



ELI

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ELI Updates

March - April 2016



GREETINGS FROM ANDRUS ANSIP, VICE-PRESIDENT OF THE EUROPEAN COMMISSION

Dear ELI Members and Friends,

It is a great pleasure to contribute to the ELI's newsletter. The ELI has been actively following developments in the field of digital law. It has published a series of valuable and constructive contributions in this area. The ELI has showed a great interest in our strategy to create a Digital Single Market that we presented in May 2015. Our aim is to break down barriers which prevent citizens and businesses from fully benefiting from digital opportunities in the EU. This means we need to further harmonise rules in a series of important areas, from e-commerce to copyright.

We already accomplished some essential achievements in 2015. Last December, we presented our first legislative proposals under the Digital Single Market strategy. Our proposed Regulation on the cross-border portability of online content services will allow EU residents to travel with the digital content – films, sports broadcasts, music, e-books or games – they have purchased or subscribed to at home. We also adopted two proposals on digital contract rules. They represent the first material steps towards a modern contract law regime for digital content and online sales across the EU. They tackle the main obstacles to cross-border e-commerce in the EU: legal fragmentation in the area of consumer contract law and resulting high costs for businesses – especially SMEs – and low consumer trust when buying online from another country. The ELI has been at the forefront of these developments. It notably organised a high-level conference to discuss the proposals only a few weeks after we presented them.

We have also reached essential agreements with the European Parliament and the Council, notably on a revised EU legal framework on the protection of personal data. Our next proposals will tackle unjustified geo-blocking and high parcel delivery costs, as well as reinforce consumer protection cooperation as part of a comprehensive approach to boost e-commerce. We will also publish our analysis on the economic and social role of online platforms and give guidance on how to fight unfair commercial practices. This is also an area where the ELI's expertise is extremely valuable.

Many more initiatives are part of our strategy. We are fully working on them in order to have all our proposals on the table by the end of this year. We count on the support of the ELI – and in particular of the Digital Law Special Interest Group – to continue informing European policy makers and legislators of their findings to impact legal progression in a positive, comprehensive direction.

I wish you very interesting exchanges at your next events on digital law and I am looking forward to the ELI's next contributions to help create a Digital Single Market in the EU.

Andrus Ansip

Inside this issue:

ELI Annual Conference - 2

Updates on Projects - 4

Digital Single Market - 4

Family Law - 4

ELI-ENCJ Project - 5

Insolvency Law - 5

Migration Law - 6

ELI-UNIDROIT Project - 7

ELI - ERA Cooperation - 8

SIGs developments - 9

Updates on HUBs - 10

President's activities - 11

New ELI Institutional

Observers - 11

Membership issues - 14

Upcoming events - 14



2016 Annual Conference and General Assembly Ferrara, 7-9 September 2016

Members and Friends of the European Law Institute will meet this year in Ferrara, Italy, from 7 to 9 September for the ELI Annual Conference, which will focus its attention on some of the most topical legal issues in Europe and beyond. The event, kindly hosted by the Faculty of Law of the University of Ferrara, will gather key experts in the respective fields, representing all the legal professions and jurisdictions. Do not miss the opportunity to be involved in the discussions and register today!



We are honoured to announce that **Koen Lenaerts**, President of the Court of Justice of the European Union, will give a keynote speech on 9 September. Also, **Marta Cartabia**, Judge of the Italian Constitutional Court, will deliver a keynote speech during the opening ceremony on 7 September. Together with the ELI President, **Diana Wallis**, and Vice-President, **Christiane Wendehorst**, other esteemed guests addressing participants will be **Dario Franceschini**, Italian Minister of Culture, **Giorgio Zauli**, Rector of the University of Ferrara and **Giovanni De Cristofaro**, Dean of the Faculty of Law of the University of Ferrara.



The panels during the Conference will be devoted to ongoing and potential ELI projects on the following topics:

- *Rescue of Business in Insolvency Law*
- *Prevention and Settlement of Conflicts of Exercise of Jurisdiction in Criminal Law*
- *From Transnational Principles to European Rules of Civil Procedure*
- *Empowering European Families: Choice of Court and Choice of Law*
- *The Digital Single Market*
- *Detention of Asylum Seekers and Irregular Migrants and the Rule of Law*
- *Vulnerable Adults and the Conflict of Laws*
- *The Principled Relationship of Formal and Informal Justice through the Courts and Alternative Dispute Resolution*
- *The Tools of the Digital Age in the Service of More Accessible Justice*

Meetings of ELI bodies

In the morning of 7 September, members of the ELI will celebrate their General Assembly, where the achievements of the Organisation



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will be discussed and ELI bodies will present their reports. The ELI Council will meet in the afternoon.

SIG meetings

The Conference will also be a great opportunity for members of the ELI Special Interest Groups (SIGs) to meet and further develop their important work.

Accommodation

The ELI Secretariat arranged exclusive deals with hotels in Ferrara. In order to ensure a place to stay during the Conference, you are advised to book your room as soon as possible. Kindly follow the button below to get more information.

The ELI Secretariat Team looks forward to welcoming you in Ferrara!



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Agenda

Registration

Hotels



Updates on Projects

Meeting of the Digital Single Market Project Team in Vienna

The ELI Project Team on the Digital Single Market has been hard at work these past months. The team has been scrutinising the new draft Instruments that were circulated by the European Commission in December. These drafts were for a Directive on contracts for the supply of digital content and on contracts for the online and distance sale of goods.

The team has been focusing on providing constructive criticism to the individual articles of the Commission drafts, but also to point out possible overlaps in the legislative proposals and gaps where the Instruments could better reach their aim by including additional goods, products and content. One particularly challenging aspect that any legislative effort in this field faces is to distinguish between tangible goods and digital content.

On 29-30 March, the team met in Vienna to work further on their draft statement, which is nearing completion. The statement will provide helpful guidance to the EU institutions and help facilitate the



Members of the Project Team: Hugh Beale, Hans Schulte-Nölke, Christiane Wendehorst, Reiner Schulze, Axel Metzger.

best possible legislative instrument for consumers in Europe.

This meeting came after another one in London in January, where the Project Team discussed the ELI's approach and the response to these drafts, and after the successful ELI Conference that was convened on 21-22 January in Vienna, titled "New Rules for Contracts in the Digital Single Market – What's in it for Consumers and Businesses in Europe?". For more information about this event and about the project, see [here](#).

The ELI Family Law Project Group met in March and April

Two Working Group meetings of the ELI Project "Empowering European Families - Towards More Party Autonomy in European Family and Succession Law" took place in Utrecht in March and April. These two consecutive Team meetings took place after a first meeting was held in Vienna on [11 January](#).

Having finalised the questionnaire for Workstream 1, concerning the Choice of Court, Choice of Law, and Submission to Family Mediation in January 2016, the Project Team was working towards completion of the second questionnaire intended for Workstream 2. The questionnaire constituted the essential part of a two-day meeting in Utrecht on 21-22 March along with other discussions on the model dispositions to be developed within Workstream 2.

The third meeting of the Project Group took place on 10-12 April, also in Utrecht. The main purpose and topic of this meeting was a discussion on the national reports received for Workstream 1. This allowed for the comparative analysis of the options

of choice of court and/or law afforded under EU conflict rules and, as far as relevant, under national conflict rules.



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The next meetings are already being planned for 2016, with the closest one taking place in June in Vienna. This meeting will be held together with a Public Workshop that will take place on 13 and 14 June in Vienna. The agenda and registration for this event will soon be available.

The aim of this project is to create European model dispositions, agreements and information sheets that will reduce the complexity and uncertainty that international couples in the EU are faced with. The project is organised in three Workstreams, which will produce one-stop shop solutions for married couples (Workstream 1), registered partners (Workstream 2) and individuals in informal relationships (Workstream 3). For more information about the project, click [here](#).

Updates on the ELI Project on Alternative Dispute Resolution (ADR)

At its meeting last February, the ELI Council approved a proposal for a new project in the field of alternative dispute resolution. The project will be carried out jointly with the ENCJ (European Network of Councils for the Judiciary), one of the ELI's Institutional Observers. The full title of the project is "The Principled Relationship of Formal and Informal Justice through the Courts and Alternative Dispute Resolution."

If ADR mechanisms are carefully structured in a way in which they can work effectively together and with the traditional court systems, they can deliver cost-effective, timely and fair dispute resolution, across Member States' borders. It must however be ensured that ADR options are not only swift, efficient and cost effective, but also just, voluntary and based on actual consent of the parties.

A number of factors can have the effect of undermining the public's confidence in ADR mechanisms and distort their ability to live up to their potential. Diverse national developments have established different types of ADR mechanisms and systems. On top of those, there are also three main Instruments at the European level. The EU Instruments aim at limited harmonisation and leave much choice for individual Member States. This system can lead to a sometimes inconsistent patchwork quilt of ADR provisions throughout Europe, which can result in several different ADR bodies that may seem alien

The ELI Project on Rescue of Business in Insolvency Law

The ELI Project on "Rescue of Business in Insolvency Law" continues to make good progress. The Reporters have been busy working on their draft report and the first chapters have already started to take shape. The Inventory report on International Standards is also being updated and reporters will present the draft results of the project at the ELI Annual Conference in Ferrara.

The Reporters have been tireless in their efforts of consulting with as many different stakeholders as possible. On 7 April, Prof. Bob Wessels attended a stakeholders meeting on insolvency matters, hosted by the European Commission. The meeting brought together 20 representatives from European



European Network of Councils
for the Judiciary (ENCJ)

Reseau européen des Conseils
de la Justice (RECJ)

and unfamiliar to foreign nationals.

The ELI-ENCJ project will focus on examining the development of ADR in

Europe. It will, on the one hand, focus in particular on reviewing the Instruments that are already in place and how they have been implemented and, on the other, aim at ascertaining whether and where the ADR systems in individual Member States reduce access to the national justice system.

The outcome will likely be an ELI Statement on whether steps need to be taken to react to and counter any shortcomings in the ADR system.

The ELI and the ENCJ have been identifying a project team, and representatives of both organisations have already met to define the approach, methods and management of the project. Another meeting will be held in Brussels at the end of May to kick-off the project and to start working on a draft questionnaire for national correspondents. More information will be available on the ELI website after the kick-off meeting.



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associations of banking, accountancy, chambers of commerce, SMEs, consumers, the CCBE, Trade Unions, INSOL Europe and Prof. Wessels on behalf of the ELI. This presented a great forum for discussing crucial matters with a large number of interested parties, with various different interests.

Further meetings are planned to be held during the summer, in addition to an Insolvency Conference convened by the European Commission. These constant efforts will no doubt facilitate a more useful and universally accepted outcome of this important project. More information about the project is available [here](#).

First meeting of the Project Team on “Detention of Asylum Seekers and Irregular Migrants and the Rule of Law”

On 21 April, the ELI Project Team on “Detention of Asylum Seekers and Irregular Migrants and the Rule of Law” convened its first physical meeting in Vienna. The aim of the meeting was to discuss the structure of the Statement being developed by the Project Team and to review the first part of the draft, which the Team has already produced. Participants deliberated on the issue of detention as regulated by EU secondary law, European Convention of Human Rights’ standards and national laws.

During the meeting, the following aspects of the project were discussed: detention of migrants, interplay between EU law, ECHR and national law, detention under the Dublin III Regulation, and detention under the Returns Directive and the ECHR.

The Project Team emphasised the need for the Statement to be constantly updated with developments in the field of migration law, given the current circumstances. Members also highlighted that, in accordance with the ELI principles, the Statement should be of an immediate practical utility, taking the form of a checklist with binding rules accompanied with explanatory notes.

Participants will convene another meeting in order



Project Team: Pamela McCormick, Sergo Mananashvili, Samuel Boutruche, Marc Clément, Boštjan Zalar.

to discuss the remaining reports, before finalising the Statement. After that stage, the Statement will be sent for consultation to the members of the Advisory Committee.

The ELI Project on ‘Detention of Asylum Seekers and Irregular Migrants and the Rule of Law’ aims at developing a checklist of binding standards that must be taken into account when deciding upon the detention of asylum seekers and irregular migrants. The output of the project is expected to be presented at the ELI 2016 Annual Conference, in Ferrara (Italy), from 7 to 9 September. It will then be distributed primarily among judges deciding detention cases. It will also be used as a tool during trainings for practitioners. For more information about this project, see [here](#).

The ELI in Erasmus Law School Conference, “From common rules to best practices in European Civil Procedure”, 25 – 26 February 2016

On 25 – 26 February 2016, the Erasmus Law School, Rotterdam, and the Max Planck Institute, Luxembourg, organised a conference on the harmonisation of European civil procedural law. The ELI was strongly represented at the conference; many members of its joint project with UNIDROIT on the development of European rules of civil procedure attended. The conference was opened by Professors Xandra Kramer and Burkhard Hess, its joint organisers, both of whom are Project Reporters for the ELI-UNIDROIT project. Throughout the course of the conference significant reference was made to the work the ELI and UNIDROIT are doing in this area.

Professors Remo Caponi and Remco van Rhee provided their insights regarding the need for,

and potential scope of, procedural harmonisation. Drs John Sorabji and Eva Storskrubb outlined contrasting perspectives on the potential offered by the growth of the Internet and digital technology as a means to secure greater access to justice, and how national developments in this area may provide a basis for greater European harmonisation. Professors Fernando Gascón Inchausti and Stefaan Voet discussed the role that developments in alternative dispute resolution may play in promoting future harmonisation or, as Professor Voet warned, the role it may have in counteracting coherent development. In that regard, the importance of the ELI and the ENCJ’s recently approved joint project on the proper role and development of ADR appears to be both particularly timely and pertinent.

ELI-UNIDROIT Joint Steering Committee and Reporters meeting in Rome, 21-22 April

On 21-22 April, the International Institute for the Unification of Private Law (UNIDROIT) hosted an ELI-UNIDROIT Joint Meeting in Rome, in which the Steering Committee of the joint ELI - UNIDROIT project “From Transnational Principles to European Rules of Civil Procedure” discussed its progress with the Project Reporters. The meeting followed the **90th anniversary of the establishment of UNIDROIT**, during which Diana Wallis delivered a speech on effective and speedy civil procedure as a human right.

José Angelo Estrella Faria, Secretary-General of UNIDROIT, and Diana Wallis, President of the ELI, opened the meeting emphasising the significance of the project to both organisations and the great amount of good will it receives from its observers and stakeholders. In addition, four further members of the Steering Committee, John Sorabji, Remo Caponi, Rolf Stürner and Anna Veneziano attended the meeting and made crucial contributions to the discussions.



Members of the Steering Committee (left to right), John Sorabji, Remo Caponi, José Angelo Estrella Faria, Diana Wallis, Anna Veneziano and Rolf Stürner at the joint meeting in Rome, 21-22 April

During the first day of the meeting, the reporters of the four existing Working Groups, Neil Andrews (for both the Access to Information and Evidence as well as Provisional and Protective Measures), Fernando Gascón Inchausti (Access to Information and Evidence), Astrid Stadler (Service and Due Notice of Proceedings), Frédérique Ferrand and Burkhard Hess (Res Judicata and Lis Pendens) presented progress reports. These were followed by a presentation of the draft rules in their respective areas. Each session benefited from a discussion and a detailed analysis of the drafts.

During the second day, the reporter of the fifth Working Group (Obligations of Parties and Lawyers), Alan Uzelac, presented a progress report and draft

rules, which had been further developed by that group since the last meeting with the Steering Committee in Trier at the end of November 2015.



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One of the main topics of the discussion on 22 April was the presentation of the new Working Groups of the third cycle of the project (Costs, Judgments, and Structure). The three new groups were constituted at the beginning of 2016 and will start their work in the next few weeks. The strategy, scope and methodological aspects of their work will be presented at one of the panels of the ELI Annual Conference in Ferrara in September. The ELI Annual Conference will also feature a session devoted to the Working Groups on *Res judicata* and *lis pendens* and Obligations of Parties and Lawyers, which will present their more advanced drafts to the public.

The next step of the project foresees the preparation of tentative final draft rules and commentary by the Working Groups on Access to Information and Evidence, Provisional and Protective Measures, Service and Due Notice of Proceedings by November 2016 for a joint meeting with the Observers and Advisers in Vienna.



Working Group members (from left to right), Neil Andrews, Viktória Harsági, Frédérique Ferrand, Laura Ervo, Michael Stürner and Fernando Gascón at the meeting in Madrid, 7-8 April

Working Group meetings in April

Prior to the joint meeting in Rome, members of the Working Group on Service of documents and due information of proceedings held a working meeting on 1 April in Athens. The Working Group discussed the scope of their draft rules and considered feedback from the President of the International Union of Judicial Officers (an ELI Institutional Observer), Mrs Françoise Andrieux, who was invited to attend the

meeting and comment on the group's preliminary results produced. The meeting was kindly hosted by the University of Athens in Greece.

Another Working Group, on Access to Information and Evidence, convened from 7 to 8 April in Madrid to review all the parts of their draft model rules and to prepare for the Rome meeting. Its next meeting is scheduled for autumn 2016. The main goal of the next meeting will be to finalise its discussions and proceed to a general review of the whole draft set of rules and comments.

Save the date!

On 30-31 May, a Conference, entitled, **“New Hungarian Civil Procedure Act and the**

Development of European Rules of Civil Procedure” will take place in Budapest, Hungary. The event is organised by the Hungarian Academy of Sciences Institute for Legal Studies, the Hungarian Ministry of Justice and the National Office for the Judiciary. It aims to consider the new Hungarian Civil Procedure Act and introduce the ELI-UNIDROIT project “From Transnational Principles to European Rules of Civil Procedure” to national and international experts in the field.

To learn more about this event, please see the [agenda](#). To register for the event click [here](#).

ELI and ERA – common goals and an even closer cooperation



One of the mission statements for both the European Law Institute (ELI) and the Academy of European Law (ERA) is the betterment of European law.

While ERA concentrates on providing a platform for individuals and authorities involved in the application and implementation of European law to gain a wider knowledge thereof, the ELI seeks to initiate, conduct and facilitate research, to make recommendations, and to provide practical guidance in the field of European legal development by involving experts from various different professional legal backgrounds.

Both organisations have worked on several topics of shared interest, including criminal law, migration, insolvency, ADR, family law and civil procedure. A good example of such fruitful cooperation is the successful conference titled “Building European Rules of Civil Procedure” held in November 2015 in Trier, as reported in the [November-December](#) issue of this Newsletter. The event provided an excellent opportunity for over 70 legal experts from across Europe to discuss the issue of expanded unified procedural rules in the EU. This close cooperation will continue in the next few months, with the

participation of ELI project teams in diverse ERA events and with the preparations for future joint events that will be announced in due course. As part of this fruitful cooperation, ELI Fellows will benefit from [reduced fees in ERA events](#), as detailed below. The ELI welcomes this development and encourages ELI members to join these events.

Criminal Law

On 12-13 May, ERA organises a training seminar on [Conflicts of Jurisdiction in Cross-Border Criminal Proceedings](#). The event will take place in Trier, Germany, and will cover some of the currently most topical issues, such as pros and cons of the EU's legal framework for conflicts of jurisdiction, special regulations for extradition, the European Arrest Warrant and the European Investigation Order, as well as transfer of criminal proceedings and identifying parallel investigations within the EU. Among esteemed speakers are Katalin Ligeti and John Vervaele, Project Reporters of the ELI project on “Prevention and Settlement of Conflicts of Exercise of Jurisdiction in Criminal Law”. ERA's event will be a perfect opportunity to present the recent developments in this ELI project and to further deliberate on the principle of *ne bis in idem* in the context of the EU *acquis* and the case-law of the CJEU.

Migration

On 16-17 June, ERA will host a [Conference](#) devoted to the topic of migration in Brussels, where the latest developments in the ongoing ELI project on “Detention of asylum seekers and irregular migrants and the rule of law” will be presented. The aim of the Conference is to assess the implementation of the Return Directive with EU Member States and Schengen Associated Countries and to review best practices and current challenges. The chair of the ELI project, High Court Judge of the Administrative Court of the Republic of Slovenia and an ad hoc judge of the European Court of Human Rights, Boštjan Zalar, will speak about the project’s aims, its progress and envisaged output, which is expected for autumn 2016.

On 23-24 June, a Seminar titled “[Supervising Matters related to detention](#)” will be hosted by ERA in Strasbourg. Sergo Mananashvili, a member of

the ELI Project Team and research associate at the Migration Policy Centre of the European University Institute, will be a speaker and will talk on “Similarities, differences and best practices regarding immigrant detention and alternatives in the EU Member States” as well as on the progress of the ELI project.

In all these events, ELI Fellows will be able to claim reduced fees. ELI Fellows will be able to obtain a 40% discount on the conference fee, plus the 10% early bird discount if the respective deadline for registration is met.

Moreover, ERA has offered an [even lower fee for the seminar on criminal law \(12-13 May\)](#) and for the [Migration Conference in Brussels \(16-17 June\)](#). Do not miss this opportunity and register now!

SIGs developments

ELI Special Interest Groups are undertaking encouraging work in many areas of European law, such as digital law, dispute resolution, competition or business and financial law. SIGs will have the opportunity to meet during the ELI Annual Conference.

Upcoming Meetings

Competition Law SIG

The competition law SIG will use the opportunity of the [Spanish Hub Launch](#) event on 9 May to meet in Madrid. During this SIG meeting, its members will discuss the contributions of their respective countries to the improvement of private enforcement of competition law. Remote access to the meeting will be possible. The following meeting is tentatively scheduled for 8 September, during the ELI Annual Conference in Ferrara, Italy. If you are interested in participating in the competition law SIG or in finding out more about its work, please contact the [Secretariat](#).

Contract, Tort and Property Law SIG

At present, the members of the SIG on contract, tort and property law are writing focus papers in order

to decide on the direction of the SIG and to divide into sub-working groups, if necessary. These papers will be submitted by 31 May, to allow discussion before the next physical meeting during the Annual Conference in Ferrara.

Call for members

If you are interested in joining one of the ELI SIGs, please do not hesitate to contact the ELI Secretariat. We will be pleased to guide you in the process. The ELI has currently established SIGs in the following areas:

- Administrative law
- Business and Financial law
- Civil law
- Competition law
- Contract, tort and property law
- Digital law
- Dispute resolution
- European Union law
- Family and succession law
- Fundamental Rights law
- Intellectual Property law

The ELI HUB Family is growing!

The ELI Secretariat is happy to remind you that, as announced in previous issues of this Newsletter, two new ELI Hubs will be launched this year. The Italian and Spanish Hubs will be joining the existing Hubs (Austrian, Croatian, German, French, Irish, Polish, Slovenian, British). ELI Hubs are a practical means through which ELI members can meet closer to home, communicate in their native language, discuss current or upcoming projects, and generate ideas for future ELI activities.

The Spanish ELI HUB will be launched on 9 May. The event will take place at the Spanish Centre of Political and Constitutional Studies, which belongs to the Spanish Ministry of Presidency and which kindly offered its support to this event.



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Magistrate of the Spanish Constitutional Court, will speak about “The influence of the European Jurisprudence on the Spanish Constitutional Court”. Théophile M. Margellos, President of the OHIM Boards of Appeal, will address the audience about the European dimension of dispute resolution, focusing on IP Litigation. Professor Ángel Carrasco Perera, Professor of Private Law at the University of Castilla-La Mancha, will focus on the role of European soft law in online sales. The European dimension of the Spanish Jurisdiction will be analysed by Juan Luis Requejo Pagés, Legal Secretary at the CJEU and Professor of Constitutional Law, who will talk about the CJEU and the ECHR as national Courts.

The Italian HUB will be launched during the ELI Annual Conference in Ferrara, on 9 September. More information about the event will be available in the next issue of this Newsletter.

EUROPEAN LAW INSTITUTE
Presentación del Centro Español del ELI (ELI Spanish Hub)
9 de Mayo de 2016

Lugar: Centro de Estudios Políticos y Constitucionales (Madrid) <http://www.cepc.gob.es/>
Persona de contacto: Carmen Jerez Delgado carmen.jerez@uam.es

| <i>Agenda</i> | |
|---------------|--|
| 16:00 h. | Inscripción y entrega de materiales |
| 16:30 h. | Apertura del acto <i>Carmen Jerez Delgado, coordinadora del Centro Español del ELI, Profesora Titular de Derecho Civil, Universidad Autónoma de Madrid</i> |
| 16:45 h. | Bienvenida y presentación del European Law Institute <i>Diana Wallis, Presidenta del European Law Institute</i> |
| 17:30 h. | La influencia de la jurisprudencia europea en el Tribunal Constitucional <i>Encarnación Roca Trías, Magistrada del Tribunal Constitucional</i> |
| 18:00 h. | La dimensión europea de la resolución de conflictos: los litigios en material de propiedad intelectual como ejemplo <i>Théophile M. Margellos, Presidente de las Salas de Recurso de la Oficina de Propiedad Intelectual de la Unión Europea</i> |
| 18:30 h. | El papel del soft law europeo: La venta online a modo de ejemplo <i>Ángel Carrasco Perera, Catedrático de Derecho Privado, Universidad de Castilla-La Mancha</i> |
| 19:00 h. | Pausa café |
| 19:20 h. | La dimensión europea de la jurisdicción española. El TJUE y el TEDH como tribunales nacionales <i>Juan Luis Requejo Pagés, Letrado del Tribunal de Justicia de la Unión Europea, Profesor de Derecho Constitucional</i> |
| 19:50 h. | Los proyectos, Hubs y SIGs del European Law Institute <i>Rosana Garcíandía, Secretaria General del European Law Institute</i> |
| 20:05 h. | Clausura del Acto <i>Albert Ruda, Coordinador del Centro Español del ELI, Profesor agregado de Derecho Civil, Universidad de Girona</i> |



The event, which will focus on the interaction between European law and Spanish law, will count on the presence and participation of the ELI President, Diana Wallis, and its Secretary General, Rosana Garcíandía. Diana Wallis will deliver a welcome address and introduce the ELI, while Rosana Garcíandía will present ELI projects, Hubs and SIGs to the audience.

Prominent speakers of the Spanish legal landscape will participate in the event: Encarnación Roca Trías,



President Wallis participated in various events

On 3 March, the ELI President Diana Wallis participated in a seminar on “The EU Referendum and its Impact on Legal Relationships”. The event, which took place at the Bank of England, London, was organised by the Bingham Centre for the Rule of Law and the Financial Markets Law Committee. Other speakers at the seminar were Jonathan Faull, Director General of the Task Force for Strategic Issues related to the UK Referendum of the European Commission, Professor Takis Tridimas, Chair of European Law at King’s College London, and Professor Sir David Edward KCMG QC, Vice-President of the British Institute of International and Comparative Law and former Judge at the Court of Justice of the EU. This event followed another one of the London School of Economics “Commission on the Future of Britain in Europe”. Diana Wallis participated in a session devoted to “The European or British Bill of Rights”, on 25 February. You can find some reflections from President Wallis about Brexit and citizens’ rights in one of her [recent publications](#).

The next few months will also keep our President very busy. At the beginning of May, Diana Wallis will

be travelling to Spain to participate in a meeting with representatives of the Office for Harmonization of the Internal Market (OHIM) in Alicante, and later on to open the launch event of the ELI Spanish Hub in Madrid. On 26 May, back in London, she will participate in a conference organised by the Max Planck Institute for Procedural Law and the British Institute for International and Comparative Law on the potential impact of a Brexit on cross-border commercial dispute resolution and on the role of London as a centre for international litigation and arbitration. President Wallis will also participate at the ENCJ’s General Assembly, which will take place in Warsaw from 1 to 3 June.

Her active involvement in ELI projects will also bring some meetings to her agenda in May, such as a team meeting in Brussels for the ELI-ENCJ project on “The Principled Relationship of Formal and Informal Justice through the Courts and Alternative Dispute Resolution”, and the upcoming Conference on the “New Hungarian Civil Procedure Act and the Development of European Rules of Civil Procedure”, which will take place in Budapest on 30 and 31 May.

New ELI Institutional Observers

The Centre for Legal and Economic Research / Centro de Investigação Jurídico-Económica - CIJE



The Centre for Legal and Economic Research (CIJE) is a Research Unit integrated in the Law Faculty of the University of Porto (FDUP). Its primary mission is to promote and develop research in diverse fields of law, both nationally and internationally.

Founded in 1998, it began its scientific activity in 1999, with recognition and financial support of the Foundation for Science and Technology (FCT). The CIJE has participated in international projects in partnership with foreign universities and international organisations and has served the national and international community with significant relevance and impact.

In parallel, the CIJE, through its researchers, has been providing ongoing collaboration to the Faculty of Law of the University of Porto, promoting and actively participating in postgraduate courses and masters in the areas of tax law and labour law. Its research activity also focuses on the guidance of research and doctoral projects, disseminating the results at national and international level through the organisation’s participation in conferences.

Notwithstanding cross-disciplinary studies and projects, CIJE’s main research areas are:

- Tax Law
- Employment and Labour Law
- Commercial, Society and Business Law
- Economic Law

European Law Faculties Association (ELFA)



The European Law Faculties Association (ELFA) was founded in 1995 in Leuven by more than 80 Faculties of Law located in different universities across Europe.

The organisation now has several hundred members from countries within the EU and beyond; it acts as an international forum for the discussion of many legal topics related to legal education. The aim of ELFA's activities is to coordinate process of reform of legal education in Europe, introducing new topics, promoting cooperation between Universities in Europe, and representing Law Faculties vis-à-vis European Institutions, National Education Institutions, and Professional Lawyers and Prosecutors Associations. Currently, the most important focus of ELFA's activities is the reform of legal education in Europe.

Through its website and the European Journal of Legal Education (EJLE), it provides information about the current state of legal education in Europe

and an international forum for the discussion of the impact of the Sorbonne-Bologna Declaration on the study of law. ELFA places particular emphasis on accreditation and quality assessment as a condition for the Europeanisation of the study of law.

Considering the need for high-quality research for legal education, ELFA has been organising a contest named ELFA Award since 2012 for the best doctoral thesis on European Law to support researchers and create competition in legal studies on EU Law. The standard of theses submitted has been very high each year; they are judged by a multilingual jury, and entries may be submitted in English, French, German or Spanish. The Award for 2015, presented at the April 2016 AGM in Groningen, was won by Dr. Damien Gerard, for his thesis on Managing Diversity in the European Union: cooperation, convergence and mutual trust. Towards a Union method?; Dr. Barend van Leeuwen was awarded proxime accessit, for his thesis on Paradoxes of Convergence: European Standardisation of Services and its Impact on Private Law.

The Expert Witness Institute (EWI)



The EWI is a UK based membership body which was set up in November 1996 to service and support experts. It acts as a voice for the expert witness community, supporting experts from

all professional disciplines and lawyers who use the services of experts.

The Institute functions to encourage, train and educate experts and to improve and maintain their standards and status. The EWI is independent of outside commercial interests and is democratic, transparent and fully accountable to its members and is a non-profit making company limited by guarantee.

The objective of the EWI is the support of the proper

administration of justice and the early resolution of disputes through fair and unbiased expert evidence. To achieve this objective, the EWI:

- Acts as a voice for expert witnesses, especially in communicating with the media,
- Provides support to experts of all professional disciplines,
- Encourages lawyers to make use of experts wherever specialised knowledge is required,
- Engages in the training of experts to maintain and enhance standards and their status,
- Works actively with other allied professional bodies and associations,
- Makes representations to Government and to professional bodies and associations.

Western University „Vasile Goldiș” in Arad



The Western University of „Vasile Goldiș” in Arad (Romanian: Universitatea de Vest "Vasile Goldiș") is a private university located in Arad, Romania. The spiritual patron of the university is Vasile Goldiș,

a prominent Romanian politician, pedagogue, publicist, member of the Romanian Academy and a key figure of the Union of Transylvania with Romania in 1918. The Faculty of Law was founded in the first year of operation of the University in 1990-1991. It is the first private law school in Romania, whose final accreditation was confirmed by the Romanian Parliament in March 2002.

Since the academic year 2012-2013, the Faculty of Law has a new leadership that strives to continue the rich tradition of the legal school of Arad and to strengthen ties with the European legal elite. The high standard of scientific research is

reflected in the organisation of the legal part at the international symposium, the "Arad Academic Days" and by publishing in national and international periodicals and in the "Legal Studies" journal of the Faculty of Law. The proof of the high level of scientific research and the important international relations maintained by the Faculty of Law was an international conference organised jointly with the University of Vienna in 2012 on the recoding of private law in Europe. It was the most important international conference in Romania in recent years, with over 30 teachers from 20 European countries.

Furthermore, students who distinguish themselves in scientific research are guaranteed participation in these academic events.

The Faculty has a teaching and research infrastructure that meets European standards, including an information centre of the European integration office for the protection of human rights and a computer lab for legal and judicial information.

European Women Lawyers Association (EWLA)



The European Women Lawyers Association (EWLA) is registered in Belgium as an international non-governmental, non-profit, association (Association Internationale Sans But

Lucratif). It is a federation of national women lawyers associations from amongst the European Union countries and those of EFTA countries. Members of EWLA are also individual women lawyers and academics from these countries. EWLA pursues the co-operation of European women lawyers, in order to combine their specific expertise in monitoring law and politics seen from the angle of fundamental rights, and in particular gender equality.

The aims of EWLA are:

- to improve the understanding of European legislation in relation to equality, with particular reference to women, and its effects;

- to bring together women lawyers across the European Union, e.g. by the closest possible contacts with bars, law societies, associations of women lawyers, faculties and schools of legal education and research, both on a national and international level and with European or other public authorities;
- to undertake studies, research and conferences of European women lawyers also with organisations and institutions inside and outside of Europe with view to achieving equality of rights and opportunities;
- to strengthen links between EU women lawyers and to encourage meetings, cooperation and understanding between women lawyers.
- Women's interests in the institutions of the European Union in all women's issues in general and in the legal field in particular are represented and defended without prejudice to the scientific and pedagogical principal character of EWLA.

Time to pay your membership fees!

You should have recently received the invoice for your 2016 membership fee. If you have not yet paid it, please be kindly reminded that you may proceed with the payment by bank transfer or PayPal.

Additionally, as you were already informed by email, the ELI is now able to offer its members a new payment option through the **SEPA Direct Debit System**. This system will allow you to set up an automatic payment order instead of having to remember paying every year. In order to use this payment option, you are kindly asked to fill in and

sign the form you received by email with your invoice and send it to the ELI Secretariat.

May you still have outstanding membership fees from previous years, it would be appreciated if you could proceed with the payment at your earliest convenience. As you know, the ELI relies on the income gained from annual membership fees to carry out its work and is truly grateful to its members for their generosity. Please [contact](#) the ELI Secretariat with any questions arising in this context.

Upcoming events!



- Launch of the ELI Spanish HUB, Madrid, 9 May.
- ERA Conference on the Double Prosecution and Conflicts of Jurisdiction in Cross-border Criminal Proceedings, Trier, 12 - 13 May.
- Conference on the "New Hungarian Civil Procedure Act and the Development of European Rules of Civil Procedure", Budapest, Hungary, 30 - 31 May.
- Public Workshop on the ELI Project "Empowering European Families - Towards More Party Autonomy in European Family and Succession Law", Vienna, 13 - 15 June.
- ERA Annual Conference on European Migration Law 2016, Brussels, 16 - 17 June.
- ERA Seminar Supervising Matters Related to Detention, Strasbourg, 23 - 24 June.
- ELI Annual Conference and General Assembly 2016, Ferrara, 7 - 9 September.



The ELI 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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