

2023 Activity Report





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Dear ELI Members and Friends

I am pleased to embark on a second term as ELI President, following my reappointment in autumn 2023. Former Executive Committee members, Anne Birgitte Gammeljord (now 1st Vice-President), Prof Dr Pietro Sirena (now Treasurer), Prof Dr Teresa Rodrigues de las Herras Ballel, Dr Aneta Wiewiórowska-Domagalska and I, are joined by two new members: Sir Geoffrey Vos (Master of the Rolls and Head of Civil Justice in England and Wales), who was elected 2nd Vice-President, and Judge Sylvaine Peruzzetto-Poillot of the Cour de Cassation of France, in our quest to head this dynamic organisation.

Before turning to ELI's achievements in 2023, let me record my gratitude once again, both to former Lord Chief Justice of England and Wales, Lord John Thomas (ELI's former 1st Vice-President), and to Prof Dr Bénédicte Fauvarque-Cosson, now administratrice générale of the Conservatory of Arts and Crafts (CNAM), for their services in advancing our shared goals. Both stepped down from the Exeuctive in September 2023, but continue to support ELI in other capacities.

Among key developments in 2023 were the launches of Kick-Off Webinars (which revive efforts to strengthen Members Consultative Committees (MCCs)), High Level Fora (which seek to ensure that ELI's outputs are brought to the direct attention of members of the bar, bench and academia, lawmakers, policymakers and other important stakeholders working in the relevant field) and ELI Members' Day (which seeks to integrate the views of our Members in the identification of project topics). Further developments in 2023 are outlined in this Activity Report. I wish you an enjoable read.

Prof Dr Pascal Pichonnaz, ELI President

Responses to European Commission Consultations

ranslations

Completed Projects

14
Webinars

New Projects

47

Representational Meetings

6 Kick-Off Webinars

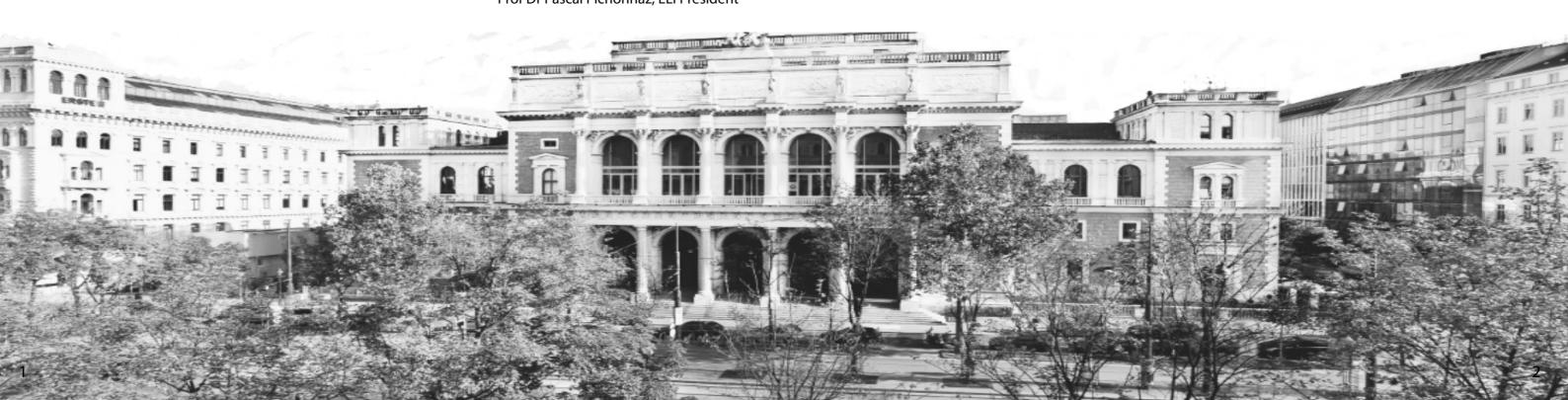
High Level Expert Group Meetings aunch of ELI Members' Day

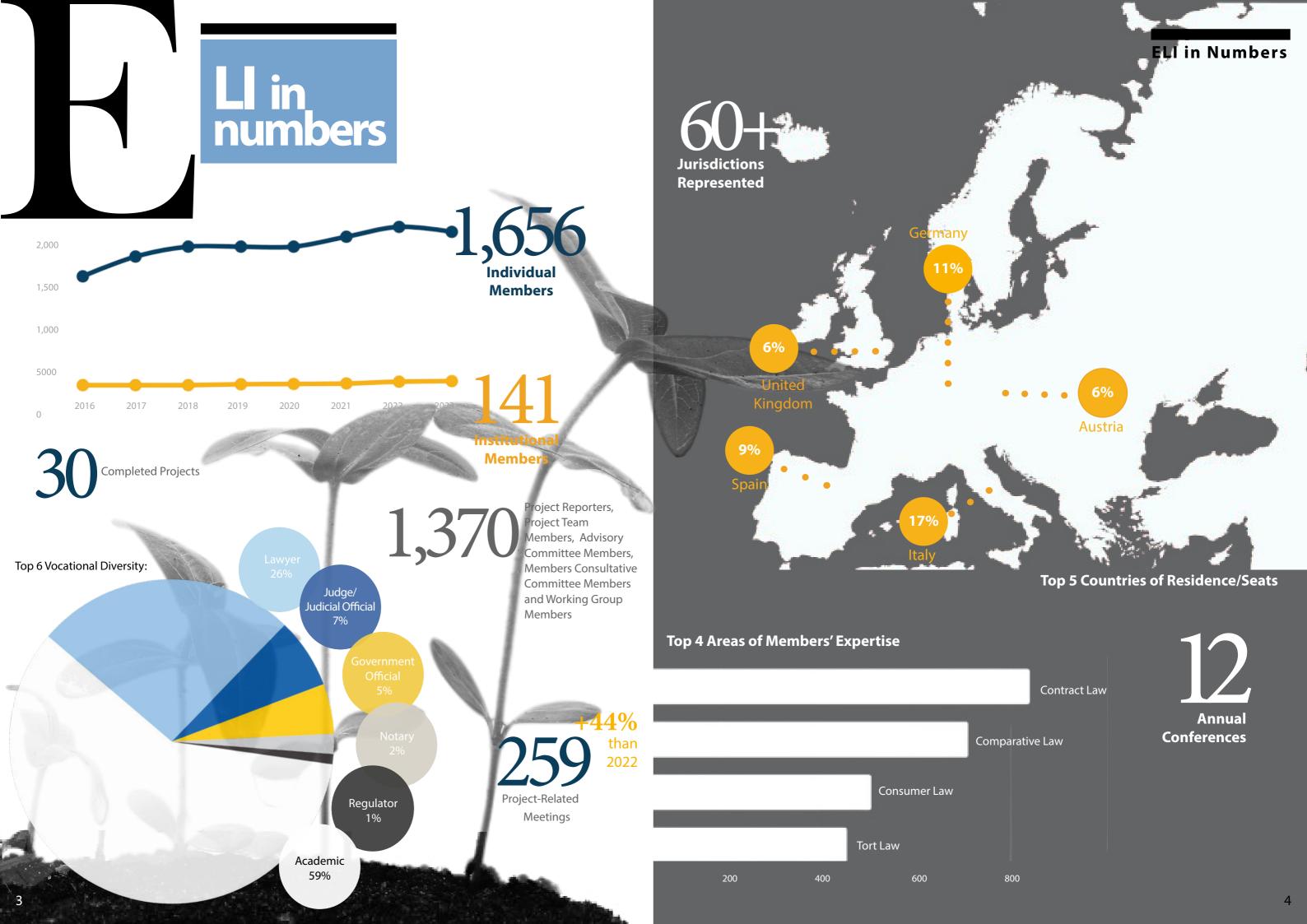
Hubs Established

High Level Fora (HLF)

120

EU, Ministry of Justice and Supreme Court representatives present at the HLFs





ELI Funding



'[ELI] has contributed so much to fostering a genuine and vigorous **European legal** community. ... I would like to thank you for all of your work of the highest professional standards and for always taking a Pan-European perspective.

> Věra Jourová Vice-President of the European Commission for Values and Transparency

In 2023, ELI's total budget witnessed a 15% growth from the preceding year and a 14% increase compared to 2021.

ELI Membership Fees constituted 24% of the Institute's funding (up from 22% in 2022). ELI recorded the increase in revenue, following its increase in Membership fees.

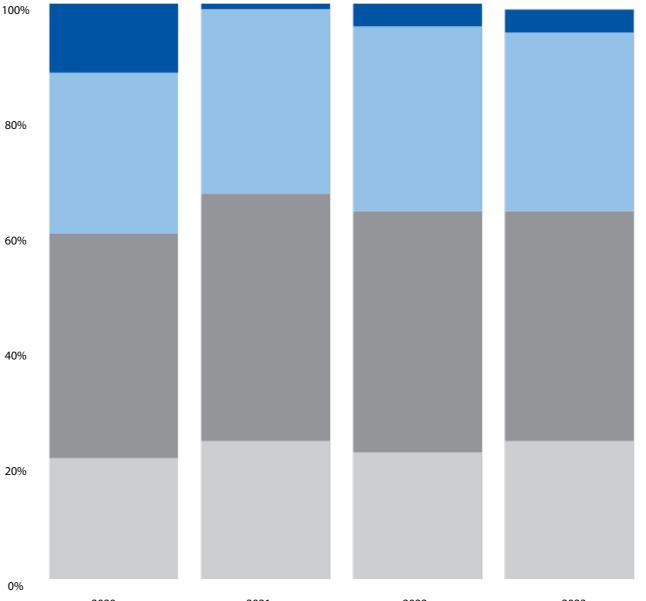
ELI's Operating Grant from the European Commission accounted for 31% of its total funding. Despite a marginal 1% decrease in the context of overall funding, the grant awarded in 2023 surpassed that of 2022 by EUR 10,000.

ELI also benefits from various **project-specific grants**.

Funding from the **University of Vienna**, which has hosted the ELI Secretariat since 2011, constituted a substantial 40% of ELI's total funding in 2023 (down from 42% in 2022), due to the aforementioned increase in Membership fees. The actual amount awarded in 2023 was EUR 12,500 more than in 2022.

The joint ELI-University of Vienna <u>Framework</u> <u>Cooperation Agreement</u> was renewed for an additional four years (2023–2027), effective 2023. A 20% increase in funding was awarded for the period.





2020 2021 2022 2023





The Membership is regarded as the highest ELI body. It is also competent for the approval of the results of the Institute's projects. ELI Members gather in person, including at its Annual Conference (see pages 18–19 below) and remotely. Launched in 2023, ELI Members' Day is another forum through which Members convene.



- 1 June, Online
- 6–8 September, Vienna



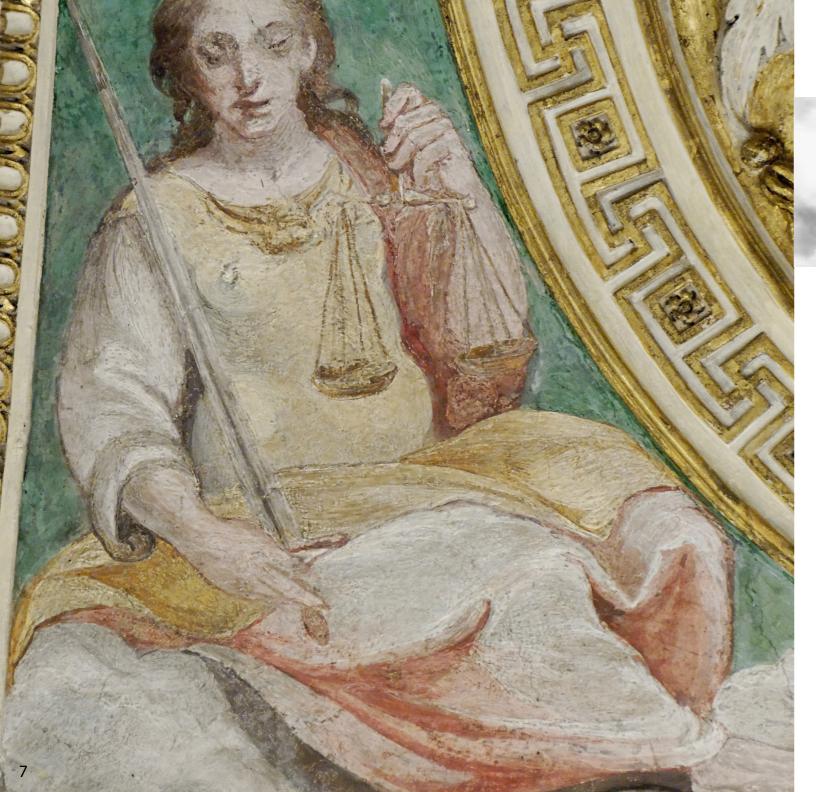
Institutional Fellows

ELI Members' Day

To recognise the importance of its broad and varied Membership base, ELI launched a Members' Day, which will be celebrated annually online on or around the occasion of ELI's anniversary.

On ELI first Members' Day of 1 June 2023, participants reflected on ELI's achievements and discussed an emerging legal topic: the Law in the Metaverse.

Representatives from Meta, Zaha Hadid Architects, Deloitte, prominent legal professionals, and Renate Nikolay, Deputy Director-General for Communications Networks, Content, and Technology at the European Commission, convened remotely to discuss the opportunities as well as emerging regulatory challenges for the field. More here.



odies

ELI Bodies

Sustaining Members

Oustaining Members

Daniel M Häusermann · Diarmuid Hegarty · Christian Hertel · Hana Horak · Marta Infantino · Elena Ioriatti · Francisco Javier Jiménez Muñoz · Phillip Johnson · Tatjana Josipović · Hideki Kanda · Paul Keane · Ana Keglevic Steffek · Bernhard A Koch · Sören Koch · Velibor Korać · Lance Liebman · Vanessa Mak · Jonathan McGowan · Piotr Machnikowski · Corrado Malberti · Dan Marcotte KC · Maarten Meijer · Attila Menyhárd · Antonio Manuel Morales Moreno · Eliana Morandi · Karl-Heinz Oehler · Ali Osman Özdilek · Tekla Papp · Denis Philippe · Bertrand Perrin · Pascal Pichonnaz · Fausto Pocar · Cristina Poncibó · Alfredo Rizzo · Teresa Rodriguez de las Heras Ballell · Nelson Rosenvald · Marc Rotenberg · Kirill Ryabtsev · Jorge Sánchez Cordero · Cayetana Santaolalla Montoya · Vyara Savov · Hugo-Maria Schally · Małgorzata Skawińska · Vincent Smith · Henricus (Henk) J Snijders · John Sorabji · Astrid Stadler · Felix Steffek · Ben Steinbrück · Jeffrey Stempel · Franken Stijn · Christiaan Timmermans · Lord John Thomas · Ivan Tot · Sjef van Erp · Lajos Vekas · Aida von Schulman · Mislav Vukina · Steven O Weise · Christiane Wendehorst · Vanessa Wilcox · Eike Wolf · Herbert Zech · Reinhard Zimmermann · Irina Zlătescu





New Institutional Members joined ELI in 2023

ELI Bodies

To further its commitment to the principles of comprehensiveness, the Institute seeks diverse insights from a broad audience. Since its foundation, the Institute has fostered strong collaborations with key EU institutions and agencies, including the European Parliament, the European Commission, the Court of Justice of the European Union, and the European Union Agency for Fundamental Rights. Additionally, it has established partnerships with international organisations like the Organization for Security and Cooperation in Europe and the United Nations Commission on International Trade Law. ELI also maintains collaborative relationships with entities such as the Council of the Notariats of the European Union and the Hague Conference on Private International Law.

Projects led by Members and partners undergo extensive consultation within ELI's broad network. ELI therefore welcomes the expansion of its Membership base.





















Uniform Law Conference of Canada

ELI Bodies

Council

209



The Council consists of a maximum of 56 Members elected by the Membership from among Individual Fellows in a way that adequately takes into account the general principles of the Association. It is the Institute's management body.



- 5 January, Online
- 23–24 February, Vienna
- 3 July, Online
- 6–7 September, Vienna
- 27 November, Online



Recently Elected

- Hugh Beale
- Teresa Bielska-Sobkowicz
- Michel Cannarsa
- Georges Cavalie
- Sara Cockerill
- Hristina Georgieva
- Miguel Gimeno Ribes
- André Janssen
- Paul Keane
- María Lubomira Kubica

- Albert Ruda
- Jens Scherpe
- Ulrich G Schroeter
- Hans Schulte-Nölke
- Andrey Shirvindt
- Anna Skrjabina
- Camelia Toader
- Laura Valle
- Aneta Wiewiórowska-Domagalska

- Aleš Zalar
- Mario Comba
- Paul Craig QC (Hon)
- Nada Dollan
- Christiana Fountoul
- Gianluca Grasso
- Laura Guercio
- Geraint Howells
- Francisco Javier Jiménez Mu
- Bernhard Koch
- Xandra Krame

55 Council 28 Elected in 2023

- Oliver Mader
- Svitlana Mazepa
- William M McKechnie
- Matthias Neumayr
- Fausto Pocar
- Sylvaine Poillot Peruzzetto
- Ilaria Pretelli
- Teresa Rodríguez de las Heras Ballell

Ongoing Council Members

- Despoina Anagnostopoulou
- Susanne Augenhofe
- Lorena Bachmaier Winter
- Ewa Bagińska
- Başak Başoğlu
- Sarah Bechaalany
- Robert Bra
- Christoph Busch
- Valentina Caldera

- Matthias Lehmann
- Piotr Machnikowski
- Maria Rosaria Maugeri
- Francesco Paolo Patti
- Barbara Pozzo
- Marta Santos Silva
- Tamás Szabados
- I Ivan Tot



11 12

ELI Bodies

Ex-officio Council Members

- Pascal Pichonnaz (ELI President) ■ Anne Birgitte Gammeljord (ELI First Vice-President)
 - Sir Geoffrey Vos (ELI Second Vice-President)
 - Pietro Sirena (Treasurer)
- Pierre-Dominique Schupp (CCBE President)
- Marius Stračkaitis (CNUE President)
- Miha Taus (ELRA President)
- Dalia Vasarienė (ENCJ President)
- Marc Schmitz (UIHJ President)
- Bettina Limperg (Network of the Presidents of the Supreme Judicial Courts of the European Union President)

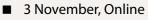




The Executive Committee is the ELI's administrative body.



- 22 February, Vienna
- 20 April, Online ■ 12 June, Vienna
- 31 August, Online









Sir Geoffrey Vos (Second Vice-President)

■ Marta Cartabia

Irmgard Griss

(Deputy Speaker)

Arthur Hartkamp

Francis Jacobs

■ Pauliine Koskelo

■ Bruno Lasserre



Anne Birgitte Gammeljord (First Vice-President)











The Senate is a body of persons, ready to give advice and, where necessary, to settle disputes.



■ 5 September, Vienna



The Tribunal settles disputes that may arise between ELI Members, between ELI Members and one or several bodies of ELI, or between two or several bodies of ELI.



- Arthur Hartkamp
- Bruno Lasserre
- Lord Jonathan Mance



- Lord Jonathan Mance
- **Vassilios Skouris**
- Lajos Vékàs
- Eddy Wymeersch
- Reinhard Zimmermann (Speaker)



Viktoriia Ivanova (Former Finance and Event Officer)



ecretariat

Vanessa Wilcox **Secretary General**

Zuzana Vadehra **Senior Finance and Membreship Officer**



Leonor Franco **PR Officer**



Matthias Klonner **IT Support**

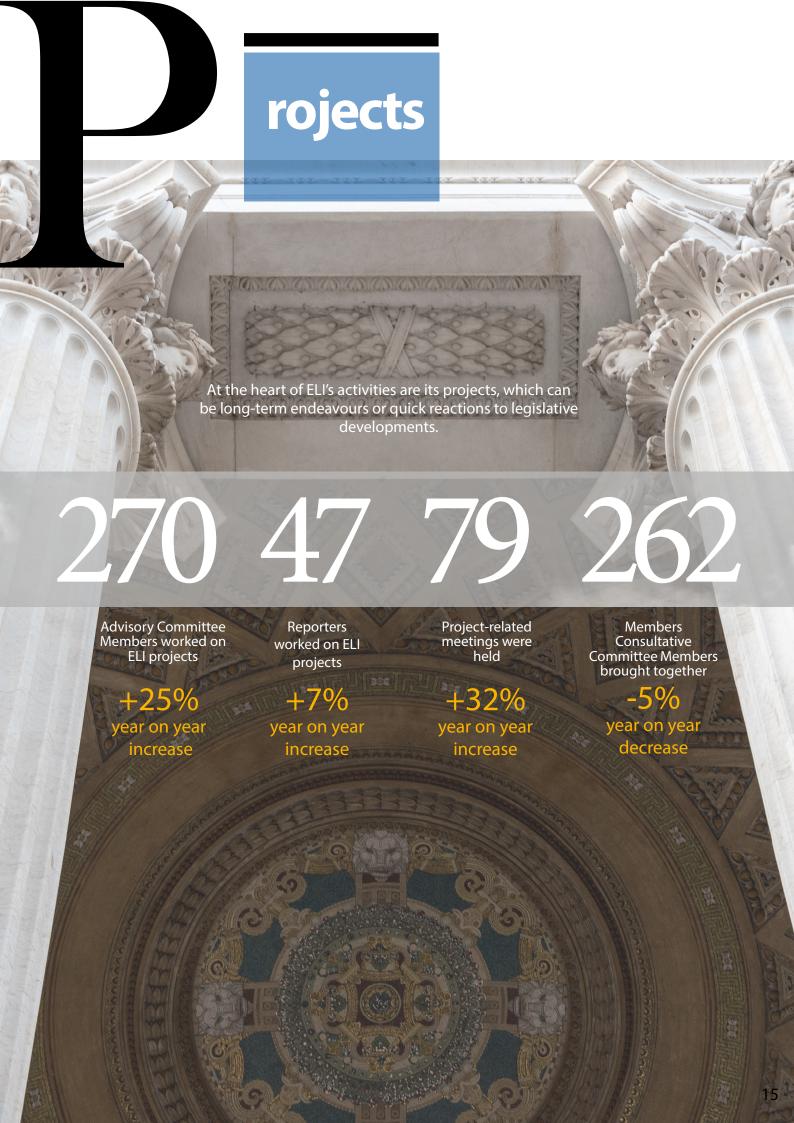


Lucjia Duzel (Former PR Officer)



The main tasks of the Secretariat are to coordinate ELI's day-to-day projects and activities, organise events, support ELI bodies in fulfilling their tasks and liaise with ELI's current and potential Members. Gratitude goes out to former Secretariat wishes them the best in their future endeavours.







Rule of Law and the Convergence of Legal Systems in the 21st Century

- ELI-Mount Scopus European Standards of Judicial Independence
- Fundamental Constitutional Principles
- Extra-Judicial Administration of Justice in Cross-Border Family and Succession Matters
- Third Party Funding of Litigation
- Update of ELI's Detention of Asylum Seekers and Irregular Migrants and the Rule of Law: Checklists and European Standards
- Corporate Criminal Liability in the European Union
- Foreseeable Amendments to the European Commission Proposal on the Recognition of Foreign Filiations

Law and Governance for the Digital Age

- Access to Digital Assets
- Guiding Principles and Model Rules on Algorithmic
- Digitalisation of Civil Justice Systems in Europe
- Model Rules on Succession of Digital Assets, Data and other Digital Remains

Sustainable Life and Society

- Climate Justice New Challenges for Law and Judges
- Advance Choices for Future Disablement
- Enterprise Foundations in Europe



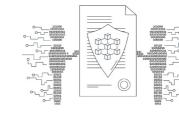
ELI Principles on Blockchain Technology, Smart Contracts and **Consumer Protection**

EU Consumer Law and Automated Decision-Making (ADM): Is EU Consumer Law Ready for ADM?

Guiding Principles on Implementing Worler's Right to Disconnect

ELI Projects

Projects





ELI Proposal for a Directive of the European Parliament and the **Council on Mutual** Admissibility of Evidence and Electronic Evidence in **Criminal Proceedings**



ELI Guidance on Company Capital and Financial Accounting for Corporate Sustainability



ELI Report on Ecocide





Responses to European Comissions Public Consultations

European Commission's Proposal for a Directive on Common Rules Promoting the Repair of

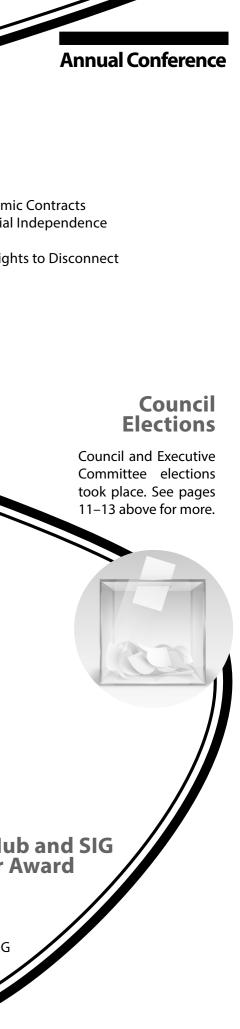


European Commission's Public Consultation on Digital Fairness - Fitness Check on EU Consumer



17

Christiane Wendehorst, Scientific Director 16





Panels

- Fundamental Constitutional Principles
- Guiding Principles and Model Rules on Algorithmic Contracts
- ELI-Mount Scopus European Standards of Judicial Independence
- Third Party Funding of Litigation
- Guiding Principles on Implementing Workers' Rights to Disconnect
- Access to Digital Assets
- Hub and SIG panels More here.



Speeches

- Prof Dr Ronald Maier, Vice-Rector of the University of Vienna
- Prof Dr Brigitta Zöchling-Jud, Dean of the Faculty of Law, University of Vienna
- Prof Dr Anna Veneziano, Deputy Secretary-General of UNIDROIT
- Dr Alma Zadić, LLM, Austrian Minister of Justice
- Savvas Papasavvas, Vice-President of the General Court of the European Union
- Věra Jourová, Vice-President of the European Commission for Values and Transparency
- Dubravka Šuica, Vice-President of the European Commission for Democracy and Demography

More here and here.

2023 ELI Young Lawyers Award

- Title: The Green Transition Puzzle: Energy Communities as a Missing Piece
- Author: Yulia Sergeeva More here.



- Austrian Hub
- Croatian Hub
- Digital Law SIG More here.



nnual

Conference

Representation



Meetings and other representational activities

January

- 17, ELI President at ELI–UNCITRAL Intersessional Event
- 20, ELI President inform young scholars at the University of Vienna about ELI

February

- 10, ELI President at the 77th UNCITRAL Working Group on Dispute Settlement
- 15, ELI President meets L'institut JUR-I of UCLovain President
- 15, ELI President Meets UIHJ President
- 17, ELI President meets ACS President
- 22 February, ELI Presidency meets recently elected Rector of the University of Vienna

March

- 5, ELI Reporters at ELSA's ICE Switzerland
- 7, ELI President meets ELRA President
- 7-10, ELI at the HCCH CGAP
- 8–10, ELI at the UNIDROIT Working Group on Digital Assets and Private Law
- 26, ELI President at ELSA International's meeting

April

- 5, ELI at the UNIDROIT Working Group on Digital Assets and Private Law
- 25, ELI at ULC's Study Committee Meeting
- 26, ELI President meets EJTN Secretary General

May

- 2, ELI President meets ERSUMA Director General
- 3, ELI President meets Network of Presidents
- 10–12, ELI President at UNIDROIT Governing Council Session
- 22–24, ELI representatives at ALI's Centennial Celebrations

June

- 6, ELI President meets CCBE Vice-President
- 15–16, ELI President at EJTN 26th General Assembly
- 19, ELI President meets BEUC Heads
- 22, ELI French Hub Co-Chair attends TEE 13th Forum

July

- 11, ELI President meets DG of Digital Transformation, Justice and Consumers
- 18, ELI President meets Supreme Court of Lithuania President
- 21, ELI President at the 56th UNCITRAL Session

September

- 20, ELI President meets World Jurist Association President
- 18–22, ELI President at UNCITRAL Working Group II 78th Session

October

- 10, ELI Presidency meets European Court of Human Rights President
- 30, ELI's E-Evidence Proposal presented to Chinese delegation
- 30, ELI President meets Directorate for Criminal and Civil Justice Director

November

- 2, ELI Secretariat hosts China Delegation
- 6, ELI President congratulates Nancy Pelosi
- 7, ELI President addresses ELSA Internaitonal
- 17, ELI President speaks at EJTN course
- 20, ELI President joins Advisory Board Digital Switzerland Strategy
- 22, ELI Secretariat hosts STGM Delegation
- 23, ELI joins the UIHJ as a Permanent Observer
- 26, ELI President addresses ELSA Switzerland

December

- 1, ELI President speaks at European Law Studies Institute Anniversary
- 11, ELI Featured in Dalloz
- 15, ELI Secretariat welcomes TSNUK delegation
- 18, ELI President meets Austrian Bar President
- 18, ELI President meets Judge Pierpaolo Gori of the Italian Supreme Court
- 20, ELI Represented at the 63rd Session of UNCITRAL Working Group V on Insolvency Law





























































Hubs and SIGs (Special Interest Groups) 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. As such, Hubs and SIGs are of fundamental importance to ELI's success.

Hubs and SIGs are country- and topic-specific groups respectively. In consultation with its Executive Committee, ELI relies on SIGs to prepare responses to any EU or other relevant consultation or legislative proposal; provide an effective means to review any legal instruments within their area of expertise; and, most importantly, provide an active forum for debate by ELI Members in the field.

Hub and SIG membership is limited to ELI Members. However, their activities may be open to the public.

At present, ELI has **16 Hubs** and **11 SIGs** and constantly adds to these numbers in line with demand. Click on each group to learn more and to view a list of their activities in 2023.



55 Hub events **22** SIG events

Hubs

Hubs and SIGS





subscribers year on year

Janury - February

Cover by Kerstin Jorna

Director-General, Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW)

Spotlight by Prof Geraint Howells

Executive Dean for Business, Public Policy and Law at NUI Galway





March-April

Cover by Jojo Mehta

Co-Founder and Executive Director of Stop Ecocide International **Spotlight by Prof Darryl Robinson**

Professor at Queen's University Faculty of Law





May-June

Cover by David Levi and Diane Wood President and Director, respectively, of the American Law Institute

Spotlight by Prof Dr Holger Matt







July-August

Cover by Věra Jourová

Vice, President of the European Commission for Values and Transparency

Spotlight by Richard Sonnenschein

Director of Justice Policies in the European Commission's Directorate-General for Justice and Consumers (DG JUST)





September-October

Cover by Prof Pascal Pichonnaz President of the European Law Institute (ELI) **Spotlight by Alex Agius Saliba** Member of the European Parliament





November-December

Cover by Prof Sebastian Schütze Rector of the University of Vienna **Spotlight by Minesh Tanna**

Partner and the Global AI Lead, Simmons & Simmons





Newsletter



'[ELI's]
achievements have
paved the way for
many more
young professionals
to help create a
righteous, green
and
prosperous
European future'

Roberta Metsola President of the European Parliament

2014

Consultation on the Review of the EU

Converient Rules

Collective Redress and Competition

Damages Claim, a supplement to
its Statement on the Proposal for a

Regulation on a Common European

Sales Law and a Response to the
European Commission's Public

Consultation on the Review of the EU

Converient Rules

2016

ELI published a Statement on the European Commission's proposed Directive on the Supply of Digital Content to Consumers.

2018

The agreement between ELI and the University of Vienna was extended until 2023. ELI also published the ELI Statement on the Principled Relationship of Formal and Informal Justice through the Courts and Alternative Dispute Resolution.

2020

ELI published its Model Rules on Online Platforms, the ELI Report on Protection of Adults in International Situations and the ELI Principles for the COVID-19 Crisis.

2022

ELI five outputs were published, namely, the ELI Report on Business and Human Rights, the ELI Model Rules on Impact Assessment of Algorithmic Decision-Making Systems Used by Public Administration, the ELI Principles on the Use of Digital Assets as Security, the ELI Report on Freedom of Expression as a Common Constitutional Tradition in Europe, and the ELI Draft of a Revised Product Liability Directive. Additionally, the following Responses to the Public Consultations were published: on Civil Liability, the Cross-Border Protection of Vulnerable Adults, on the Sustainable Consumption of Goods. A Feedback on the Commission's Proposal for a Revised Product Liability Directive was also issued. In addition, ELI published a Council Resolution on Ukraine and the Innovation Paper on Automated Decision-Making in the EU. In 2022, the agreement between ELI and the University of Vienna was again extended (for the 2023–2027 period), with an increase in financial support.

2012

The ELI published its first Statement:Case-Overload at the European Court of Human Rights and the ELI Statement on the Proposal for a Regulation on a Common European

2015

The agreement between ELI and the University of Vienna was extended until 2019. A second Supplement on the Statement on Sales was issued.

2017

ELI published the Draft Legislative Proposal for the Prevention and the Resolution of Conflicts of Jurisdiction in Criminal Matters in the European Union, the ELI Statement on Detention of Asylum Seekers and Irregular Migrants and the Rule of Law and the ELI Instrument on Rescue of Business in Insolvency Law.

2019

The ELI Instrument on Empowering European Families: Towards More Party Autonomy in European Family and Succession Law was published.

2021

ELI celebrated its 10th anniversary. Its Report on For a European Approach to R&D Tax Incentive(s) and the ALI-ELI Principles for a Data Economy, the ELI-UNIDROIT Model European Rules of Civil Procedure, the ELI Innovation Paper on Guiding Principles for Updating the EU Product Liability Directive for the Digital Age, a Supplement to the ELI Principles for the COVID-19 Crisis and Response to the Public Consultation on the Data Act were published.

2023

ELI published its Feedback on the European Commission's Proposal for a Revised Product Liability Directive, Guidance on Company Capital and Financial Accounting for Corporate Sustainability and Principles on Blockchain Technology, Smart Contracts, Consumer Protection, Report on Ecocide, Proposal for a Directive of the European Parliament and the Council on Mutual Admissibility of Evidence and Electronic Evidence in Criminal Proceedings, its Guiding Principles on Implementing Workers' Right to Disconnect and its Interim Report on EU Consumer Law and Automated Decision–Making (ADM). ELI published its Feedback on the European Commission's Proposal for a Revised Product Liability Directive, Guidance on Company Capital and Financial Accounting for Corporate Sustainability and Principles on Blockchain Technology, Smart Contracts, Consumer Protection, Report on Ecocide, Proposal for a Directive of the European Parliament and the Council on Mutual Admissibility of Evidence and Electronic Evidence in Criminal Proceedings, its Guiding Principles on Implementing Workers' Right to Disconnect and its Interim Report on EU Consumer Law and Automated Decision-Making (ADM). It also published a Feedback on the European Commission's Proposal for a Directive on Common Rules Promoting the Repair of Goods and a Response to the European Commission's Public Consultation on Digital Fairness – Fitness Check on EU Consumer Law.

2011

European Law Institute

- Pan-European, democratic, membership-based organisation
- Uniting prominent jurists of all legal professions
- Aiming to improve the law in Europe
- Carrying out projects with immediate practical application

Members of ELI can contribute to its projects and gain access to an international network of jurists. Apart from other activities, ELI organises its Annual Conference and Meetings, bringing together Europe's leading experts in diverse fields of law.

Executive Committee

President: Pascal Pichonnaz

First Vice-President: Anne Birgitte Gammeljord Second Vice-President:

Treasurer:
Other Members:
Sir Geoffrey Vos
Pietro Sirena

Sylvaine Poillot Peruzzetto

Teresa Rodríguez de las Heras Ballell Aneta Wiewiórowska-Domagalska

ELI in Vienna

The Secretariat of ELI, which is hosted by the University of Vienna, is located in the heart of the Austrian capital, close to the main building of the University, the representation of the European Commission in Austria as well as the information office of the European Parliament.

We cordially invite you to visit us whenever you are in Vienna.



ELI Secretariat

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