

***Judicial review in the banking Union and in the EU financial  
architecture***

*Conference jointly organized by the Bank of Italy and the European Banking Institute*

**[draft programme]**



**Rome, 21<sup>st</sup> November 2017**

Banca d'Italia  
Nuovo Centro Convegni  
Via Nazionale 190

## ***Judicial review in the banking Union and in the EU financial architecture\****

*Registration: 9:30*

*Opening: 10:00*

*Seminar language: English*

**10:00 Opening remarks**

Sabino Cassese, (Emeritus Judge, Italian Constitutional Court)

**10:30 First session: The EU judiciary and the alternative remedies**

Manuel López Escudero (Professor of International Law and EU Law, University of Granada)

Sir William Blair (President of the Board of Appeal, European Supervisory Authorities)

*Coffee break*

René Smits (Professor of the Law of Economic and Monetary Union, University of Amsterdam and alternate member of the ECB Administrative Board of Review)

Luís Domingos Silva Morais (Professor at Lisbon Law University and alternate member of the SRB's Appeal Panel )

*Discussion and Q&A*

**13:15 Lunch**

14:15 **Second session: EU framework and the role of the national courts**

Enzo Moavero Milanesi (Professor of EU Law and Director of the School of Law, University LUISS Guido Carli)

Concetta Brescia Morra (Professor of Economic Law, University of Sannio and University LUISS Guido Carli – Vice-Chair of the ECB Administrative Board of Review)

*Discussion and Q&A*

16:45 **Closing Remarks**

Enrico Leone (Chancellor of the European Banking Institute)

Marino Perassi (General counsel, Bank of Italy)

17:15 **End of the Conference**

- \* This conference is jointly organized by the Legal Services Department of Bank of Italy and the European Banking Institute (EBI). Information concerning EBI may be found in the attached documentation. Six hours of continuing legal education credits shall be requested at the Council of The Bar Association of Rome.







*Secretariat*

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*The European Banking Institute*

**1. Overview**

The European Banking Institute is an international center for banking studies resulting from the joint venture of the most highly regarded European academic institutions which have decided to share and coordinate their commitments and structure their research activities in order to provide the highest quality legal and economic studies in the fields of banking regulation and supervision in Europe.

The European Banking Institute's ambition is to become the point of reference for banking regulation research in Europe and an instrument to facilitate the interactions between academia, supervisors, regulators and industry. the close relationship with regulators, supervisors and the private sector is expected to guarantee an academic research production which is state of the art.

The European Banking Institute is strategically located in Frankfurt am Main (Germany) in order to benefit from the proximity to the European Central Bank, the biggest banking supervisor in Europe. the European Banking Institute is registered as a non-profit association "Eingetragener Verein (e.V.)" under German laws. The official language of the institute is English and all its activities will be carried out in English.

**2. The Institute**

The European Banking Institute (hereafter also "**EBI**" or the "**Institute**") has been created to develop a pan-European research center for banking regulation and supervision which mirrors the pan-European character and the set-up of the SSM (hub and spokes model).

EBI focuses on high-quality research into the legal and economic aspects of banking regulation and supervision. The Institute will focus its work in research projects in the field of law, economics and accounting. The Institute shall endeavor to provide academic input to banking regulators, supervisors and the private sector in Europe.

The purpose of the Institute is to conduct high quality research, to distribute knowledge and to promote the dialogue between scholars, regulators, industry representatives and advisors in relation to issues concerning the regulation and supervision of financial institutions and financial markets from a legal, economic and any other related viewpoint. EBI will thus collaborate mainly with European academic institutions and the relevant public and private sector institutions.

At a second stage, EBI endeavors to develop a policy center with the target to establish a new truly pan-European think tank in banking regulation, supervision and banking resolution and any related areas.

### **3. Membership**

#### **3.1 Academic Members**

As of July 2017 the Academic Members of the European Banking Institute are the following:

1. Universiteit van Amsterdam, Amsterdam, The Netherlands
2. Πανεπιστήμιο Πειραιώς / University of Piraeus, Athens, Greece
3. Alma Mater Studiorum – Università di Bologna, Bologna, Italy
4. Academia de Studii Economice din București (ASE), Bucharest, Romania,
5. Universität Bonn, Bonn, Germany
6. Trinity College, Dublin, Ireland
7. Goethe-Universität, Frankfurt, Germany
8. Universiteit Gent, Ghent, Belgium

9. *Helsingin yliopisto*/University of Helsinki, Helsinki, Finland
10. Universiteit Leiden, Leiden, The Netherlands
11. Universidade Católica Portuguesa, Lisbon, Portugal
12. Universidade de Lisboa, Lisbon, Portugal
13. Univerze v Ljubljani / University of Ljubljana, Ljubljana, Slovenia
14. Queen Mary University of London, London, United Kingdom
15. Université du Luxembourg, Luxembourg
16. Universidad Autónoma Madrid, Madrid, Spain
17. Universidad Complutense de Madrid/CUNEF, Madrid, Spain
18. Johannes Gutenberg University Mainz (JGU), Mainz, Germany
19. University of Malta, Malta
20. Università Cattolica del Sacro Cuore, Milan, Italy
21. Πανεπιστήμιο Κύπρου / University of Cyprus, Nicosia, Cyprus
22. Radboud Universiteit, Nijmegen, The Netherlands
23. Université Panthéon - Sorbonne (Paris 1), Paris, France
24. Université Panthéon-Assas (Paris 2), Paris, France
25. Labex ReFi, Paris, France
26. Stockholms Universitet/University of Stockholm, Stockholm, Sweden
27. Tartu Ülikool / University of Tartu, Tartu, Estonia

EBI is currently engaged in the procedure to select candidate academic institutions in a number of countries and targets to have one Academic Member in every European country by Q4 2017.

A number of professors, professionals and experts in relevant areas for the Institute have been accepted as Fellow Academic Members.

### **3.2 *Supporting Members***

European and national banking associations, law and accounting firms, banks and other financial institutions are being admitted as Supporting Members.

As of July 2017 the Supporting Members of the European Banking Institute are the following:

- Banking Sector
  1. European Banking Federation (EBF)
  2. European Savings and Retail Banking Group (ESBG)
  3. *Bundesverband deutscher Banken* / Association of German Banks (BDB)
  4. *Ελληνική Ένωση Τραπεζών* / Hellenic Bank Association (HBA)
  5. *Associazione Bancaria Italiana* / Italian Banking Association (ABI)
  6. *Asociația Română a Băncilor* / Romanian Banking Association (ARB)
  7. *Asociación Española de Banca* / Spanish Banking Association (AEB)
  8. *Nederlandse Vereniging van Banken* / Dutch Banking Association (NVB)
  
- Advisory Company
  1. Deloitte

## **4. Working Programme**

EBI is currently engaging in scholarly research in the following areas:

- Enhancements of the Single Rule Book and issues concerning convergence of supervisory practice in the EU;



- Proportionality of banking supervision laws, the limitation of risk orientated approaches and interaction between ICAAP/ILAAP and the SREP process;
- The interaction between early intervention measures and resolution planning and the need for pairing the SSM and SRM objectives;
- Bank business models, structural separation of trading and banking activities and profitability objectives;
- Interaction between macro prudential and micro prudential supervision, discretion of EU authorities and issues concerning a European level playing field;
- The foundations of enhanced supervision of significant and systemically important institutions: accounting, auditing, capital adequacy, cross border risk management and resolvability;
- Alignment of bank supervision, recovery and resolution objectives with principles of common insolvency law;
- Legal systems governing banks and their openness to innovation, including FinTech;
- Individual rights in the financial regulatory structure, including judicial adjudication of matters concerning market supervision in the EU and an impact assessment of the establishment of a specialised EU court; and
- Corporate governance models and remuneration policies for banks and the implementation of the governance provisions in the CRD IV package.

EBI will welcome research of high international visibility that also employs innovative methods.

The 2016/2018 Academic Programme also includes:

- a) organising two pan-European conference(s) on banking regulation and supervision every year in Frankfurt;
- b) organising 3-4 local conferences every year in collaboration with one or more Academic Members;

- c) organising regular seminars on current topics of banking regulation and supervision;
- d) publishing the *EBI Working Paper Series* which include a selection of the academic researches published by EBI Academic Members;
- e) developing a pan-European policy center.

## **5. Information**

Additional information on the European Banking Institute, its members and governing bodies are available on [www.ebi-europa.eu](http://www.ebi-europa.eu).