

**FACULTY OF LAW, THE UNIVERSITY OF HONG KONG  
ASIAN INSTITUTE OF INTERNATIONAL FINANCIAL LAW  
LL.M. IN ARBITRATION & DISPUTE RESOLUTION**

&

**RGC Theme-based Research Scheme Project:  
“Enhancing Hong Kong’s Future as a Leading International Financial Centre”**

*Seminar*

**Resolving Disputes with International  
Financial Institutions**

**Gerard Sanders**

Deputy General Counsel  
European Bank for Reconstruction and Development (EBRD)

**Tuesday, 26 November 2013  
12:30 – 1:30 pm**

**Academic Conference Room, 11/F Cheng Yu Tung Tower  
University of Hong Kong**

Disputes sometime arise in connection with the financing agreements entered into between International Financial Institutions (IFIs) and their sovereign, sub-sovereign and private sector clients. In providing for dispute resolution mechanisms, IFIs are guided by both their need to protect their capital and to foster their development or transition goals. This lecture examines the approach of IFIs to contract enforcement and the factors that influence it, including the legal and political nature of the IFIs, the legal status of the IFI counter-party and the agreements entered into with them, the requirements of ‘sound banking’ and the legal environment in which the IFIs invest.

The lecture approaches this subject from the perspective of the leading global and regional IFIs, with a focus on the approach and experience of the European Bank for Reconstruction and Development (EBRD). Viewing these issues through the prism of EBRD allows for revealing insights into dispute resolution with IFIs generally owing to the Bank’s ability to operate in both the public and private spheres and given its unique political conditionalities, i.e., that it may only operate in geographically qualifying countries committed to and applying certain political principles, namely democracy, pluralism and market economics.

**Gerard Sanders** is Deputy General Counsel of the European Bank for Reconstruction and Development (EBRD). Prior to joining the EBRD, Gerard worked in private legal practice in Wellington and Washington, D.C. and in the London headquarters of an international corporation.

Gerard graduated B.Com., LL.B. from the University of Otago, New Zealand, and has graduate law degrees from Victoria University of Wellington and Harvard Law School. He is qualified to practice law in New Zealand, Victoria, Australia and England and Wales. He is a Chartered Accountant. Gerard is a Fellow of the Chartered Institute of Arbitrators, a Chartered Member of the Securities Institute, a member of the Law Society and the New Zealand Institute of Chartered Accountants. He is Visiting Professorial Fellow at Queen Mary, University of London, and co-editor in chief of ‘Law in transition’. His teaching and research interests include international economic law, the law of international financial institutions and international dispute resolution.

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