

RESOLUTION

Resolution No. 12/2000

INTERNATIONAL MONETARY LAW

The 69th Conference of the International Law Association, held in London, United Kingdom, 25th-29th July 2000:

HAVING CONSIDERED the Report of the Committee on International Monetary Law;

1. International Financial Standard Setting

RECOGNISING the increasing globalisation and interdependence of the world's financial markets and the challenges which these developments pose to monetary and financial law frameworks traditionally based at the national law level;

ACKNOWLEDGING the growing prominence of international financial standards, which to a large part have been developed outside of traditional methods for developing international law;

HAVING regard to the need for clear and effective legal standards and procedures for promulgating and implementing them, while maintaining a level of national control and enforcement;

INVITES the Committee to study the process of international financial standard setting and implementation and the feasibility of strengthening the process through an appropriate framework of international law, possibly including treaty provisions, and requests the Committee to prepare a report on the subject for the next ILA congress.

2. Supervision of Financial Services

HAVING regard to the reports and ongoing work of the Committee on the international harmonisation of the regulatory and supervisory frameworks for the financial markets;

RECOGNISING the accelerating disappearance of clear delimitations between banking activities, financial markets, and insurance operations;

INVITES the Committee to continue its studies on the topic of international

and intersectoral coordination of financial regulation and supervision in conjunction with its study of the process of international financial standard setting.

3. European Economic and Monetary Union

ACKNOWLEDGING the transition to and the successful introduction of the euro as the single currency of the participating Member States of the European Union;

RECOGNISING the significant monetary law issues raised by the introduction of the euro and the replacement of national currencies, as evidenced by the monetary legislation of the European Union and in third countries confirming the general principle of *lex monetae*;

COMMENDS the Committee for its reports on these important developments in monetary and financial law and invites the Committee to apprise the ILA of other significant developments in these fields of law.

4. Impact of Electronic Money and Finance on Monetary Law

HAVING regard to the report of the Committee on electronic money and considering the rapid growth and prospects for further expansion of electronic commerce, particularly at a cross-border level;

RECOGNISING that the growing use of the internet for international financial transactions raises jurisdictional and legal issues, including difficulties in applying traditional national and international legal frameworks;

INVITES the Committee to study the legal implications of developments in electronic money and finance with a particular emphasis on cross-border issues.