

**Singapore International Arbitration Centre**  
**Curriculum Vitae Antoine Maffei**



**Surname, First Name** MAFFEI Antoine

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**Nationality** Belgian

**Educational/Professional Memberships**

- **Legal Education**
  - 1969: Doctor of Law – State University of Ghent Belgium
  - 1970: New York University School of Law - Master of Comparative Jurisprudence
- **Bar Membership**
  - Paris Bar (Avocat à la Cour d'appel de Paris 1989-2015)
    - founding Partner of De Pardieu Brocas Maffei 1993-2015
    - since 2015 "Avocat Honoraire"
  - Brussels Bar Member since 2015
- Member of International Center for Commercial Arbitration (ICCA)

**Current Position**

- Avocat Honoraire - Paris Bar
- Member of the Brussels Bar - Belgium

**Professional Experience /Areas of Expertise :**

**Career**

- 1970 -1972: Dewey Ballantine Bushby Palmer & Wood (NY)
- 1973 -1978: World Bank Group (*Banque Mondiale*), Senior Counsel ( Washington DC)
- 1978 - 1989: *Banque Française du Commerce Extérieur*, (BFCE) - Head of International Legal Affairs (Paris)
- 1989: *Siméon Moquet Borde*, Avocat à la Cour (Member of the Paris Bar)
- 1990 -1993: *Siméon & Associés*, Avocat à la Cour - Partner
- 1993 - 2014: *De Pardieu Brocas Maffei* - Partner
- Since January 16, 2015: Member of the Brussels Bar

### **Key areas of practice in the financial service sector :**

During his career, Antoine Maffei was involved in a number of transactions in the financial services and capital market sector including structured finance, project finance and derivatives and also in financial litigation.

- **Project Financing:** substantial experience in the Project financing sector either in the form of concessions or BOT in various sectors (highways (France, Croatia (Bina Istria Motor Way (concession), power plants (Philippines (Sual), China (Laibin B (first concession financing in China) Meizhou Wan), Mexico (TEG 1 and 2), energy (Congo (N'Kossa), Yemen (Yemen LNG) Ineos (Refining France)) Hydro Power and dams (Turkey), industry (steel (Indonesia (Kraketau Steel) and aluminum smelters (Mozambique, mining (Guinea, Gabon, Venezuela, Senegal, Congo), railway transport (Eurotunnel – Tour Bordeaux high speed train), telecommunications (Algeria – France)
- **EPC Contracts** in the context of the above project financing transactions
- **Export credit insurance** : substantial experience in the area of export financing credit insurance and ECA supported financing including cover provided by COFACE, Hermes, ECGD, export credit insurance agencies in Sweden, Belgium, China, South Africa, including in respect of both commercial and political risk cover in Russia)
- **Political risk insurance:** special tailored political risk cover products in particular in the space industry sector in Russia.
- **Commodity financing:** (Iran, Congo)
- LBO Financings, syndicated loans, acquisition financings – including in the context of public offerings)
- **Aerospace:**
  - Headed a team at BFCE in charge of assisting Airbus Industrie in promoting financing of aircraft across the globe and structuring financial documentation in cooperation with national export credit insurance agencies
  - Structured a number of financings in the aircraft sector and has substantial experience in the aircraft insurance sector
  - Structured a number of transactions in the space industry sector including sale/or purchase and financing of satellites and launching services (including inter alia launching vehicles)
  - Structured the financing of one of the first in orbit delivery of satellites including related insurance package
  - Advised financial institutions in the context of processing insurance claims related to total or partial loss of satellites resulting from launching failures or resulting of in orbit total or partial loss related to satellites

- **Shipping:**

Structuring of a number of acquisition financing of vessels (bulk carriers and oil tankers) and restructuring through work-out of a number of transactions. Structuring of related insurance arrangements and of recovery in case of total or partial loss.
- **Defense Industry:** (Missiles - Aircraft - Space)
- Substantial experience in the **derivative sector** (including equity derivatives), **bond issuance and other capital market transactions**
- **Securities Settlement Systems:** Central Securities Depositories and Payment Systems (CLS- Euroclear – LCH Clearnet)
- Financial Services regulatory practice (Banking licenses - contacts with regulators including ACPR (France and ECB)
- **Restructuring – Insolvency:** (Alstom - Eurotunnel - Marie Brizard - Lehman )
- **Hotels:** (Starwood - Meridien - acquisition financing, Restructuring of Noga Hilton Cannes)
- **Insolvency related restructuring and work-outs:** represented major financial institutions in the context of restructuring of Alstom and Marie Brizard and the reorganization of Eurotunnel.

#### **Law Reform Projects**

- Member of the drafting committee of The Hague Securities Convention ("*Convention on the Law Applicable to Certain Rights in respect of Securities Held with an Intermediary*" 2001 – 2002);
- Collective Action Clauses: designated in 2002 by the French Treasury and *Banque de France* to participate in a G10 working group (so called group of eminent lawyers) created at the initiative of the US Treasury Secretary to issue recommendations to introduce collective action clauses in sovereign bonds (see Group of Ten Report on contractual Clauses September 26, 2002);
- Member of the Unidroit Study Group on Harmonized Substantive Rules Regarding Indirectly Held Securities – (Position Paper August 2003) which led to the "Geneva Securities Convention" in respect of which he played an important role as member of the French Delegation;
- Member of a committee of the "Business Bar" ("*Barreau d’Affaires*") established by the President of the Paris Bar in 2006 to make recommendations regarding the proposed reform recommended by a panel of academics led by Professor Pierre Catala in respect of French contract law (Book III of the French Civil Code);

- Member of the Legal Subcommittee to the G 30 Global Monitoring Committee who published the 2006 Final Monitoring Report reporting on progress made in 15 major markets in respect of the conclusions and recommendations of the 2003 Group of Thirty Clearing and Settlement Plan of Action;
- Member as representative of France of the "Legal Certainty Group" established by the European Community which made recommendations for the adoption of a EU Securities Law (August 2008),

#### **Arbitration Experience:**

- acted as tribunal secretary in the early days of ICSID in respect of two of the first ICSID arbitrations in 1977 and 1978;
- acted as arbitrator in a number of cases governed by the ICC Rules including three cases as arbitrator appointed by a major government owned German public financial institution in the context of claims related to vessels owned by a public institution in a Northern African country;
- acted as advisor in the context of complex matters requiring introduction of arbitration clauses involving ICC Rules, UNCITRAL Rules, Stockholm Arbitration Institute of the Stockholm Chamber of Commerce, CIETAC, including in the context of transactions related to China, the Philippines, Indonesia, India; etc...;
- acted as attorney in a number of exequatur matters related to arbitration awards, including analysis of potential merits in challenging exequatur orders in order to seek arbitration awards being set aside;
- is listed on the panel of PRIME Finance Experts.

#### **Publications**

- "*The Euro: Introduction*" International Business Lawyer January 1999
- De la nature juridique des titres dématérialisés intermédiés en droit français» ; Revue de Droit Uniforme 2005- 1
- IBA Task Force on the Financial Crisis: Report France October 2011 P. 151
- Controverse autour des obligations du dépositaire Revue de Droit Bancaire et Financier – Revue Bimestrielle Lexisnexis - Jurisclasseur Janvier-Février 2011 p. 46
- "*Project Finance in Civil Law Jurisdictions*", International Project Finance, Law and Practice,
- Antoine Maffei & Jean Renaud Cazali Oxford University Press 2011
- Securities World : France, 3rd ed., Antoine Maffei & Guillaume Touttee - The European Lawyer Reference Series,
- Banking Regulation Jurisdictional Comparisons France, Antoine Maffei - Olivier Hubert European Lawyer Reference Second Edition 2014 Published by Thomson Reuters p 115
- "*The International Capital Markets Review*". Chapter - France "Law Business Research, Antoine Maffei & Olivier Hubert 2015

**Languages:** French, Dutch, English