practice. He is a Visiting Professor at the School of Law at the University of Edinburgh, a trustee at the British Institute of International and Comparative Law and a member of the Legal Services Board in England. He has previously served as Chair of the Shia Ismaili Muslim International Conciliation and Arbitration Board. He is a P.R.I.M.E. Finance Expert.

#### **Speaker:**

**Helen Fletcher** UK General Counsel at BNP Paribas, where she leads a team of 160 lawyers. A lawyer qualified in England and Wales, and Ireland, she has worked in the BNP Paribas Group since 2009. She is a senior ally for the PRIDE network, a keen supporter of CSR initiatives and a trustee of children's charity Chance UK.

### **11:15 – 11:30 Coffee Break**

### **11:30 – 12:30 Arbitration Focus**

This session will explore live topics and current trends impacting the arbitration of international finance disputes. The panel will also consider the advantages of the P.R.I.M.E. Finance Arbitration Rules for the resolution of financial disputes.

#### **Moderator:**

**Georges Affaki** Professor of law at the University of Paris, Judge at the Qatar International Court, Chartered Arbitrator and a member of the ICSID Panels of Arbitrators and Mediators. He has served as a member of the ICC International Court of Arbitration. He sits on the Board of Directors of the Saudi Center for Commercial Arbitration and is consistently listed by Chambers and Partners amongst the Most in Demand Arbitrators. He chaired the revision of the P.R.I.M.E. Finance Arbitration Rules and co-chaired the ICC Task Force on Financial Institutions and



International Arbitration. He led or participated in several law reforms in transition economies. In 2019, he was appointed Foreign Trade Counselor of France by a Decree of the Prime Minister of France. He is a P.R.I.M.E. Finance Expert.

**Speakers:**

**Hannah Ambrose** Partner, Global Arbitration & Public International Law, Herbert Smith Freehills LLP. She has acted as counsel in ad hoc commercial arbitrations and proceedings under the auspices of major arbitral institutions, including the ICC, LCIA and SCC. She has acted as counsel on a number of investment treaty claims, and advises clients on investment structuring and a range of other PIL matters. She has advised banks, financial institutions and funds on both commercial arbitration and investment treaty issues, including a major Asian bank in an UNCITRAL arbitration on the recovery of its investment in a derivative-linked securities fund.

**Adrian Beltrami KC** Barrister, 3 Verulam Buildings. He was called to the Bar in 1989 and took Silk in 2008. He is a Deputy High Court Judge, sitting in the Chancery Division and the Commercial Court. He was Head of Chambers at 3VB from 2016 to 2022. Adrian specialises in commercial litigation and advisory work, both domestic and multinational. His litigation practice includes banking and financial services, commercial disputes, corporate insolvency and restructuring, professional negligence involving solicitors, accountants and valuers, civil fraud and asset tracing, restitution, off-shore trusts, forum disputes, injunctions, freezing and search orders and other interim remedies. He is also instructed in arbitrations in the same fields. He has twice been named ‘Banking silk of the Year’ by Chambers & Partners. He is currently nominated for Financial Services and Insurance Silk of the Year 2024 by The Legal 500. In 2017, he was invited to join the P.R.I.M.E Finance Panel of Experts.

**Loukas Mistelis** International Arbitration Partner with Clyde & Co LLP, based in London, and the Clive Schmitthoff Professor of Transnational Commercial Law and Arbitration at the Centre for Commercial Law Studies, Queen Mary University of London. Loukas is an acknowledged authority on international dispute resolution and investment treaty law. In 2006 he was listed as one of the “leading lights in international arbitration” and since 2007 he is listed on the Who’s Who Commercial Arbitration and since 2017 as Global Thought Leaders in International Arbitration. He has been listed in the Legal500 International Arbitration Powerlist since its inaugural year (2019). He regularly sits as an arbitrator and acts as counsel and expert in arbitration proceedings. His substantial arbitration experience covers ad hoc and most major arbitral institution and subject matters included foreign investment, finance contracts, syndicated loans, transport contracts, aviation, privatization, construction and infra-structure projects, defence contracts, mining, administration of natural resources, real estate, mining, and oil and gas transactions. He is a P.R.I.M.E. Finance Expert.

**Mathias Wittinghofer** Partner, Gowling WLG (UK) LLP and Head of Dispute Resolution Germany. A Fellow of the Chartered Institute of Arbitrators, he has over 20 years of experience in commercial litigation and international arbitration, with a focus on capital markets and post-M&A disputes. He is a member of the German Arbitration Institution, Austrian Arbitration Association, and Swiss Arbitration Association, and serves as a panellist for the Vienna International Arbitration Centre, Kuala Lumpur Regional Centre for Arbitration, and is a



## P.R.I.M.E. FINANCE

*A unique collaboration of experts in law and finance*

P.R.I.M.E. Finance Expert. Dr. Wittinghofer also lectures on international arbitration at Goethe University

**Bryce Williams** Legal Counsel, Permanent Court of Arbitration. As Legal Counsel, Mr. Williams has acted as registrar in a range of inter-State, investor-State, and other arbitral proceedings, including those involving investments in the financial sector. Prior to joining the PCA, Mr. Williams was an associate with Latham & Watkins, where he acted as counsel for banks and investment funds in international disputes.

### 12:30 – 13:30 Lunch Break

### 13:30 – 14:30 Fiduciary Duties and Sustainability

Sustainable finance continues to evolve with a recent focus on regulation, disclosure, anti-greenwashing and labelling regimes. Sources of finance from private and public sources, and blended finance models combining the two, have also been topical. There has been attention on the concept of fiduciary duty and legal and regulatory constraints to investing for environmental and social impact. The panel will discuss recent trends in this busy area.

#### **Moderator:**

**Ida Levine** Principal with Two Rivers Associates Limited consulting on public policy, strategy and governance. She is a Non-Executive Director of the Impact Investing Institute and serves on the Management Board of P.R.I.M.E. Finance Foundation in The Hague. Ida also sits on the Financial Markets Law Committee and the Advisory Board of the UCLA Institute of Carbon Management. She was a founding Director of the UK Investor Forum. Ida is a former Board Director and Senior Vice-President and Senior Counsel of Capital Group and founded its Public Affairs function in Europe. Previously, she was European Counsel with JP Morgan Investment Management and a Partner at the international law firm Jones Day (London and New York). She is P.R.I.M.E. Finance Expert.

#### **Speakers:**

**Heikki Cantell** General Counsel, Secretary General, and Head of Legal Department of the Nordic Investment Bank. He has previously been General Counsel of the Council of Europe Development Bank, Head of the Paris branch of Finnish law firm Heikki Haapaniemi, and a Legal Counsel for the Finnish Cultural Foundation. Mr. Cantell also has a number of professional engagements, including Conseiller du Commerce Extérieur for France and Board appointments on two Finnish holding companies. He is an arbitrator by the International Chamber of Commerce and a Member of the Panel of Recognised International Market Experts in Finance (P.R.I.M.E.).

**Jonathan Maphosa** Founder and managing partner of Maphosa Attorneys, a law firm with expertise in banking and financial services regulation and a particular focus on sustainable finance and payments regulation. He is participant member of South Africa's National Payments Industry Body and was recognised in 2020 by the Global Banking Regulation Review as one of



the 45-Under-45 banking regulatory experts - the only nominee in 2020 from Africa. Jonathan is also a full member of the Committee on International Monetary Law of the International Law Association (MOCOMILA). Prior positions held include; former Nedbank Group Chief Legal Counsel, General Counsel for BankservAfrica – Africa's largest payments systems operator, and Deputy General Counsel and Head of Monetary and Financial Law at the South African Reserve Bank. He is a P.R.I.M.E. Finance Expert.

**Jonathan Gilmour** Partner and Head of Derivatives & Structured Products Group, Member of ESG and Impact Group, Travers Smith. Specialising in derivatives and structured products from both a transactional and advisory standpoint, Jonathan is widely regarded by peers and clients as one of the leading specialists in his field, and as a champion of 'buy-side' interests in the UK derivatives market. He counts among his clients some of the UK's largest and most sophisticated financial institutions, investment managers, alternative asset managers, challenger banks, fintechs and occupational pension schemes. Jonathan is rated as a 'Leading Individual' by both Chambers and Legal 500 and is 'Highly Regarded' by the IFLR. He is a P.R.I.M.E. Finance Expert.

**Samallie Kiyingi** Global General Counsel, Corporate and Investment Bank, Standard Chartered; Former General Counsel African Export-Import Bank; Former Global Head, Securitisation Regulatory Policy & Advisory Group, Deutsche Bank; P.R.I.M.E Finance Expert.

### **14:30 - 15:30 Fintech: Geopolitical dimensions of cross-border payments**

This session will consider how new means of cross-border payments, in particular using digital assets, interact with geopolitical issues such as sanctions and national security. The panel will also consider the legal nature of such assets in a cross-border context.

#### **Moderator:**

**David Geen** Senior Technical Advisor in the Legal Directorate at the Bank of England, having previously served as the Bank's Deputy General Counsel for Central Banking. As part of his role, David co-ordinates the Legal Directorate's coverage of Fintech matters. David was ISDA's General Counsel from 2007 to 2016, and before that led Goldman Sachs' London derivatives legal team. He started his career at Baker & McKenzie in London, where he was a partner from 1997 to 1999. He is a P.R.I.M.E. Finance Expert.

#### **Speakers:**

**Professor Sarah Green** Head of Digital Assets and Trade Finance, D2 Legal Technology; Professor of Private Law, University of Bristol; member of T3i Partner Network; Former Law Commissioner for Common and Commercial Law at the Law Commission of England and Wales from 2020 to 2024.

**Dr Scott Farrell** Strategic Counsel, King & Wood Mallesons. Scott is an Adjunct Professor at the UNSW Sydney Law School, serves on the Payments System Board of the Reserve Bank of Australia, and chairs the global ISO technical committee developing standards for blockchain technologies. Scott led the Australian Government Reviews which designed and developed



## P.R.I.M.E. FINANCE

*A unique collaboration of experts in law and finance*

Australia's consumer data right framework and modernised its payments regulation. He is a P.R.I.M.E. Finance Expert.

**Matthew Elderfield** Board of Directors, Rabobank; Board of Directors, British Business Bank; Chairman, Fnality UK. He was a member of the Management Board of Nordea, most recently as Chief Risk Officer, and also worked at Lloyds Banking Group and ISDA. Matthew was Deputy Governor of the Central Bank of Ireland and also Chief Executive of the Bermuda Monetary Authority. He is a P.R.I.M.E. Finance Expert.

### 15:30 – 16:00 Coffee Break

### 16:00 - 16:45 P.R.I.M.E. Finance: Projects and Updates

#### **Moderator:**

**Jeffrey Golden KC (Hon)** Founder and Chair Emeritus of the P.R.I.M.E. Finance Foundation; Chair of P.R.I.M.E. Finance Advisory Board; Honorary Fellow and Governor Emeritus, London School of Economics; Member and former Joint Head of Chambers, 3 Hare Court; retired founding partner of Allen & Overy LLP's US law practice; P.R.I.M.E. Finance Expert.

#### **Speakers:**

**Joseph Bauman** P.R.I.M.E. Finance Management Board; Chair, PRIME Finance Dispute Resolution and Education Foundation (US); Affiliate, Rutter Associates LLC; co-Founder and former CFO, Primus Guaranty, Ltd.; former Chairman, ISDA; former Managing Director, Global Derivatives Group, Bank of America; P.R.I.M.E. Finance Expert.

**Carolyn Jackson** Partner, Financial Markets and Regulatory practice at Katten Muchin Rosenman UK LLP. She is a dual-qualified lawyer (England, New York) and advises clients on complex cross-border issues involving the regulation of financial institutions and financial products. Prior to her legal career, Carolyn managed the New York trading desk of several investment banks and was formerly the executive director of the International Swaps and Derivatives Association, Inc. She is a P.R.I.M.E. Finance Expert.

### 16:45 - 17:00 Closing Remarks

### From 17:00 Cocktail Reception

\*\*\*

*Preliminary Agenda; Subject to Change*