



AFTER COVID-19, NEW THINKING ON CREATING REAL VALUE AND FINANCING THE SDGs?

CIFA's SIDE EVENT ON THE MARGINS OF THE 2021 UNITED NATIONS' ECOSOC
"FINANCING FOR DEVELOPMENT FORUM (FfD)"

Tuesday, April 13, 2021 —Videoconference via Zoom conducted by CIFA

"This event has been co-hosted by the Permanent Mission of Uruguay to the United Nations"

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Le Groupement Suisse des Conseils en Gestion Indépendants—GSCGI—est votre Groupement Professionnel Indépendant qui:

- Depuis 28 ans, défend auprès des autorités compétentes les intérêts de ses Membres et de leurs professions, les représentent en Suisse (DFF, SFI, FINMA), en Europe (via la FECIF) et mondialement (via la CIFA).
- Propose d'importantes solutions utiles pour ses Membres, telles que:
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 - ❑ solutions externes pour les services de compliance officer et risk control manager
 - ❑ conférences mensuelles éducatives
- Publie le WealthGram, magazine 'en ligne' mensuel de ses Membres. Tout ce qui est important et utile à connaître sur les investissements et leur analyse, l'environnement réglementaire, la fiscalité, la jurisprudence, etc., vous est présenté chaque mois dans ce magazine.
Éditions récentes...



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LE WEALTHGRAM A 10 ANS!

Le WealthGram, tribune mensuelle des Membres du GSCGI, est VOTRE magazine! Il a été créé en 2012 afin de vous permettre de communiquer vos connaissances et expériences professionnelles, vos analyses, votre vision, vos stratégies d'investissement, ceci aux lecteurs en Suisse et au-delà de nos frontières.

Vous, les Membres du Groupement, avez la priorité de publication. A chaque publication de vos articles et de votre logo & publicité, votre professionnalisme aura une visibilité très largement agrandie.

Le WealthGram se dote d'un nouveau 'design' en ce mois de mai 2021.

Désireux d'améliorer davantage nos services aux Membres du GSCGI ainsi qu'aux lecteurs en général, de comprendre vos intérêts et besoins actuels, permettez-nous de vous poser ces quelques questions.

Le questionnaire ci-après est court et se compose de 5 questions.

Par avance, nous vous remercions de votre précieuse participation.

QUESTIONNAIRE — WealthGram — MAI 2021

A retourner SVP au Secrétariat du Groupement.

- Le WealthGram du GSCGI vous est envoyé une fois par mois. Cette fréquence est pour vous:
☐ bonne ☐ insuffisante ☐ trop fréquente
- Quels sujets en particulier attendez-vous de trouver dans le WealthGram?
☐ financier ☐ juridique-jurisprudence-régulation ☐ métiers des GFI
☐ solutions et services du GSCGI pour les Membres
☐ analyses ... indiquer préférences _____
☐ conférences/GSCGI ☐ conférences/Membres ☐ conférences/autres
☐ communication Membres ... ☐ produits ☐ analyses ☐ autres
☐ autre & commentaire ... _____
- Souhaitez-vous une nouvelle rubrique «Boîte à Outils» pour y référencer les fournisseurs de services qui s'adressent aux GFI? ☐ oui ☐ non
 Avez-vous des suggestions par rapport à vos attentes? _____

- En ce qui concerne le format du WealthGram, préférez-vous:
☐ des analyses détaillées ☐ des articles courts
☐ autre & commentaire ... _____
- Avez-vous d'autres suggestions? _____

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"This event has been co-hosted by the Permanent Mission of Uruguay to the United Nations"

Welcome address by Alejandro KATZ, Representative of the Permanent Mission of Uruguay to the United Nations...

I'm honored to open today's event, both because of the importance of its matters but because of the institution behind it. It's a great pleasure to co-host this event with the Convention of Independent Financial Advisors (CIFA).

Our cooperation with CIFA has proven extremely fruitful and I am delighted to be joining this activity in representation of Uruguay.

The way we envisage the post COVID-19 world is already a critical question. But when we add the importance of facing the SDGs in this context, we realize that there is a lot of work to do.

The economic impact of the COVID-19 pandemic will strike fearlessly on the implementation of the 17 Sustainable Development Goals. However, it is the SDG number 1, End poverty in all its forms everywhere where we will see a considerable threat to its plausible implementation.

Uruguay is transitioning from being a middle-income country, to a higher per capita one. However, the effects of the pandemic have shown us how structural gaps and liabilities can not always be shown by the sole per capita income measure.

It is in this environment where we find fundamental to count on the role of the private sector, but also the civil society and the academia participating in providing ideas to reduce poverty in such a challenging environment.



You can count on Uruguay as a partner in this endeavor. You will see us working side by side with you in providing long lasting solutions in order to achieve the goals within the SDG 1 as a top priority.

As I have mentioned, it is with a great pleasure to my country to co-host this event.

Thank you very much for your attention.



**Permanent Mission of Uruguay
to the United Nations**

AFTER COVID-19, NEW THINKING ON CREATING REAL VALUE AND FINANCING THE SDGs?

Introductory Remarks – Tony Mahabir, President of CIFA

Good afternoon Excellencies, fellow heads of NGOs and distinguished guests!

On behalf of CIFA, I also want to express our deep and profound gratitude and appreciation to our co-host: The Permanent Mission of Uruguay to the United Nations and in particular His Excellency Senior Alejandro Katz!

The achievement of the UN 2030 Sustainable Development Goals could get significantly side tracked or delayed if we face another financial crisis! However, we are living in “fantasy land” if we think that another financial crisis and its destructive behavior are behind us.

We are currently still calculating the “financial destruction” as a result of Covid-19. So far, 225 Million jobs have been lost worldwide and the International Monetary Fund projects that, even with the \$18 trillion USD that has already been spent to stimulate economies around the world, the global economy will lose \$12 trillion USD, or more, by the end of 2021.

From CIFA's point of view, the question is not whether another “financial crisis” is looming on the horizon, but instead how do we create a “resilient, sustainable, and inclusive” financial infrastructure to mitigate wealth destruction?

Similar to the broader acceptance on the street with these evolving times, that the world will be entering a “New Normal” post Covid-19, one can't help but wonder:

- ▶ Is Monetary Policy going to transition to a “New Normal” as well?
- ▶ Are the traditional fiscal incentives going to be replaced by something newer?
- ▶ Is Multi-lateralism dead and a thing of the past?

The old adage by the French writer Jean-Baptiste Karr stated in 1849: “plus ça change, plus c'est la même chose” ... in English: “the more things change, the more they continue to be the same”.

Allow me to share a few but significant things that are as relevant and permanent in the post-Covid era as they were pre-Covid:

1. Society and the private sector have to create real wealth, as they have in the past.
2. Sustainability is wealth creation!
3. Subsidized economies were not sustainable in the past and probably won't be in the future. Let us not promote “addiction through subsidization”.

We all know that human capital and personal empowerment cannot be realized to its full potential unless we eradicate poverty, and promote financial literacy and accessibility.

Finally, could externalities like the creation of “new currencies”, “digital gold” if you will, aka crypto which can be issued without a central bank, be the next weapons of wealth destruction or could it be strategically deployed as a tool for greater liquidity around the world?

We hope our debate today is not only insightful, but through divergent views we can come to agree on a common set of values and shared understanding to address these highly complex and international challenges before us!

If this modest goal is achieved today, then CIFA would have met its mandate to contribute constructively to this wonderful 2021 Financing for Development forum by the UN!

So let the great debate begin. I turn you over to our influential Moderator, Dan Mitchell!



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Le Groupement apprécie beaucoup la fidélité des ses Membres Partenaires et tient à les remercier de leur précieuse collaboration et de leur contribution (sponsorship et articles) au succès du WealthGram.

Retrouvez ici, dans la prochaine édition, les Membres Hermès-Elite du GSCGI.

FECIF INFORMS...

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FECIF NewsFlash 60/2021—EIOPA: Discussion paper on blockchain and smart contracts in insurance

Executive Summary—The European Insurance and Occupational Pensions Authority (EIOPA) published a discussion paper on blockchain and smart contracts in insurance. EIOPA invites stakeholders to provide their views by filling in the EU survey by 29 July.

Analysis—The aim of the paper is to provide a high-level overview of risks and benefits of blockchain and smart contracts in insurance from a supervisory perspective as well as to gather feedback from stakeholders.

On one hand, blockchain has the potential to deliver key digital opportunities, reduce duplication of processes, increase process automation and efficiency, enhance customer experiences, and improve data quality. On the other hand, the adoption of blockchain may also trigger new risks to insurers, supervisors, and consumers. As blockchain technology is still evolving, several challenges are emerging, such as the complexity of the technology, energy consumption, data protection and privacy, cyber risk, integration with legacy infrastructures, or interoperability and standardisation between different blockchains.

Although the current regulatory and supervisory framework can be considered mostly effective to address emerging risks, specific issues should be considered, based on the evolution of the technology and its uses in business processes. It is important to ensure appropriate understanding by insurance undertakings and supervisors as well as proportionate governance policies and processes, to guarantee that all relevant risks are identified and properly managed.

EIOPA invites stakeholders to provide their views to this discussion paper by filling in the EU survey

by 29 July. The feedback is welcome to all parts of discussion paper covering blockchain, smart contract and crypto assets use cases in insurance, related risks and benefits and regulatory barriers as well as possible European approach to blockchain and smart contracts in insurance. EIOPA will assess the feedback to better understand and address blockchain developments in the insurance sector as well as the risks and benefits related to them.

Sources—The discussion paper is available [here](#). The consultation [here](#).

* * *

FECIF NewsFlash 58/2021—European Commission: new sustainable finance package

Executive Summary—The European Commission today adopted a package of measures aimed at encouraging capital flows to sustainable assets across the European Union.

Analysis—Today's (April 21, 2021) measures include:

- The delegated act on the climate aspects of the EU taxonomy.
- A proposal for a directive on corporate sustainability reporting.
- Six amending delegated acts related to fiduciary duties and investment advice and insurance that will ensure that financial firms, such as advisors, asset managers or insurers, include sustainability in their procedures and in the investment advice they provide to clients.

In order to ensure transition in the financial sector, the elements of the package aim is to improve the reliability and comparability of sustainability information. Aimed at redirecting investor interest towards more sustainable technologies and businesses, today's measures are part of the EU institutions' ongoing efforts to make Europe climate neutral by 2050.

FECIF INFORMS...

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1. Delegated act on the climate aspects of the EU taxonomy

The EU taxonomy is a tool to provide transparency to companies and investors, who will find in it a common language that they can use whenever they invest in projects and economic activities with significant positive impacts on the climate and the environment. It will also introduce disclosure requirements for companies and financial market participants. A communication, also adopted by the College today, sets out the Commission's approach in more detail.

The delegated act agreed to by the College of Commissioners introduces the first set of technical screening criteria designed to define activities that contribute substantially to two of the environmental objectives under the Taxonomy Regulation: climate change adaptation and climate change mitigation. The criteria are based on the scientific opinion of the Technical Expert Group (TEG) on Sustainable Finance and were defined following a consultation.

The scope of the delegated act covers the economic activities of around 40% of listed companies, in sectors that are responsible for almost 80% of direct greenhouse gas emissions in Europe. This includes sectors such as energy, forestry, manufacturing, transport and construction. The delegated act on the EU taxonomy is an evolving document, which will continue to evolve over time in light of developments and technological progress. The criteria will be reviewed periodically so that new sectors and activities, including transitional and other enabling activities, can be added as they are added.

Regarding the next steps: the College of Commissioners reached a political agreement on the text today. The delegated act will be officially adopted at the end of May when it has been translated into all EU languages.

2. A new directive on corporate sustainability reporting

Today's proposal revises and strengthens the existing rules introduced by the Directive on non-financial disclosure. The European Commission aims to create a set of rules that will, over time, put sustainability reporting on an equal footing with financial reporting. EU sustainability reporting requirements will be extended to all large and listed companies, bringing the number of companies in the EU that will have to comply with detailed standards to nearly 50,000, compared to 11,000 that are currently subject to existing requirements. The Commission proposes to develop standards for large companies and separate, proportionate standards for SMEs, which unlisted SMEs can use on a voluntary basis.

Overall, the proposal aims to ensure that companies publish reliable and comparable sustainability information. The aim is to ensure consistency of sustainability disclosures within the financial system and companies will be required to report on the impact of sustainability issues, such as climate change, on their activities and the impact of their activities on human rights.

The proposal will also simplify the reporting process for companies, many of which are currently obliged to apply a variety of rules and regulatory frameworks. The proposed EU sustainability disclosure rules are expected to be a kind of "one-stop shop" where companies find a one-stop solution to meet the information needs of investors and other stakeholders.

Regarding the next steps: The proposal will follow the ordinary legislative procedure. It will need to be approved by both the European Parliament and the Council. Once approved the directive will need to be transposed into national law by member States.

FECIF INFORMS...

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3. Amendments to delegated acts on investment advice and insurance, fiduciary duties, and product governance and control

The six amending acts adopted today encourage the financial system to support both companies that have embarked on the path to sustainability and those that are already sustainable...

- Investment advice and insurance: when considering whether an investment is suitable for a client, the advisor will be required to discuss the client's sustainability preferences with the client.
- Fiduciary duties: the changes clarify the obligations a financial firm has when assessing its sustainability risks, such as the impact of flooding on the value of investments.
- Governance and oversight of insurance and investment products: financial product manufacturers and financial advisors will be required to consider sustainability factors when packaging their products.

Sources—The Delegated act and the proposal for a directive on corporate sustainability disclosure are available upon request from either FECIF or GSCGI. The texts of the delegated acts on fiduciary duties are not yet available.

* * *

FECIF NewsFlash 53/2021—ESMA: third annual statistical report on the cost and performance of EU retail investment products

Executive Summary—The European Securities and Markets Authority (ESMA) published its third annual statistical report on the cost and performance of European Union (EU) retail investment products.

Analysis—In the report ESMA finds that the costs of investing in key financial products, such as UCITS funds, retail alternative funds, and structured investment products (SRPs) remain high and

diminish the investment outcome for final investors. Clear and understandable information about the impact of costs on the returns that retail investors can expect to receive is key to allowing investors to make informed investment decisions. Ensuring this information is made available is a key element in meeting ESMA's investor protection objective.

The main findings in the report are the following:

- Fund costs: UCITS costs only marginally declined over time. For one-year investments they were 1.4% in 2019 compared to 1.5% in 2018 on average across asset classes;
- Volatile returns: Average gross UCITS fund performance depends on market developments and varies significantly over time. It amounted to 7.7% in 2019, while it reached no more than +0.2% in 2018 for a one-year investment. The market impact of COVID-19 falls outside the reporting period;
- Retail investors: Retail clients pay on average around 40% more than institutional investors across asset classes. A ten-year investment of EUR 10,000 in a portfolio composed of equity, bond and mixed funds led to a gross value of around EUR 21,800 and EUR 18,600 after costs. Around EUR 3,200 in costs were paid by the investor;
- Risks: Higher risk exposures entailed higher costs irrespective of the asset class;
- Active and passive funds: The evidence on cost structure showed that costs were higher for active equity and bond UCITS compared to passive and UCITS ETFs, ultimately implying net underperformance of active equity and bond UCITS, on average, compared to passive and UCITS ETFs. Top-25% active equity UCITS overperformed compared to the top-25% passive and related benchmarks, at shorter horizons. However, the cohort of UCITS changes over time making it complicated for investors to consistently identify outperforming UCITS;
- ESG funds: ESG outperformed non-ESG equity

FECIF INFORMS...

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UCITS mostly due to sectoral factors. According to the evidence, actively managed ESG funds showed lower costs than non-ESG, not supporting the view that there is systematic greenwashing by ESG funds;

- **Retail AIFs:** Retail AIFs, similar to UCITS, showed high return volatility. While being negative in 2018, gross annualised returns in 2019 were 12% for Fund of Funds (FoFs) and 9% for the residual category "Others" that includes investment primarily focused on equity and bonds. Net returns confirm what has been observed for gross returns, being 11% for FoFs and 7% for Others;
- **SRPs:** The analysis on costs and performance scenarios for SRPs showed that total costs were largely attributable to entry costs and varied substantially by country and payoff type. Moreover, there was little difference in simulated returns between moderate and favourable performance scenarios; and
- **Transparency:** There is limited comparability across Member States. Heterogeneity and data availability issues persisted, as well as lack of harmonisation in national regulation.

This report aims at facilitating increased participation of retail investors in capital markets by providing consistent EU-wide information on cost and performance of retail investment products. It also demonstrates the relevance of disclosure of costs to investors, as required by the MiFID II, UCITS and PRIIPs rules and the need for asset managers and investment firms to act in the best interest of investors, as laid down in MiFID II, and the UCITS and AIFM Directives.

Sources—The report is available [here](#).

* * *

FECIF NewsFlash 46/2021—EBA: consultation on regulatory technical standards on disclosure of investment policy by investment firms

Executive Summary—The European Banking Authority (EBA) published today a consultation paper on draft regulatory technical standards (RTS) on disclosure of investment policy by investment firms. The consultation runs until 01 July 2021.

Analysis—The draft RTS put forward comparable disclosures that should help stakeholders understand investment firms' influence over the companies in which they have voting rights and the impact of investment firms' policies on aspects such as the governance or management of those companies. The draft RTS put forward templates and tables for the disclosure of information on the investment firm's voting behaviour, explanation of the votes, and the ratio of approved proposal, with the objective to show if the investment firm is an active shareholder that generally uses its voting rights, and how it uses them. They also include information on the use of proxy advisory firms that should help address uncertainties about potential conflicts of interest. Finally, they include information on investment firms' voting guidelines, including, when relevant, a breakdown by geographical zone, economic sector or topic of the resolution being voted. These disclosure requirements apply to class 2 investment firms with total assets above EUR 100 million. These firms will have to disclose this information in relation to those companies whose shares are admitted to trading on a regulated market and in which the proportion of voting rights exceeds 5% of all voting rights issued by the company.

Sources—Please follow [this link](#) in order to provide a feedback. The consultation paper is available at [this link](#).

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CIFA INFORMS...

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PROGRAM

- Welcome address by **Alejandro KATZ**, Representative of the Permanent Mission of Uruguay to the United Nations
- Introductory Remarks by **Tony MAHABIR**, President of CIFA

PANEL DISCUSSION

Panelists:

William K. BLACK, Associate Professor of Economics and Law, University of Missouri-Kansas City, USA

Steve H. HANKE, Professor of Applied Economics, Johns Hopkins University

Stephanie KELTON, Professor of Economics and Public Policy, Stony Brook University, USA

Joe OLIVER, former Minister of Finance and Minister of Natural Resources, Canada

Stephen B. YOUNG, Global Executive Director, The Caux Round Table for Moral Capitalism, St. Paul, Minnesota, USA

Moderator:

Daniel MITCHELL, Chairman, Center for Freedom and Prosperity

All the valuable information, including UN ECOSOC FfD main forum program and Side-Events' program, CIFA's side-event program, the Welcome Address, the Introductory Remarks and the main debate video, can be found on...

<https://cifango.org/UN-ACTIVITIES>

FINMA—HANDOVER OF CEO ROLE ON 1 MAY 2021

Jan Blöchliger will replace Mark Branson as FINMA CEO ad interim on 1 May 2021. Michael Waldburger will head the Banks division ad interim from 1 April 2021.

Following the resignation of FINMA CEO Mark Branson (press release), FINMA's Board of Directors has finalised the details for the handover of power.

As previously communicated, Mark Branson will hand over the role of CEO on 1 May 2021 ad interim to Jan Blöchliger, the current head of the Banks division. Jan Blöchliger will familiarise himself with his new role of interim CEO in April 2021. To enable him to do so, he will already hand over the leadership of the division from 1 April 2021.

The Executive Board has appointed Michael Waldburger as a member of the Executive Board and head of the Banks division ad interim effective 1 April 2021 until further notice.

Mark Branson will continue to support FINMA during the transition period until the end of May 2021. His employment will be terminated after a cooling-off period on 31 July 2021.

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info@finma.ch

Lien URL: <https://www.finma.ch/en/news/2021/04/handover-of-ceo-role-on-1-may-2021/>

* * *

Retrouvez également la FINMA en chiffres dans son Rapport Annuel de 2020...

<https://www.finma.ch/en/news/2021/03/20200325-mm-jb2020/>



JOINT STATEMENT ON THE U.S.-EU JOINT FINANCIAL REGULATORY FORUM

Washington, DC—U.S. and EU participants in the U.S.-EU Joint Financial Regulatory Forum (“the Forum”) met virtually on March 24 and 25, 2021, to exchange views on topics of mutual interest as part of their ongoing financial regulatory dialogue.

U.S. participants included officials from the U.S. Department of the Treasury and staff from independent regulatory agencies, including: the Board of Governors of the Federal Reserve System (FRB), Commodity Futures Trading Commission (CFTC), Federal Deposit Insurance Corporation (FDIC), Securities and Exchange Commission (SEC), and Office of the Comptroller of the Currency (OCC). U.S. participants expressed views on issues in their respective areas of responsibility.

EU participants included representatives of the European Commission, European Banking Authority (EBA), European Securities and Markets Authority (ESMA), European Insurance and Occupational Pensions Authority (EIOPA), European Central Bank (ECB), Single Supervisory Mechanism (SSM), and Single Resolution Board (SRB).

The Forum focused on six themes:

- (1) next steps in the COVID-19 recovery and mitigating financial stability risks,
- (2) sustainable finance,
- (3) multilateral and bilateral engagement in banking and insurance,
- (4) regulatory and supervisory cooperation in capital markets,
- (5) regulatory and supervisory developments regarding financial innovation, and
- (6) anti-money laundering and countering the financing of terrorism (AML/CFT) issues.

The COVID-19 crisis has had an unprecedented impact on the global economy, and while the United States and the European Union are expected to experience strong recoveries, heightened uncertainty

is likely to continue and cooperative international engagement to mitigate financial stability risks remains critical.

Participants discussed issues and priorities relating to sustainable finance, along with addressing climate-related financial risks, consistent with their respective mandates. They shared views on U.S. administration efforts to tackle climate change, and the EU’s implementation of its 2018 Action Plan on Financing Sustainable Growth, including the Taxonomy, ecolabels and green bond standards and the upcoming Sustainable Finance Strategy. The United States provided an update on sustainable finance-related financial disclosures, and EU participants did the same on the revised Non-Financial Reporting Directive proposal and application of the Sustainable Finance Disclosure Regulation. Participants discussed a broader assessment of and possible responses to climate-related financial risks. Participants also discussed different areas where cooperation could be intensified moving forward, including in international forums like the G20, where the United States is co-chairing the Sustainable Finance Study Group, the International Platform for Sustainable Finance, and others.

Regarding banking, participants discussed measures taken to ensure that banks can help support the economic recovery, and the implementation of Basel III reforms. Participants also discussed cross-border resolution developments, and FATCA issues. They also discussed developments in the field of insurance, including the EU’s review of Solvency II, U.S. and EU insurance-related pandemic response work, including on public-private partnerships, and implementation of the U.S.-EU Covered Agreement.

On capital markets, participants discussed their continued monitoring of the transition from panel reference rates and the progress in their respective legislative and supervisory efforts to ensure a

JOINT STATEMENT ON THE U.S.-EU JOINT FINANCIAL REGULATORY FORUM

smooth transition away from LIBOR. They took note of EU efforts to implement public country-by-country reporting. They also discussed the EU review of the Alternative Investment Fund Management Directive, and U.S. work on potential reform options for money market funds. They also took stock of ongoing discussions regarding data transfers and the registration of EU funds, SEC substituted compliance for EU-domiciled securities-based swap dealers in the United States, and the European Commission's equivalence decision for SEC-registered central counterparties (CCPs). CCP recovery and resolution developments were also mentioned. Participants also discussed CFTC capital and financial reporting requirements for swap dealers.

The participants acknowledged the constructive audit oversight cooperation over the past decade between the Public Company Accounting Oversight Board (PCAOB) and EU audit regulators, and recognized that the European Commission's adequacy decision supports continued cooperation in the interest of investors and capital markets. The participants welcomed the European Data Protection Board's recently issued positive opinion on a data protection agreement between the PCAOB and the French competent authority.

In addition, participants shared views on regulatory and supervisory developments regarding financial innovation and recent efforts by the United States and the European Union to improve operational resilience in the financial sector. Participants also exchanged views on recent developments and regulatory proposals involving new forms of digital payments, including crypto-assets, so-called

stablecoins, and central bank digital currencies. Participants acknowledged the importance of ongoing international work on financial innovation, with a view to promote responsible innovation and international supervisory cooperation.

Participants also discussed AML/CFT developments, including pandemic-related fraud and the laundering of the proceeds, the AML provisions in the National Defense Authorization Act, and EU AML Action Plan implementation. Participants recognized the potential for enhanced cooperation to combat money laundering and terrorist financing bilaterally and in the framework of FATF.

Participants acknowledged the importance of the Forum in fostering ongoing financial regulatory dialogue between the United States and European Union, and agreed that regular communication on regulatory and supervisory issues of mutual concern should support financial stability, investor protection, market integrity, and a level playing field.

Participants will continue to engage on these topics, as well as on other topics of mutual interest ahead of the next Forum meeting, which is expected to take place in the summer of 2021.

<https://home.treasury.gov/news/press-releases/jy0084>



U.S. DEPARTMENT OF THE TREASURY

LA CONTESTATION TARDIVE D'OPÉRATIONS BANCAIRES

...article de Célian Hirsch—Centre de droit bancaire et financier—<https://cdbf.ch/1178/>

À quelles conditions une clause de réclamation déploie ses effets? Dans un arrêt du 1er décembre 2020, la Cour de justice genevoise se penche sur cette problématique à l'aune d'une affaire dans laquelle la cliente aurait tardé à contester des opérations prétendument effectuées sans instruction (ACJC 1747/2020, entré en force).

La cliente, qui a étudié la finance et travaillé au sein d'une banque en Angleterre, ouvre un compte à Genève. Elle n'octroie aucun mandat de gestion de fortune ou de conseil en placement à la banque. Elle signe la documentation contractuelle, qui comprend notamment une clause de banque restante et une clause de réclamation. Cette dernière a la teneur suivante:

«Any complaints of the Account Holder regarding the execution or non-execution of orders of any kind, or objections to a statement of account or safekeeping account, or other communications, shall be submitted to the Bank immediately, or at the latest no later than one month after receipt of the corresponding advice. (...) The Account Holder shall bear any damages and/or losses resulting from late objections. (...)».

La cliente et son chargé de relation développent une relation d'amitié. Ils échangent régulièrement par téléphone et courrier électronique. À deux reprises, la cliente signe un accusé de réception confirmant que la correspondance banque restante lui a été remise.

Lors du départ du chargé de relation, un nouveau chargé appelle la cliente pour lui demander ce qu'elle veut faire avec les opérations sur le marché des changes, lesquelles avaient engendré des pertes

de USD 500'000.-. Surprise et choquée, la cliente se plaint auprès de l'ancien chargé de relation de n'avoir jamais été informée de ces pertes.

Après avoir demandé et reçu l'intégralité des relevés bancaires, la cliente confirme à la banque qu'elle les a bien examinés. Plus de trois mois plus tard, la cliente se retourne contre la banque en alléguant qu'elle n'avait jamais autorisé les opérations *forex*. De son côté, le chargé de relation affirme n'avoir jamais effectué d'opérations sans instruction de la cliente. Néanmoins, aucune trace d'instructions relatives à des opérations sur le marché des changes ne se trouve dans le dossier de la banque ou dans les enregistrements d'entretiens téléphoniques. La cliente allègue également qu'elle n'avait pas reçu la documentation bancaire lorsqu'elle a signé les accusés de réception.

Saisi d'une demande en paiement de USD 1'070'582.-, le Tribunal de première instance déboute la cliente. Il laisse ouverte la question de l'existence d'instructions de la cliente. En effet, la cliente a, en tout état, ratifié les transactions. Vu ses connaissances et son expérience dans le domaine bancaire, il est peu vraisemblable qu'elle ait signé des accusés de réception sans avoir reçu la documentation banque restante. Elle pouvait par ailleurs comprendre, grâce sa formation dans la finance, que son portefeuille comprenait des positions *forex*. Même si les parties étaient liées par une relation *execution only*, la cliente devait vérifier les documents remis. À défaut de contestation dans le délai, la cliente était réputée avoir ratifié les opérations litigieuses.



CENTRE DE DROIT
BANCAIRE ET FINANCIER

LA CONTESTATION TARDIVE D'OPÉRATIONS BANCAIRES

...article de Célian Hirsch—Centre de droit bancaire et financier—<https://cdbf.ch/1178/>

Sur appel de la cliente, la Cour de justice se penche sur la fiction de ratification découlant de la clause de réclamation.

La Cour de justice commence par rappeler la jurisprudence du Tribunal fédéral relative à la validité de telles clauses. En particulier, la fiction de ratification s'applique aux opérations que le client aurait dû découvrir en y prêtant l'attention que les circonstances permettaient d'exiger de lui.

La clause de réclamation est parfois jumelée d'une clause de banque restante, laquelle entraîne une fiction de réception. Lorsque la banque s'écarte intentionnellement des instructions de son client alors que rien ne le laissait prévoir, la banque commet un abus de droit en se prévalant de cette double fiction (réception et ratification). Cela étant, le Tribunal fédéral a récemment considéré que cette jurisprudence n'était pas applicable lorsque le client avait reçu la documentation et qu'il pouvait ou devait se rendre compte de l'irrégularité des opérations (4A_449/2018 commenté in cdbf.ch/1061). Il convient alors de constater l'étendue des connaissances du client afin de déterminer s'il était en mesure d'appréhender la documentation bancaire.

En l'espèce, la Cour de justice ne tranche pas la question de la réception effective des documents lors de la signature des accusés de réception. En effet, la cliente a reçu en tout état la documentation par courrier électronique après la discussion téléphonique avec le nouveau chargé de relation. Elle était ainsi, dès cette réception, informée des opérations litigieuses. Vu sa formation et son

expérience en matière bancaire, elle pouvait, ou à tout le moins devait, comprendre la portée de ces relevés de compte. Elle a d'ailleurs elle-même affirmé, dans un courriel adressé au nouveau chargé de relation, qu'elle avait examiné de manière minutieuse la documentation remise. Elle a cependant attendu plusieurs mois, après ce dernier courriel, pour contester les opérations litigieuses.

Par conséquent, la cliente a ratifié les opérations litigieuses en recevant effectivement la documentation pertinente qu'elle pouvait et devait comprendre et sans s'y opposer dans le délai de 30 jours. L'appel est ainsi rejeté.

Cet arrêt, qui examine de manière précise la jurisprudence du Tribunal fédéral, est une bonne pique de rappel de la portée des clauses de réclamation, ainsi que de la méthode à suivre afin de juger de leur validité.

Le tribunal examine d'abord si la documentation a été effectivement remise. Dans la négative, la jurisprudence relative à l'abus de droit s'applique (cf. cdbf.ch/1028/ et références citées). Si les documents ont été remis, le juge constate dans un deuxième temps si le client devait ou pouvait se rendre compte de l'irrégularité des opérations. S'il ne dispose pas des connaissances ou d'expérience suffisantes, la clause de réclamation est inefficace. Dans l'autre hypothèse, le juge vérifie en dernier lieu si le délai d'opposition contractuel, en règle générale 30 jours, a été respecté. S'il n'a pas été respecté, l'abus de droit peut à notre avis encore s'appliquer, bien que de manière plus restrictive par rapport à la situation dans laquelle la documentation n'a pas été remise.



CENTRE DE DROIT
BANCAIRE ET FINANCIER

SFI: SECRÉTARIAT D'ÉTAT AUX QUESTIONS FINANCIÈRES INTERNATIONALES

Le réseau des FinTech vertes présente son plan d'action

Le 8 avril 2021, le nouveau réseau qui réunit des start-up et des experts du domaine des FinTech vertes a présenté un plan d'action pour une place financière suisse verte et innovante. Ce plan est conforme à l'objectif du Conseil fédéral qui est de faire de la Suisse l'un des principaux centres mondiaux de services financiers numériques et durables.

Le réseau des FinTech vertes a été créé en novembre 2020, avec la collaboration du Secrétariat d'État aux questions financières internationales. Le plan d'action présenté par le réseau contient 16 propositions concrètes qui sont axées sur l'avenir et qui visent à combiner technologies numériques et finance durable. Ces propositions vont de la création d'une plateforme de données sur la durabilité à la promotion de l'open finance ou à l'extension des possibilités de financement des FinTech vertes, en passant par le lancement d'un concours d'innovation pour les start-up de ce domaine.

Le réseau entend que ses propositions incitent les autorités, les associations, les milieux scientifiques et les entreprises à réaliser des innovations prometteuses. Les propositions feront l'objet d'une vaste discussion lors d'une table ronde présidée par le conseiller fédéral Ueli Maurer le 19 mai 2021.



Lien URL: <https://www.sif.admin.ch/sif/fr/home/dokumentation/fokus/green-fintech-action-plan.html>

PLAN-CADRE D'ASSURANCE RESPONSABILITÉ CIVILE PROFESSIONNELLE

... POUR LES MEMBRES DU GSCGI

Le GSCGI offre à ses membres une couverture cadre d'assurance exclusive, négociée avec les assureurs ZURICH et LIBERTY. Ces deux assureurs sont nos partenaires exclusifs autorisés à présenter les couvertures des risques (ci-après) aux conditions préférentielles pour les Membres du GSCGI.

Ces couvertures étendues et complètes — Responsabilité civile professionnelle (RCPI) couvrant également les cas de médiation; Responsabilité des dirigeants (D&O); Assurance Fraude (FR); Assurance Cyber (AC) — offrent une sécurité accrue aux Gestionnaires de fortune et Conseillers financiers dans leur activité quotidienne. L'assurance professionnelle met les professionnels

à l'abri de situations inattendues et génératrices de conséquences financières parfois dévastatrices.

Pratiquement, les Membres pourront s'adresser au Secrétariat du GSCGI, ou à la Commission Assurances, pour obtenir tous les renseignements. Un formulaire/questionnaire spécifique du GSCGI a été édité pour obtenir les offres des assureurs, il figure sur le site web du Groupement et est donc à disposition des Membres. Il devra être complété par le gestionnaire de fortune et le Conseiller financier pour demander les offres avec la preuve de sa qualité de Membre et envoyé confidentiellement au courtier Patrimigest.

Le GSCGI n'a pas accès à ces informations.

COUVERTURES D'ASSURANCES

Responsabilité civile professionnelle (RCPI)

Elle couvre les actes fautifs commis par la société du gérant indépendant ou l'un de ses représentants en cas d'erreur, d'omission dans le cadre de l'activité professionnelle qui entraînerait un préjudice financier d'un tiers.

Les fautes les plus courantes sont:

- Mauvaise exécution d'un ordre
- Oubli d'un délai
- Non respect de la stratégie convenue
- Rupture abusive d'un crédit
- Défaut de conseil
- Délit de fraude fiscale

Qui est assuré?

1. L'institution financière et/ou ses filiales
2. Toutes les personnes physiques agissant dans l'exercice de leur fonction dans la société (salarié, stagiaire, dirigeant, administrateur)

Quelle est la couverture? L'assureur va payer:

- Les frais de médiation
- Les frais engagés pour la défense des assurés
- Les dommages et intérêts dus au lésé après jugement et condamnation
- Les réparations résultant d'un accord amiable (après acceptation de l'assureur)

Responsabilité des dirigeants (D&O)

En tant que dirigeant de votre entreprise, vous n'êtes pas à l'abri de revendications à titre personnel même s'il s'agit d'une erreur d'un employé. En effet, un lésé peut aller chercher une responsabilité personnelle vers le directeur ou l'administrateur de la société pour obtenir réparation du préjudice sur les biens propres du dirigeant.

Il peut vous être reproché une mauvaise décision ou de ne pas avoir pris une décision, d'avoir fait un choix stratégique contraire au but social, d'avoir effectué des investissements hasardeux, communication financière insuffisante ou erronée, manque de surveillance des dirigeants ou

d'une filiale. Font aussi partie les conflits du travail: licenciement abusif, discrimination, harcèlement.

Qui est assuré? Tous les dirigeants exécutifs et les administrateurs ainsi que leur famille directe.

Quelle est la couverture?

- Les frais engagés pour la défense des assurés à titre privé
- Les dommages et intérêts dus au lésé après jugement et condamnation
- Les réparations résultant d'un accord amiable (après acceptation de l'assureur)

Assurance Fraude (FR)

L'évolution technologique et économique des sociétés financières a beaucoup évolué et les risques au sein de ces entreprises aussi. Le risque de fraude devient élevé dans les services financiers surtout en fonction de l'importance croissante des équipements informatiques. L'infidélité et la malhonnêteté des employés sont aussi une source de fraude. L'usage intensif d'Internet fragilise les services en terme de risques de sabotage ou de terrorisme cybernétique. Des fraudes peuvent aussi être commises sur les marchés ou sur l'octroi des crédits.

Qui est assuré? L'entreprise

Couverture d'assurance: Une telle assurance a pour but de garantir les pertes subies par la société suite à la fraude:

1. Commise par un ou plusieurs employés y compris la fraude informatique et le transfert de fonds
2. Fraude informatique interne ou externe (hacking)
3. Frais de procédure et honoraires d'avocat

Assurance Cyber (AC)

Le risque cyber peut affecter l'activité des Gestionnaires de fortune indépendants et des Conseillers financiers.

Couvertures: Cyber-RC, restauration des données et des systèmes, gestion des crises & perte d'exploitation.

FED FRAMEWORK HOLDS CENTRAL BANK HOSTAGE

[...] The US Federal Reserve these days seems to be acting more like a lawyer than an economist. [...]

[...] Already — ... — companies are dealing with supply chain bottlenecks, higher commodity prices, industrial concentration, pervasive inventory shortfalls and, in some cases, labour issues. [...]

[...] In a way, the Fed has no operational choice but to stick to its transitory narrative given its recent adoption of a new monetary framework. [...]

[...] Froth and excessive risk-taking in markets will accompany an upward migration in both actual and expected inflation. Ultimately, the Fed may be forced to slam on the monetary policy brakes, risking undermining what should be a long-lasting inclusive recovery. [...]

[...] Balance of risks for monetary policy has flipped away from deflation to longer-term instability. [...]

Financial Times—May 3, 2021—[Read on...](#) CFB

LA BNS FACE AU DÉFI DE L'INTELLIGENCE ARTIFICIELLE

[...] Dans une époque où les progrès technologiques vont parfois plus vite que le cadre légal, la Banque nationale suisse a tenu à rappeler son importance dans la régulation. [...]

[...] Andréa Maechler ... membre du directoire de la banque centrale a également été très claire: malgré le succès croissant du bitcoin, pas question pour la BNS d'émettre une devise numérique (central bank digital currency - CBDC).

«Le problème n'est pas la technologie mais la confiance. Il faudra se poser la question: quelle est la valeur de cette monnaie? C'est là toute la difficulté», a-t-elle rappelé. [...]

L'AGEFI—April 16, 2021—[Read on...](#) CFB

UNE BIOTECH SUISSE ENTRE EN BOURSE VIA UN SPAC

[...] Basée à Bâle depuis 2016, Roivant Sciences a été fondée sur l'idée d'utiliser les nouvelles technologies pour développer des thérapies sur la base de molécules délaissées par les grands groupes pharmaceutiques. [...]

[...] Détenant une douzaine de filiales actives chacune dans une spécialité, l'entreprise s'apprête à fusionner avec une des coquilles vides cotées en bourse qui ont déferlé sur Wall Street depuis la mi-2020. Il s'agit d'une des premières sociétés suisses à suivre ce chemin vers une cotation boursière, pour l'instant peu praticable en Suisse. [...]

[...] Roivant Sciences s'apprête à recevoir 611 millions de dollars de liquidités dans cette opération qui la valorise à 7,3 milliards de dollars (6,6 milliards de francs). [...]

Le Temps—May 4, 2021—[Read on...](#) CFB

NORWAY'S \$1.3TN OIL FUND BROADENS ESG SCREENING TO SMALLER COMPANIES

[...] The Dividend Aristocrats, known for their ability to consistently raise their payouts for decades, are adding a twist: ESG investing. [...]

[...] Now the fund will screen all the 500 to 600 companies that are typically added to its reference index each year and decide whether to invest in them or not, or start active ownership measures such as monitoring. [...]

[...] World's largest sovereign wealth fund seeks to regain place as one of the top responsible investors Norway's oil fund was one of the pioneers of ethical investing this century. [...]

[...] The fund has sold out of about 300 companies since 2012 due to ESG problems, something it calls risk-based divestments. [...]

Financial Times—May 3, 2021—[Read on...](#) CFB

SURVEILLER LA REPRISE MONDIALE

La reprise économique mondiale s'est poursuivie au mois de mars, avec de plus en plus de signes d'amélioration sur les fronts de l'activité industrielle et du commerce. Aux Etats-Unis, les ventes de détail ont affiché leur deuxième plus forte hausse depuis 1992 et la progression de la production manufacturière a atteint un plus haut sur presque quarante ans.

Ces progrès économiques ont donné lieu à un regain des anticipations d'inflation des investisseurs. Même le choc externe de l'effondrement d'Archegos Capital Management en fin de mois a réussi l'exploit de ne pas ébranler la tendance structurelle du marché.

La hausse des rendements des bons du Trésor américain, qui reflète les anticipations d'ajustement des taux d'intérêt face à l'accélération de la reprise, a été contenue par les déclarations de la Réserve fédérale. La banque centrale américaine a rappelé aux investisseurs que ses priorités étaient l'économie réelle, le chômage et le ciblage d'une inflation moyenne, et qu'elle ne voyait aucune raison de remonter les taux avant 2023.

Soutenu par la relance budgétaire et monétaire, le rythme des injections de vaccins dans les pays occidentaux exerce une grande influence sur la vitesse de la reprise économique. Les campagnes de vaccination britannique et américaine montrent chacune que l'activité peut vite se redresser après les confinements, après l'exemple déjà fourni par la Chine

en Asie l'année dernière. Ces faits sont rassurants pour l'Union européenne, où de nombreux Etats, notamment la France et l'Allemagne, ont dû mettre à nouveau en place des mesures de restriction.

GRACE AU DEPLOIEMENT PROGRESSIF DES VACCINS, L'ECONOMIE AMERICAINE CONNAIT UNE FORTE ACCELERATION ET L'EUROPE DEVRAIT BIENTOT LUI EMBOITER LE PAS

INDICES PMI COMPOSITES DE L'ACTIVITE ECONOMIQUE



Sourcé : Banque Syz, IHS Markit

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**Asset Allocation
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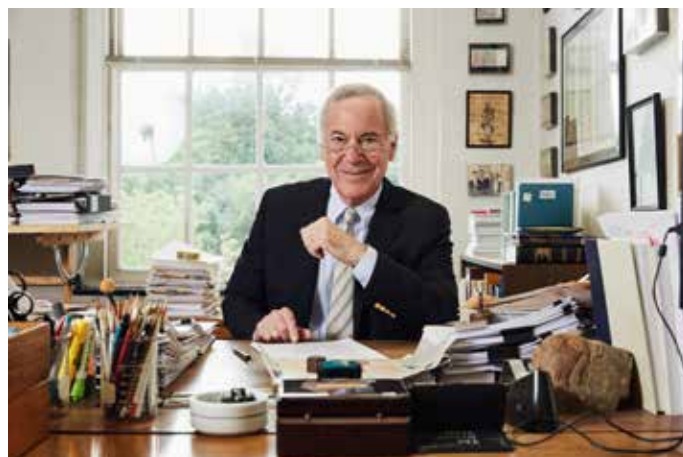
WHY MORE U.S. INFLATION IS RIGHT AROUND THE CORNER

...article by Prof. Steve H. Hanke—as published in National Review on April 14, 2021

The recently released Consumer Price Index numbers should be seen as a harbinger of what's to come.

On Tuesday (Apr. 13), the Bureau of Labor Statistics released the Consumer Price Index (CPI) for the month of March. Prices increased by 0.6 percent since February, the largest monthly increase since August 2012. On a year-over-year basis, the CPI increase was 2.6 percent. Given that the CPI for March 2020 was abnormally depressed because of the COVID-19 pandemic, most observers anticipated that the year-over-year increase would be elevated, but not as elevated as it actually turned out to be. I, for one, was not surprised.

The dramatic growth in the U.S. money supply, when broadly measured, that began in March 2020 will do what increases in the money supply always do. Money growth will lead in the first instance (1–9 months) to asset-price inflation. Then, a second stage will set in. Over a 6–18-month period after a monetary injection occurs, economic activity will pick up. Ultimately, the prices of goods and services will increase. That usually takes between 12 and 24 months after the original monetary injection. Given this sequence, it's as clear as the nose on your face that we're going to see more — perhaps much more — inflation entering the system in the coming months.



Steve H. Hanke

is a professor of applied economics at the Johns Hopkins University and a senior fellow and director of the Troubled Currencies Project at the Cato Institute.

To get a handle on how the economy works and where we're going, one needs a model of national income determination. For me, a monetary approach to national income determination is what counts. Indeed, in a fundamental sense, it's a theory of everything. The close relationship between the growth rate of the money supply and nominal GDP is unambiguous and overwhelming.

So, what is the current U.S. monetary temperature? Let's first determine the "golden growth" rate for the money supply, and then compare the actual growth rate of the money supply in the U.S. to the golden growth rate. To calculate the golden growth rate, I use the quantity theory of money (QTM). The QTM states that $MV = Py$, where "M" is the money supply, "V" is the velocity of money, "P" is the price level, and "y" is real GDP.

Let's use QTM to make some benchmark calculations in order to determine what the "golden growth" rate



(Sviatlana Lazarenka/Getty Images)

WHY MORE U.S. INFLATION IS RIGHT AROUND THE CORNER

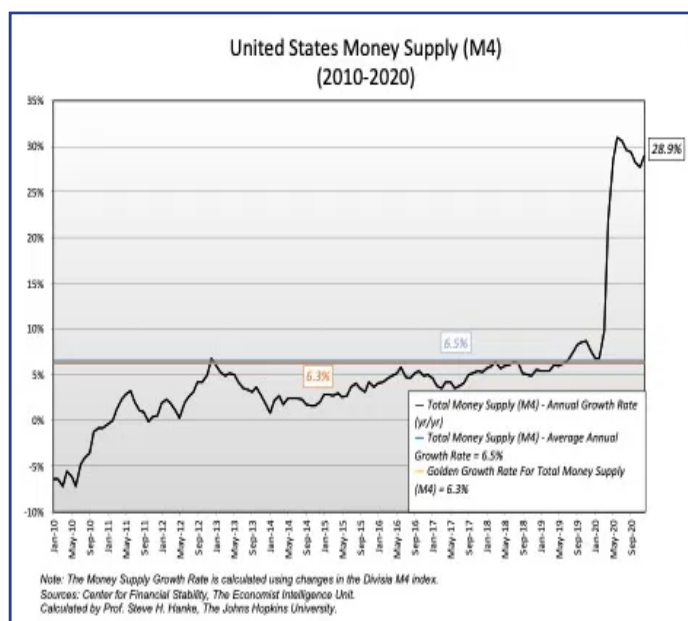
...article by Prof. Steve H. Hanke—as published in *National Review* on April 14, 2021

is for the money supply. This figure will be the rate of broad money growth that would allow the Fed to hit its inflation target. I have calculated the golden growth rate for the 2010–2020 period.

According to my calculations, the average percentage real GDP growth from 2010 to 2020 was 1.8 percent, the average growth in total money supply (M4) was 6.5 percent, and the average change in the velocity of money was -2.5 percent. Using these values and the Fed's inflation target of 2 percent, I calculated the U.S. golden growth rate for total money (M4) to be 6.3 percent.

How do I get there? The golden growth rate is the inflation target *plus* average real GDP growth *minus* the average percentage change in velocity (U.S. golden growth rate = 2.0 percent + 1.8 percent – (-2.5 percent percent) = 6.3 percent).

So, the average growth rate of the money supply (M4), which has been 6.5 percent, has slightly overrun the golden growth rate of 6.3 percent (see my calculations, and the chart below).



This has resulted in a realized inflation rate of 1.7 percent per year, slightly below the target of 2 percent. That the realized inflation rate is, however, a bit below the Fed's target is not surprising when you realize that prior to the explosion in the money supply in 2020, the average rate of growth of broad money was very modest from 2010 to 2019. It averaged only 4.0 percent, rather than the 2010–2020 average of 6.5 percent.

In response to the COVID-19 pandemic in March 2020, the growth rate in M4 began to skyrocket. By the end of 2020, it was growing at 28.9 percent per year, the highest year-end rate since 1943. That rate dramatically exceeds the golden growth rate of 6.3 percent per year, a growth rate that would be consistent with the Fed's inflation target of 2 percent per year.

Armed with the monetarist model for national income determination and the numbers just presented, it should be obvious, even to the untrained eye, that the recent March year-over-year CPI inflation rate of 2.6 percent is simply a harbinger of what is coming in the future: more inflation.

Steve H. Hanke is a Professor of Applied Economics and Founder & Co-Director of The Johns Hopkins Institute for Applied Economics, Global Health, and the Study of Business Enterprise. He is a Senior Fellow and Director of the Troubled Currencies Project at the Cato Institute, a contributor at National Review, a well-known currency reformer, and a currency and commodity trader.

Prof. Hanke served on President Reagan's Council of Economic Advisers, has been an adviser to five foreign heads of state and five foreign cabinet ministers, and held a cabinet-level rank in both Lithuania and Montenegro. He has been awarded seven honorary doctorate degrees, and is an Honorary Professor at four foreign institutions. He was President of Toronto Trust Argentina in Buenos Aires in 1995, when it was the world's best-performing mutual fund. Currently, he serves as Chairman of the Supervisory Board of Advanced Metallurgical Group N.V. in Amsterdam.

In 1998, he was named one of the twenty-five most influential people in the world by World Trade Magazine. In 2020, Prof. Hanke was named a "Knight of the Order of the Flag" by Albanian President Ilir Meta.

Follow him on Twitter @Steve_Hanke

RESUMPTION OF DOWNTREND OF US\$ INDEX!

...article by Bruno Estier Strategic Technicals - <http://bruno.estier.net/> - bruno.estier@bluewin.ch

In the first quarter of 2021, the US\$ Index displayed a sizable rebound from 89.17 to 93.47, but it reversed down in April right on schedule of the seasonality, displaying weakness from April to October. Also, it broke 91.80, which represented a 38% Fibon retracement of the previous rebound. This should confirm the resumption of the former downtrend of the US\$ index seen in the last three quarters of 2020. In early April the weekly momentum STO crossed down into its overbought area, giving a medium-term sell signal, which is going to be strengthened by the negative MACD crossing down again in the coming weeks, as displayed on the two lower panels. The near-term target becomes the lower weekly Bollinger Band (currently 89.26), which is near the previous major low of 89.17. However, given the downside strength of the momentum indicators, a Fibonacci target related to the first quarter 2021 rebound suggests looking for a decline toward 86.90. As displayed on the chart, another Fibonacci target related to the 2020 decline suggests a lower target of 81.85, obviously in a period further down the road.

The analysis of the price pattern of the US\$ Index seems to also reinforce the message of the resumption of the US\$ Index decline: it reveals that the rebound of the \$ in the first quarter 2021 took place in 3 sub-moves, called corrective zig-zag, while the April decline is taking a much

more linear and impulsive pattern. Finally, an astute observer will note that the weekly Ichimoku Cloud is currently declining, located now between 94 and 97, and is widening, thus indicating that it will become an even stronger resistance area in coming weeks. Further, on the upper panel, the CRB Index (red dotted line) is extending its uptrend started in April 2020. From an inter-market technical perspective, when the CRB Index is usually rising, the US\$ Index is declining. Oil and in particular copper are currently contributing to the rise of the CRB Index. Also with a rising CRB Index, the Relative Strength of emerging markets versus the S&P500 (orange solid line) is usually rising. However, right now it is only at best bottoming, so the impact of the rising CRB Index as well as the extent of a declining US\$ Index may not be fully discounted. Finally, a lower US\$ Index has been correlating with an uptrend of the S&P500 (green solid line) during 2020. However, this correlation is quite volatile, as the rising US\$ Index in the first quarter of 2021 has had little negative impact on the US equity market, which is now entering its seasonally weak period until October.

Chart of US\$ Index in weekly candles with Ichimoku cloud and Bollinger Bands and a declining 40-week Moving Average (thick green line). The yield spread of US 10-year Treasuries minus 10-year German Bunds is represented with a rebounding orange solid line, recently correlated with the direction of US \$ index candles. **On the upper panel** are displayed the rising Relative Strength of Emerging Markets (EEM) versus S&P500 in gold solid line and the rising CRB Commodity Index in red dash line (in percentage change on left scale). In addition, the green solid line is the S&P500 (SPX) on the right scale. **On the lower panel** the MACD negative is about to cross down, suggesting increasing downside momentum for the US \$ index, while the weekly "Slow STO" crossed in early April and is just entering oversold area. The \$ Index broke the horizontal line at 91.80, a 38% Fibon of the previous rise. This calls for further down drift toward the lower B-band (89.26) and possibly toward 86.50 or 81.85 much later. The declining 40-week Moving Average (thick green line) currently near 91.97 should act as resistance and as stop loss for this bearish scenario.

Source of data: Stockcharts.com.

Supports line & parameters are provided by BEST.



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COMMODITIES' RELENTLESS RISE MAY PAUSE MID/LATE Q2

...article by Jean-Francois Owczarczak - CEO, Management Joint Trust SA - jfo@mjt.ch

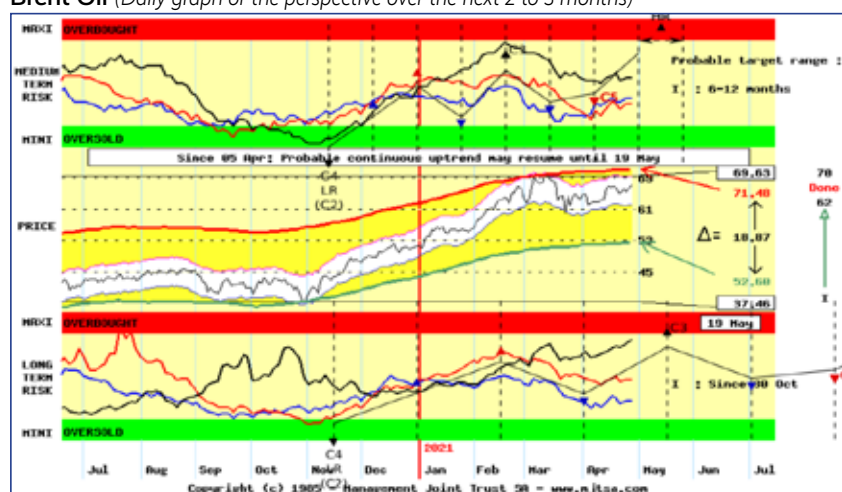
As all risk assets seem to be in blow-off mode, cyclical commodities such Oil or Copper have been leading the charge higher. Their uptrends since Spring last year are getting rather extended, yet it

could be another few weeks before they eventually top out. In this article, we review Oil and Copper that we believe follow similar dynamics first into mid-May and then into year-end.



www.mjtsa.com

Brent Oil (Daily graph or the perspective over the next 2 to 3 months)

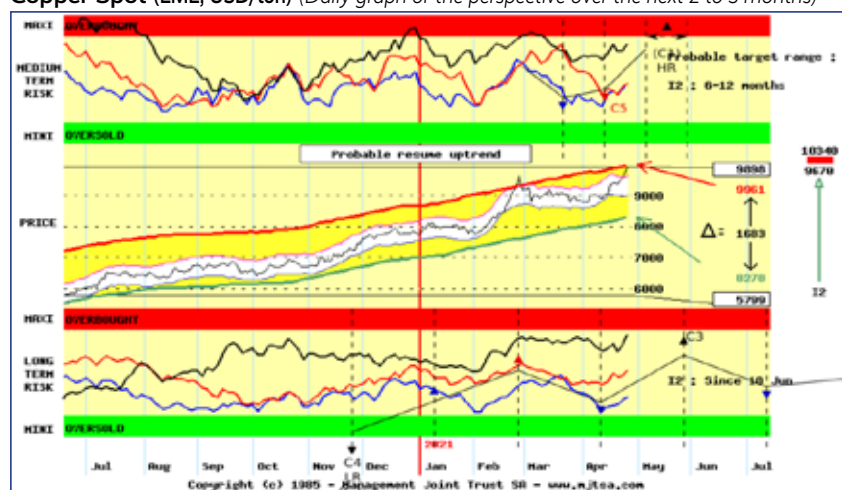


On both our oscillator series (lower and upper part rectangles), Brent Oil is in an extension to the upside. It could last another few weeks into mid-May, and Brent could revisit its March highs or even progress slightly above them (towards 70 USD/barrel, right-hand scale). Following that, from mid/late May, we would expect Brent to start correcting down, possibly for 2-3 months into early Summer. The downside targets we can calculate are pointing back to the low 60s/high 50s USD/barrel. We then expect Brent to resume higher (on our Weekly graph, not shown here), probably from early/mid Summer into year-end and early 2022. Brent could then reach high into the 80-100 USD/barrel range.

For more information on our services and methodology, please visit www.mjtsa.com or contact us.

All opinions, news, research, analyses, prices or other information in the article above are provided as general market commentary and do not constitute any financial advice. No economical business decisions should be based solely on the article above.

Copper Spot (LME, USD/ton) (Daily graph or the perspective over the next 2 to 3 months)



Similarly, the uptrend for Copper on this Daily graph is getting very extended. It may still push slightly higher into May, and perhaps even mid/late May, and could reach above 10'000 USD/ton by then (or towards the higher end of our extended I2 Impulsive 2 targets to the upside towards 10'300 USD/ton). Thereafter, we would then expect 2 to 3 months of retracement into early Summer, potentially down to the mid/low 8'000 USD/ton. Finally, similar to Oil above, from early/mid-Summer, our Weekly graph (not shown here) suggests that Copper should resume its uptrend into year-end and early 2022. It could reach above 12'000 USD/ton by then, at least.

Concluding remarks: The 13 months recovery rally from Spring last year has seen Oil more than triple, while Copper has more than doubled. Both have reached back to pre-Covid levels (much above them for Copper). We believe that these strong uptrends are getting quite extended on our Daily graphs. They may still extend higher into May, perhaps even mid/

late May and upside potential still provides for some further profits. Yet, from mid/late May, we would then expect a 2-3 months intermediate correction with retracement potential of circa 15 to 20% on both. Thereafter, cyclical commodities such as Oil and Copper should perform another leg up probably towards year-end and early 2022 and new highs.

CONFÉRENCE—SOCIÉTÉ GÉNÉRALE—MAY 19, 2021—4:00PM—GENEVA TIME

SOCIÉTÉ GÉNÉRALE EST MEMBRE PARTENAIRE DU GSCGI



SG ROBOTICS ONLINE CONFERENCE

We are pleased to invite you to the next Société Générale online conference, dedicated to the Robotics thematic.

“FOLLOW THE RISE OF THE ROBOTS”

May 19th, 2021 | 4:00 PM Geneva Time

AGENDA:

- Thematic presentation by **MARTIN FORD**, author of the best-seller « The Rise of the Robots – 2013 », award winning book « Financial Times and McKinsey Business Book of the Year Award – 2015 »
- Investment strategies presentation by **Charles de Boissezon**, SG Research Strategist, & **Abdelhadi Abderrahmani Ghorfi**, SG Indices Structurer.

Please confirm your participation to your usual SG contact or register thanks to the following link:

<https://evdr.societegenerale.com/sqrobotics2021-registration>



 **SOCIÉTÉ
GÉNÉRALE**



COVID-19

NOS RÉUNIONS MENSUELLES ET CONFÉRENCES
EN PRÉSENTIEL
SONT TEMPORAIREMENT INTERROMPUES.

NOUS PRÉPARONS DES CONFÉRENCES VIRTUELLES
DONT VOUS SEREZ INFORMÉS TOUT PROCHAINEMENT.

MERCI DE VOTRE AIMABLE COMPRÉHENSION!

* * *

OUR MONTHLY MEETINGS AND CONFERENCES
IN PERSON
ARE TEMPORARILY SUSPENDED.

WE ARE PREPARING VIRTUAL CONFERENCES
OF WHICH YOU WILL BE INFORMED SHORTLY.

THANK YOU FOR YOUR UNDERSTANDING!

GSCGI—22 AVRIL 2021: PROGRAMME DE FORMATION CONTINUE LSFIn

ACCORD-CADRE AZEK—GSCGI

La formation continue pour les professionnels de la finance est désormais une exigence obligatoire inscrite dans la loi LSFIn, bien que les contours de cette obligation soient encore plutôt flous dans les articles (Art. 6 & Art. 22) qui lui ont été consacrés. Cependant, il est important de s'y préparer sans attendre la dernière minute.

LSFIn: Exigences du législateur en matière de formation

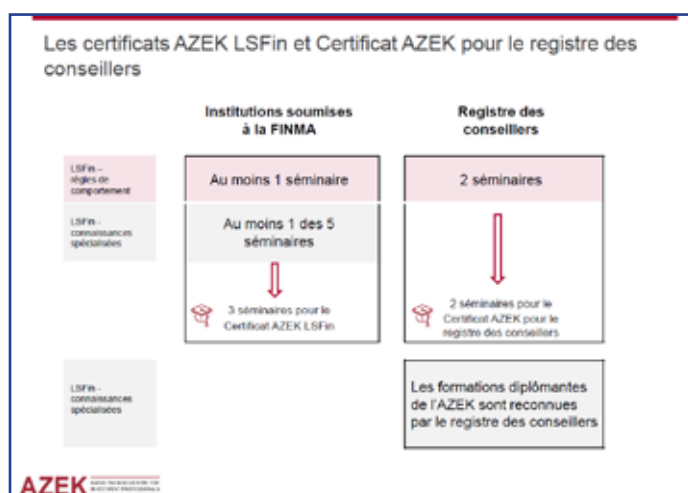
Art. 6
Les conseillers à la clientèle doivent connaître suffisamment les règles de comportement énoncées dans la présente loi et disposer des connaissances techniques requises par leur activité.

Art. 22 Collaborateurs
1 Les prestataires de services financiers s'assurent que leurs collaborateurs disposent des capacités, des connaissances et de l'expérience requises par leur activité.

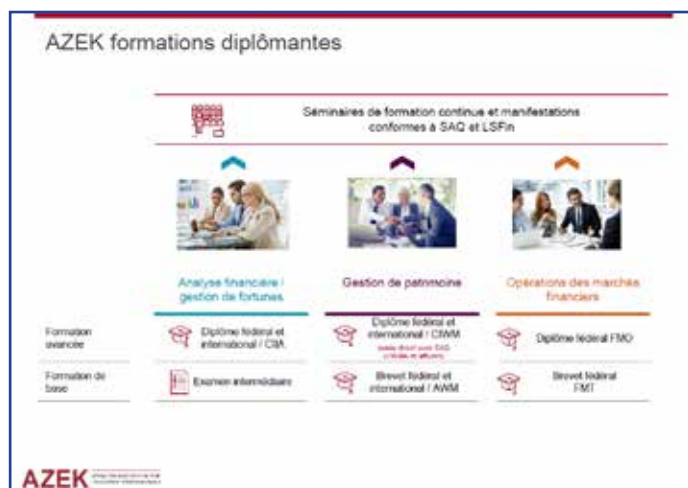
AZEK

Le Groupement, en conférence virtuelle 'Zoom' le jeudi 22 avril 2021, a eu le plaisir et l'honneur d'accueillir Jean-Sylvain PERRIG (Président, SFAA), Marianne BONATO (Membre de la direction, AZEK) et le Dr. Andreas JACOBS (CEO AZEK & SFAA), afin d'informer les Membres (GFI, Conseillers et Trustees) du programme de formation continue que l'AZEK offre, dont ils peuvent bénéficier selon l'accord-cadre établi entre le GSCGI et l'AZEK.

Depuis 1990, l'AZEK (Swiss Training Centre for Investment professionals, créé par la SFAA) s'est affirmé comme le principal centre de formation de la finance en Suisse romande et en Suisse alémanique, délivrant des diplômes fédéraux reconnus également à l'international. Après avoir formé plusieurs milliers de candidats, l'AZEK ne cesse d'enrichir ses programmes de formation en intégrant des sujets d'étude d'actualité, tels que 'Financial Data Science, ESG et LSFIn' de nos jours.



L'AZEK offre tant des formations de base que d'ordre avancé, toutes conduisant au brevet et/ou diplôme fédéral et international suivant le niveau de formation recherché par le candidat ... voir infographie ci-après.



En conclusion, les trois orateurs de l'AZEK, que nous remercions vivement, ont donné une présentation très professionnelle et riche en informations utiles aux professionnels de la finance. Le GSCGI recommande à ses Membres GFI, Conseillers et Trustees de s'y intéresser et ainsi bénéficier des conditions avantageuses dans le cadre de la formation continue menant aux certificats LSFIn (partie intégrante de notre accord-cadre).

GSCGI—28 AVRIL 2021: SERVICES, PRODUITS ET COMPÉTENCE FISCALE ACCORD-CADRE BRPSA—GSCGI

Les nouvelles lois de finance (LEFin-LSFin) entrées en vigueur le 1er janvier 2019 spécifient clairement que la Suisse s'est dotée d'un système de surveillance dite 'prudentielle' des professionnels exerçant leur activité en Suisse. Ceci implique une attention toute particulière portée aux 'risques', par la volonté du législateur, dont l'évaluation (et contrôle) continue par les GFI représente un point cardinal pour l'obtention de l'autorisation/FINMA et non seulement vu que la surveillance également se penchera sur les risques et les mesures de contrôle mises en place (gouvernance interne).

Le GSCGI, au moyen de sa conférence (Zoom) d'information du 28 avril dernier, a voulu porter à l'attention de ses Membres l'importance de cela pour les GFI, de s'y préparer à temps. Le choix de BRP SA, désormais Membre Hermès-Elite du Groupement, a été dicté par la compétence, le professionnalisme et l'ensemble de l'offre bien convaincants avec, à la clé, également des avantages pour les Membres du Groupement, ce dont nous le remercions.

Alessandro BIZZOZERO (Fondateur & Partner, BRP SA), Patrick GENAZZI (Fondateur & CEO, BRP SA) et Romain POTET (Partner & CEO, BRP Tax SA) ont présenté le thème de cette conférence... SERVICES, PRODUITS ET COMPÉTENCE FISCALE: Service Professionnel pour une Clientèle Internationale.

Des attentes de la FINMA (voir infographie en bas à gauche) découlent directement les devoirs des gestionnaires de fortune en matière de:

- connaissance réglementaire suisse et monitoring de son évolution,
- connaissance des règles d'accès aux marchés étrangers et contraintes inhérentes au 'servicing' d'une clientèle internationale,
- formation ... réglementaire suisse et cross-border,
- organisation interne appropriée (directives, contrôles, etc.).

pour n'en mentionner que les plus importants.

Les orateurs se lancent dans une présentation professionnelle et détaillée des différents risques et exemples (les illustrant) et des solutions offertes par BRP SA. L'espace nous manquant ici de la reporter fidèlement, nous ne pouvons que recommander aux Membres du Groupement de retrouver la vidéo dans les archives-web de cette conférence, ainsi que de celle du 21.01.2021 (FINMA & BRP SA) dont la vidéo est également à disposition.

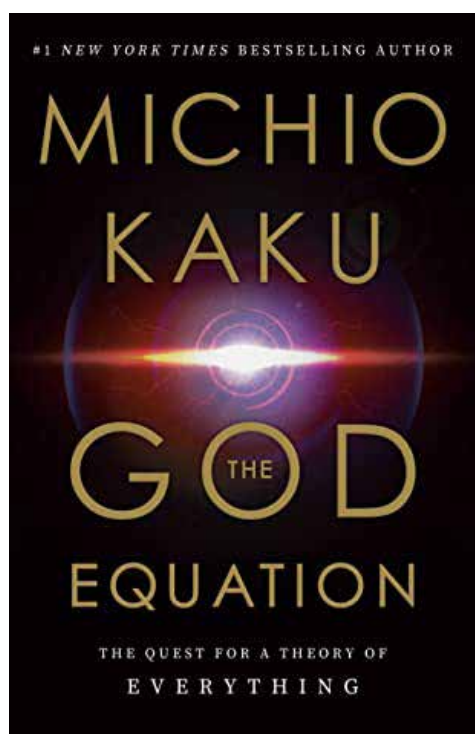
BRP Bizzozero & Partners SA, fondée à Genève en 2010, avec présence à Zürich et Lugano, avec ses 60 collaborateurs a créé un *network* de plus de 400 études d'avocats dans plus de 180 pays. BRP SA, leader dans le domaine réglementaire cross-border et suisse, a plus de 1'500 clients, dont 300 banques et groupes bancaires et 1200 GFI. Les services et produits offerts par BRP SA incluent le conseil, les produits et la formation (en présentiel et e-learning), trois axes importants pour mieux structurer le service à une clientèle internationale. Les outils digitaux en font également partie. Enfin, BRP Tax SA, filiale suisse de BRP SA fondée en 2015, apporte le support indispensable en matière de 'tax suitability' & 'tax compliance' et couvre les pays les plus importants pour les GFI suisses servant des clients étrangers.

Enfin, BRP se tient à disposition pour informer plus amplement les Membres du Groupement qui en feraient la demande, ce dont nous les remercions.



THE GOD EQUATION: THE QUEST FOR A THEORY OF EVERYTHING

BY MICHIO KAKU



Michio Kaku Says the Universe Is Simpler Than We Think

The theoretical physicist Michio Kaku has built a parallel career as a best-selling writer on the future — of science, of the mind, of the human condition. Now, with “The God Equation,” No. 12 on the nonfiction list last week, Kaku turns his lens on the past.

Not just, say, 380,000 years after the Big Bang, the earliest we’ve yet probed the universe. Before that. As the title suggests, Kaku’s latest concern is with what he calls the “holy grail” of all science, the metaphorical “umbilical cord” of our infant universe, whenever it was (or wasn’t) born out of the alleged multiverse. He wanted to write a balanced account of the physics community’s quest to prove string theory — and thus to resolve the messy, imperfect Standard Model of subatomic particles into one elegant theory of everything. This book is like a State of the Union where the union is all of existence.

In conversation, Kaku articulates the thorny situation with ease, and a sense of wonder: Right now the known laws of the universe — “the theory of almost everything,” he calls it — can be written on a single sheet of paper. There’s Einstein’s general relativity on one line, and then a couple more for the Standard Model. “The problem is that the two theories hate each other,” he said. “They’re based on different math, different principles. Every time you put them together it blows up in your face. Why should nature be so clumsy?” *Read on...*

* * *

‘The God Equation’ Review: One String Theory to Rule Them All

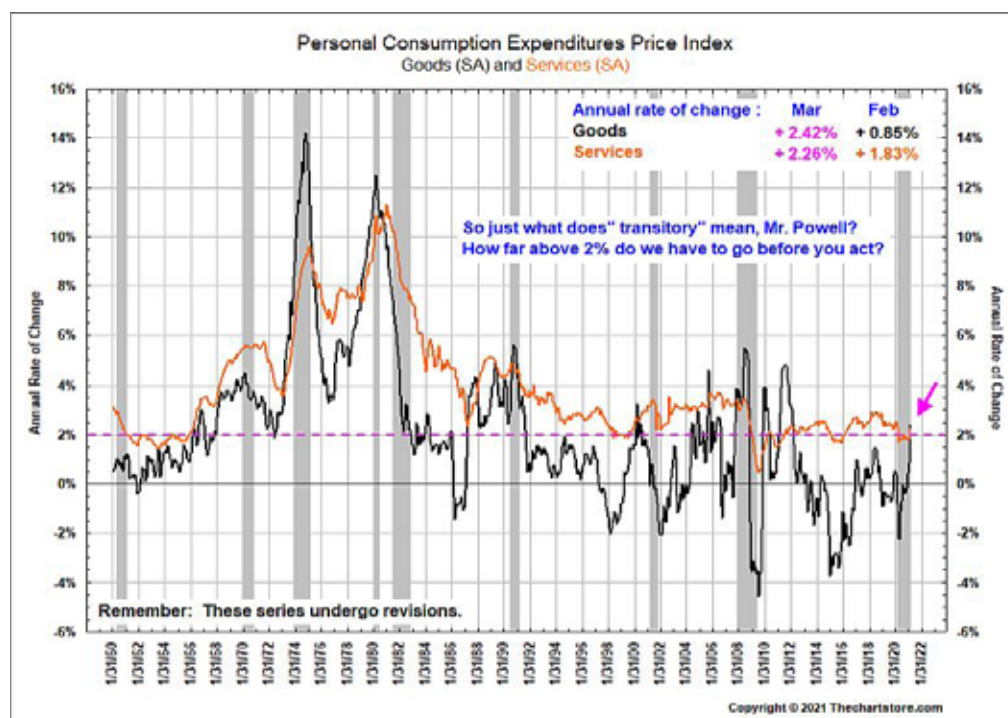
What is the universe made of? Physicists have answers but no unified theory explaining everything. This is an excellent book written by a masterful science communicator elaborating on a subject that is his research home turf—superstring theory.

The dream to synthesize all known physical forces has been a longstanding challenge; many physicists, including Einstein, have embarked on the pursuit and failed. The four fundamental forces of nature are gravity, electromagnetism, the “weak force” responsible for radioactive decay of some nuclei, and the “strong force” binding the atomic nucleus together.

When Newton discovered the laws of gravity, he accomplished the phenomenal task of connecting the celestial and terrestrial with a universal theory of gravitation that accounted both for a falling apple and the orbit of the Earth around the sun. Subsequently, as physicists uncovered additional fundamental forces in nature—electromagnetism, the weak force and the strong force—they set about combining all of them into ever-grander theories. Mr. Kaku traces each of these pivotal moments of unification, describing the key insights that permitted those breakthroughs... *Read on...*

INFLATION IS HERE. WILL IT BE 'TRANSITORY'?

Cosima F. BARONE—FINARC SA—www.finarc.ch



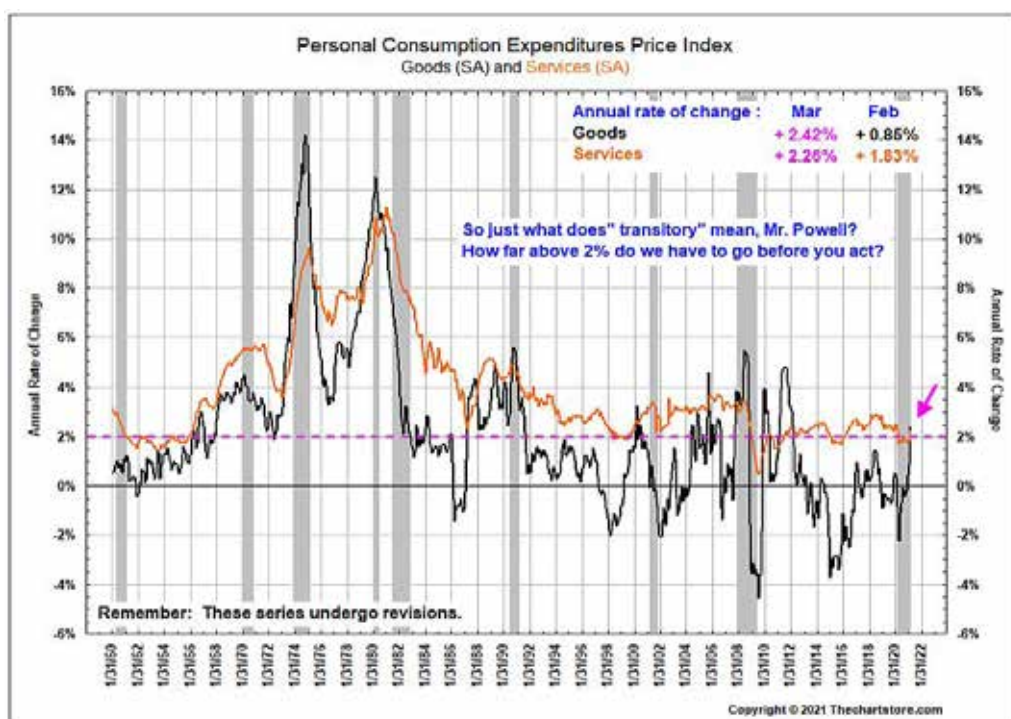
Federal Reserve economists say that inflation will be "transitory" (read: no need to increase wages) this time around!

They even expect it to recede later this year as supply constraints ease.

Let's hope they're right.

Investors, however, might want to be vocal about their legitimate concerns by asking...

Is the Fed underestimating the impact of its wide-open monetary policies despite... (a) an economy that will boom as the pandemic lockdowns end, and (b) the jobless rate continues to fall at a rapid rate?



Historical Graphs—1960 to present—are courtesy of www.thechartstore.com

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INVITATION
SIDE EVENT ON THE MARGINS OF
THE 2021 UN ECOSOC
FINANCING FOR DEVELOPMENT FORUM

AFTER COVID-19, NEW THINKING
ON CREATING REAL VALUE AND
FINANCING THE SDGs?

Tuesday, April 13, 2021

01:15 — 02:45pm

Videoconference via Zoom conducted by CIFA

Panel Discussion: about 1 hour

Q & A with the audience: about 45 minutes (Representatives of Member States, private sector and civil society)

This event is co-hosted by the Mission of Uruguay to the United Nations

PROGRAM

- Welcome address by **Alejandro KATZ**, Representative of the Permanent Mission of Uruguay to the United Nations
- Introductory Remarks by **Tony MAHABIR**, President of CIFA

PANEL DISCUSSION

Panelists:

William K. BLACK, Associate Professor of Economics and Law, University of Missouri-Kansas City, USA

Steve H. HANKE, Professor of Applied Economics, Johns Hopkins University

Stephanie KELTON, Professor of Economics and Public Policy, Stony Brook University, USA

Joe OLIVER, former Minister of Finance and Minister of Natural Resources, Canada

Stephen B. YOUNG, Global Executive Director, The Caux Round Table for Moral Capitalism, St. Paul, Minnesota, USA

Moderator:

Daniel MITCHELL, Chairman, Center for Freedom and Prosperity

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