# Publications Professor Rosa María Lastra Sir John Lubbock Chair in Banking Law

### **Authored Books**

International Financial and Monetary Law, second edition of Legal Foundations of International Monetary Stability, Oxford University Press, Oxford, January 2015, 626 + 1 pages, ISBN: 9780198747741.

*Legal Foundations of International Monetary Stability*, Oxford University Press, Oxford, June 2006, 547+lii pages, ISBN: 0199269343.

*Central Banking and Banking Regulation*, Financial Markets Group, London School of Economics, London, September 1996, 329 + viii pages, ISBN: 0753007258.

*Central Banking and Banking Regulation* has been translated into Portuguese by Dan M. Kraft and published in Brazil by Editora del Rey under the title of *Banco Central e Regulamentação Bancária* in March 2000 (ISBN 85-7308-320-4).

#### **Edited Books**

**Research Handbook on Central Banking,** (co-edited with Peter Conti-Brown), Edward Elgar Publishing Co., 2018, 578 + x pages, ISBN: 978 1 78471 921 0 (cased) and ISBN: 978 1 78471 922 7 (eBook).

**Sovereign Debt Management,** (co-edited with Lee Buchheit), Oxford University Press, Oxford, 2014, 487 + lvi pages, ISBN: 978-0-19-967110-6

*The Rule of Law in Monetary Affairs*, World Trade Forum (co-edited with Thomas Cottier, Christian Tietje and Lucia Satragno), Cambridge University Press, Cambridge, 2014, 614 + xix pages, ISBN: 978-1-107-06363-1

*International Law in Financial Regulation and Monetary Affairs*, (co-edited with John Jackson and Thomas Cottier), Oxford University Press, 2012, 472 + xiv pages, ISBN: 978-0-19-9668199

*Cross-Border Bank Insolvency*, Oxford University Press, Oxford, February 2011, 489 + xl pages, ISBN: 978-0-19-957707-1.

**The Reform of the International Financial Architecture**, Kluwer Law International, London, January 2001, 370 + xxvi pages, ISBN: 9041198024.

**Bank Failures and Bank Insolvency Law in Economies in Transition** (co-edited with Henry Schiffman), Kluwer Law International, London, April 1999, 333 + xvi pages, ISBN: 9041197141.

# **Refereed Articles**

**Lastra,** and Jason G. Allen, "Virtual Currencies in the Eurosystem: Challenges Ahead", *The International Lawyer*, Vol. 53, No. 2, 2019, pp. 177-232.

Lastra, David Bholat, Sheri M. Markose, Andrea Miglionico and Kallol Sen, "Non-performing

loans at the dawn of IFRS 9: regulatory and accounting treatment of asset quality", *Journal of Banking Regulation* Vol. 19 (1); first published online on 15 November 2017, DOI 10.1057/s41261-017-0058-8

**Lastra**, and Charles Goodhart, "Populism and Central Bank Independence", *Open Economies Review* (2017), https://doi.org/10.1007/s11079-017-9447-y

**Lastra**, "The Coming of Age of International Monetary and Financial Law After the Global Financial Crisis" *Journal of International Economic Law*, First published online: 20 April 2016, doi: 10.1093/jiel/jgw018.

**Lastra,** "Do We Need a World Financial Organization?" *Journal of International Economic Law*, Vol.17, No. 4, December 2014, pp.787–805.

**Lastra,** "Banking Union and Single Market: Conflict or Companionship?" *Fordham International Law Journal*, Vol. 36, No. 5, 2013, pp. 1189-1223.

**Lastra,** "Defining forward-looking judgement-based supervision", *Journal of Banking Regulation*, Vol. 14, No. 3/4, July 2013, pp. 221-227.

**Lastra** and Jean Victor Louis, "European Economic and Monetary Union: History, Trends and Prospects", *Yearbook of European Law* (2013), pp. 1-150. http://yel.oxfordjournals.org/content/early/2013/03/27/yel.yet003.full.pdf

**Lastra,** "The Evolution of the European Central Bank", *Fordham International Law Journal*, Vol. Volume 35, Special Issue, Spring 2012, 'From Maastricht to Lisbon: the Evolution of European Union Institutions and Law', pp. 1260-1281.

**Lastra** and Thomas Huertas, "Living Wills", *Estabilidad Financiera*, No. 11, Banco de España, November 2011, pp. 23-39.

**Lastra,** "Systemic Risk, SIFIs and Financial Stability", *Capital Markets Law Journal*, Vol. 6, No. 2, April 2011, pp.197-213.

**Lastra** and Charles Goodhart, "Border Problems", Special Issue of the *Journal of International Economic Law*, on the Quest for International Law in Financial Regulation and Monetary Affairs, Vol. 13, No. 3, September 2010, pp. 705-718.

**Lastra** and Geoffrey Wood, "The Crisis of 2007-2009: Nature, Causes and Reactions", *Journal of International Economic Law*, Vol. 13, No. 3, September 2010, pp. 531-550.

**Lastra** and Luis Garicano, 'Towards a new Architecture for Financial Stability: Seven Principles', *Journal of International Economic Law*, Vol. 13, No. 3, September 2010, pp. 597-621.

**Lastra,** and Rym Ayadi, "Proposals for reforming deposit guarantee schemes in Europe", *Journal of Banking Regulation*, Vol. 11, No. 3, June 2010, pp 210-222.

**Lastra**, "Central Bank Independence and Financial Stability", *Estabilidad Financiera*, No. 18, Banco de España, May 2010, pp. 49-66.

**Lastra** and Andrew Campbell, "Revisiting the Lender of Last Resort", *Banking and Finance Law Review*, Vol. 24, No. 3, June 2009.

**Lastra**, Gillian Garcia and Maria Nieto, "Bankruptcy and Reorganization Procedures for cross-border banks in the EU: Towards an Integrated approach to the reform of the EU safety net", *Journal of Financial Regulation and Compliance*, Vol. 7, No. 3, 2009.

**Lastra,** "Northern Rock, UK Bank Insolvency and Cross-Border Insolvency", *Journal of Banking Regulation*, Vol. 9, No.3, May 2008, pp. 165-186.

**Lastra** and Lee Buchheit, "Lending into Arrears – A Policy Adrift", *The International Lawyer*, Vol. 41, No. 3, Fall 2007, pp. 939-955.

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**Lastra**, "IMF Conditionality", *Journal of International Banking Regulation*, Volume 4, Issue No. 2, 2002, pp. 167-182.

**Lastra,** "The International Monetary Fund in Historical Perspective", *Journal of International Economic Law*, JIEL, Vol.3, No.3, September 2000, pp. 507-523.

**Lastra.** "The Division of Responsibilities between the European Central Bank and the National Central Banks within the European System of Central Banks", *Columbia Journal of European Law*, Vol. 6, No. 2, Spring 2000, pp.167-180.

**Lastra,** "Central Banks as Lenders of Last Resort, Lessons from the Asian Contagion", *Journal of Financial Regulation and Compliance*, Vol. 7, No.3, Sept 1999, pp. 234-242.

**Lastra,** "Lender of Last Resort, an International Perspective", *International and Comparative Law Quarterly*, ICLQ, Volume 48, 1999, April 1999, pp. 340-361.

**Lastra**, "The Independence of the European System of Central Banks", *Harvard International Law Journal*, HILJ, Vol. 33, No. 2, Spring 1992, pp. 475-519.

## **Book Chapters**

**Lastra**, and Vassilis Paliouras, "Sovereign Debt Crises: a Problem of Debt Management" book chapter in *Sovereign Debt and Human Rights* (ed. by Ilias Bantekas and Cephas Lumina), Oxford University Press, 2018.

**Lastra,** "The Institutional Path of Central Bank Independence", Chapter 4 in *Research Handbook on Central Banking*, (co-edited with Peter Conti-Brown), Edward Elgar Publishing Co., 2018, pp. 296-313.

**Lastra,** and Kern Alexander, "Banking Regulation and Supervision: a UK Perspective", Chapter 19 in *Research Handbook on Central Banking*, (co-edited with Peter Conti-Brown), Edward Elgar Publishing Co., 2018, pp. 380-397.

**Lastra,** and Charles Goodhart, "Forthcoming Threats to Central Bank Independence" Chapter 2 in *Doves and Hawks: Economics and Politics of Monetary Policymaking*, CEPR E-Book edited by Sylvester Eijffinger and Donato Masciandaro (2018), pp. 15-23.

**Lastra**, and Philip Davis, "Pension provision, lifetime financial sustainability, care and dignity in old age: legal and economic issues" book chapter in *The Home: Multidisciplinary Reflections* (ed. by Antonio Argandoña), Edward Elgar Publishing Co., 2018, pp. 144-159.

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Krista Nadakavukaren Schefer), Edward Elgar Publishing Co., 2017 (Part III, Section X. A, "Law and Economics in Monetary Affairs"), pp. 548-551.

**Lastra,** and Alan Brenner, "Justice, Financial Markets and Human Rights", Chapter 2 in *Just Financial Markets? Finance in a Just Society* (ed. by Lisa Herzog), Oxford, Oxford University Press, 2017, pp. 39-55.

**Lastra,** "Emergency Liquidity Assistance and Systemic Risk", Chapter 7 in *Systemic Risk, Institutional Design and the Regulation of Financial Markets* (ed. by Anita Anand), Oxford, Oxford University Press, 2016, pp. 175-206.

Lastra, "How to fill the international law *lacunae* in sovereign insolvency in European Union law?" in *Legal Environment for Government Debt Restructuring*, ECB Legal Conference, October 6-7, 2016, European Central Bank, published as a book (pp. 56-63) and available online at <a href="https://www.ecb.europa.eu/pub/pdf/other/escblegalconference2016-201702.en.pdf?e2dea3a78485-afe4c70d5d5010f368be">https://www.ecb.europa.eu/pub/pdf/other/escblegalconference2016-201702.en.pdf?e2dea3a78485-afe4c70d5d5010f368be</a> This contribution was also published in Spanish as a chapter in "Derecho Administrativo e Integración Europea", Liber Amicorum to honor Professor Jose Luís Martínez López-Muñiz (Editorial Reus, 2016, pp. 1639-1648).

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**Lastra,** "Reflections on Banking Union, Lender of Last Resort an Supervisory Discretion", in *From Monetary Union to Banking Union, on the Way to Capital Markets Union – New Opportunities for European Integration,* (ECB Legal Conference), European Central Bank, 2015, pp. 154-173.

**Lastra,** "Lender of Last Resort and Banking Union" Chapter 6 in *European Banking Union*. *Prospects and Challenges* (ed. By Juan E. Castañeda, David, G. Mayes and Geoffrey Wood) Routledge, 2015, pp. 109 – 128.

**Lastra**, "Systemic Risk and Macro-prudential Supervision", Chapter 11 in *Oxford Handbook of Financial Regulation* (ed. by Eilis Ferrán, Jennifer Hill and Niamh Moloney), OUP, 2015, pp. 309-33

**Lastra,** "Macro Prudential Supervision, Systemic Risk and Insurance Companies", Chapter 3 in *Systemic Risk and the Future of Insurance Regulation* (ed. by Andromachi Georgosouli and Miriam Goldby) published by Routledge/INFORMA, Lloyd's Insurance Law Library series, 2015, pp 23-31.

**Lastra,** "Financial Institutions and Accountability Mechanisms", [Chapter 2] in *Building Responsive and Responsible Financial Regulators in the Aftermath of the Financial Crisis* (ed. by Pablo Iglesias Rodríguez), Intersentia, Cambridge – Antwerp – Portland, 2015, pp. 31-43.

**Lastra**, "Global financial architecture and human rights", [Chapter 9] in *Making Sovereign Financing & Human Rights Work* (ed. by Juan Pablo Bohoslavsky & Jernej Letnar Černič), Hart Publishing, Oxford, 2014, pp. 129-138.

**Lastra,** "Regulatory Responses to the Financial Crisis", book chapter [Chapter 6] in *Financial Crisis Containment and Government Guarantees* (ed. by J. Raymond LaBrosse, Rodrigo Olivares-Caminal and Dalvinder Singh), Elgar, 2013, pp. 75-89.

**Lastra.** "Modelos de Regulación en el Derecho Comparado: Organización de la Supervisión por Funciones *twin peaks* y Organización por Sectores Supervisados: Reunión o Separación de Funciones en el Banco Central" book chapter [Chapter 5] in *Derecho de la Regulación Bancaria* (ed. by Santiago Muñoz Machado and Juan Manuel Vega Serrano), Justel, 2013, pp. 261-284. ISBN 978-84-9890-231-0.

**Lastra** and Charles Goodhart, 'The Boundary Problems in Financial Regulation', [Chapter 17] in *Research Handbook on International Banking and Governance* (ed. by James R. Barth, Clas Wilhborg and Chen Lin), Elgar, 2012, pp. 321-331.

**Lastra**, 'Money Laundering and Financial Regulation' in *Money Laundering* (ed. by Jan Kleineman and Lars Gorton), Stockholm Centre for Commercial Law, Jure, 2012, pp. 35-43.

**Lastra** and Rodrigo Olivares Caminal, 'From Consolidated Supervision to Consolidated Resolution', book chapter [Chapter 17] in *Managing Risk in the Financial System*, John Raymond LaBrosse, Rodrigo Olivares-Caminal and Dalvinder Singh (eds), Elgar, 2011, pp. 308-332.

**Lastra,** 'Principles of Financial Regulation', in *Liber Amicorum* for Gaspar Ariño Ortiz, *Derecho Administrativo y Regulación Económica*, La Ley (Wolturs Kluwer España), 2011, pp. 1275-1298.

**Lastra,** 'The Role of the IMF as a Global Financial Authority', book chapter in *European Yearbook of International Economic Law* (EYIEL), edited by Christoph Herrman and Jörg Philipp Terhechte, Springer, Vol 2 (2011), pp. 121-136.

**Lastra,** and Andrew Campbell, 'Revisiting the Lender of Last Resort. The Role of the Bank of England', book chapter (Ch. 10) in *The Future of Financial Regulation*, edited by Iain G MacNeil and Justin O'Brien, Hart Publishing, 2010, pp. 161-178,

**Lastra** and Rodrigo Olivares-Caminal, 'Cross-Border Insolvency: The Case of Financial Conglomerates' chapter 17 in *Financial Crisis Management and Bank Resolution* edited by Raymond LaBrosse, Rodrigo Olivares-Caminal and Dalvinder Singh, Informa, London, 2009, pp. 269-289.

**Lastra**, 'Northern Rock and Banking Law Reform in the UK', in *The Failure of Northern Rock: a Multi-Dimensional Study*, edited by Franco Bruni and David Llewellyn, SUERF Studies 2009/1, SUERF, Vienna, pp. 131-154.

**Lastra**, and Fabian Amtenbrink, 'Securing Democratic Accountability of Financial Regulatory Agencies – A Theoretical framework' in *Mitigating Risk in the Context of Safety and Security. How Relevant is a Rational Approach?*, edited by R.V. de Mulder (Rotterdam: Erasmus School of Law & Research School for Safety and Security (OMV) 2008, pp 115-132, ISBN 987-90-5677-0686-6.

**Lastra,** 'Cross Border Resolution of Banking Crises', book chapter in Douglas D. Evanoff, John Raymond LaBrosse, and George G. Kaufman (eds.), *International Financial Instability: Global Banking and National Regulation*, Vol. 2, Singapore, World Scientific Publishing Company Pte Ltd, 2007, pp. 311-330.

**Lastra,** "Regulating European Securities Markets: Beyond the Lamfalussy Report", Chapter 8 in Mads Andenas and Yannis Avreginos (eds.), *Financial Markets in Europe: Towards a Single Regulator*? London, Kluwer Law International, 2003, pp. 211-222.

**Lastra** and Douglas Arner, "Comparative Aspects of Depositor Protection Schemes: Comparative", Chapter 19 in D. Arner and J. Lin (eds.), *Financial Regulation – A Guide to Structural Reform*, Hong Kong, Thomson Sweet and Maxwell Asia, 2003, pp. 463-478.

**Lastra**, "Cross-Border Trade in Banking Services", Book chapter in Guido Alpa and Francesco Capriglione (eds.), *Diritto Bancario Comunitario*, *Le Leggi Commentate*, UTET, Turin, 2002, pp. 433-455.

**Lastra**, "Cross-Border Trade in Financial Services", Chapter 27 in Ian Fletcher, Marise Cremona and Loukas Mistelis (eds.), *Foundations and Perspectives of International Trade Law*, Sweet & Maxwell, London, 2001, pp. 428-436.

**Lastra** and Heba Shams, "Public Accountability in the Financial Sector", Chapter 12 in Eilis Ferrán and Charles Goodhart (eds.), *Regulating Financial Services and Markets in the XXIst Century*, Hart Publishing, Oxford, 2001, pp. 165-188.

**Lastra** and Geoffrey Miller, "Central Bank Independence in Ordinary and Extraordinary Times", Chapter 3 in Jan Kleineman (ed.), *Central Bank Independence. The Economic Foundations, the Constitutional Implications and Democratic Accountability*, Kluwer Law International, The Hague, 2001, pp. 31-50.

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# Forthcoming Publications and Work in Progress

**Lastra,** and Charles Goodhart, "Equity Finance: Matching Liability to Power", CEPR (2019) <a href="https://cepr.org/active/publications/discussion\_papers/dp.php?dpno=13494">https://cepr.org/active/publications/discussion\_papers/dp.php?dpno=13494</a>
Discussion Paper 13494.

**Lastra**, William Blair and Costanza Russo (co-edited book), *Research Handbook on Ethics in Banking and Finance*, book to be published by Elgar. In addition to the editorial responsibilities I have written one of the chapters (with Marcelo Sheppard) on "The Ethical Foundations of Financial Law" (Chapter 3), forthcoming in March 2019.

**Lastra,** and Jason G. Allen, "Borders II: Mapping the Third Border" (2018) https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=3296614

**Lastra**, "Multi-Level Governance in Banking Regulation", book chapter in the Palgrave Handbook on European Banking Union Law (ed. by Vittorio Santoro and Mario P. Chiti) to be published by Palgrave in 2019.

**Lastra**, and Georgios Psaroudakis, "Prudential supervisory tasks (Art. 127(6) TFEU, monetary policy vs. prudential supervision). Kissing awake the Sleeping Beauty provision", book chapter in the OUP Handbook on European Monetary Union, co-edited by Fabian Amtenbrink and Christoph Herrmann, to be published by Oxford University Press.

**Lastra,** "General Principles in EU Banking Law and Monetary Union" book chapter in *Constructing Legal Orders: The General Principles of EU Law*, to be published by Elgar.

**Lastra,** and W. Blair, "Financial Inclusion and Artificial Intelligence", collaborative research project between QMUL and Financial Inclusion Commission.

### **Other Publications**

**Lastra,** and Charles Goodhart, "Central Bank Accountability and Judicial Review", SUERF Policy Note, Issue No. 32, May 2018.

**Lastra,** Rym Ayadi and Giovanni Ferri, "Systemic Solutions to Systemic Crises. Dealing with NPLs in the Eurozone" published in Issue 2017.1 of *European Economy*, "Non-Performing Loans", available at <a href="https://www.european-economy.eu">www.european-economy.eu</a> (2017).

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**Lastra,** "Accountability and Governance – Banking Union Proposals", Duisenberg School of Finance, Policy Paper No.30, November 2012, http://www.dsf.nl/home/research/publications

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**Lastra** and Clas Wihlborg, 'Law and Economics of Crisis Resolution in Cross-Border Banking' Special Paper edition (2007). Financial Markets Group of the London School of Economics (edited by Charles Goodhart) with the proceedings of a conference on 'Cross-Border Supervisory Issues in Europe' held at the LSE in November 2006.

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Contributed editorials to the Journal of International Banking Regulation (now Journal of Banking Regulation) in Vol. 1. 2 ("New Challenges, New Initiatives", April 1999), Vol. 1. 4 ("Cross Border Trade in Financial Services", 1999) and Vol. 6. 2 ("A Taxonomy on Banking Regulation", 2005).

Other book reviews include *Challenges for Central Banks in an Enlarged EMU*, ed. by F. Breuss and E.Hochreiter (SpringerWienNewyork, Vienna, 2005) published by *Common Market Law Review*, February 2007; *The Future of Central Banking*, by Howard Davies and David Green (forthcoming, Princeton University Press, 2009), "The Democratic Accountability of Central Banks. A Comparative Study of the European Central Bank," by Fabian Amtenbrink, Hart Publishing, Oxford, published by *Public Law*, Spring 2000, pp. 151-153; and "Banking Regulation and the Bank of England" by Christos Hadjiemmanuil (Lloyds of London Press, 1996), published by *European Business Law Review*, July/Aug 1997, pp.182-183.

"The City's Troubleshooter", (Dr. Rosa M. Lastra Talks to the Chairman of the Financial Services Authority, Howard Davies, about the Financial Regulation Changes Introduced by the Labour Government), published by *Parliamentary Brief*, Vol 5, No 3, January 1998, pp 28-34.

Contributions to *Parliamentary Brief*, July 2008 ('Banking Reform in the UK'), Oct 2008 ('With the Horses Back in the Stable, Lock the Door'), Dec 2008 ('Take Great Care not to Stifle the Markets), Dec 2009 ('For this Bill to Succeed, it Needs to Think Global'), March 2010 ('A check book the banks cannot bounce'), Oct. 2010, Jan 2011, July 2011, Dec 2011, Jan 2012.