



ELI

EUROPEAN
LAW
INSTITUTE

2021

Activity Report



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Imprint

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1010 Vienna, Austria

Message from ELI President and Vices

In September 2021, the European Law Institute (ELI) Council elected a new Executive Committee under the Presidency of President Prof Dr Pascal Pichonnaz and Vice-Presidents, Lord John Thomas and Anne Birgitte Gammeljord.

2021 has been a remarkable year in many respects.

On 1 June 2021, ELI celebrated its Decennial. A decade of projects, conferences and meetings is, of course, less than almost a century of the American Law Institute's (ALI) history, but it has enabled ELI to build a strong, influential and, as the current COVID-19 pandemic has shown, resilient community of experts of various vocational and geographical backgrounds devoted to the development of European law. We had the pleasure of celebrating ELI's significant milestone with European Commissioner for Justice, Didier Reynders, President Robert Spano of the European Court of Human Rights and President Koen Lenaerts of the Court of Justice of the European Union, among many other ELI friends and supporters.

In 2021, ELI also had the great pleasure of securing the President of Austria, Alexander Van der Bellen, among others, to deliver the Welcome Address at our Annual Conference, an event which again had to take place remotely owing to the pandemic but was nonetheless a success, having gathered over 550 leading judges, academics, practitioners, policy makers and others.

Turning to ELI's core output, its projects, no less than five

projects were approved by the ELI Council in 2021, namely:

- For a European Approach to R&D Tax Incentive(s)
- ALI-ELI Principles for a Data Economy: Data Transactions and Data Rights
- Business and Human Rights: Access to Justice and Effective Remedies
- Freedom of Expression as a Common Constitutional Tradition in Europe
- Use of Digital Assets as Security

The last two are still before ELI Members for approval. Furthermore, the ELI-UNIDROIT (International Institute for the Unification of Private Law) Model European Rules of Civil Procedure were published with Oxford University Press in 2021. Several translations of the Model Rules of Civil Procedure, the ALI-ELI Principles as well as other earlier ELI publications are currently being translated into various languages or have recently been published.

Finally, ELI also published its first Innovation Paper on 'Guiding Principles for Up-dating the Product Liability Directive for the Digital Age' in early 2021, with a second Innovation Paper due to be finalised in early 2022.

The above success would not be possible without the commitment of various individuals, to whom we owe tremendous gratitude.

We invite you peruse through our 2021 Activity Report for more details on the above and other ELI activities and wish you a stimulating read.



Pascal Pichonnaz
President



Lord John Thomas
First Vice-President



Anne Birgitte
Gammeljord
Second Vice-President



ELI in Brief

Vienna's Old Stock Exchange; home to the ELI Secretariat



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Vienna

About ELI

Founded in June 2011 as an entirely independent organisation, the ELI aims to improve the quality of European law, understood in the broadest sense. It seeks to initiate, conduct and facilitate research, make recommendations and provide practical guidance in the field of European legal development with a goal of enhancing European legal integration. The Institute was inspired by the activities of the ALI, which was founded in 1923.

ELI's mission is the quest for better law-making in Europe and the enhancement of European legal integration. By its endeavours, 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. As such its work covers all branches of the law: substantive and procedural; private and public.



ANALYSES THE LAW

ELI identifies and analyses legal developments in Europe.

PROVIDES FORA

ELI provides fora for discussion and for the cooperation for jurists, irrespective of their vocations or occupations.

STIMULATES DEVELOPMENT

ELI evaluates and stimulates the development of European law, legal policy, and practice.

ENHANCES EUROPEAN LAW

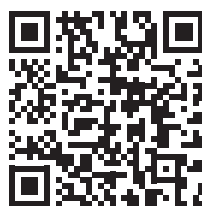
ELI enhances the role European law could play globally, for instance, by drafting international instruments or model rules.

CONDUCTS RESEARCH

ELI conducts and facilitates pan-European research. In particular, it drafts, evaluates or improves principles and rules which are common to the European legal systems.

■ **Fellows** may be either Individual or Institutional. The former must be natural persons and must actively engage, by their professional, vocational or scholarly activities, in European legal development. They are internationally renowned legal professionals from academia, the judiciary, various legal professions, governments, legislatures and other sectors, who participate in the Institute's activities based on their personal and professional convictions and without regard to the interests of any clients or stakeholders. Institutional Fellows must be legal entities representing organisations, institutions or networks, which are actively involved in European legal development. Like Individual Fellows, Institutional Fellows enjoy voting rights.

■ **Observers** may also be Individual or Institutional. Such Members take an active interest in European legal development but in their capacity as ELI Members cannot undertake to speak and vote without regard to the interests of particular stakeholders. As such Observers have no voting rights.

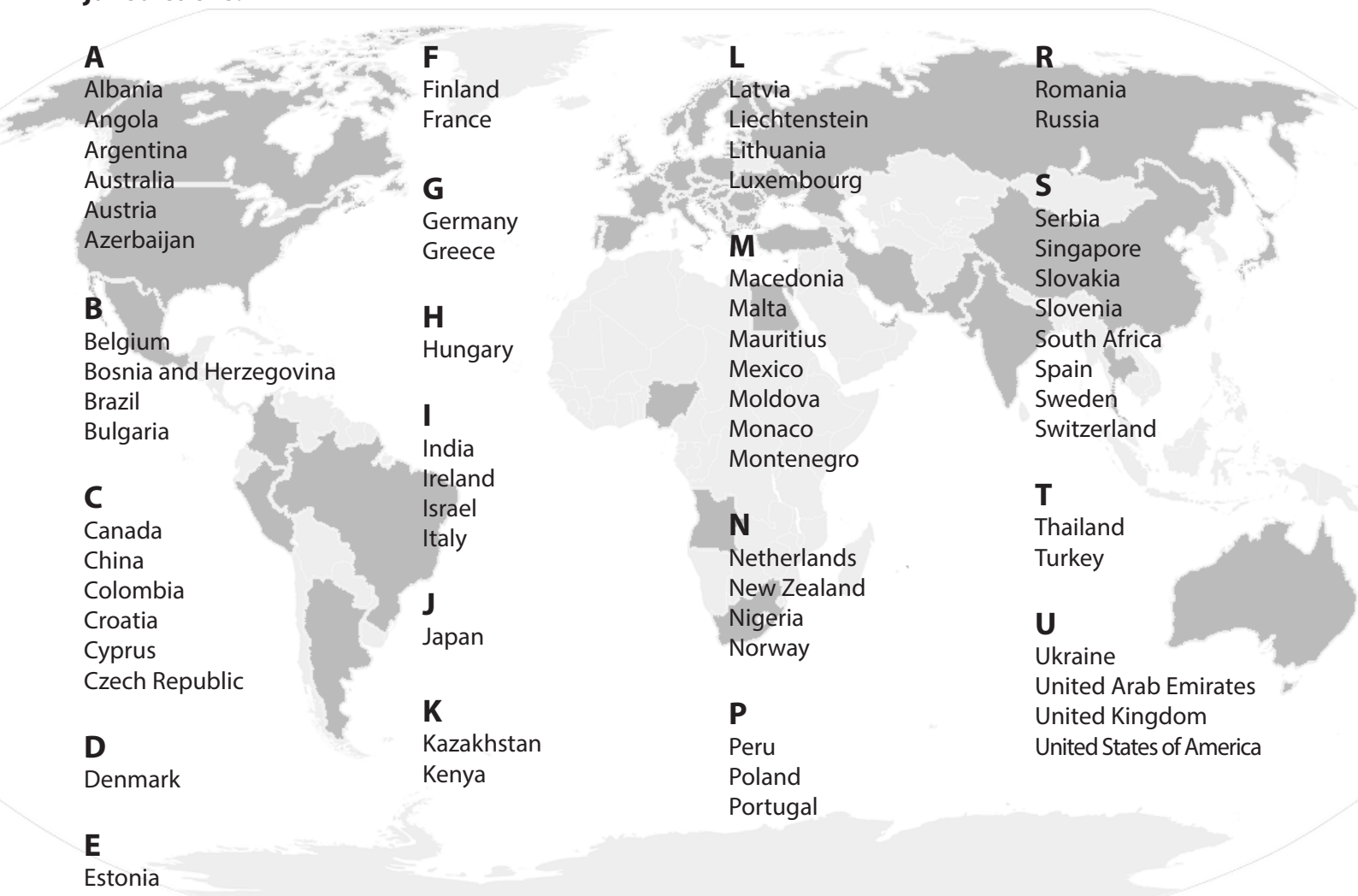


Individual Application Form



Institutional Application Form

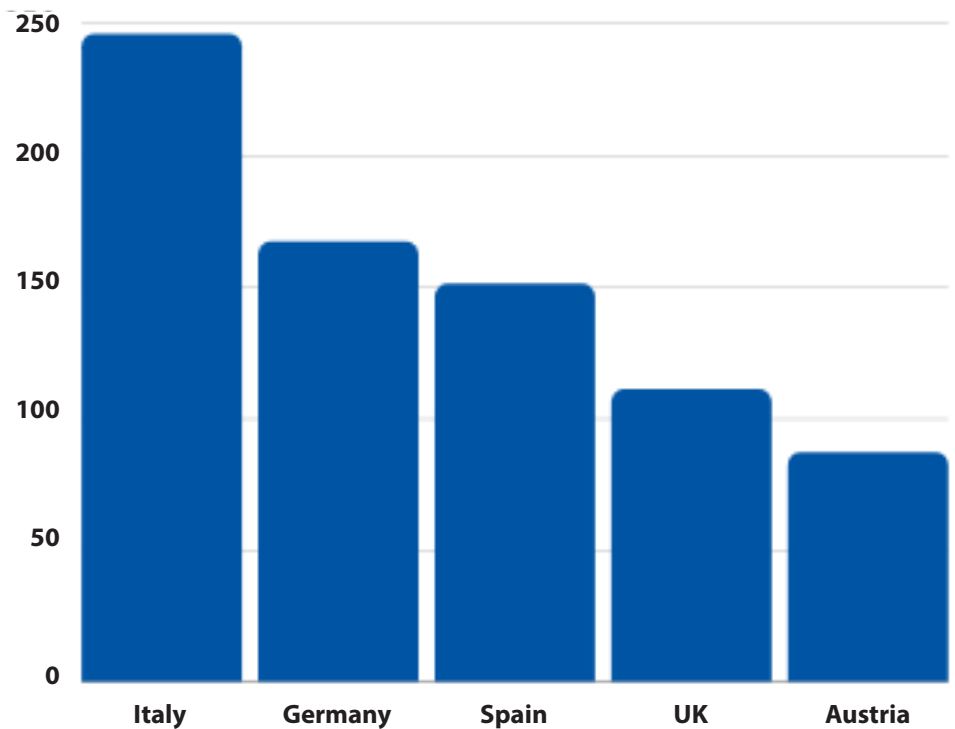
ELI's steadily growing Membership spans the globe. Members in 2021 stemmed from the following jurisdictions:



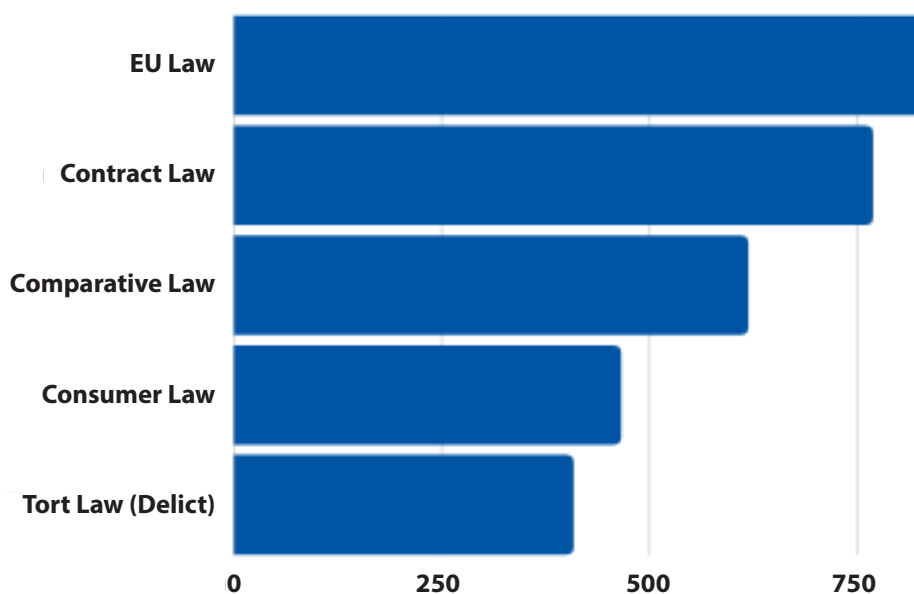
Membership Overview



Top 5 countries of residence of ELI Members



Top 5 areas of law represented by ELI Members



Top 6 professions of Members who joined in 2021

- Academics
- Lawyers
- Government Officials
- Judges
- Notaries
- Regulators

Council

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.

Council Members

The current ELI Council is composed of 55 Members, 28 of which were elected into office on 8 September 2021.

- | | |
|----------------------------------|---|
| ■ Despoina Anagnostopoulou | ■ Bernhard A Koch |
| ■ Ross G Anderson | ■ Xandra Kramer |
| ■ Susanne Augenhöfer | ■ Matthias Lehmann |
| ■ Lorena Bachmaier Winter | ■ Piotr Machnikowski |
| ■ Ewa Bagińska | ■ Corrado Malberti |
| ■ Bařak Bařořlu | ■ Maria Rosaria Maugeri |
| ■ Sarah Bechaalany | ■ William Martin McKechnie |
| ■ Teresa Bielska-Sobkowicz | ■ Matthias Neumayr |
| ■ Robert Bray | ■ Francesco Paolo Patti |
| ■ Christoph Busch | ■ Fausto Pocar |
| ■ Valentina Calderai | ■ Meliha Povlakić |
| ■ Mario Comba | ■ Barbara Pozzo |
| ■ Paul Craig QC (Hon) | ■ Ilaria Pretelli |
| ■ Daria de Pretis | ■ Teresa Rodríguez de las Heras Ballell |
| ■ Nada Dollani | ■ Marta Santos Silva |
| ■ Bénédicte Fauvarque-Cosson | ■ Jens Scherpe |
| ■ Julius Forschner | ■ Ulrich Schroeter |
| ■ Christiana Fountoulakis | ■ Andrey Shirvindt |
| ■ Paul Gilligan | ■ Tamás Szabados |
| ■ Miguel Gímeno-Ribes | ■ Ivan Tot |
| ■ Stefano Giubboni | ■ François Trémosa |
| ■ Gianluca Grasso | ■ Kaius Tuori |
| ■ Laura Guercio | ■ Christian Twigg-Flesner |
| ■ Geraint Howells | ■ Sir Geoffrey Vos |
| ■ Francisco Javier Jiménez Muñoz | ■ Aneta Wiewiórowska-Domagalska |
| ■ Tatjana Josipović | ■ Aleř Zalar |
| ■ Thomas Kander | ■ Irina Zlătescu |
| ■ Graziano | ■ Fryderyk Zoll |

Ex-Officio Council Members

- Pascal Pichonnaz
- Lord John Thomas
- Anne Birgitte Gammeljord
- Pietro Sirena
- President of the Council of Bars and Law Societies of Europe (CCBE)
- President of the Council of the Notariats of the European Union (CNUE)
- President of the European Land Registry Association (ELRA)
- President of the European Network of Councils for the Judiciary (ENCJ)
- President of the International Union of Judicial Officers (UIHJ)
- President of the Network of the Presidents of the Supreme Judicial Courts of the European Union

Council Meetings (Online)

- 11–12 February 2021
- 5 July 2021
- 1 September 2021
- 15 September 2021
- 1 December 2021

Council Elections (Online)

- 8 September 2021



Executive Committee

The Executive Committee consists of the President, two Vice-Presidents, the Treasurer, and three innominate Members. In February 2021, the ELI Council elected the new President, Vice-Presidents and Treasurer, while the three innominate Members were elected in September.



President
Pascal Pichonnaz



First Vice-President
Lord John Thomas



Second Vice-President
Anne Birgitte Gammeljord



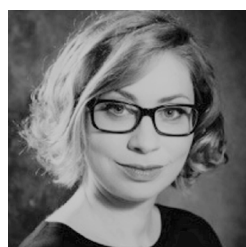
Treasurer
Pietro Sirena



Member
Bénédicte Fauvarque-Cosson



Member
Teresa Rodríguez
de las Heras Ballell



Member
Aneta Wiewiórowska-
Domagalska

Executive Committee Meetings

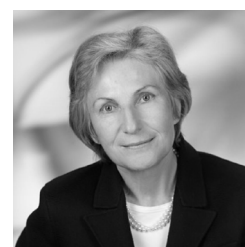
- 10 February 2021, Online
- 19 March 2021, Online
- 29 March 2021, Online
- 30 April 2021, Online
- 18 June 2021, Online
- 11 August 2021, Online
- 31 August 2021, Online
- 3 September 2021, Online
- 15 September 2021, Online
- 17 September 2021, Online
- 12 November 2021, Online
- 22 December 2021, Online

Senate

The Senate is a body of persons each of whom has an outstanding reputation, ready to give advice and, where necessary, to settle disputes. In 2021, the Senate was composed of the following Members:



Speaker
Reinhard Zimmermann



Deputy Speaker
Irmgard Griss

- Marta Cartabia
- Arthur Hartkamp
- Sir Francis Jacobs
- Pauliine Koskelo
- Bruno Lasserre
- Lord Jonathan Mance
- Vassilios Skouris
- Lajos Vékás
- Eddy Wymeersch

Senate Meeting

3 September 2021, Online

Arbitral Tribunal

The Arbitral Tribunal settles disputes that may arise between Association Members and one or several bodies of the Association, or between two or several bodies of the Association, and which concern the question whether or not an act or omission is in conformity with the Articles of Association, Codes of Conduct or Byelaws. It consists of three Members of the Senate who are appointed by the Senate for a three-year term.

The following Members were part of the Arbitral Tribunal in 2021:

- Arthur Hartkamp
- Lord Jonathan Mance
- Bruno Lasserre

New Institutional Members in 2021

ELI is proud to partner with several EU institutions and international organisations, courts, law firms, professional associations as well as academic and other Members. Six new Institutional Members joined ELI in 2021.

Access to Justice in Eastern Europe (AJEE)



The AJEE is one of the leading English-language academic journals in Central and Eastern Europe. It was founded in 2018 by the East European Law Research Center, a voluntary society that brings together academics and practitioners who are interested in legal research. It covers a variety of issues related to access to justice and the right to a fair and impartial trial.

While preserving high academic standards of scholarly research, AJEE provides the opportunity for its contributing authors, especially young legal professionals and practitioners, to present their articles on the most current issues. AJEE is an Open Access double blind peer-reviewed journal, recognised by academics and indexed in Web of Science Core Collection (ESCI).

Suleyman Demirel University (SDU)



The SDU is one of the first private higher education institutions in Kazakhstan. It is situated in the mountainous town of Kaskelen, 20 km from Almaty city center. The

University was founded in 1996 and opened by the President of the country, Nursultan Nazarbayev. The SDU currently has four faculties: Education & Humanities, Engineering & Natural Sciences, Law & Social Sciences, and the Business School. The SDU operates a trilingual education system whereby 81% of its degree programs are taught in English, 16% in Kazakh, and 3% in Russian.

In March 2010, Kazakhstan became the first Central Asian State to sign up to the Bologna Declaration and to become a member of the European Higher Education Area (EHEA). Since then, the country has adopted the three-cycle system of education (Bachelor's, Master's & PhD level) and is maintaining standards using different benchmark frameworks, including the European Quality Assurance Register (EQAR). Many higher education institutions in Kazakhstan, the SDU included, are now also actively implementing the European Credit Transfer System (ECTS) to facilitate international mobility by promoting recognition of academic qualifications attained in Kazakhstan.

Swiss Lawyers Association (Schweizerischer Juristenverein, SJV)

SJV Schweizerischer Juristenverein
SSJ Société suisse des juristes
SSG Società svizzera dei giuristi

The SJV is the association of all lawyers trained in Swiss law or working in Switzerland, regardless of their field of activity, whether in advocacy, in court, as consultants or in administration.

It strives to cultivate and further develop Swiss law in accordance with societal developments and by reflecting on the law of other countries, in particular the countries in Europe. It seeks to grasp these realities with foresight in substance, as well as from a geographical and temporal perspective. It is concerned with both legal practice and the dogmatic perspective of law in Switzerland.

University of Opole



The University of Opole was established in 1994 as a result of joining one of the best Polish pedagogical academies – the Higher Pedagogical College in Opole and Opole branch of the Catholic University in Lublin. It comprises 12 faculties and 19 research institutes cooperating with other university units, which together form a dynamic, modern and versatile academic organism.

The Faculty of Law and Administration at the University of Opole is one of the youngest and most dynamically developing faculties in Poland. The mission of the Faculty is to educate for public service, to deepen the vision of man and the world in the context of contemporary challenges, to facilitate a high level of academic education and research, and to develop initiatives leading to the strengthening of ties with other scientific and research units.

School of Law, European University Cyprus (EUC)



The EUC is a thriving, international university which grew out of Cyprus College over 60 years ago. It is the first university in Cyprus to be rated by QS TOP UNIVERSITIES (QS Stars) — which ranks many of the most prestigious universities in the United States, Canada and Europe — placing the EUC among the top universities

in the world on the basis of its performance in several categories.

Law students learn a specialised vocabulary and a distinctive way of thinking; they also learn how to communicate their knowledge to real people with real problems. The School prepares graduates for various career paths including sitting bar examinations in Cyprus or Greece, continuing studies at the LLM or PhD level, or using the law degree for leadership roles in politics, management, journalism, diplomacy, criminology and law enforcement.

Foundation for Research on Law and Business (Fide)



The Fide Foundation is the leading legal-economic think-tank in Spain. A collective project born within civil society with a clearly defined vocation: to be the place where law firms, companies, public administration and independent professionals gather to discuss the latest and most relevant regulations or issues that arise daily in the legal-business environment in Spain, Europe, and abroad, and elaborate regulatory proposals and recommendations to improve the legal system.

Every year, Fide organises more than 300 forums and debates that showcase first-hand resolutions, regulations or issues that arise daily in the legal-business environment, and the conclusions that are reached, which allows all attendees, not only to have a direct approach to the most relevant questions of the economic legal world, but also to debate them among themselves with direct knowledge of the opinions of their authors.

More than 40 groups of experts meet regularly at Fide to analyse, debate and make concrete proposals on legal, economic and scientific issues that we consider merit input from a legal perspective.

Funding in 2021

Framework Cooperation Agreement with the University of Vienna

The current Framework Cooperation Agreement between the University of Vienna and ELI runs from 2019 until 2023, thus marking the second such extension since the University of Vienna began hosting the ELI Secretariat in 2011.



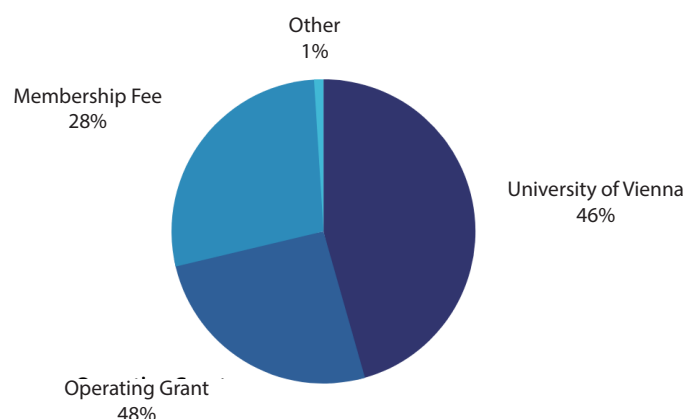
EU Funding

ELI also obtained funding under the 2021 Operating Grant awarded in the context of a four-year Framework Partnership Agreement with the Directorate-General for Justice and Consumers' (DG JUST) Programme (for the period 2018–2021).

General ELI activities, such as projects, ELI body meetings and key events, as well as the employment of some ELI Secretariat staff members, are co-funded through the Operating Grant.

Membership and Sustaining Membership Fees

ELI is also partly funded through membership fees. We are pleased to announce that the Sustaining Membership Scheme enjoys increasing popularity. Almost a 100 ELI Members donate EUR 60 on top of their membership fees towards the scheme which began in February 2018. Amongst other benefits, Sustaining Members have their profiles featured on the individual Members section of the ELI website [here](#). We invite you to become a Sustaining Member by contacting the [ELI Secretariat](#).



Sustaining Members

ELI wishes to thank the following Sustaining Members for being part of the scheme in 2021.

Peter H Adler	Corrado Malberti
Maria Lourdes Arastey	Dan Marcotte QC
Andrej Auersperger Matić	Jonathan McGowan
Josef Azizi	Maarten Meijer
Chris Backes	Attila Menyhárd
Elena Bargelli	Antonio Manuel Morales
Remi Barneoud	Moreno
Sarah Bechaalany	Eliana Morandi
Teresa Bielska-Sobkowicz	Karl-Heinz Oehler
Robert Bray	Tekla Papp
Daniele Busani	Bertrand Perrin
Salvatore Buscema	Denis Philippe
Emilio De Capitani	Pascal Pichonnaz
Darinka Dekleva Marguč	Fausto Pocar
Larry DiMatteo	Cristina Poncibò
Walter Doralt	Alfredo Rizzo
Tanel Feldman	Teresa Rodriguez de las
John Gaffney	Heras Ballell
Anne Birgitte	Nelson Rosenvald
Gammeljord	Marc Rotenberg
Paolo Ghiringhelli	Albert Ruda
Patrick Gielen	Jorge Sanchez Cordero
Paul Gilligan	Hugo Maria Schally
Angelo Jr Golia	Vincent Smith
Laurence Gormley	Henricus (Henk) J Snijders
Friedrich Graf Westphalen	John Sorabji
Irmgard Griss	Astrid Stadler
Rodger Peter Harris	Felix Steffek
Daniel M Häusermann	Ben Steinbrück
Diarmuid Hegarty	Jeffrey Stempel
Christian Hertel	Gert Straetmans
Hana Horak	Alain Strowel
Paola Iamiceli	Christiaan Timmermans
Marta Infantino	Ivan Tot
Elena Ioriatti	Sjef van Erp
Francisco Javier Jiménez	Lajos Vekas
Muñoz	Aura Esther Vilalta
Phillip Johnson	Nicuesa
Tatjana Josipovic	Aida Sofia von Schulman
Bernhard A Koch	Steven Weise
Magdalena Konopacka	Christiane Wendehorst
Velibor Korać	Vanessa Wilcox
Pavel Koukal	Eike Wolf
Lance Liebman	Herbert Zech
John Lord Thomas	Reinhard Zimmermann
Piotr Machnikowski	Irina Zlătescu
Vanessa Mak	

Other

Other sources of funding include a grant from the Fritz Thyssen Foundation for the Principles for a Data Economy project which ELI conducts with the ALI. ELI is also grateful to the City of Vienna for its generous funding.

ELI Secretariat

Since 2011, the Secretariat of ELI has been hosted by the University of Vienna. 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. In 2021, the Secretariat was composed of the following:



Vanessa Wilcox
Secretary General



Tomasz Dudek
Senior Project Officer



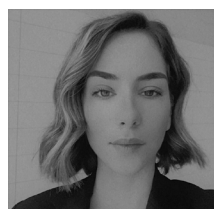
Katja Kolman
Senior Project Officer



Zuzana Fačková
Senior Finance and Membership Officer



Artemisia Karachristou
Finance and Event Officer



Lucija Duzel
PR Officer



Sebastian Schwamberger
IT Support

Other Secretariat Staff:

Jessica Puhr, **PR Officer**
(October 2020–July 2021)

Petra Richterova, **Finance and Event Officer**
(October 2020–September 2021, PT)



Old Stock Exchange; home of the ELI Secretariat in Vienna



The main building of the University of Vienna





ELI at 10



ELI at 10

On 1 June 2021, ELI celebrated its Decennial. It was opened by then ELI President Christiane Wendehorst, and Reinhard Zimmermann (Speaker of the ELI Senate), who reflected on the making of ELI from its humble beginnings with 52 Founding Members to its current ever growing Membership of over 1,700 Individual and Institutional Members. Lance Liebman (former Director of the ALI), reminisced about guiding ELI through its establishment and the good working relationship of the ALI and ELI ever since. The recording is available [here](#).

After the opening, attendees heard from Věra Jourová (Vice-President of the European Commission for Values and Transparency), who emphasised the importance of the rule of law, shared values, and fundamental rights in democracies. You can read more about the keynote speech [here](#).

The first panel discussion on 'Facing the Current Challenges in Europe – the Role of the Institutions and Civil Society' focused on current challenges – from the digital revolution to climate change to political polarisation – for institutions and civil society. Koen Lenaerts (President of the Court of Justice of the European Union (CJEU)), Robert Spano (President of the European Court of Human Rights (ECtHR)), Didier Reynders (European Commissioner for Justice), Adrián Vázquez Lázara (Chair of the European Parliament's Committee on Legal Affairs (JURI)), and Margarete von Galen (President of the Council of Bars and Law Societies of Europe (CCBE)) each presented their point of view and discussed questions from the attendees in a Q&A session. You can read more about the panel discussion [here](#).

The second panel on 'Faces and Stakeholders behind ELI – Looking Ahead' offered a platform to discuss ELI's history and ideas for strengthening ELI's position and increasing its activities. This panel welcomed some of the faces and stakeholders behind ELI, including Heinz W. Engl (Rector, University of Vienna), Bénédicte Fau-

varque-Cosson (Judge, French Council of State, Conseil d'Etat), Irmgard Griss (Professor of the University of Graz; former President of the Austrian Supreme Court, 2007–2011), Anna Joubin-Bret (Secretary, United Nations Commission on International Trade Law (UNCITRAL)), and Ádám Tóth (President, Council of the Notariats of the European Union CNUE), and allowed attendees to hear about the establishment of ELI, goals achieved, and potential future endeavours as well as to engage in discussions in a subsequent Q&A session. More information is available [here](#).

ELI would like to thank all speakers and attendees for joining this celebration. Gratitude is also due to the supporters of the ELI Decennial Celebration: The University of Vienna, the Commission Representation in Austria, the European Union and the European Union Youth Orchestra. Finally, ELI would like to express its thanks to all its Members, Project Teams and others that work tirelessly towards ELI's success.

ELI at 10 Webinar Series

On the occasion of ELI's 10th anniversary, a series of webinars took place from June to December 2021 to showcase a handful of ELI's completed projects. The webinars offered an opportunity to discuss recent developments in relevant areas and the impact of ELI projects on the legal landscape:

- [ELI at 10: EU Platform Regulation Beyond the Digital Services Act Package: What is the Role of ELI?](#)
- [ELI at 10: Prevention and Settlement of Conflicts of Exercise of Jurisdiction in Criminal Law](#)
- [ELI at 10: Rescue of Business in Europe – the Impacts of ELI's Work](#)
- [ELI at 10: Future of Civil Procedural Law – ELI-UN-IDROIT Model European Rules of Civil Procedure and Their Impact](#)
- [ELI at 10: Protection of Adults in International Situations](#)



Vice-President Věra Jourová



President Koen Lenaerts



President Robert Spano



Commissioner Didier Reynders



ELI Annual Conference



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ELI Annual Conference 2021

The 2021 ELI Annual Conference was held remotely from 6–8 September. The Conference was attended by over 550 leading judges, practitioners, lawmakers, and academics. In total, 62 speakers sat in twelve webinars dealing with current and prospective ELI projects. Additionally, special events dedicated to Hubs and SIGs took place.

Welcome by then ELI President

The event was opened by former ELI President, Christiane Wendehorst, who, among other things, highlighted that despite challenges posed by the pandemic, ELI found new ways of working and interacting with its internal bodies, Members and audiences.



Welcome by Dean of the Law Faculty of the University of Vienna

President Wendehorst's opening was followed by that of Brigitta Zöchling-Jud, Dean of the Law Faculty of the University of Vienna. She welcomed participants and underlined that ELI has grown to become one of the most important voices of European legal scholarship and practice.



Welcome by the Federal President of the Republic of Austria

In his video message, Federal President Alexander Van der Bellen stressed that since the last time he addressed ELI Members at the 2017 ELI Annual Conference, the European Union had been faced with many new challenges pertaining to its unity, climate crisis, digitalisation and most recently the COVID-19 pandemic. ELI's work represents an important contribution to tackling European and global challenges.



Keynote Speech by CoE Secretary General

ELI is honoured that Council of Europe (CoE) Secretary General Marija Pejčinović Burić addressed its Members and Friends in a [keynote speech](#) on 6 September 2021.

Secretary General Pejčinović Burić provided insight into the history and work of the Council of Europe, aimed at protecting human rights in Europe. She pointed out the harsh reality that parts of Europe have experienced the rise of populism and extreme nationalism, which poses a direct challenge to the values and standards that underpin the Council of Europe as well as presents a threat to multilateralism.

Other challenges have continued to evolve during the COVID-19 crisis, such as the question of how to apply human rights in the digital age, the issue of hate speech, the threat posed to human rights by environmental harm and climate change, and the issue of violence against women.



The speech was followed by a stimulating Q&A session.

Current and Upcoming ELI Projects in Focus

In a series of stand-alone webinars, participants heard from Project Teams, authors of feasibility studies, and external experts. A total of twelve webinars were held. The agenda of the Conference and the list of recorded webinars can be found [here](#).

ELI Hub and SIGs Awards

ELI honoured its most exemplary Hub and SIG on the occasion of the Conference. In 2021, the Croatian Hub, chaired by Zoran Hačić, Emilia Miščenić, Hrvoje Pauković and Ivan Tot, and Environmental Law SIG chaired by William Boyd and Alberto De Franceschi, won the Hub and SIG of the year award respectively. Congratulations!

ELI Young Lawyers Award

Paolo Mazzotti was awarded the ELI Young Lawyers Award 2021 for his [paper](#) entitled 'Stepping Up the Enforcement of Trade and Sustainable Development Chapters in the European Union's Free Trade Agreements: Reconsidering the Debate on Sanctions'.

ELI Projects and Other Activities



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ELI Projects

Projects are the cornerstone of ELI's activities. In 2021 ELI's portfolio constituted 13 projects, a number of which were funded by the EU. The selection, management and

approval of ELI projects are regulated by the [ELI Project Guidelines](#).



Current Projects

- Admissibility of E-Evidence in Criminal Proceedings in the EU
- Freedom of Expression as a Common Constitutional Tradition in Europe
- The Concept and the Role of Courts in Family and Succession Matters
- Access to Digital Assets
- Artificial Intelligence (AI) and Public Administration – Developing Impact Assessments and Public Participation for Digital Democracy
- Blockchain Technology and Smart Contracts

New Projects

- ELI-Mount Scopus European Standards of Judicial

Independence

- Fundamental Constitutional Principles
- Corporate Sustainability, Financial Accounting and Share Capital
- Climate Justice – New Challenges for Law and Judges

Recently Completed Projects

- For a European Approach to R&D Tax Incentive(s)
- Principles for a Data Economy: Data Transactions and Data Rights (with the ALI)
- Business and Human Rights: Access to Justice and Effective Remedies (with input from the EU Agency for Fundamental Rights, FRA)

Current Projects

Admissibility of E-Evidence in Criminal Proceedings in the EU

Quick Facts

Project Type: Draft Legislative Proposal
Project Period: September 2020–2022
Project Reporters: Lorena Bachmaier Winter and Farsam Salimi

The Project Team will develop a legislative proposal on admissibility and exclusionary rules of e-evidence and also traditional evidence in criminal proceedings accompanied by a background study, with a view to address the lack of uniform practice in the field among EU Member States.

Activities: Project Team Meeting. Further information [here](#).

Freedom of Expression as a Common Constitutional Tradition in Europe

Quick Facts

Project Type: Checklist
Project Period: February 2018–2021
Project Reporters: Sabino Cassese and Mario Comba

This project focuses on Freedom of Expression, as a Common Constitutional Tradition in Europe. Its output is intended as a practical tool (checklist) to assist practitioners, judges and public officials in identifying commonalities and differences in the legal approaches to the main issues relating to the freedom of expression.

The Concept and the Role of Courts in Family and Succession Matters

Quick Facts

Project Type: Draft Legislative Proposal
Project Period: September 2020–September 2022
Project Reporters: Elena Bargelli, Anatol Dutta and François Trémosa

The project aims at improving the application and implementation of out-of-court proceeding in family and succession matters and will have an impact on legal certainty for European citizens.

Activities: Workshop (remote), Conference in Pisa (Italy, hybrid event). Further information [here](#).

Access to Digital Assets

Quick Facts

Project Type: Principles
Project Period: March 2019–2022
Project Reporters: Sjef van Erp and Jos Uitdehaag

The project aims at the drafting of guiding principles, which will propose a firm basis for harmonising the laws of the Member States in such a way: (a) that these laws are based on a common understanding of what is meant by, 'digital assets', 'access to digital assets', etc; (b) which give basic rights to those entitled to such assets; and (c) facilitate the work of legal practitioners when they are confronted with problems surrounding digital assets.

Team Members are conducting research and drafting principles on key subcategories relevant to the project. In 2021, their work focused on preparing Principles on the Use of Digital Assets as Security.

Activities: 3 Project Team Meetings. Further information available [here](#).

Artificial Intelligence (AI) and Public Administration – Developing Impact Assessments and Public Participation for Digital Democracy

Quick Facts

Project Type: Model Rules
Project Period: May 2020–February 2022
Project Chair: Marek Wierzbowski
Project Reporters: Marc Clément, Paul Craig and Jens-Peter Schneider

The project aims at developing a set of model rules that include the need to conduct an impact assessment and a public consultation prior to the introduction of an AI-based tool by public administration.

Activities: 13 Project Team Meetings, 1 Webinar. Further information available [here](#).

Blockchain Technology and Smart Contracts

Quick Facts

Project Type: Principles
Project Period: September 2018–Early 2022
Project Reporters: Sjef van Erp, Martin Hanzl and Juliette Sénéchal (until January 2021)

The project aims at providing policymakers, legislators, but also legal practitioners with a legislative guide, a toolbox, on how to approach questions in this emerging legal field.

Activities: 3 Project Team Meetings. Further information available [here](#).

New Projects

ELI-Mount Scopus European Standards of Judicial Independence

Quick Facts

Project Type: Model law, Principles

Project Period: March 2021–April 2023

Project Reporters: Shimon Shetreet, Sophie Turenne, Leah Wortham and Fryderyk Zoll

The Principles might become a major point of reference in academic and practical discussion on the vital problem of judicial independence. More importantly, they will provide specific guidance for measuring judicial independence in a legal system as well as suggest legislative changes or the adaptation of current practices on the part of authorities.

Activities: 23 Project Team Meetings. Further information available [here](#).

Fundamental Constitutional Principles

Quick Facts

Project Type: Statement of principles

Project Period: February 2021– Summer 2022

Project Chairs: Sir Francis Geoffrey Jacobs KCMG QC and Sir Jeffrey Jowell KCMG QC

Project Reporters: Elise Muir and Takis Tridimas

The project aims at developing principles that seek to encapsulate contemporary European constitutionalism. It will have practical value in that it will serve as a reminder of constitutional fundamentals and governance ethos. It will also attempt to provide a value framework within which to assess contemporary pan-European concerns, such as constraints to decision-making at times of emergency, threats posed to democracy by

internet platforms and fake news; data protection and privacy; and the desirability of applying constitutional standards, such as fundamental rights, to private actors.

Activities: 4 Project Team Meetings. Further information available [here](#).

Corporate Sustainability, Financial Accounting and Share Capital

Quick Facts

Project Type: Position paper and statement of principles accompanied by recommendations (possibly model rules)

Project Period: February 2021–December 2022

Project Reporters: Yuri Biondi, Colin Haslam and Corrado Malberti

The project aims to deliver: (a) a statement of principles backed by a position paper summarising the comprehensive frame of analysis under development. If this work is satisfactory and promising, the project may further develop: (b) model rules on corporate sustainability comprising a series of legislative, regulatory, and supervisory recommendations on specific legal fields of interest such as company law, accounting law, financial law, and prudential regulation, with a view to achieving investor and creditor protection, as well as broader stakeholder ESG considerations.

Activities: Project Team Meeting. Further information available [here](#).

Climate Justice – New Challenges for Law and Judges

Quick Facts

Project Type: Principles

Project Period: December 2021–Summer 2023

Project Reporters: Henrik Andersen and Alberto De Franceschi

The project aims at developing Principles for Climate Justice that are workable in practice. The goal is to provide an overview of different sources of law that courts, in particular national courts in Europe and the Court of Justice of the European Union, may apply in questions relating to climate justice. Its particular focus is on the liability of States and companies in internal and trans-boundary situations.

Recently Completed Projects

For a European Approach to R&D Tax Incentive(s)

Quick Facts

Project Type: Statement of Principles
Project Period: June 2017–March 2021
Project Reporter: Georges Cavalier

The ELI [project](#) proposes new solutions to the problem of the lack of a uniform definition of R&D and R&D expenditure. The conceptual framework in the Study is particularly apt within the context of EU tax harmonisation. The Project Team took the definition of R&D provided for in the Frascati Manual as a starting point.

The Study contributes to the shaping of the new tax legal order, particularly within the EU and is addressed primarily to EU institutions, national legislatures, tax administrations and taxpayers.

Adoption of the solutions proposed in the ELI Study is designed to strengthen pan-European Union R&D activities through a uniform approach to R&D, and thereby contribute to economic activity by removing barriers to the Single Market. This is of interest to Member States, citizens, companies and professionals throughout the European Union.

Activities: Webinar. Further information available [here](#).

ent and to inspire the further development of the law by courts and legislators worldwide.

Activities: Presentation of the Council Draft No 2 of the Principles for Data Economy (remote), 2 Reporters Meetings (remote), Approval of the Principles by ALI Membership and Principles for a Data Economy Conference 2021. Further information available [here](#).

Business and Human Rights: Access to Justice and Effective Remedies (with input from the EU Agency for Fundamental Rights, FRA)

Quick Facts

Project Type: Regulatory/Soft Law Options and Recommendations
Project Period: February 2018–December 2021
Project Reporters: Jonas Grimheden and Diana Wallis

This ELI project, conducted with input from FRA, aimed at identifying a range of possible regulatory and/or soft-law options, both at Member State and at the EU level, intended to increase access to remedy in the EU and ensure corporate human rights compliance.

Activities: 3 Project Team Meetings, Webinar. Further information available [here](#).

Principles for a Data Economy: Data Transactions and Data Rights (with the ALI)

Quick Facts

Project Type: Principles
Project Period: February 2018–September 2021
Project Chairs: Lord John Thomas and Steven O Weise
Project Reporters: Neil B Cohen and Christiane Wendehorst

This groundbreaking [project](#) aimed at producing a set of transnational principles that are intended for use in various legal systems, irrespective of the otherwise applicable legal framework. They are designed to make existing law in the field of the data economy more coher-



Other Activities

■ 2021 Supplement to the ELI Principles for the COVID-19 Crisis

In April 2020, ELI published the [‘ELI Principles for the COVID-19 Crisis’](#), which addressed 15 important legal issues arising in relation to the COVID-19 crisis and offered guidance to European States and EU institutions. In April 2021, the ELI Council approved the [2021 Supplement to the ELI Principles for the COVID-19 Crisis](#), which addressed two additional concerns; the proportionality of measures in cases of a low epidemiological risk and the issue of the equitable distribution of vaccines.

■ Response to Public Consultation on the Data Act

Through the Data Act, the European Commission plans to put forward a horizontal legislative initiative, which aims at establishing a legal framework for a fair data economy. In the [ELI Response](#), Lord John Thomas, Co-Chair of the ALI-ELI Principles for a Data Economy project, and Christiane Wendehorst, Co-Reporter of the project, together with Yannic Duller and Sebastian Schwamberger, outlined how the ‘Principles for a Data Economy’ can provide guidance on several of the policy questions the European legislators will need to address in the Data Act.

■ ELI Innovation Paper

In January 2021, ELI published its first [Innovation Paper](#) entitled the ‘Guiding Principles for Updating the EU Product Liability Directive for the Digital Age’, which sets out specific proposals for updating the EU Product Liability Directive with a view to adapting it to the digital age. The Guiding Principles were prepared by Professor Christian Twigg-Flesner (University of Warwick) in consultation with ELI Members and adopted by the ELI Council.

HLEG Meetings

ELI continued to organise a series of High Level Expert Group Meetings in 2021 with a view to exploring topics for possible projects. Four meetings in total were held remotely in the areas of Climate Justice, Automated Contracting, Third Party Funding of Litigation and the Recognition of Agreements Resulting from Mediation.

HLEG Meeting on Climate Justice

9 July 2021

Participants: Larisa Alwin, Henrik Andersen, Tim Eicke, Pasquale Fimiani, Alberto De Franceschi, Eva-Maria Kieninger, Lavanya Rajamani, Christina Voigt, Gerhard Wagner, Gabriel Wedy and Marc-Philippe Weller. Further details [here](#).

HLEG Meeting on Automated Contracting and Enforcement in Consumer Cases

9 November 2021

Participants: Susanne Augenhöfer, Bernd Bertelmann, Alexandre Biard, Christoph Busch, Teresa Rodríguez de las Heras Ballell, Alexander Kunzelmann, Maria Peltoniemi, Pascal Pichonnaz, Cristina Poncibò, Ulrich Schroeter, Dirk Staudenmayer, Christian Twigg-Flesner, Anna Veneziano, Christiane Wendehorst, Marek Wierzbowski and Martina Zuliani. Further details [here](#).

HLEG Meeting on Third Party Funding of Litigation

18 November 2021

Participants: Susan Dunn, PJ Kirby QC, Alexander Klauser, Christian Koller, Augusta Maciulevičiute, Pascal Pichonnaz, Johan Sidklev, Elisabeth Stong, Lord John Thomas, Ianika Tzankova and Christiane Wendehorst. Further details [here](#).

HLEG Meeting on the Recognition of Agreements Resulting from Mediation

29 November 2021

Participants: Ulrike Frauenberger-Pfeiler, Jonathan Haddad, Judith Knieper, Haldi Koit, Paul Oberhammer, Pascal Pichonnaz, Jens Scherpe, Rimantas Simaitis, Srđan Šimac, Maciej Tański, Lord John Thomas, Stefaan Voet, Sir Geoffrey Vos, Christiane Wendehorst and Aleš Zalar. Further details [here](#).



ELI Hubs and SIGs



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ELI Hubs & SIGs Activities

- | | |
|-------------------------|----------------------------------|
| ■ Austrian Hub | ■ Administrative Law SIG |
| ■ Belgio-Luxembourg Hub | ■ Business and Financial Law SIG |
| ■ Croatian Hub | ■ Competition Law SIG |
| ■ French Hub | ■ Digital Law SIG |
| ■ German Hub | ■ Dispute Resolution SIG |
| ■ Hungarian Hub | ■ Environmental Law SIG |
| ■ Irish Hub | ■ Family and Succession Law SIG |
| ■ Italian Hub | ■ Fundamental Rights Law SIG |
| ■ Polish Hub | ■ Global Private Law SIG |
| ■ Slovenian Hub | ■ Insurance Law SIG |
| ■ Spanish Hub | ■ Intellectual Property Law SIG |
| ■ United Kingdom Hub | |

**Read more about
ELI Hubs and SIGs
Activities of 2021**



Austrian Hub

Spring Lecture Series on 'Antitrust Law'
14 April; 28 April; 19 May and 9 June 2021

Conference on the 'Implementation of the Sale of
Goods Directive and the Digital Content Directive in
Austria and Germany'
13 October 2021

Evening Lecture on the 'EU Rule of Law Crisis and the
Protection of Fundamental Values'
17 November 2021

Conference on the 'Implementation of the Sale of
Goods Directive and the Digital Content Directive in
Austria and Germany'
26 November 2021

Conference on 'Third-Party Litigation Funding – A Ne-
cessity or Deterrence of Justice?'
10 December 2021

Evening Lecture on 'Behavioural Public Policy for
Sustainable Development – With a Focus on Climate
Change'
15 December 2021

Belgio-Luxembourg Hub

Webinar Series on Cybersecurity and Dispute
Resolution
28 April; 5 May; 12 May and 19 May 2021

Lecture on the Fight Against Illegal Online Gambling
20 October 2021

Croatian Hub

Webinar Series on the current ELI Projects and Recent
Developments in Croatian, Comparative, and EU Law
5 March; 26 March; 23 April; 14 May; 28 May; 18 June;

17 September; 8 October; 22 October; 12 November
and 17 December 2021

Hub Members Meeting
28 May 2021

Hub of the Year
7 September 2021

German Hub

Webinar on the 'Implementation of the Digital Content
Directive and the Sale of Goods Directive'
8 October 2021

Hungarian Hub

Conference on the on the Present and Future of ISDS
(Investor–State Dispute Settlement)
25 June 2021

Irish Hub

Round table Discussion on 'Principles for a Data Econo-
my'
12 October 2021

Italian Hub

Workshop on 'Contracting and Contract Law in the Age
of AI'
11–12 February 2021

Conference on Taxation and COVID-19
12–13 March 2021

Conference on 'Digital Transformation'
13 April 2021

Conference on 'Legal Liability for Allocation of Scarce
Resources in Health Care in the COVID-19 Pandemic'
15 April 2021

Workshop on Fairness, Freedom, and the Value in the

Digital Age
17 June 2021

General Meeting
30 June 2021

Polish Hub

Conference and General Meeting 2021
12 March 2021

Slovenian Hub

Webinar on the Singapore Convention in Cooperation
with Dispute Resolution SIG
18 June 2021

Spanish Hub

Sixth Annual Meeting
14 May 2021

Supported the fifth Spanish-German Private Law Conference
21–22 October 2021

Business and Financial Law SIG

Business and Financial Law SIG Co-Organised a Webinar on Duty of Care and Due Diligence Through Supply Chains
8 June 2021

Digital Law SIG

Book Talk
15 April 2021

Dispute Resolution SIG

Webinar on the Singapore Convention in Cooperation with Slovenian Hub
18 June 2021

Environmental Law SIG

Seminar Series of 2021
8 April; 29 April; 6 May; 14 May; 27 May; 3 June; 10 June; 17 June; 1 July 10 September and 23 September 2021

Environmental Law SIG Supports Nova University's Conference on 'Sustainability Consumption'
21 April 2021

Environmental Law SIG Supports Utrecht University's Conference on the 'European Union as a Circular Economy: Command & Control?'
30 April 2021

SIG of the Year
7 September 2021

Environmental Law SIG Supports the 5th IAERE School 'Law and Economics of the Circular Economy Transition'
3 December 2021

Family and Succession Law SIG

Online Seminar on 'Will Substitutes in Comparative and EU Law'
13 September 2021

SIG Meeting
20 September 2021

Online Seminar on 'Non-biological Children and Circulation of Birth Certificates'
20 September 2021

Conference on the 'Concept and Role of Courts in Family and Succession Matters'
17 December 2021

Insurance Law SIG

Series of Transatlantic Lectures on Insurance Law
25 March; 27 May; 23 September and 11 November 2021

Intellectual Property Law SIG

Online Event: Unfair Competition, Copyright Law and Safe Harbour
26 November 2021

The 2021 SIG of the Year was awarded to the ELI Environmental Law SIG.

SIG of the Year

Organised

12
Hubs

50+
events.

11
SIGs

Hub of the Year

The 2021 Hub of the Year was awarded to the ELI Croatian Hub.



ELI Representation and Newsletters



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ELI Representation



Then ELI President Met Deputy Head of the European Commission Representation in Austria

26 February 2021

Then ELI President Christiane Wendehorst held a remote meeting with the Deputy Head of the Representation of the European Commission in Austria, Wolfgang Bogensberger, to discuss possible avenues for cooperation, also in light of ELI's upcoming Decennial.



Then ELI President and Second Vice-President at the HCCH CGAP

1–5 March 2021

Then ELI President, Christiane Wendehorst, and then ELI Second Vice-President, Pascal Pichonnaz, represented ELI at the Hague Conference on Private International Law's (HCCH) Council on General Affairs and Policy (CGAP). The topics discussed reflected several ELI projects.



Then ELI President Met with the Council of Europe Secretary General

10 June 2021

Then ELI President Christiane Wendehorst met with Secretary General of the Council of Europe Marija Pejčinović Burić in Vienna. She and the Secretary General Pejčinović Burić discussed recent developments in areas of common interest, in particular regarding the rule of law and the state of democracy in Europe.



ELI Presidency Met UNIDROIT Secretary-General and Deputy Secretary-General

14 June 2021

Then ELI President Christiane Wendehorst, First Vice-President Lord John Thomas and Second Vice-President Pascal Pichonnaz met with UNIDROIT Secretary-General Ignacio Tirado and Deputy Secretary-General Anna Veneziano to reflect upon their successful cooperation and to explore further synergies between ELI and UNIDROIT.



The European Law Students' Association

ELI-European Law Students' Association (ELSA) Meeting

16 June 2021

Then ELI President Christiane Wendehorst and then President-Elect Pascal Pichonnaz met outgoing President of the European Law Students' Association (ELSA) Weronika Bańska and incoming ELSA President Francisco Argente Lima. Representatives of both organisations discussed the successful cooperation between ELI and ELSA and possible avenues to strengthen ties.



ELI-Organization for Security and Co-operation in Europe (OSCE) Meeting

29 July 2021

Representatives of ELI and OSCE, ELI's Institutional Member, met to explore further possibilities for co-operation. Representatives of both organisations discussed the organisations' work in areas of common interest, in particular pertaining to the rule of law, judicial independence and criminal law, and explored possible avenues for enhanced co-operation.



ELI Presidency Meets President of the Supreme Court of Czech Republic

19 August 2021

Then ELI President Christiane Wendehorst, then Vice-President Pascal Pichonnaz and Secretary General Vanessa Wilcox had a fruitful exchange with the President of the Supreme Court of the Czech Republic, Petr Angyalossy. The Court, which is one of ELI's 18 Supreme Court Members, has been a committed Observer of ELI since 2012. Means to ensure even further input from the Court in ELI's work were explored.



The European Law Students' Association

Strengthening Ties with Tomorrow's Leaders

27 August 2021

Then incoming ELI President Pascal Pichonnaz and ELI Secretary General Vanessa Wilcox had fruitful exchange in a remote call with ELSA International's recently elected President, Francisco Argente Lima. ELI and both ELSA International and ELSA Austria have a longstanding working relationship. The prospect of a number of joint initiatives were also explored and will be revisited in due course.



Then ELI President Speaks at Uniform Law Conference of Canada's (ULCC) Videoconference

25 August 2021

Then ELI President Christiane Wendehorst spoke at the Civil Law Section of the ULCC's videoconference. Having informed the International Law Session briefly about ELI's work and aims. Wendehorst updated attendees of the session about the progress made on ELI's Access to Digital Assets project, a project whose Team initially worked closely with the Uniform Law Commission (ULC) and the ULCC.



ASIAN BUSINESS LAW INSTITUTE

Finding Common Grounds for Cooperation with the Asian Business Law Institute (ABLI)

30 August 2021

Then ELI President Christiane Wendehorst, then ELI President-Elect Pascal Pichonnaz and ELI Secretary-General Vanessa Wilcox gained much insight into the stimulus for the founding of the ABLI, its structure as well as its work programme. Moreover, specific proposals for possible future cooperation were laid down at the meeting.



ELI Presidency Holds a Meeting with the Asian Law Institute (ASLI)

26 August 2021

At the meeting, which was attended by then President Christiane Wendehorst, then President-Elect Pascal Pichonnaz and Secretary General Vanessa Wilcox on the ELI side and Co-Directors of the Asian Law Institute Dr Meng Seng Wee and Kelly Loi, as well as Alexandria Chan on the ASLI side, representatives of both Institutes sought to explore means in which to intensify contacts going forward.



Fruitful Discussions Between ELI and the European Commission on Regulating Data Economy

20 September 2021

ELI President Prof Pascal Pichonnaz, ELI First-Vice President Lord Thomas, and ELI's newly appointed Scientific Director Prof Christiane Wendehorst, met members of the Directorate-General for Communications Networks, Content and Technology (DG CNECT) and of the Directorate-General for Justice and Consumers (DG JUST) to discuss aspects of the ALI-ELI Principles for a Data Economy project.



ELI's President Attends UNIDROIT's Governing Council's 100th Session in Rome

22–24 September 2021

ELI's President Prof Dr Pascal Pichonaz, met UNIDROIT's Secretary-General and the President of UNIDROIT's Governing Council, all of whom reflected on the excellent cooperation in projects undertaken by both organisations and how to further strengthen ties in the future. The event came on the heels of the publication of ELI-UNIDROIT's Model European Rules of Civil Procedure with Oxford University Press.



ELI President Attends UNIDROIT's Governing Council's Centennial Celebrations in Bologna

27 September 2021

ELI's President Prof Dr Pascal Pichonaz, joined several others in Bologna in celebrating the centenary of UNIDROIT's Governing Council. The celebrations were opened by UNIDROIT President, Prof Maria Chiara Malaguti, with UNIDROIT's Secretary-General Prof Ignacio Tirado giving those present an overview on 'One Hundred Sessions' of UNIDROIT's Governing Council.



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Third Ole Lando Memorial Lecture by Prof Hector MacQueen – Closing Remarks by ELI President

29 September 2021

ELI President Prof Dr Pascal Pichonaz, gave closing remarks at the Third Ole Lando Memorial Lecture. This year's lecture was delivered by Prof Hector MacQueen of the University of Edinburgh. The Ole Lando Memorial Lecture series was launched in 2019 in memory of Danish professor Ole Lando (1922–2019). Prof Lando was a Founding Member of ELI and a leading private international lawyer.



ELI President Strengthens Ties with Dean of the Law Faculty of the University of Vienna

11 October 2021

In the first in a series of planned talks with key representatives of the University of Vienna, the President of the ELI discussed diverse avenues aimed at keeping or strengthening existing ties between ELI and the University of Vienna with the Dean of the Law Faculty, Brigitta Zöchling-Jud. President Prof Dr Pichonaz emphasised that ELI values the steady support it has been receiving since the beginning of 2011.



ELI Representatives Meet Speaker of the Doctoral Academy of the University of Vienna

14 October 2021

ELI's President Prof Dr Pascal Pichonaz and ELI's recently appointed Scientific Director Prof Dr Christiane Wendehorst were joined by Speaker of the Vienna Doctoral Academy (VDA), Prof Dr Franz Stefan Meissel, in a meeting that sought to explore the prospects of ELI and the VDA entering into a mutually beneficial partnership.



ELI President Holds a Meeting on the Future of ELI's Secretariat with Rector of the University of Vienna

15 October 2021

The meeting was the third in a series of meetings with key individuals from the University of Vienna. In it, ELI's President Prof Dr Pascal Pichonaz reassured Rector o Univ-Prof Dipl-Ing Dr Heinz W Engl that he remained committed to maintaining and expanding on the existing cordial and mutually beneficial relations that exist between ELI and the University.



ELI President Presents ELI Projects on the Rule of Law at the *Cour de cassation* in Paris

21 October 2021

ELI's President Prof Dr Pascal Pichonnaz, intervened as a panellist at a roundtable on the 'Role of the Judge' at the *Cour de cassation* in Paris. President Pichonnaz gave a presentation on a number of ELI's projects under 'the Rule of Law in the 21st Century' pillar, such as the ELI Principles for the Covid-19 Pandemic and the ELI-Mount Scopus European Standards of Judicial Independence.



ELI President Meets ERA's (Academy of European Law) Director

28 October 2021

In a very fruitful meeting that was attended by ELI's President Prof Dr Pascal Pichonnaz, ELI's Secretary General Dr Vanessa Wilcox, and ERA's Director Jean-Philippe Rageade, various opportunities to strengthen the two organisations' long-standing relationship were considered. The parties look forward to implementing the various ideas that were discussed in due course.



The European Law Students' Association

ELI's Secretary General Speaks at ELSA International's Council Meeting

10 November 2021

At the European Law Students' Association International's Council Meeting, ELI's Secretary General Dr Vanessa Wilcox informed those present about ELI and its various activities. She highlighted, in particular, the various schemes targeted at young lawyers, including the ELI Young Lawyers Award.



Ukrainian Delegation Visits ELI Secretariat

4 November 2021

ELI's Secretary General Dr Vanessa Wilcox, welcomed a delegation from Ukraine to the Secretariat. She informed those present about ELI and its project and other activities.

Secretariat staff were informed about the work of some of the organisations represented by the delegation from Ukraine.



ELI President and UNCITRAL Secretary Discuss Avenues for Further Cooperation

11 November 2021

In a very fruitful meeting that was attended by ELI's President Prof Dr Pascal Pichonnaz, ELI's Secretary General Dr Vanessa Wilcox, and UNCITRAL's Secretary Anna Joubin-Bret, several opportunities to strengthen the two organisations' long-standing relationship were considered. Both organisations will reflect on the discussions.



ELI President Participates in UNCITRAL's Working Group III Session

15–19 November 2021

President Prof Dr Pascal Pichonnaz attended UNCITRAL's Working Group III (Investor-State Dispute Settlement Reform) session on ELI's behalf. In doing so, he sought to facilitate a higher degree of coordination and cooperation on projects conducted by ELI and UNCITRAL. The session focused mainly on possible reforms to investor-State dispute settlements.



ELI Representatives Participate in UNCITRAL's Working Group IV Session

22–26 November 2021

ELI's President Prof Dr Pascal Pichonnaz, First Vice-President Lord John Thomas, ELI's Scientific Director Prof Dr Christiane Wendehorst, ELI Council Member Prof Christian Twigg-Flesner, and Co-Reporter of ELI's Blockchain Technology and Smart Contracts project, Dr Martin Hanzl represented ELI at UNCITRAL's Electronic Commerce session, in a bid to intensify relations.



SUPREME COURT OF APPEAL

ELI's President Meets the President of the South African Supreme Court of Appeal

24 November 2021

ELI's President Prof Dr Pascal Pichonnaz, held an exchange with President Mandisa Muriel Lindelwa Maya, the first South African female jurist to serve as President of the Supreme Court of Appeal. President Mandisa Muriel Lindelwa Maya, was given a presentation on the ELI, its history, structure, projects and other activities.



The European Law Students' Association

ELI's President Speaks About ELI at an ELSA Switzerland Conference in Fribourg

15 December 2021

ELI's President Prof Dr Pascal Pichonnaz informed a large group of attendees about ELI, and its activities linked to new technologies. Prof Dr Christiana Fountoulakis, an ELI Council Member, also addressed the audience. It was an opportunity to motivate young researchers to apply for the ELI Young Lawyers Award.



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ELI's Secretary General Speaks to Students about ELI

17 December 2021

ELI's Secretary General Dr Vanessa Wilcox welcomed students of the Law and Empire course at the Institute for Legal and Constitutional History of the University of Vienna to the ELI Secretariat. Wilcox informed the students about ELI, its goals, projects and other activities, such as the ELI Young Lawyers Award.



EUROPEAN JUDICIAL NETWORK
Connecting Justice

ELI and the European Judicial Network (EJN) Explore Synergies

17 December 2021

Representatives of ELI and the EJN met to inform each other about their respective organisations and work programmes, in particular in the field of judicial cooperation in criminal matters. In addition, they discussed potential areas for cooperation. ELI is immensely grateful to the EJN for the support it has already provided.



ELI President at an International Scientific Conference of the Kopaonik School of Natural Law

22 December 2021

ELI President Prof Dr Pascal Pichonnaz, gave welcome remarks on the 'Application of Law and Legal Certainty' at an online Conference and participated in an expert session on International Commercial Contract/Arbitration organised by the Kopaonik School of Natural Law.

ELI Newsletter

In 2021, the following personalities contributed to the covers of our Newsletter. ELI's Newsletter goes out to more than 2,500 readers. To sign up please register by sending an e-mail to the [ELI Secretariat](#).

Previous editions of the Newsletter are available to download on the News & Events section of the [ELI website](#).



January–February

Monique Goyens

Director General of the European Consumer Organisation



March–April

Emer Cook

Executive Director of the European Medicines Agency



May–June

Paul Tang

Member of the European Parliament



July–August

Elettra Ronchi

Head of Data Governance and Privacy Unit of the Organisation for Economic Cooperation and Development



September–October

Pascal Pichonnaz

ELI President



November–December

Shimon Shetreet

President of the International Association of Judicial Independence and World Peace





ELI Timeline



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ELI Timeline

2011

On 31 May 2011, the University of Vienna won the tender to host the ELI Secretariat.



On 1 June 2011, the Inaugural Congress of ELI took place in Paris.

On 17 November 2011, then Commissioner of Justice Viviane Reding opened the ELI Secretariat.



2012

The first ELI Annual Conference and General Assembly took place in Brussels **from 28 to 29 September 2012.**

In [September 2012](#), the ELI Statement on the Proposal for a Regulation on a Common European Sales Law was published.

In **July 2012**, the ELI published its first Statement: Case-Overload at the European Court of Human Rights.

2013

The ELI Annual Conference and General Assembly took place in Vienna from 4 to 6 September 2013.



2014

In February 2014, ELI published the Statement Response to the European Commission's Public Consultation on the Review of the EU Copyright Rules.

The ELI Annual Conference and General Assembly took place in Zagreb from 24 to 26 September 2014.



2015

The ELI Annual Conference and General Assembly took place in Vienna from 2 to 4 September 2015.



In February 2015, the agreement between ELI and the University of Vienna was extended until 2019.

In December 2014, ELI published a Statement on Collective Redress and Competition Damages Claim.



2016**2017**

In **September 2016**, ELI published a Statement on the European Commission's proposed Directive on the Supply of Digital Content to Consumers.

The ELI Annual Conference and General Assembly took place in Ferrara **from 7 to 9 September 2016**.



In **April 2017**, ELI published its first Instrument: Draft Legislative Proposal for the Prevention and Resolution of Conflicts of Jurisdiction in Criminal Matters in the European Union.

In **September 2017**, the ELI Instrument on Rescue of Business in Insolvency Law was published.

In **September 2017**, the ELI Statement on Detention of Asylum Seekers and Irregular Migrants and the Rule of Law was published.

The ELI Annual Conference and General Assembly took place in Vienna **from 6 to 8 September 2017**.

**2018**

In **June 2018**, the ELI Statement on the Principled Relationship of Formal and Informal Justice through the Courts and Alternative Dispute Resolution was published.

The ELI Annual Conference and General Assembly took place in Riga **from 5 to 7 September 2018**.



In **November 2018**, the agreement between ELI and the University of Vienna was extended until 2023.

**2020****2019**

In **February 2020**, ELI published its Model Rules on Online Platforms.

In **September 2019**, the ELI Instrument on Empowering European Families: Towards More Party Autonomy in European Family and Succession Law was published.

The ELI Annual Conference and General Assembly took place in Vienna **from 4 to 6 September 2019**.



In **March 2020**, the ELI Report on Protection of Adults in International Situations was published.

In **May 2020**, the ELI Principles for the COVID-19 Crisis were published.

In **August 2020**, the Model European Rules of Civil Procedure were approved by the ELI Membership.

The ELI Annual Conference and General Assembly took place online **from 8 to 11 September 2020**.

2021

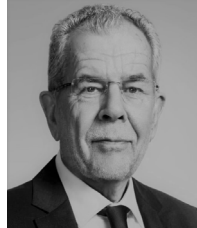
In **January 2021**, the ELI Innovation Paper on Guiding Principles for Updating the EU Product Liability Directive for the Digital Age' was published.

In **April 2021**, ELI published the 2021 Supplement to the ELI Principles for the COVID-19 Crisis.

In **May 2021**, ELI published its Report on For a European Approach to R&D Tax Incentive(s).

On **1 June 2021**, ELI celebrated its 10th anniversary. On the occasion, a series of webinars took place from June to December to showcase selected ELI projects

The ELI Annual Conference took place online **from 6 to 8 September 2021**.



On **1 and 27 September 2021** respectively, a Response to the Public Consultation on the Data Act and ALI-ELI Principles for a Data Economy were approved by ELI bodies.

In **December 2021**, the Business and Human Rights: Access to Justice and Effective Remedies (with input from the European Union Agency for Fundamental Rights, FRA) report was approved by the ELI Council.

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
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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.



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