



ELI

EUROPEAN
LAW
INSTITUTE

ELI Updates

January–February 2018

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(University of Latvia)



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State Secretary
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EDVĪNS BALŠEVICS

Director General

(Court Administration of Latvia)

Dear Members and Friends of the ELI

It is our pleasure to address you on this occasion as the ELI advances preparations for the 2018 Annual Conference and General Assembly to be held in Riga. We look forward to welcoming you to the capital of Latvia from 5–7 September this year.

From the moment the ELI was established, it has been linking various dimensions of legal expertise together – academic, institutional, legislative, judicial and so on. The Conference will attract lawyers from Europe and beyond with the aim of creating a better European legal environment. An environment shaped and contributed to by different perspectives, by different legal traditions and historical backgrounds.

Multi-dimensional and inter-regional legal discussions are of crucial importance for lawyers when upcoming trends in technologies become a reality on the ground, leaving a significant impact on the development of European law. Artificial intelligence, blockchains and big data as challenges and opportunities swiftly appearing on the European legal scene.

We have the pleasure to invite you to the 2018 ELI Annual Conference and General Assembly to discuss new legal trends and fundamental values in the historic setting of the University of Latvia, where the Faculty of Law was established in 1919.

In 2018, the Republic of Latvia is celebrating its Centennial Anniversary. In contributing the different perspectives of the Latvian legal milieu, academic, ministerial and judicial, we would be pleased to share the feeling of celebration in the spirit of pan-European legal discussions with you.

Anita Rodiņa
Raivis Kronbergs
Edvīns Balševics

ELI Annual Conference and General Assembly from 5–7 September 2018 in Riga (Latvia): SAVE THE DATE!

This year's ELI Annual Conference and General Assembly will gather between 350–400 legal professionals from Europe and beyond and will provide a forum for lively discussions on the most topical legal issues. The main event will take place at the University of Latvia and will include the General Assembly, keynote speeches as well as numerous panel sessions on topics relating to prospective and ongoing ELI Projects, including:

Prospective ELI Projects

- Blockchain Technology and Smart Contracts
- Fiduciary Access to Digital Assets
- Principles of Liability in Digitalised Environments: Conflict of Law and Substantive Law Aspects

Current and Completed ELI Projects

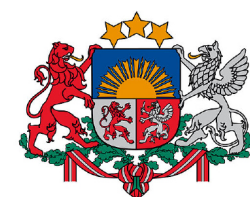
- Principles for a Data Economy (with the American Law Institute, ALI)
- Common Constitutional Traditions in Europe
- Protection of Adults in International Situations
- Business and Human Rights: Access to Justice and Effective Remedies (with European Union Agency for Fundamental Rights, FRA)
- From Transnational Principles to European Rules of Civil Procedure (with the International Institute for the Unification of Private Law, UNIDROIT)
- Empowering European Families: Towards More Party Autonomy in European Family and Succession Law
- Draft Model Rules on Online Intermediary Platforms
- For a European Approach to R&D Expenses Qualifying for the Common Corporate Tax Base Super Deduction

Various Special Interest Groups (SIGs) will also be featured at the Annual Conference.

Other venues of the Conference include the National Art Museum (for the opening reception on 5 September) and the National Library (for the Conference dinner on 6 September). The Conference is co-organised by the Law Faculty of the University of Latvia, the Court of Administration of Latvia, the Latvian Ministry of Justice and the ELI.

Please be informed that in light of Latvia's celebration of its centenary in 2018 we strongly encourage you to book your hotels as soon as possible. For more about hotels recommended by our hosts and secured at favourable rates, please visit the [ELI website](#). Further details will be made available in the next Newsletter.

We would like to thank the following partners for sponsoring our Conference:



Tieslietu ministrija

The Conference is also supported by:



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2018 ELI Young Lawyers Award

CALL FOR PAPERS

About

The ELI Young Lawyers Award was officially launched at the 2016 Annual Conference and General Assembly in Ferrara (Italy). The goal of this award is to provide the young European legal community with a mechanism to propose practical suggestions for the improvement of European law, as a way of giving voice to the future European legal experts and to help the ELI in fulfilling its core mission of improving the quality of European law.

Eligibility Criteria

The following are eligible to submit entries:

- Individuals currently undertaking a university law degree, whether undergraduate or postgraduate; and
- Individuals who are within five years of being awarded a law degree at the date by which entries must be submitted.

Where queries concerning eligibility arise, the decision of the ELI is final. Candidates must submit a unique and original paper which was not previously published and which deals with a European legal issue that could be improved. The contribution can be submitted in any of the EU official languages along with an English translation.

The submission shall contain:

- A cover sheet with the name, telephone number, e-mail and postal address of the applicant, as well as the topic of the paper;
- An executive summary of maximum 300 words; and
- A paper of maximum 2.500 words.

Selection and Prizes

The Jury of the ELI Young Lawyers Award is comprised of the European Law Institute and other appropriate participating institutions. It is selected by the ELI Executive Committee every two years.

The successful candidate will be invited to present his/her paper at the 2018 ELI Annual Conference and General Assembly in Riga (Latvia). The European Law Institute will further cover his/her accommodation and travel expenses up to the value of EUR 1,000. This will provide the winner with an opportunity to meet and greet some of the world's leading law experts and exchange ideas with them.



In addition, the winning contribution will be published on the ELI website and its author will be awarded with two years of free ELI fellowship, which will allow this individual to be involved in Special Interest Groups (SIGs), present Project proposals and participate in the Members Consultative Committees (MCCs) of different ELI Projects.

The papers must be submitted by **30 April 2018**, 20:00 CET, to the following address: award@europeanlawinstitute.eu

More detailed instructions are available on our website [here](#).

ELI Bodies in Vienna (Austria)

ELI Council Meeting



ELI Council Meeting

For the first time this year, Members of the ELI Council convened in Vienna in the Palais Trautson

of the Austrian Ministry of Constitution, Reform, Deregulation and Justice. The meeting took place on 8 and 9 February 2018 and was chaired by the Members of the Executive Committee.

One of the crucial tasks for ELI Council Members was to vote on the Statement on The Principled Relationship of Formal and Informal Justice through the Courts and Alternative Dispute Resolution, which was approved unanimously. More information can be found [here](#). Council Members were also invited to cast their votes on three prospective Projects, namely:

- **Principles for a Data Economy (with the American Law Institute, ALI)**

This Project will study, identify, and collate the existing and potential legal rules applicable to

transactions in data as an asset and as a tradeable item and assess the 'fit' of those rules with these transactions. For more information on this new Project, kindly click [here](#).

- **Common Constitutional Traditions in Europe**

This Project seeks to identify the source of Common Constitutional Traditions in Europe; their content; their relationship with national identity; whether they are an autonomous source of European law and the way in which they emerge as common to Member States and are expressed as such. For more information on this new Project, kindly click [here](#).

- **Business & Human Rights: Access to Justice and Effective Remedies (with the European Union Agency for Fundamental Rights, FRA)**

This Project will aim at identifying a range of possible draft EU regulatory and/or soft law options intended to increase access to remedies and ensure corporate human rights compliance and thus greater corporate social responsibility. Such a draft regulatory option would also include, where appropriate, explanatory notes and background papers. For more information on this new Project, kindly click [here](#).

Updates on ELI Projects

Statement on Alternative Dispute Resolution (ADR) Approved

The ELI is delighted to announce that its Statement on The Principled Relationship of Formal and Informal Justice through the Courts and Alternative Dispute Resolution was unanimously approved by the ELI Council on 8 February 2018. The Statement is the achievement of a joint effort of the ELI and the European Network of Councils for the Judiciary (ENCJ). The ENCJ will vote upon the Statement at its Annual Assembly in May 2018 and the Statement will be published on our website thereafter. The publication explores how courts and judges should act in considering or referring cases to ADR and consists of two main parts:

- A Statement of European Best Practice in Relation to the Approach that Courts and Judges Should

Adopt in Interacting with All Types of ADR Processes; and

- Recommendations as to the Best European Models that Can Be Developed and Applied for Coherent Access to Dispute Resolution Processes (DRPs) in Respect of Different Types of Dispute, and Towards which Member States May Wish to Progress.



This project is co-funded by the European Union

This Statement will be of particular interest for judges and ADR practitioners dealing with the issues discussed on a daily basis as well as for decision-makers responsible for designing effective dispute resolution processes (DRPs). A final conference of the Project is planned in the course of 2018.

Meeting of the ELI-UNIDROIT Working Group on Structure in Paris (France)

The team of the joint ELI-UNIDROIT Project on From Transnational Principles to European Rules of Civil Procedure has continued to make solid progress thanks to two further Working Group meetings in January 2018. On 17 January 2018, the Working Group on Structure met in Paris. During that meeting, the group discussed the more refined structure of the consolidated draft of rules after the ELI-UNIDROIT Vienna meeting on 16–17 November 2017 and the revised rules of the Obligations of Parties, Lawyers and Judges Working Group, as well as general principles to align those of the Obligations Working Group. Members of the Structure Working Group also

exchanged their views on the scope of the rules and definitions and reached an agreement



Members of the Working Group on Structure

on the general structure of the rules. It was decided that the next Working Group meeting will take place in Rome (Italy) on 9 April.



This project is co-funded by the European Union

Meeting of the ELI-UNIDROIT Working Group on Parties in Leuven (Belgium)

On 24–25 January 2018, the ELI-UNIDROIT Working Group on Parties met in Leuven for their final working meeting



before the submission of the first version of the draft rules regarding parties in civil proceeding to the Steering Committee and the Structure Working Group. During the meeting, and on reflection of discussions at a previous ELI-UNIDROIT meeting held on 16–17 November 2017 at the Austrian Ministry of Justice's *Palais Trautson*, the Working Group discussed some necessary changes to the draft. It was decided that a separate chapter would be submitted on the rules on injunctions in the context of collective interests, thus moving the existing section to a separate part on Collective Redress. At the end of the first day, the Working Group turned to cross-border issues (in the General Part of the rules) and took the decision to draw a distinction between cases having an EU only dimension and those having a connection to third States. The Working Group will prepare the final version of the general part of the

rules on Parties in time for the next meeting in April 2018 in Rome (Italy).



Members of the Working Group on Parties

For those following the Project's developments closely and interested in hearing first-hand reports about the work produced by the Working Groups so far, the ELI and UNIDROIT are delighted to announce a public Conference which will take place on 26–27 November 2018 in Trier (Germany). The event will be held at the Academy of European Law (ERA). The ELI will announce further details on registration for this highly anticipated event in due course.

Project on Principles for a Data Economy Meeting in New York (USA)

From 15–16 February 2018, the Project Group on the Principles for a Data Economy held a meeting at premises of the New York University School of Law. This Project, executed in cooperation with the American Law Institute (ALI), is led by Christiane Wendehorst on the ELI's side and by Neil Cohen on the ALI's side as Reporters. ELI Executive Committee

Member Lord John Thomas and Steven Weise act as co-chairs. Among the attendees of the New York meeting on the ELI's side were also Sjef van Erp, ELI Vice-President, and Radim Polčák.

This Project meeting took place after it had been adopted by the ELI Council on 9 February in Vienna,

and by the ALI Projects Committee and the ALI Council earlier in January 2018.

The Project aims to produce a set of transnational Principles that can facilitate the drafting of model agreements or provisions to be used on a voluntary basis by parties in the data economy. They can also be used as a source of inspiration and guidance for courts and legislators worldwide.



The ELI-ALI Project Group in New York

Because data does not have a 'location,' the goal would be to have a common set of Principles that

Protection of Adults Project Meeting in Vienna (Austria)

Members of the above Project met in Vienna on 28 February 2018 for the first time this year to further their Project. The meeting took place at the ELI Secretariat's premises in Vienna. Team Members started the meeting with a discussion on such issues as the EU's external competence and the ratification of the Hague Convention of 13 January 2000 on the International Protection of Adults, the legal basis of possible EU measure(s) on the protection of adults and the operation of the Hague Convention (and possible EU legislation) with respect to measures regarding the personal, as opposed to financial, interests of adults. Additionally, other issues relating to possible improvements to the rules on

would apply wherever the parties happen to be.

The Project will study, identify and collate the existing and potential legal rules applicable to transactions in data as an asset and as a tradeable item and assess the 'fit' of those rules with these transactions.



From October 2016 to February 2018 a Feasibility Study for the project was carried out, resulting, inter alia, in a Draft Framework for Discussion, which was presented at the 2017 ELI Annual Conference. The Feasibility Study was generously supported by the Fritz Thyssen Foundation.

During the meeting in New York, the Project Group discussed comments on the Draft Framework, as well as the scope, design and work plan of the ALI-ELI Instrument on Principles for a Data Economy.

Find out more about this Project on our website [here](#).



Working Group at the ELI Secretariat in Vienna

applicable law and rules on cooperation between central authorities and authorities of different Member States were also deliberated upon. The Team Members had a fruitful meeting and discussed future and prospective meetings and events.

ELI Representation

CJEU President Lenaerts Meets ELI President Wendehorst in Vienna (Austria)

On 8 January, President of the Court of Justice of the European Union (CJEU), Koen Lenaerts, met ELI President, Christiane Wendehorst, at the premises of

the ELI Secretariat in Vienna. President Lenaerts is an [ELI Individual Observer](#) and was one of the keynote speakers at the 2016 ELI Annual Conference and General Assembly in Ferrara (Italy). The CJEU is also an ELI Institutional Observer.



President Wendehorst took this opportunity to thank President Lenaerts for his enduring commitment to the ELI and to update him on the ELI's achievements over the course of the last few months. In particular, recent ELI publications such as the [ELI Instrument](#) on the Rescue of Business in Insolvency Law and the [ELI Statement](#) on Detention of Asylum Seekers and Irregular Migrants and the Rule of Law were discussed as was a prospective Project on Common Constitutional Traditions (CCT) in Europe, which has since been approved by the ELI Council. The CCT Project Team aims for an output which is broader than some of the classical comparative academic research on the topic, with the aim of being of practical utility for EU institutions, particularly for the CJEU in deciding future cases and for EU citizens. More on this Project can be found [here](#).

Presentation of ELI Detention Statement at the ICMPD in Vienna (Austria)

On 18 January, ELI Secretary General Vanessa Wilcox and Project Officer Ala Šabanovič met representatives of the International Centre for Migration Policy Development (ICMPD) to discuss the ELI's recently published Statement on Detention of Asylum Seekers and Irregular Migrants and the Rule of Law.

The two were cordially welcomed by Malin Frankenhaeuser (Head of Policy, Research & Strategy Department at the ICMPD) and Sergo Mananashvili (Advisor on Return and Readmission at the ICMPD) to the headquarters of the ICMPD in Vienna. The latter was also a Member of the Project Team of the Project on Detention of Asylum Seekers and Irregular Migrants and the Rule of Law.

While Vanessa Wilcox spoke about the ELI and its activities, Šabanovič focused on the



Statement, a theme closely related to the area of work of the ICMPD. Among other things, Šabanovič explained that the ELI's Statement identified due process standards and material conditions including conditions for detention, designed to enhance the implementation of existing EU law in the field. Šabanovič also spoke about the outcome of the ELI's Migration Project as well as key past and prospective dissemination activities. You can find out more about the ICMPD [here](#).

Lecture on the EU and the ELI in Vienna (Austria)

On 23 January 2018, members of the ELI Secretariat gave a lecture on



the EU and the ELI to students of the Institute for Legal and Constitutional History of the University of Vienna as part of the Law and Empire course. Secretary General Vanessa Wilcox, along with Project Officers Ala Šabanovič and Tomasz Dudek, welcomed about 20 students to the ELI Secretariat's premises.

Vanessa Wilcox started the lecture by outlining the difficulties of defining the so-called 'European Empire's' borders and the complex nexus of agreements which expand the geographical quarters of Europe. She also made reference, inter alia, to the European Free Trade Association (EFTA), Schengen and Eurozone countries. The potential territorial impact of the ELI's activities is thus very broad.

Wilcox continued her presentation by explaining the aims and structure of the ELI and emphasised the ELI's ethos of diversity.

Thereafter, Project Officer Ala Šabanovič gave an overview on ELI Projects. Šabanovič focused on the recently published Statement on the Detention of Asylum Seekers and Irregular Migrants and the Rule

of Law and described how the European migration crisis in 2015 spurred the ELI to seek to develop rules to ensure the effective implementation of due process standards.

Project Officer Tomasz Dudek continued with a presentation of the ELI Draft Model Rules on Online Intermediary Platforms Project and underlined the importance of this subject for the digital economy and the difficulty of reconciling online platforms with current existing regulatory frameworks at EU level. He explained the aims and recent developments of the Project, namely in the former case to analyse the need to adjust EU consumer contract law, private international law, data protection law and intellectual property law.

Tomasz Dudek briefly touched on the function of ELI Hubs and SIGs and presented the various incentives for young lawyers at the ELI such as internships, traineeships and the [ELI Young Lawyers Award](#).

ELI Vice-President Sjef van Erp in Hamburg (Germany)

On 24 January 2018, ELI Vice-President Sjef van Erp gave a talk on 'Who "Owns" Data?' at the Max-Planck-Institut für Ausländisches und Internationales Privatrecht in Hamburg (Germany), during the weekly Aktuelle Stunde discussions on recent legal developments, organised by the speaker of the ELI Senate, Reinhard Zimmermann.

Visit by the Secretary General of the Council of Bars and Law Societies of Europe (CCBE)



Vanessa Wilcox and Philip Buisseret

On 7 February, ELI Secretary General Vanessa Wilcox, welcomed Philip Buisseret, Secretary General of the

Council of Bars and Law Societies of Europe (CCBE), to the premises of the ELI Secretariat in Vienna (Austria).

Find out more about CCBE [here](#).

As one of the ELI's Founding Institutional Observers, the ELI is grateful to the CCBE for its longstanding commitment over the years. The meeting on 7 February marked an opportunity for both Secretary Generals to update each other on recent developments within their respective organisations and potential platforms through which to intensify their ties. Secretary General Buisseret is a frequent and honoured guest of the ELI Secretariat and his visit to Vienna was in the course of CCBE Expert Committee and Standing Committee meetings in conjunction with the Presidents' Conference.

Meeting between the ELI and the European Law Faculties Association (ELFA)



ELFA and ELI Representatives

On 7 February 2018, Christiane Wendehorst (ELI President), Sjef van Erp (ELI Vice-President) and Raffaele Sabato (Member of the Executive Committee) cordially welcomed José María de Dios Marcer (President of the European Law Faculties Association (ELFA)), Andreas R Ziegler (ELFA Vice-President and Treasurer) and Veronica Ruiz (ELFA Board Member) to the premises of the ELI Secretariat.

During this meeting, those present discussed possible ways to intensify the cooperation between the ELI and ELFA. The participants of the ELI-ELFA meeting continued their discussions over a hearty meal with other Members of the ELI Executive Committee, namely Lord John Thomas and Anne Birgitte Gammeljord, joining.

Members of the ELI Executive, including Vice-

President Sjef van Erp, as well as Members of the ELI Council will be attending the ELFA Annual General Meeting and Conference at the end of April 2018 in Barcelona (Spain).

Council Members that wish to join the Committee set up in respect of the ELI-ELFA dialogue should kindly contact the [Secretariat](#).

Presentation on the ELI at the University of Lyon (France)

On 8 February 2018, the European Union: 60 Years and After Conference took place at the Faculty of Law of the Catholic University of Lyon (UCly). Michel Cannarsa (Dean of the Law Faculty at UCly) gave a presentation entitled 'Independent Expertise, Source of Inspiration for European Law', where he presented the history and activities of the European Law Institute. The UCly is a valued Institutional Observer.

ELI President Christiane Wendehorst at the European Conference of Presidents of Bar Associations and Law Societies in Vienna (Austria)



Maria Ślęzak and Christiane Wendehorst/ © Matias Damjanovic – fotoEXPOSE

On 10 February 2018, ELI President Christiane Wendehorst attended the 46th European Conference

Other ELI Events

Insurance Law in a Changing EU Conference in Vienna (Austria)

On 18 January 2018, the Insurance Law in a Changing EU conference took place at the Austrian Ministry of Justice in Vienna. The many esteemed guests from Europe and beyond were welcomed by ELI President

of Presidents of Bar Associations and Law Societies – Vienna Advocates' Deliberations, which took place from 8–10 February in Vienna (Austria).

This year's Conference was themed 'Self-Regulation or Heteronomy – Lawyers' Independence in Danger?' and was hosted by the Federal Minister of Constitution, Reform, Deregulation and Justice and the Mayor of the City of Vienna. The event gathered more than 200 esteemed guests from across Europe.

On the margins of the Conference, ELI President Wendehorst had a meeting with Maria Ślęzak, President of the *Association Européenne des Avocats*-European Association of Lawyers (AEA-EAL), who emphasised her wish to strengthen the cooperation between the ELI and AEA-EAL. You can find out more about the European Conference of Presidents [here](#).

Meeting between Representatives of the ELI and the EU Agency for Fundamental Rights (FRA)

On 12 February 2018, ELI President Christiane Wendehorst and ELI Secretary General Vanessa Wilcox held a meeting with representatives of EU Agency for Fundamental Rights (FRA) at the latter's premises in Vienna (Austria). The two were welcomed by the Director of the FRA, Michael O'Flaherty, FRA Senior Policy Manager, Jonas Grimheden, and FRA Stakeholder Relations Officer Robert-Jan Uhl. Discussions centered on ongoing and future cooperation between the ELI and FRA, such as the Project on Business & Human Rights, which will be jointly embarked upon by the ELI and FRA. [The Project](#) will be led by former ELI President and current Member of the ELI Council, Diana Wallis, and Jonas Grimheden on the FRA's side. The ELI will also have an opportunity to be represented at the Fundamental Rights Forum in September 2018.

Christiane Wendehorst and Head of Section of the Civil Law Division at the Austrian Ministry of Constitution, Reform, Deregulation and Justice (BMVRDJ), Georg Kathrein. This Conference was co-



Guests in the Austrian Ministry of Justice

organised by the Project Group on a Restatement of European Insurance Contract Law, the European Law Institute and the BMVRDJ. The Project Group was established by Fritz Reichert-Facilides (†) and was chaired by Helmut Heiss, Professor at the University of Zurich.

During the Conference, Helmut Heiss gave an introduction and presentation of the Principles of European Insurance Contract Law (PEICL) 2.0. The PEICL was drafted by the 'Restatement of European Insurance Contract Law' Project Group as a model

for an optional instrument of European insurance contract law. You can find the PEICL in various languages [here](#).

The rest of the Conference was divided into three parts: while part one was devoted to potential future obstacles for EU insurance law, part two focused on InsurTechs and the EU Digital Single Market and part three on European pensions. Among other speakers were Herman Cousy (Catholic University of Leuven) David Hertzell (Mactavish Group), Monica Märchler (Zurich Insurance Group), Jürgen Basedow (Max Planck Institute for Comparative and International Private Law), Fabio Maniori (Associazione Nazionale fra le Imprese Assicuratrici) and Peter Takáts (Polipis-Renomia Insurance Brokers Ltd). Jaana Norio-Timonen (University of Helsinki), Diana Cerini (Università degli Studi Milano) and Manfred Wandt (Goethe University Frankfurt) were moderators. You can find out more about the work of the Project Group on a Restatement of European Insurance Contract Law [here](#).

How Digital Transformation Drives European Integration Conference in London (UK)



Speakers at the Conference ©Dean Stead/Freshfields Bruckhaus Deringer

The ELI organised a Conference, with Freshfields Bruckhaus Deringer, which took place on 27 February 2018 in London (UK). The event focused on aspects of digitalisation in light of legal developments in the UK and its impact on European integration.

The attendees and speakers were welcomed by Michelle Bramley, the Global Head of Knowledge at Freshfields Bruckhaus Deringer.

The introduction was given by the Member of the ELI Executive Committee and former Lord Chief Justice of England and Wales, Lord Thomas. He gave an overview of the ELI and emphasised that, regardless of the uncertain relationship between the UK and the EU, people in the UK could still make important contributions through the ELI. He mentioned various

ELI Projects such in the areas of criminal law, tax law, family law and criminal law. Lord Thomas was followed by ELI President Christiane Wendehorst, who expressed her delight about the cooperation between the ELI and Freshfields. She gave a brief outline of the Principles for a Data Economy Project (which the ELI is carrying out with the American Law Institute, ALI) and underlined, that this Project is one of many other ELI Projects in the digital field. She explained how the Project Group started this Project by speaking to the various stakeholders in the field, such as controllers of large amounts of data (eg Silicon Valley), large industries pushing into the data market (eg car industry), small and medium sized enterprises, judges and lawyers and many others. Wendehorst explained how the Project Team discovered that better guidance, clarity and legal certainty is a common desire of almost all stakeholders involved. She continued her presentation by explaining how this initiative started with a Feasibility Study, which resulted in a Draft Framework for Discussion and ultimately became a Project, which has been adopted by the ALI Council and the ELI Council respectively. You can find more about this Project on [pages 4 and 5](#) of this newsletter and on our [website](#). The next speaker on the agenda

was ELI Vice-President, Sjef van Erp, who focused on Blockchain Technology and Smart Contracts. He discussed the role and impact of the law in light of IT developments. He started with an explanation on blockchain by naming its characteristics such as being decentralised, transparent, a platform for smart contracts and access by (a community of) users. Blockchain technologies have a huge potential to fundamentally change many areas of private law transactions and within a few years, blockchain could be the basis of registration of vast values in real property and currency. Jimmy Vestbirk, founder of Legal Geek, gave a quick overview of the UK and European start-up scenes and the notion of LawTech. He was followed by Tim Sadler of [Tessian](#), David

Howorth of [Avvoka](#) and David Wildisen of [Neota Logic](#), who continued the Conference by providing their own perspectives and experience in the start-up scene. The co-host of this event, Freshfield Bruckhaus Deringer, were represented by Tom Hingley and Adam Ryan. Adam Ryan explained how Freshfields integrates LawTech solutions in the training of lawyers and in the work of their clients. He went on to explain briefly how quickly technology has advanced within the last few years. Tom Hingley concluded the presentation by explaining how global integration itself is driving transformation.

The event was concluded by a Q&A session and nibbles. If you missed the event, you can livestream it [here](#).

Update on ELI SIGs and Hubs

Call for Interest: ELI Special Interest Group (SIG) on Comparative Law

The ELI is looking to solicit the level of interest in the establishment of a Comparative Law SIG. Please send an [e-mail](#) indicating interest in SIG Membership, were it to be established, to the ELI Secretariat.

SIG's Goals

The ELI SIG on Comparative Law should be characterised by its specific approach, based on the method of comparative legal research. On these methodological grounds, the SIG should be committed to analysing and comparing legal institutions from both European and non-European countries with respect to all the branches of law. Its inquiries can pursue a double aim. First, by studying European legal systems, the Comparative Law SIG would play a useful auxiliary role with respect to other SIGs.

Secondly, by examining countries outside the EU, the Comparative Law SIG would provide precious insights into extra-European legal systems whose knowledge and understanding become increasingly important due to contemporary global processes, such as immigration, transnational work and world trade. In order to achieve these aims, the SIG could be divided into sub-groups (for instance, to begin with a sub-group dedicated to comparative public law and a sub-group dedicated to comparative private law).

The Comparative Law SIG is intended not only for the many Members of the ELI with a comparative law background, but also for those Members who, though coming from other disciplines, are interested in topics related to comparative legal research.

Italian Hub Conference in Torino (Italy)

On 31 January, a Conference entitled the New Regulation (EU) 2016/679: Privacy Rights, Obligations and Procedures for Correct Application took place in Torino and was organised by the ELI Italian Hub and the University Institute of European Studies, with support from the European Commission's Regional Representation in Milan, the University of Turin, the Italian Association of Business Lawyers, the Industrial Union of Turin and the Chamber of Commerce, Industry, Craft and Agriculture of Turin. The first session of the conference was chaired by

Mario Comba (President of the University Institute of European Studies) and included presentations on the General Data Protection Regulation (GDPR) and the implementation and management of it within a company, followed by a presentation on the GDPR in Italy and the position of the Italian Data Protection Authority on this topic.

The event concluded with a workshop, led by experts and representatives of companies, where examples of applications of the regulation and most critical and relevant aspects were discussed.

Overview of Upcoming Events

SAVE THE DATE!

15–16 March 2018

Online Intermediary Platforms Project Meeting in Osnabrück (Germany)



16 March 2018

9th Forum of Trans Europe Experts (TEE) in Paris (France)



9–10 April 2018

ELI-UNIDROIT Project Meeting in Rome (Italy)



19–20 April 2018

Digital Revolution: Data Protection, Smart Products and Blockchain Technology – Challenges for Law in Practice Conference in Treviso (Italy)



25–27 April 2018

Final Meeting of the Project Group on Empowering European Families in Vienna (Austria)



9 May 2018

3rd Annual Meeting of the Spanish Hub in Madrid (Spain)



31 May 2018

The Prevention of Resolution of Conflicts of Exercise of Jurisdiction in Criminal Law Final Conference and Book Launch in Luxembourg (Luxembourg)



6–7 June 2018

Administrative Law SIG Conference in Budapest (Hungary)



7 June 2018

Workshop on the Present and the Future of European Family and Succession Law in Pisa (Italy)



5–7 September 2018

ELI Annual Conference and General Assembly in Riga (Latvia)



26–27 November 2018

ELI-UNIDROIT Conference at the Academy of European Law (ERA) in Trier (Germany)



Upcoming Events

9th Forum of Trans Europe Experts (TEE) in Paris (France)

The TEE Forum gathers academics and legal professionals from all over Europe and is co-organised with the European Law Institute (ELI). This event will take place on Friday, 16 March 2018.

The presentations will focus on topics such as international mobility, European taxation, European company and insolvency law, digital law and European citizenship.

Several ELI Fellows and Project Team Members including ELI President Christiane Wendehorst, ELI Treasurer Denis Philippe, Reporter on the ELI's the Protection of Adults in International Situations Project, Pietro Franzina, Reporter of the ELI's For a

European Approach to R&D Expenses Qualifying for the Common Corporate Tax Base Super Deduction Project, Georges Cavalier, Project Reporter Christoph Busch, and other Members of the Draft Model Rules on Online Intermediary Platforms Project Teams, Juliette Sénéchal and Célia Zolynski, as well as Walter Doralt, Chair of the ELI Membership Committee, will be delivering speeches on various topics.

The ELI would like to express its sincere gratitude to Bénédicte Fauvarque-Cosson, President and co-founder of TEE and Fellow of the ELI, as well as the rest of the TEE team, for their cooperation in organising what is set to be a highly informative event.

Registration and Further Information

To register, please send an e-mail to contact@transeuropexperts.eu

Register by 9 March 2018.

Entry to the Conference is free of charge.

To view the agenda of this event, kindly click [here](#).

Venue:

28 rue Saint-Guillaume, 75007 Paris

Institut de droit comparé, Université Panthéon-Assas,

Paris II

Amphithéâtre 1er étage

Trans Europe Experts
Réseau européen d'experts en droit
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de BORDEAUX



UNIVERSITÉ PARIS II
PANTHÉON-ASSAS

Digital Revolution: Data Protection, Smart Products, Blockchain Technology and Bitcoins Challenges for Law in Practice

We are pleased to invite you to the Conference 'Digital Revolution: Data Protection, Smart Products and Blockchain Technology – Challenges for Law in Practice', which will take place on 19–20 April 2018.

This event is organised by the [ELI Digital Law SIG](#) will take place in the [Villa Braida](#). The Digital Law SIG welcomes members from all legal fields. ELI members with constitutional and criminal law background are encouraged to join the SIG.

This interdisciplinary Conference will bring leading experts from Europe and beyond together, addressing the impact of digital technology on the law in light of the latest legislative developments.

The focus will be set on:

- The role of personal and non-personal data;
- The protection of users' and businesses' rights in contracts for the supply of digital contents;
- The increasing interplay between data trade and data protection in light of the latest legislative developments, as eg the General Data Protection Regulation, which applies as of 25 May 2018;
- The challenges of the Internet of Things, with a specific focus on domotics, smart mobility and self-driving vehicles; and
- Smart contracts, blockchain technology, Bitcoins and other virtual currencies.



Registration And Further Information

Please click [here](#) to view the agenda and [here](#) to view the list of hotels in the area. Conference fee for ELI-Members: 100 Euros.

Venue: Via Bonisiolo, 16b 31021 Mogliano, Veneto, Italy.

For more information and registration, please send an e-mail to segreteria@anftreviso.it

Membership

Please note that membership fee invoices and payment confirmations will be sent out in the first part of March. We would kindly ask you to make the payment as soon as possible. The ELI strongly advocates the use of standing orders or SEPA Direct Debit and would encourage all its members to kindly complete a mandate. Please visit [our website](#)

for further information on these possibilities of payment and feel free to contact the Secretariat with any questions arising in this context.

To keep our records up to date, please notify the [ELI Secretariat](#) whenever your affiliation or contact details change.

Sustaining Membership

The ELI, as an independent non-profit organisation, is always looking to diversify its income to maintain its independence. This is to ensure that the outcomes of its current and future initiatives are not politically motivated or steered by the interests of third parties.

Our Members can contribute to this endeavour by subscribing to the Sustaining Membership scheme. Sustaining Members are Members who clearly subscribe to adding, voluntarily, a fixed donation of €60 or more per year to their current membership fee until further notice. This will enable the ELI to embark on new initiatives that further its causes.

It is worth emphasising that at the heart of the notion is not a bid to create a new category of Members but rather to rename and adapt the existing notion of 'Benefactor', which has been included in all membership invoices since February 2016.

By signing up for Sustaining Membership (via an e-mail to the [ELI Secretariat](#)), such Members would unequivocally convey the message that any overpayment is a donation, and not an advance payment for the future.

More information on the Sustaining Membership scheme will follow in due course.

The ELI Secretariat is kindly hosted by the University of Vienna



The ELI's Mission

Building on the wealth of diverse legal traditions, the European Law Institute's mission is the quest for better law-making in Europe and the enhancement of European legal integration. By its endeavours, the ELI seeks to contribute to the formation of a more vigorous European legal community, integrating the achievements of the various legal cultures, endorsing the value of comparative knowledge, and taking a genuinely pan-European perspective.

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