

*European  
Business  
Organization  
Law Review*

EBOR

**OTC Derivatives and Their Regulatory Challenge**

- Public-Private Relations in a Transnational Private Regulatory Regime: ISDA, the State and OTC Derivatives Market Reform
- Sovereign Credit Default Swaps
- Reforming OTC Markets: Politics and Economics
- Regulating Short Selling in Europe

EU Rules on Cross-border Clearing and Settlement Services

(More) Gender Equality in Corporate Governance in the EU

T · M · C · A S S E R P R E S S

13:3  
2012

**Contents**

COLIN SCOTT AND JOHN BIGGINS, Guest Editorial..... 305

**OTC Derivatives and Their Regulatory Challenge**

JOHN BIGGINS AND COLIN SCOTT, Public-Private Relations in a  
Transnational Private Regulatory Regime: ISDA, the State  
and OTC Derivatives Market Reform ..... 309

ANNA GELPERN AND MITU GULATI, CDS Zombies ..... 347

GLENN MORGAN, Reforming OTC Markets: The Politics and  
Economics of Technical Fixes ..... 391

JENNIFER PAYNE, The Regulation of Short Selling and Its Reform  
in Europe ..... 413

**Other Articles**

PABLO IGLESIAS-RODRÍGUEZ, The Regulation of Cross-Border Clearing  
and Settlement in the European Union from a Legitimacy Perspective ..... 441

KAROLIEN PIETERS, More Efforts Needed to Improve Gender Equality  
in Corporate Governance in the EU ..... 475

**Book Review**

EMILIOS AVGOULEAS, Review of Niamh Moloney, *How to Protect  
Investors: Lessons from the EC and the UK* (2010)..... 497

## **European Business Organization Law Review (EBOR)**

### **Editorial policy and information for authors**

#### **Editorial policy**

The journal encourages submissions from lawyers, both academic and practitioners, and economists. Contributions of authors from other disciplines, such as political and social scientists, are welcome. Occasionally, policy makers and business people will be invited to express their opinion within their fields of expertise. Theoretical and applied works are equally considered. Articles will be subjected to a review procedure. Accepted manuscripts will be edited, if necessary, to enhance their effectiveness. In case of extensive editing, the approval of the author will be sought prior to typesetting.

#### **Submission of manuscripts**

Manuscripts should be submitted to the Editor, accompanied by an assurance that the article has not been published or accepted elsewhere. However, exceptional contributions originally written in other languages may be considered for publication in proximity to their publication in that other language.

The articles should be comprehensible to readers outside the specific field of expertise. Special terms and abbreviations should be clearly defined. Manuscripts should range between **3,000 and 10,000 words** and be prefaced by an **abstract** of no longer than **200 words** and about **10 keywords**. Contributors are requested to submit their article by **e-mail** (in Word format) to **EBOR@asser.nl**. A hard copy will only be requested if necessary.

#### **Fees**

Authors will not be remunerated, but will be presented with the issue of EBOR in which their contribution appears. They will also receive an electronic copy (PDF) of their contribution, under the strict condition, however, that the PDF is for personal use only.

#### **Copyright**

The acceptance of a manuscript for publication implies that the author assigns to the publisher the copyright to the contribution whereby the publisher shall have the exclusive right to publish it everywhere during the full term of copyright and all renewals and extensions thereof. These rights include mechanical, electronic and visual reproduction, electronic storage and retrieval; and all other forms of electronic publication including all subsidiary rights.

The author retains the right to republish the article in any other publication one year after its publication in the journal, provided only that the author notifies the publisher and ensures that the publisher is properly credited and that the relevant copyright notice is repeated verbatim.

#### **Editorial office**

European Business Organization Law Review, TMC Asser Instituut, P.O. Box 30461, 2500 GL The Hague, The Netherlands, tel. +31 (70) 342 0300, fax +31 (70) 342 0359, e-mail EBOR@asser.nl.