



les Acteurs Français  
du Droit à L'International  
*The Continental Law Professions  
International Initiative*

# Continental law and the global financial crisis

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*Contributions towards a better regulation*

**WASHINGTON, MAY 11-12, 2009**

The World Bank  
1818 H Street, NW  
Washington, DC 20433 USA



# Monday, May 11

## 8:30 am – Introduction

- World Bank and Law in the context of the financial crisis.  
Speaker: Ms Anne-Marie Leroy, Senior Vice President and General Counsel,  
The World Bank Group
- Property rights ; continental approaches in continental and common law.  
Speaker: Pr Jeffrey Rosen (Washington University Law School)

## 9:00 am – Round Table 1

### Continental Law antidotes to the subprime mortgage turmoil

Chairman: Mr Pierre Ducret, Director Banking Services, Caisse des dépôts  
Animator: Mr Stéphane Zecevic, Civil Law Notary

- What kind of system offers the best security of ownership at reasonable cost?  
(Land registration vs. Recording & Insurance)  
Speakers: Mr Jacques Pourciel, Civil Law Notary  
Pr Peter L. Murray (Harvard)
- How to best reduce risks on the mortgage market?  
Speakers: Ms Silke Rochelois, Civil Law Notary  
Pr Egon Guttman (Washington College of Law)
- What is the best way to manage mortgage foreclosures?  
Speakers: Mr Patrick Safar, Civil Law Bailiff  
Mr David Djaha, Attorney

Conclusion: Mr Jean-Paul Decorps, Civil Law Notary, UINL

## 10:30 am – Break

## 11:00 am – Round Table 2

### Improving both consumer protection and credit risk management

Chairman: Pr Achim Albrecht (IRZ – Stiftung German Foundation for International  
Legal Cooperation)

- How to revive consumer credit whilst avoiding overborrowing?  
Speakers: Dr Jörg iur. W. Haase, LL.M MPhil, Attorney  
Pr James Maxeiner (University of Baltimore)
- Framing creditworthiness for homebuyers.  
Speaker: Mr Alain Gourio, Head of Group Legal Coordination BNP Paribas
- Lessons to be learnt from the consumer credit crunch.  
Speakers: Pr Achim Albrecht  
Pr James Maxeiner (University of Baltimore)

## 12:30 pm – Lunch

# Monday, May 11

## 2:30 pm – Round Table 3

### Treating distressed business

Chairman: Mr Fred Scetbon-Didi, Vice President Commercial Court of Paris

- Anticipating failure: Field tested prevention techniques. The Eurotunnel case.  
Speakers: Mr Vincent Gladel, Bankruptcy Administrator / Judicial Administrator  
Mr Laurent Le Guerneve, Bankruptcy Administrator / Judicial Administrator
- Sailing troubled waters efficiently: Balancing receivership and liquidation.  
Speakers: Mr Marc André, Receiver-Liquidator  
Hon. Elizabeth S. Stong, U.S. Bankruptcy Court
- Reducing the pain of failure and Fresh starts.  
Speakers: Mr Marc André, Receiver-Liquidator  
Mr Michael Saint-Patrick Baxter, lawyer (ABA)

## 4:00 pm – Break

## 4:30 pm – Round Table 4

### Regulation revisited

Chairman: Mr Frederic Jenny, Chairman OECD Competition Committee,  
Judge French Supreme court, Professor ESSEC Business School

- A renewed role for the State in the national economy.  
Speakers: Mr Marc Jobert, Attorney, CNB  
Mr Christopher Mesnooh, Attorney
- The role of competition agencies in the regulation of the state interventions.  
Speakers: Ms Sylviane Baker, Attorney, CNB  
Mr John S. Martin, Attorney, formerly with FTC and Department of Justice,  
Senior Counsel, Federal Trade Commission
- The changing scope of E.U. competition rules in the financial storm.  
Speakers: Mr Dominique Voillemot, President French Bar Delegation to EU  
Mr David Malamed, Attorney

## 6.00 pm – Conclusion

« Best practices » in financial regulation.

Pr Arnaud Raynouard (Université Paris Dauphine, Fondation pour le droit continental)

**Mr Dominique Strauss-Kahn (tbc)**

# Tuesday, May 12

8:30 am –

## Economic and legal conditions of success of public private infrastructure project in developing countries

*Presentation by French Institute of International Legal Experts (IFEJI)*

- Introduction: How to reach the objective of the Sustainable Infrastructure Action Plan (SIAP)?  
World Bank speaker (tbc)
- The relationship between the socio-economic nature of the infrastructure services and the institutional and contractual framework.  
Speaker: Mr Marc Filet, Attorney, IFEJI General Secretary
- Underlying conditions of success for Concession PPPs.  
Speaker: Mr Philippe Dewast, Attorney, IFEJI Expert
- How the above considerations may renew the interest of the financial sector for innovative PPP?  
Speaker: Mr Roger Fiszelson, General Secretary of the French International Contractor Union SEFI, IFEJI Expert
- How to rescue PPP currently in distress in the light of the financial crisis?  
Speaker: Mr Antoine Burin des Roziers, Judge Commercial Court, IFEJI Expert
- Conclusions:  
World Bank speaker (tbc)

1:00 pm – Lunch

2:30 pm –

## Real property rights: an instrument for economic growth

- Introduction: Continental law and the securing of real property rights,  
Pr Arnaud Raynouard (Université Paris Dauphine, Fondation pour le droit continental)
- Access to real property: entitlement, Mr Stéphane Zecevic, Civil Law Notary
- Transferring real property rights, Mr Helmut Fessler, Civil Law Notary, Austria (tbc)
- Real property as security for credit, Mr Denis Marsolais, Civil Law Notary, Quebec (tbc)
- Civil law notaries: a profession between liberalization and regulation of real property transactions, Mr Jean-Paul Decorps, Civil Law Notary, Honorary Chairman of the Conseil Supérieur du Notariat, UINL

4:00 pm –

## The World Bank's "Doing Business" Reports, contributions from continental lawyers

*Upon invitation only*

Speakers: Mr Marc Jobert, Attorney, CNB  
Ms Sylviane Baker, Attorney, CNB