

Minutes of the Council Meeting

University of Vienna – Senatssaal – Universitätsring 1, 1010 Vienna, Austria

28 February 2014

Chair: Wallis, Diana

Council Members:

Alunaru, Christian
Avgerinos, Yannis
Avolio, Francesco
von Bar, Christian
Bargelli, Elena
Beale, Hugh
Botusharova,
Snezhana
Brkan, Maja
Caponi, Remo
Clément, Marc
(*proxy for Boštjan
Zalar*)
Clough, Mark
Cvejić Jančić, Olga
Doralt, Walter

van Erp, Sjef (*proxy
for Reiner Schulze*)
Fauvarque-Cosson,
Bénédicte
Gammeljord, Anne
Birgitte
Gernandt, Johan
Graf von
Westphalen,
Friedrich (*proxy for
Aldo Bulgarelli*)
Hrádek, Jiří
Iamiceli, Paola
Illescas, Rafael
Infantino, Marta
Jerez-Delgado,
Carmen

Kaiafa-Gbandi,
Maria
Keglević, Ana
Király, Miklós
Mader, Oliver
Maher, Imelda
Meijer, Maarten R.
(*proxy for Radim
Neubauer*)
Micklitz, Hans -W.
Nettesheim, Martin
Nicolas, Miguel
Philippe, Denis
Polčák, Radim
Porchia, Ornella
Ruda, Albert
Schulte-Nölke, Hans

Sorabji, John (*proxy
for John Thomas*)
Storme, Matthias
Timmermans,
Christiaan
Trstenjak, Verica
Vervaele, John
Warth, Wilhelm
Wendehorst,
Christiane
Wierzbowski,
Marek (*proxy for
Herwig Hofmann*)
Zoll, Fryderyk

Ex-Officio Council Members:

Lewis, Alasdair
Michielsens, André
Netten, Leo

Senate Members:

Griss, Irmgard
Jacobs, Francis
Mance, Jonathan
Zimmerman, Reinhard

Observer:

Cretin-Magand, Emmanuelle (European Commission)

**Invited as an observer from the European Commission, Emmanuelle Cretin-Magand is not permitted to vote on Council decisions.*

Secretariat Staff:

Lengyel, Alina
Penman, Mary (keeper of the minutes)
Povlakić, Selma (keeper of the minutes)

Meeting commenced at 10:11

I. Opening and welcome

- (1) President Diana Wallis welcomed the attendees and thanked the Secretariat for its preparations.

II. Approval of the agenda

- (2) The agenda was approved.

III. Approval of minutes of the September 2013 Council meeting

- (3) The minutes were approved.

IV. Matters arising

- (4) No additions to the agenda.

V. Report from the President

- (5) Diana Wallis reported on her first months as President. She encouraged Council members to follow the ELI on Twitter. She underlined the importance of projects for the ELI; more proposals should be sought and more projects should be initiated. Diana Wallis expressed her pleasure at the progress on the Civil Procedure, Collective Redress and Copyrights projects, and informed the Council that a project proposal in the area of Constitutional law is expected in the near future.

VI. Report from the Executive Committee including update on arrangements for 2014 GA and Projects Conference

- (6) As chair of the Executive Committee (EC) Diana Wallis reported on the meeting held on 27 February 2014. She noted that the huge enthusiasm for the ELI must now be matched by an increase in financial resources and an optimisation of structures. External sources of funding are required in order to support the growth of the Institute. Diana Wallis appealed to the Council to suggest any suitable events in which the ELI could participate, thereby increasing visibility. She mentioned the activity of national hubs. Many new ones are planned, but guidelines are required to ensure that their organisational structures and activities remain true to what has been envisaged by the ELI – hubs should be structured lightly and their work should complement, not compete with that of the Institute as a whole.
- (7) The Council was updated on the preparations for the 2014 Projects Conference and General Assembly (GA) in Zagreb, Croatia. The University of Zagreb is helping to organise and will host the event. Diana Wallis informed the Council that she and Selma Povelakić will travel to Zagreb in April to meet the co-organisers. She concluded that she is optimistic about the future work of the EC; there are many challenges to overcome, but the Committee is dynamic and hardworking.

VII. Report from the Senate

- (8) Senate Speaker Irmgard Griss issued some advice which the Senate had prepared in its meeting the previous day (27 February 2014).

i. Administration

(9) There seems to be an imbalance between the number of people involved in the Institute's activities and its output. For that reason the Senate suggested a leaner administration, which could be accomplished by the following steps: (i) dissolution of the Council Composition Committee and the Fundraising Committee (allocation of their tasks to the EC), (ii) dissolution of the Projects and International Relations Committees (allocation of their tasks to the EC and Council), (iii) Council members to be more involved in national hubs and projects, (iv) reduction of the Council to 40 members and the plenary meeting to be held once a year, for two consecutive days. Council members should be encouraged to cover their travel costs from other sources. A five year plan for the ELI should be developed by the EC.

ii. Development of an overarching strategy for projects

(10) The draft notes of guidance need simplifying; they are over complex and may discourage project proposals. The Senate believes it would be advantageous to establish permanent subject groups of a limited number of people which would each focus on a different area of law where developments are expected. These groups should regularly report to the Council and EC with project proposals.

iii. Quality control mechanisms

(11) It is essential that project results are of the highest quality. Advisory Committees (AC) are crucial in this respect; if necessary the EC should employ other control mechanisms, such as peer review.

iv. Funding and independence

(12) For a solid financial basis, new resources must be found. Law firms can bring in significant funds, but this alone is not enough. The Council should consider the implications that taking money from the Commissions might have on the ELI's independence.

(13) The Senate also suggested two projects, a European Court of Human Rights follow up project, and the establishment of a working group to study the relationship between national courts and the Court of Justice of the European Union.

(14) Diana Wallis thanked the Senate for its helpful advice and deliberations.

VIII. Projects

i. Report from the Projects Committee

(15) Diana Wallis reported as chair of the Projects Committee (PC). The PC met in September 2013. The Committee feels that a more structured and transparent procedure for dealing with projects is needed. Those working on projects should be encouraged, and the ELI needs to ensure quality of its work. It is envisaged that the ELI will initiate expert meetings in order to explore potential new projects.

ii. The ELI's potential involvement in legal education

- (16) Christian von Bar outlined his idea to the Council, stating that the Europeanisation of private law starts in legal education, and the ELI could become strategically involved, eg by developing a proposal to harmonise education programmes for Erasmus students, identifying core courses to be offered, languages of study etc.
- (17) Maria Kaifa-Gbandi pointed out that universities in some Member States, eg Greece, have autonomy in deciding the content of their programmes and that in the frame of Erasmus there is already an obligation for universities to meet certain criteria.
- (18) Francis Jacobs questioned whether such an undertaking is within the competence of the ELI. Diana Wallis responded that such ELI activities could “stimulate the development of EU law” as set out in the Articles of Association. Hans Micklitz underlined the importance of first deciding whether such a project is desired, since it would be a huge undertaking.
- (19) Fryderyk Zoll and Yannis Avgerinos expressed concern at the value of standardising law programmes; part of the attraction of Erasmus to students is the variety of options available. Fryderyk Zoll asked the Council to consider the development of an ELI certificate which could be awarded to programmes which fulfil certain criteria. Matthias Storme supported this idea and noted that several law schools already comply with the suggestions that Christian von Bar put forward. He added that at the ELI’s foundation it was decided not to compete with universities and other teaching institutions. Another avenue to explore might be the preparation of educational materials (eg case books).
- (20) Bénédicte Fauvarque-Cosson reminded the Council that similar discussions have been held in the past and opinions were divided. She believes that the ELI should do something in this area, although Christian von Bar’s ideas are ambitious and universities may be reluctant to accept them. She suggested that the ELI could offer online courses or short-term summer courses relating to ELI Projects, the work of the Hague International Academy could be used as a model. The Commission offers money for bodies which provide professional training; such an undertaking might be a way to access funds.
- (21) Johan Gernandt reminded the Council of the current budgetary situation and advised them to concentrate on current projects rather than embarking on something so new at this stage. Diana Wallis concluded the discussion and invited members of the Council to continue exchanging their ideas on the MyELI platform. The topic will be discussed once more at the next Council meeting on 26 September 2014 in Zagreb.

iii. Council decisions on:

- a) Statement on EU copyright rules; response to Commission’s consultation

- (22) Radim Polčák provided some background information: the Statement was drafted under the leadership of the reporters on the Instrument on EU Copyrights. The work in this field will continue. The Statement comprises responses to the Commission’s questions. If approved, the Statement will be submitted to the Commission as an official response.

(23) Matthias Storme expressed his view that the Statement is an excellent piece of work which tries to balance the various interests at stake, but asked whether anyone had checked if the content of this document is consistent with that of the CESL Statement. Christiane Wendehorst explained that it has been assessed and the contradictions have been avoided as far as possible. It is possible that the statements of the CESL working group will be contradicted in the future by the copyrights group, but this will have to be dealt with as and when it arises.

(24) Matthias Storme urged the Council to consider a solution to the issue of inter-project consistency.

The Council approved the Statement as an official publication of the Association.

b) Members of the Advisory Committee on ELI/ReNEUAL project

(25) Christiaan Timmermans explained that not all candidates on the list (Annex VII) have been asked if they are willing to be on the AC; they will be approached after the Council decision.

The Council appointed the candidates as listed in the annex to the draft decision.

c) Additional members of the Advisory Committee on Insolvency project

(26) Christiane Wendehorst updated the Council on the project; it is running very well but additional expertise is needed in some areas. The inclusion of an AC member from the American Law Institute (ALI) (Elizabeth Stong) would strengthen bonds with the ALI. She urged the Council to approve the candidates as proposed by the reporters.

The Council appointed the candidates as listed in the annex to the draft decision.

d) ELI/UNIDROIT joint project on European Rules of Civil Procedure

(27) Diana Wallis explained that a Memorandum of Understanding (MoU) was negotiated by her and Christiane Wendehorst with UNIDROIT representatives at a meeting in January in Rome. The document has been loosely formulated, but some financial commitments are stipulated. John Sorabji, Remo Caponi and Diana Wallis are members of the Steering Committee, and will represent the interests of the ELI in the project.

(28) John Sorabji explained that it will be a long-term project, akin to a restatement in an area where there are currently no Europe-wide rules. An exploratory workshop in October 2013 identified three initial areas to be considered; Reporters have been informally approached and have agreed in principle to participate; their first meeting will take place in Rome in May. Further members of the AC and of the working group are yet to be agreed upon by the Steering Committee in consultation with the reporters. It is hoped that initial results will be produced by November 2014, and discussed at a meeting in Rome in the same month.

(29) Reinhard Zimmerman expressed the Senate's enthusiasm for the project, and suggested that Senate member Arthur Hartkamp, who has close links to the ALI and UNIDROIT, be involved.

(30) Miklós Király, also enthusiastic about the project, requested a clarification of the role that the Max Planck Institute Luxembourg for International, European and Regulatory Procedural Law (MPI Luxembourg) will play. Diana Wallis explains that there is no plan to sign an MoU with the MPI Luxembourg, and that its involvement rests on an understanding with its director, Burkhard Hess.

(31) Hans Micklitz asked whether it might be useful to have a standard document on which agreements with other institutions could always be based. Diana Wallis explained that the ELI has so far operated on a case by case basis, but a template could be developed. This MoU is likely to serve for future reference for co-operation agreements.

(32) Jonathan Mance expressed concern that the current project plan does not involve enough judges and practitioners. He noted that the project may meet resistance if it appears to seek to harmonise national procedures, and therefore the input of judges and practitioners is essential. John Sorabji assured him that the current absence of judges and practitioners will be addressed in May, when the reporters will assist identifying candidates to approach.

The Council voted in favour of signing the MoU, Diana Wallis and Christiane Wendehorst signed the document.

e) Roadmap for the future of the 1st Supplement to the Statement on CESL (discussion)

(33) Christiane Wendehorst provided some background information: The European Parliament (EP) JURI Committee took on many of the suggestions which were included in the 2012 ELI CESL Statement. When the JURI Committee submitted its draft report in February 2013, the ELI working group resumed work and commented on this report, producing a Supplement to the original Statement. The first draft of the Supplement was discussed at the 2013 Projects Conference. The last amendments to the draft were made after the EP voted in favour of the proposal at its plenary (26 February 2014).

(34) Christian von Bar, referring to the fact that the EP recently voted in favour of the CESL, expressed his view that any more intervention from the ELI is unnecessary.

(35) Hugh Beale contributed his view that the first CESL Statement was very useful for the European Institutions and that the Supplement includes many well-made points, but that care should be taken how the changes should be presented and that the ELI needs to act quickly. He suggested that the Council could give a mandate to a sub-group to review the document and recommend approval or not.

(36) Diana Wallis clarified that the decision of 26 February was only the first reading; the newly elected EP will take on the document in light of this, for now it will go back to the Council of the European Union.

(37) John Sorabji clarified that the issue at hand is whether the Council wishes to formalize the Supplement as an official ELI document. The draft has already been publicly presented (2013 Projects Conference), circulated and has been seen by many parties, including European

Institutions, who are awaiting its completion; it does not represent a drastic new development which seeks to intervene in the political procedure.

(38) Reinhard Zimmerman suggested that the EC is given the task of approving the document, on the advice of the working party.

(39) Jonathan Mance agreed with Reinhard Zimmerman and noted that the issue here is academic not political. The position and publications of the ELI are independent of what the EP does. He would favour approval, considering that the document has already been publicly presented.

(40) Miklós Király pointed out that the CESL still faces a long legislative procedure, which the ELI should seek to influence, so he would favour approving the document.

(41) Hans Schülte-Nölke raised the question of which legislative proposals the ELI should comment on. Should there be a limit to the number of Statements the ELI can issue? Should the ELI only react to the proposals of the Commission? He believes that in case of CESL considerable changes were made to the Commission's proposal, so there was justification for the ELI to issue more than one reaction.

Diana Wallis asked the Council to vote on whether the EC should be tasked with reviewing the document in light of comments to be received by the Council. A decision on the approval would then be carried out electronically. The Council votes in favour.

(42) Hugh Beale identified it as a weakness that the ELI comments only after European Commission proposals are issued. He suggested the formation of a committee which could act as a sort of "parliamentary counsel" continually offering its services to the Commission particularly on drafting issues which might arise during the legislative procedure.

(43) Diana Wallis responded positively to this suggestion, and pointed out that the Commission has always been very supportive of the ELI. She announced that the EP will become an Institutional Observer and that she will also approach the EU Council about membership.

IX. Discussion (inter alia on general strategy for ELI projects, project related external funding, etc.)

(44) Diana Wallis invited the Council to make comments on the input so far, especially the Senate's remarks.

(45) Hans Micklitz welcomed the Senate's proposals. He is in favour of streamlining and devising a plan for the coming (three) years. He emphasized that quality control is crucial and must be external.

(46) Maria Kaifa-Gbandi expressed her support for the Senate's proposals, but asked whether a middle ground between the current de-centralized and proposed centralized models could be found. She asked for more attention to be paid to a greater diversity of areas of law eg the proposal for regulation of European public prosecutor's office. She also stated that financial support from the Commission should be the last resort.

- (47) Christian von Bar observed that the ambitions of the ELI are great and that a lack of funding is a key problem. He expressed concern that working groups are getting smaller, limiting the scope for members' involvement in the Institute. Walter Doralt acknowledged that the size of committees and Council is very large for an organisation of the ELI's size and they incur significant costs. He stated that it would be hard to change so soon after elections. He would welcome the EC taking over much of the preparatory work of the PC, which could just meet at the GA and Council plenary meetings. He reminded the Council of the policy that the ELI would rely solely on membership fees and not take funding from the Commission. He remarked that reassuring people of this fact has been essential in getting new Institutional Observers to join the Institute.
- (48) Fryderyk Zoll welcomed the Senate's idea of centralizing decision making process, and would like to see the EC more involved in organization of projects. However he expressed concern at reducing the size of bodies; ELI members outside of the Council are largely uninvolved so at least this body should include a good number of people. External funding should be used by Council members to cover their travel expenses. Matthias Storme agreed that it is important to keep people involved, and suggested that several smaller, subject based project committees could provide a solution.
- (49) Alasdair Lewis commented on the large amount of work involved in securing Commission funding and on the necessity to be in alignment with the Commission's objectives, thereby jeopardising independence. Grants cannot be relied upon as not all applications are successful.
- (50) Johan Gernandt suggested that the number of committee members could be capped, and the amount available for reimbursement for each member could be set to a lower amount.
- (51) Snezhana Botusharova expressed concern that judges are not very involved and welcomed the idea for a project related to ECHR. She noted that the ELI has significant human resources for internal quality control, and that this remains largely untapped.
- (52) John Sorabji commented agreed with the Senate's idea of less administration and that subject-based groups could help the ELI work in the way that it is intended. Such groups should involve academics and practitioners from different expert areas.
- (53) Sjef van Erp commented on the idea of dissolving the Intentional Relations Committee (IRC); he understands the financial issues faced, and believes that even if it were dissolved formally, many current members would continue working independently.
- (54) Maja Brkan urged the Council to make use of IT to carry out its work quickly and cost-effectively. She believes that funds from the European Research Council would not compromise independence.
- (55) Hans Schülte-Nölke underlined the necessity of finding good projects, this is just as important as dealing with funding issues. He would welcome the establishment of subject groups which could monitor developments in a particular field and be obliged to provide regular reports/project

proposals. Large-scale projects should be sought as they will give the ELI a vision of what to aim for in the coming years.

(56) Senate Speaker Irmgard Griss thanked the Council for their comments and was pleased that the advice was well received. She firmly believes that forming the Council into expert subject groups will keep people involved, and keep good proposals and ultimately results coming.

(57) The meeting was stopped for lunch at 13:00; the Council reconvened at 14:00

X. Discussion on draft Hub Guidelines

(58) Diana Wallis introduced the topic of ELI hubs and asked the Council for their comments on the draft guidelines. Clear guidelines from the ELI should ensure that organisational structures and activities remain true to what has been envisaged by the ELI – hubs should be structured lightly and their work should complement, not compete with that of the Institute as a whole.

(59) Yannis Avgerinos asked why the ELI logo should not be used if the hubs' activities are complementary to the ELI's. Diana Wallis explained that the provision about the ELI logo is in order to keep control over logo use.

(60) Francis Jacobs requested clarification on the number of hubs per country; a branch-off event does not necessarily constitute a new hub. Diana Wallis explained that the Committee wanted a freer structure which would facilitate more events taking place.

(61) According to the draft guidelines, a hub does not have legal personality. Many Council members questioned this. The situation differs according to country and in some nations it will be difficult to prevent legal personality arising (eg Informal Associations in the Netherlands). Sjef van Erp suggested that the issue legal personality is dealt with on an ad hoc basis.

(62) Jonathan Mance pointed out that interested parties can only join the ELI, and therefore hubs, even with legal personality, should not pose a threat to the ELI. He also suggested an addition to section two “...**they remain ELI hubs only as long as ELI does not withdraw such approval**” This would provide a procedure for disassociating oneself from a hub. He suggested that the ELI logo could be used for activities which are “linked with existing activities **or activities compatible with ELI's aims.**”

(63) Marek Wierzbowski asked for the document to be drafted in a more positive way. Hugh Beale also agreed that the guidelines could be more encouraging. He highlighted that paragraph 2d) could be read as allowing someone to leave the ELI but keep going to hub events, and he suggested that “alternative to” in paragraph 3b) be replaced with “compete with”. He concluded by saying that hub organisers should be encouraged to record their events and make them available to those who cannot attend. Christian von Bar objected to the notion of having one hub per country; there could be also regional hubs.

(64) Verica Trstenjak proposed that the guidelines ensure that hubs retain independence and are not only tied to a certain subject if this could influence its independence.

(65) Diana Wallis thanked the Council for its advice. The EC will revise the document in light of the comments and put it to an electronic vote.

XI. Membership and Fundraising

i. Membership Committee Report

(66) Membership Committee Chair Walter Doralt presented the current membership totals to the Council, and informed them of the Institutions which have joined as Observers since September 2013. He expressed his delight at the many supreme courts which have become Observers, which encourages other national bodies to join. Walter Doralt underlined the need to increase the representation of certain nationalities. He noted that the failure of some members to pay their annual fees represents a real problem, and that an increase in the number of law firms could significantly improve the financial situation of the ELI.

ii. Fundraising Committee Report

(67) Treasurer Johan Gernandt informed the Council that the ELI is in a difficult financial position. Expenses have grown greatly since the ELI's foundation. To cope with this, a double strategy of cost-cutting and fundraising must be adopted. He thanked the Council members for their willingness to seek other sources to fund their travel, although underlined that no-one should be deterred from participating in meetings.

(68) Johan Gernandt highlighted the disparity between income and expenses. The ELI can rely on the income from individual and institutional members, but the remaining gap must be covered by fundraising. The target amount to be sourced by fundraising is 65,000 euros. This amount is not unattainable (16 law firms each paying 4,000 euros). He reassured the Council that he is positive about the future and about overcoming the challenges faced.

iii. Discussion (inter alia on strategies for dealing with non-payment of membership fees, general strategies for fundraising and general external funding, etc.)

(69) Diana Wallis invited Emmanuelle Cretin-Magand, an Observer from the European Commission (DG Justice) to provide some information on funding available from the Commission. Emmanuelle Cretin-Magand clarified her intention solely to inform the Council, not to influence its decision.

(70) She informs those present that next calls will be released as part of the European Research Council and under the new Justice Programme. Both action and operating grants will be available. The former support specific projects and are probably not suitable for the ELI. Operating grants support the functioning of a body (support staff, running costs and activity). These grants ask for co-funding and can cover up to 80% of the total costs. It is anticipated that new calls will be published in April/May 2014. The annual work programme (to be released in April) will describe objectives and tools. The activities which an operating grant support must be in line with objectives of the Commission. There is competition for the funding, but there will be a call for framework partnership agreement. This scheme offers more stability as it guarantees

funds for 3-4 years as long as certain conditions continue to be fulfilled. Some organisations who have received operating grants in the past are: Association of Presidents of the Supreme Courts of the European Union, ENCJ.

- (71) Denis Philippe offered to try and get more law firms on board, and explained that he has already emailed practitioners through the bar association in Brussels.
- (72) Marek Wierzbowski explained that law firms want to know how their money is invested, and it may therefore be easier to attract them to pay for a particular project, rather than the Institute in general. He suggested that financial institutions (brokers, investment firms) should be approached for particular project sponsorship.
- (73) Anne Brigitte Gammeljord mentioned the possibility of gaining income through donations. Diana Wallis explained that there is a “donate” button on the ELI website, but perhaps it could be made more prominent.
- (74) Jonathan Mance asked how many institutions currently contribute to the income. Walter Doralt explained that approx. 25 institutions pay a fee. Institutions exempt from paying are: supreme courts, UNIDROIT, UNCITRAL, the Commission and the European Parliament. Jonathan Mance asked to see a breakdown of expenses so that the Council could evaluate where money is currently being spent, and where it could be saved.
- (75) Maria Kaifa-Gbandi suggested that bar associations are used to disseminate information to law firms.
- (76) Christiaan Timmermans explained that his initial objections to taking Commission money were lessened by hearing who is already receiving such operating grants; he now believes the ELI should not shy away from seeking such money. Christian von Bar expressed agreement; he would like to see the ELI applying for funds and would even seek them for a specific project. He also suggested that the GA should be held in a different location every year, and that local hubs could be more involved in its organisation and financing.
- (77) Hans Schülte-Nölke urged the Council not to underestimate the administrative effort involved in securing and maintaining operating grants (eg reporting duties). He noted that the income from membership fees could enable the ELI to fulfil the commitments of co-funding. He stated that the impact and value of ELI statements could be at risk as the source of funds must be disclosed on ELI publications. Nevertheless he would support the ELI applying for such grants. Emmanuelle Cretin-Magand confirmed that the ELI would have to disclose the Commission support on its website and on all main documents.
- (78) Hugh Beale suggested that the ELI could “sell” something to law firms, eg a project team member could be sent to speak at a law firm in return for a fee.
- (79) Walter Doralt and Johan Gernandt thanked the Council for their suggestions. Walter Doralt explained that he only contacts law firms with which one has a personal contact. He noted that many law firms have seemed interested in the visibility and advertising potential involved in ELI

membership. Regarding Commission funding, the external semblance of independence will undoubtedly be harmed by accepting Commission money, even if the ELI is convinced that it remains independent in substance. Johan Gernandt added that the EC will decide how, when and where to cut costs, being careful not to damage the morale of the Institute's members. The independence of the ELI must be considered, and that it is too early to decide on whether or not to accept the EU funding now.

XII. Report from the International Relations Committee

(80)Sjef van Erp informed the Council that he has been elected chair of the IRC and reported on the latest activities. The IRC meeting prior to the Council meeting was attended by a representative from UNCITRAL; the ALI continues to be involved in the ELI's work; Sjef van Erp has attended the World Bank's Law, Justice and Development week in the USA; He will, at his own cost, accept an invitation to speak at an "international breakfast" during this year's meeting of the US Uniform Law Commission; the ELI has declined the Indian Law Institute's (ILI) offer to sign an MoU as it would require the ELI to be a corporate member of the ILI, which comes at a cost. The IRC has gathered ideas for organisations which they should approach, including the International Chamber of Commerce (ICC) and the OECD. He concluded that the focus of international relations would for now remain the work with UNIDROIT, UNCITRAL and the ALI.

XIII. Location of the Secretariat

(81)Diana Wallis reported that she, Christiane Wendehorst and Sjef van Erp had a short meeting with the Vice-Rector of the University of Vienna on 27 February 2014. The University would be willing to host the ELI Secretariat for another four years on the same conditions. This offer does not exclude the ELI from starting another tender process. Diana Wallis reminded the Council that moving the Secretariat would entail costs and expressed that the EC would favour the office remaining in Vienna.

(82)Christiaan Timmermans expressed his agreement, as did Sjef van Erp, who underlined that it is good to have a proposal on the table in light of the current financial situation.

Having received no objections from the Council, Diana Wallis concluded that negotiations with the University of Vienna would continue.

XIV. Status of the Council Composition Committee

(83)Committee Chair Sjef van Erp explained that the Council Composition Committee (CCC) was set up to develop the election procedure for the first regular Council elections. The CCC's task has been accomplished.

The Council agreed to dissolve the Committee.

XV. Any other business

(84)Fryderyk Zoll highlighted the lack of Eastern European representation in the Senate. Francis Jacobs agreed that this should be considered.

Meeting finished at 15:40