



ELI

EUROPEAN
LAW
INSTITUTE

2020 Online ELI Annual Conference

8–11 September 2020



About the European Law Institute



Christiane Wendehorst, President

'This has been a remarkable year, and the first year since the ELI was founded that we have not been able to meet physically - if anything, the COVID-19 pandemic has demonstrated the fragility of what we all tend to take for granted, and the significance of solidarity among the European States. It is a truly European spirit that will ultimately carry us all through this crisis.'



Lord John Thomas, 1st Vice-President

'The epitome of ELI's work are its diverse project teams, who take a subject, examine it and make constructive suggestions in a format that is readily accessible. In this way, ELI has made and will continue to make a huge difference to the future of the development of law in Europe.'



Pascal Pichonnaz, 2nd Vice-President

'The increasing speed with which technology impacts everyday life in Europe may create an urge for common regulations throughout the continent. Thanks to the diversity of its members, the ELI can propose new and concrete solutions for legislators in Europe, taking on board their various legal cultures and experiences. Many current ELI projects reflect this core mission: common frameworks grounded on diversity of experiences.'



Denis Philippe, Treasurer

'ELI is a unique forum where judges, academics and practitioners can meet and exchange ideas on new legal developments in Europe. Practitioners also have an excellent opportunity to participate in the development of European law and in the dialogue between the ELI and European institutions. In this way, ELI is uniquely able to facilitate communication between lawyers and policy makers in Europe.'



About the European Law Institute

The law in Europe has a profound impact on the daily lives of European citizens, companies and organisations. As an independent organisation, ELI aims to improve the quality of law, support its development and contribute to its proper implementation both on a national and European level.

At the heart of ELI's activities are its projects, which can be either short to medium or long term: the former are usually projects that react to current developments, while the latter are proactive in nature and will often take several years of drafting. Alongside Hubs, which are national networks of ELI members, the ELI has also established Special Interest Groups (SIGs), through which it aims to scrutinise the latest, cutting-edge developments in the different fields of law. Participation in ELI activities is encouraged amongst all members, and those members wishing to play a particularly significant and decisive role in the functioning of the Institute can stand for election in the ELI Council. ELI members can also take part in various projects, either as Project Team members or as participants of Members Consultative Committees (MCCs). The ELI is proud of its diverse membership and values the variety of expertise and perspectives which it brings to the organisation.

The ELI is partly modelled on the American Law Institute (ALI), which was founded in 1923 and has since become a landmark institution in the American legal system. Like its American counterpart, the ELI aims to unite jurists of the highest standing from all branches and professions of the law. The Institute operates on its own initiative but is also open for cooperation with other institutions that share its vision. Since its foundation, the Institute has established close working relations with European institutions such as the European Parliament, the European Commission, the European Union Agency for Fundamental Rights (FRA), international organisations such as the Council of Europe, United Nations Commission on International Trade Law (UNCITRAL) and the International Institute for the Unification of Private Law (UNIDROIT), as well as organisations such as the Council of the Notariats of the European Union (CNUE), the European Network of Councils for the Judiciary (ENCJ) and the Academy of European Law (ERA).

The Conference is supported by:



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Programme Overview

TUESDAY | 8 SEPTEMBER

- 09:00 - 12:00 CET Council Meeting (Council Members only)
- 14:00 - 16:30 CET Council Meeting (Council Members only)
- 18:00 - 18:15 CET **Welcome and Introduction**
In Memoriam Ole Lando
- 18:15 - 19:45 CET **Second Ole Lando Memorial Lecture: Contract Law and Human Dignity** (Christian von Bar, Professor at the University of Osnabrück)

WEDNESDAY | 9 SEPTEMBER

- 09:00 - 12:00 CET Council Meeting (Council Members only)
- 13:00 - 14:00 CET Membership Meeting
- 16:30 - 17:00 CET **Welcome Addresses** (Christiane Wendehorst, ELI President; Alma Zadić, Austrian Minister of Justice)
- 17:00 - 18:00 CET **Keynote Speech** (Didier Reynders, EU Commissioner for Justice; Denis Philippe, ELI Treasurer)
- 19:00 - 19:45 CET ELI Young Lawyers Award
- 19:45 - 20:00 CET ELI SIG and Hub Awards

THURSDAY | 10 SEPTEMBER

- 09:00 - 10:15 CET **Artificial Intelligence (AI) and Public Administration – Developing Impact Assessments and Public Participation for Digital Democracy**
- 10:30 - 11:30 CET **Admissibility of Criminal Evidence in the Digital Age**
- 11:45 - 13:00 CET **Blockchain Technology and Smart Contracts**
- 15:00 - 16:15 CET **Principles for a Data Economy**
- 16:30 - 17:45 CET **Access to Digital Assets**
- 19:45 - 21:00 CET **ELI-UNIDROIT European Model Rules of Civil Procedure**
- 21:00 - 21:30 CET Rescue of Business in Europe - Book Launch

FRIDAY | 11 SEPTEMBER

- 09:00 - 10:15 CET **Business and Human Rights - Access to Justice and Effective Remedies**
- 10:30 - 11:30 CET **Independence of Judiciary**
- 11:45 - 12:45 CET **Fundamental Constitutional Principles**
- 14:00 - 15:00 CET **The Concept and the Role of Courts in Family and Succession Matters**
- 15:15 - 16:15 CET **EU Conflict of Laws for Companies**
- 17:30 - 18:30 CET **Corporate Sustainability, Financial Accounting and Share Capital**
- 18:45 - 19:45 CET Coronavirus and the Law - Book Launch

Detailed Programme | Day 1 |

Tuesday, 8 September 2020

09:00 - 12:00 CET Council Meeting (Council Members Only)

Break

14:00 - 16:30 CET Council Meeting (Council Members Only)

Break

18:00 - 18:15 CET Welcome and Introduction

In Memoriam Ole Lando

Professor Ole Lando was a Founding Member of the ELI. He was a leading private international lawyer and is best known for 'The Principles of European Contract Law' which have been highly influential in the development of both EU and national contract laws. These Principles were just the culmination of a long and varied career in which he came to specialise first in private international law and then in comparative contract law.

Ole Lando will also be remembered by his colleagues for his warmth, kindness and openness to ideas and for a wonderful sense of humor. The meetings of the Commission on European Contract Law were hosted by many different institutions, and Ole Lando had to make a great number of thank you speeches. Even Members of the Commission who had listened to his speeches many times before always looked forward to the next humorous adventure. Ole Lando will be celebrated at this memorial but remembered forever.



Contributors to the Ole Lando Memorial:

Bénédicte Fauvarque-Cosson, Arthur Hartkamp, Ewoud Hondius, Hector MacQueen, Christina Ramberg, Oliver Remien, Hans Schulte-Nölke, Matthias Storme, Thomas Wilhelmsson, Reinhard Zimmermann (tbc)

Left: Ellen and Ole Lando at their home in Denmark in 2016

Speakers



Christiane Wendehorst

Christiane Wendehorst is Professor of Law at the University of Vienna. She is a member of the Academia Europaea, the Austrian Academy of Sciences, the International Academy of Comparative Law the American Law Institute, and numerous international research

groups and advisory bodies. Before coming to Vienna, she held full professorships in Germany and served as Managing Director of the Sino-German Institute for Legal Studies. Wendehorst is President of the ELI and one of its Founding Members.



Hugh Beale

Hugh Beale QC (Hon), FBA is Emeritus Professor of Law at the University of Warwick in the UK, Senior Research Fellow of Harris Manchester College and Visiting Professor at the University of Oxford. He was a Law Commissioner from 2000–2007 and a member of the

Commission on European Contract Law from 1987–2000. He was a member of the Study Group on a European Civil Code and of the Group of Experts called upon to draft the Feasibility Study for a Common European Sales Law.

Detailed Programme | Day 1 |

Tuesday, 8 September 2020

18:15 - 19:45 CET Second Ole Lando Memorial Lecture: Contract Law and Human Dignity

The second lecture held in Professor Ole Lando's memory will try to identify agreements which for mainly or at least predominantly constitutional reasons cannot be held up as binding contracts. The subject is closely connected with the law governing the natural person which, in turn, is shaped by human and fundamental rights. The lecture hopes to show that modern contract law must be oriented to a much greater extent than is usually perceived towards the constitutional law concept of human dignity.



Speaker



Christian von Bar

Christian von Bar is Professor of Law and Director of the European Legal Studies Institute (ELSI) at the University of Osnabrück. He was a member of the former Lando Commission and co-edited the Draft Common Frame of Reference (DCFR). He is one of the founding members of ELI. He has led international research groups on European tort law, unjustified enrichment law and property law. At present, he leads an international research team on the law governing the natural person. He is a Fellow of the British Academy, member of the Academia Europaea and other international academies.

In Memoriam Ole Lando

Contract Law and Human Dignity

Detailed Programme | Day 2 |

Wednesday, 9 September 2020

09:00 - 12:00 CET Council Meeting (Council Members Only)

Break

13:00 - 14:00 CET Membership Meeting

Break

16:30 - 17:00 CET Welcome Addresses

By Alma Zadić, Austrian Minister for Justice

By Christiane Wendehorst, ELI President

Alma Zadić

After earning her LLM degree from Columbia University as a Fulbright Fellow, Zadić practiced law in Vienna, Austria. Her dedication to human rights and justice drove her to politics. As a member of Parliament, she became a prominent voice for transparency. In 2019 Zadić was part of the biggest electoral success the Austrian Greens have ever achieved in a national election. As a negotiator, she paved the way for the current government coalition pushing anti-corruption and transparency.



17:00 - 18:00 CET Keynote Speech and Q&A Session

By Didier Reynders, the European Commissioner for Justice

Introduction by Denis Philippe, ELI Treasurer

Didier Reynders

Didier Reynders has been serving as European Commissioner for Justice since December 2019. From 1999–2019, he served as a member of the Belgian government, inter alia as Minister of Finance (1999–2011), Minister of Foreign Affairs, Foreign Trade and European Affairs (2011–2019) and Deputy Prime Minister (2004–2019). He has worked as a Lecturer and Visiting Professor at different Belgian universities, and has been engaged in various political activities, including chairing the *Brussels Mouvement Réformateur Federation* (2013–2019).

The European Commissioner's keynote and the following Q&A session will focus on the rule of law in the EU and, more precisely, the Commission's upcoming Rule of Law Report.



Detailed Programme | Day 2 |

Wednesday, 9 September 2020

19:00 - 19:45 CET ELI Young Lawyers Award

The ELI Young Lawyers Award was officially launched at the 2016 Annual Conference and General Assembly. The goal of this award is to provide the young European legal community with a mechanism to propose practical suggestions for the improvement of European law. It is a way of giving voice to future European legal experts and helps ELI in fulfilling its core mission of improving the quality of European law. Applications are open to under- or postgraduate students currently undertaking a law degree at a European University, or those who are within five years of graduation. The 2020 Young Lawyers Award is sponsored by Interleges.



Speakers



John North
President of Interleges

John North is a Partner at the London office of Royds Withy King Solicitors. As Head of the corporate team he has over 30 years of legal experience advising on corporate and commercial transactions working with clients in the UK and beyond. He specialises in M&A work and has particular expertise advising clients on the legal and business issues of entering the UK market. In addition, North is currently President of Interleges, an international association of independent law firms.



Sjef van Erp
Chair of the Jury

Sjef van Erp is Professor of Civil Law and European Private Law at Maastricht University, where he teaches foundations of *Ius Commune*, comparative, European and Dutch property law. He is also deputy justice at the Court of Appeals in 's-Hertogenbosch. He is a member of the American Law Institute. He was a Founding Member of the ELI as well as a former Vice-President. He is Chair of the ELI 'Blockchain Technology and Smart Contracts' project and Co-Reporter of the 'Access to Digital Assets' project.

19:45 - 20:00 CET ELI SIG and Hub Awards

Hubs and Special Interest Groups (SIGs) are working groups which have been established for ELI Members to facilitate discussion, share and monitor legal developments, and stimulate project proposals. As such, they are of fundamental importance to ELI's success. Whereas Hubs are country specific groups, SIGs are topic specific.

These groups enable ELI Members to meet periodically with each other and form connections with others that can share their expertise, and create an interactive forum for discussion. The Executive Committee extends its thanks to Members who have shown interest in and contributed to the formation and the activities of Hubs and SIGs. The Hub and SIG award allows ELI to acknowledge the groups whose achievements in the past year have been particularly impressive.

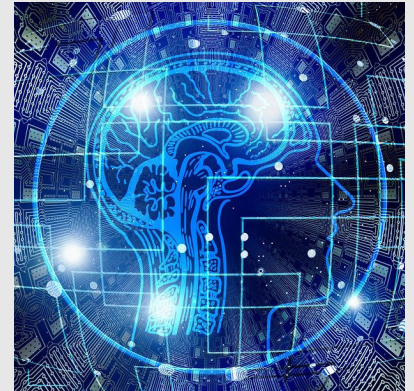


Speaker: Christiane Wendehorst

Thursday, 10 September 2020

09:00 - 10:15 CET Artificial Intelligence (AI) and Public Administration - Developing Impact Assessments and Public Participation for Digital Democracy

New technologies, such as artificial intelligence, can play a significant role in the modernisation and overall improvement of the functioning of public administration. On the other hand, issues concerning transparency, accountability, compliance and non-discrimination may arise. The ELI project aims to lay down a basis for developing procedures on artificial intelligence that will not hinder innovation while providing solid safeguards to improve citizens' confidence in the use of the technology. It will develop a set of model rules that will include the need to conduct an impact assessment and a public consultation prior to the introduction of an AI-based tool in the realm of public administration. The webinar will focus on the project's overall structure as well as specific issues covered by it, such as the need for expert and civil society involvement in the matter.



Speakers



Jens-Peter Schneider (Chair)

Jens-Peter Schneider is Professor of Public Law at Freiburg University in Germany. He served as project Reporter of the collaborative project of the ELI and the Research Network on EU Administrative Law (RENEUAL) 'Towards Restatement and

Best Practices Guidelines on EU Administrative Procedural Law' (2013–15) and is now one of three Reporters of the ELI project 'Artificial Intelligence (AI) and Public Administration – Developing Impact Assessments and Public Participation for Digital Democracy'.



Péter Darák

Péter Darák, PhD, has been the President of the Curia of Hungary since 2012 and is Professor of Financial Law at the Faculty of Law of Eötvös Lóránd University in Budapest. Among other roles, he is Chair of the National Association of Administrative Judges, Rep-

resentative of the Curia of Hungary at the EU Forum of Judges for the Environment, Chair of the Public and Administrative Law Department of the Association of Hungarian Lawyers, and member of the International Association of Tax Judges.



Jonathan Dollinger

Jonathan Dollinger is a junior researcher and doctoral candidate affiliated with the Institute for Media and Information Law at the University of Freiburg in Germany. He studied law at the universities of Freiburg and Aber-

deen. Afterwards, he was a trainee lawyer at the Regional Court of Stuttgart and the Administrative Court of Appeal of the state of Baden-Württemberg. His PhD research concerns impact assessments for digital technologies in the GDPR and in Canadian law.



Jane Reichel

Jane Reichel is Professor in Administrative Law at the Stockholm University Faculty of Law. She is the Vice Head of Department and the Head of the Public Law group. She is associated with the Center for Research Ethics & Bioethics at Uppsala University and the editor of

the Swedish Administrative Law Review (Förvaltningsrättslig tidskrift). Her research focuses on global and European administrative law, especially good administration, transparency and data protection. Amongst other activities, she was the leader of the work package for law and ethics in the Horizon 2020 project Biobank Bridge Africa.



Katarzyna Ziółkowska

Katarzyna Ziółkowska is a junior researcher affiliated with the University of Warsaw, an associate of the Research Centre on the Legal Aspects of Blockchain Technology and a team coordinator in the Polish National Centre for Research and Develop-

ment. Here she provides legal assistance on the creation and management of programs aimed at start-up investments and support of industrial entrepreneurs and scientific units in the commercialisation of the results of their technologically advanced R&D works.

Thursday, 10 September 2020

10:30 - 11:30 CET Admissibility of Criminal Evidence in the Digital Age

The issue of the admissibility of evidence gathered in cross-border criminal proceedings in the EU has been on the agenda for a long time, ever since it was included in the Tampere Conclusions. Common minimum standards on how evidence is to be gathered and transferred – and also on a set of limited exclusionary rules – are necessary to safeguard fundamental rights and facilitate judicial cooperation at EU level, in particular since e-evidence introduces a cross-border element in almost every criminal investigation and procedure. The importance of a common set of rules is heightened by the effects of the COVID-19 pandemic and by the relevant progress made regarding AI and automated cars. The feasibility study aims to explore the possibility for a draft legislative proposal in this field. The webinar will focus on discussing the current state of affairs on the admissibility of e-evidence in criminal proceedings in the EU and the findings of the ELI feasibility study.



Speakers



André Klip (Chair)

André Klip is Professor of Criminal Law, Criminal Procedure and the Transnational Aspects of Criminal Law at Maastricht University. He is a member of the Royal Netherlands Academy of Arts and Sciences, a judge at the 's-Hertogenbosch Court of Appeal (criminal division) and a member of the Board of Directors of the International Association of Penal Law. Throughout his career, he has been frequently involved in national and international legal practice and published extensively in the field of (European) criminal law.



Lorena Bachmaier Winter

Lorena Bachmaier Winter is Full Professor at the Complutense University in Madrid. She specialises in criminal and civil procedure and arbitration and also teaches at the summer law school of Saint Louis University. Her research is focused on comparative criminal procedure, rule of law and judicial independence, human rights and procedure, and the EU process of legal harmonization. She also contributes as an international legal expert for the Council of Europe and was chair of the committee on Transnational Organized Crime in 2013–2014.



Peter Csonka

A specialist in international and European criminal law, Peter Csonka started his career as a prosecutor before joining the Council of Europe and later the International Monetary Fund. He now works for the European Commission as the Head of General Criminal Law in DG Justice. His main achievements include setting up the European Public Prosecutor's Office (EPPO). Csonka is a Visiting Professor at the 'Europa Institute' in Saarbrücken and lectures at the University of Luxembourg.



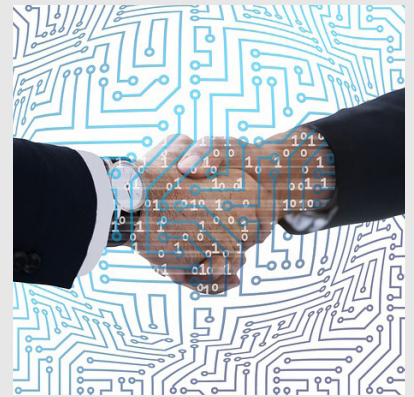
Jorge Espina

Jorge Espina is a Spanish Public Prosecutor specialised in the international area. He has worked for the Commission (as seconded national expert) and at the International Cooperation Unit of the Spanish General Prosecutor's Office. He is currently Assistant to the National Member for Spain at Eurojust. He has published numerous contributions on various legal topics (mainly related to international cooperation) and has extensive experience as a lecturer for various academic and official institutions.

Thursday, 10 September 2020

11:45 - 13:00 CET Blockchain Technology and Smart Contracts

Distributed Ledger Technologies (DLT) such as blockchain technology and smart contracts are technologies that have a huge potential to fundamentally change many areas of private law transactions. The ELI thus embarked on the 'Blockchain Technology and Smart Contracts' project in a bid to scrutinise the legal basis for these applications and consider how the law can enshrine sufficient operational security and whether minimum standards should be regulated, either at national, European or global level (the latter with clear European influence). The Project Team aims at drafting a legislative guide (toolbox) for policymakers, legislators and legal practitioners, which will detail the notions of blockchain technology and smart contracts, and address more general legal questions, such as on jurisdiction, applicable law and standard of proof. Whether the current system of private law can readily cope with these novel forms of 'self-executing' agreements, or whether new solutions are required, are fundamental questions, which this project, as well as this webinar, will try to answer.



Speakers



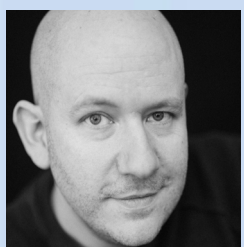
Sjef van Erp (Chair)

Sjef van Erp is Professor of Civil Law and European Private Law at Maastricht University, where he teaches foundations of *ius Commune*, comparative, European and Dutch property law. He is also deputy justice at the Court of Appeals in 's-Hertogenbosch. He is a member of the American Law Institute. He was a Founding Member of the ELI as well as a former Vice-President. He is Chair of the ELI 'Blockchain Technology and Smart Contracts' project and Co-Reporter of the 'Access to Digital Assets' project.



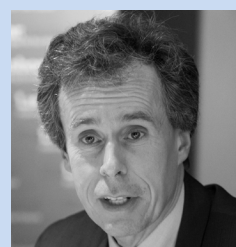
Martin Hanzl

Martin Hanzl is an associate at EY Law - Pelzmann Gall Größ Rechtsanwälte GmbH and previously worked at the Vienna University of Economics and Business. He advises on M&A, corporate law and IP/IT law focusing on new technologies. He received a PhD from the University of Vienna writing his thesis on the legal implications of blockchain. In addition, he has published numerous articles on this topic and regularly gives lectures in this field.



Stephan Karpischek

Stephan Karpischek PhD is co-founder of Etherisc, a startup building decentralized insurance applications. Before Etherisc, he co-founded a strategy consulting cooperative and a blockchain education startup. He also worked on digital innovation in banking and telecommunications and as a teacher for information technology. Stephan Karpischek is a regular speaker at blockchain and insurance events and likes to educate others about blockchain technology and its economic and legal implications.



Dirk Staudenmeyer

Dirk Staudenmeyer is Head of Unit for Contract Law of the DG Justice and Consumers at the European Commission. He also teaches as an Honorary Professor at the Law Faculty of the University of Münster and has published widely, in particular in the areas of European contract, consumer and IT law. After studying law in Germany and France, Staudenmeyer was awarded a PhD magna cum laude from the University of Bonn. He has held various positions at the European Commission, including as Assistant to the Director General and Head of Unit for Financial Services and Redress at DG Health and Consumers.



Juliette Sénéchal

Juliette Sénéchal is Professor of Private Law at the University of Lille. She conducts research and lectures in the area of European private law, e-commerce law, consumer law and contract law. As Director of the Contracts, Consumer and E-Commerce Working Group of the Trans Europe Experts Network, she was project leader in studies for the French Ministry of Economy and for the French Ministry of Justice.

Thursday, 10 September 2020

15:00 - 16:15 CET Principles for a Data Economy

Uncertainty as to the applicable rules and doctrines to govern the data economy potentially hinders innovation and growth and, more importantly, troubles consumers, data-driven industries, and start-ups worldwide. The ELI and the American Law Institute (ALI) decided to tackle this uncertainty by developing transnational 'Principles on Data Rights and Transactions'. The first Parts of this joint Project have already been approved by the Council of the ALI and its approach on 'co-generated data' has been favourably received and partly taken over, inter alia, by the European Commission and the German Data Ethics Commission. The Project Chairs and the Reporters from the ALI and the ELI will present some features of the recently completed Preliminary Draft No 4 and discuss its potential impact on the international legal framework of the data economy with well-known experts in the field.

```
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    $hex_str = preg_replace('/(?!#)[a-fA-F0-9]/', '', $hex_str); // gets a proper  
    $rgb_array = array();  
    if (strlen($hex_str) == 6) {  
        $color_val = hexdec($hex_str);  
        $rgb_array['r'] = (($color_val >> 16) & 0xFF);  
        $rgb_array['g'] = (($color_val >> 8) & 0xFF);  
        $rgb_array['b'] = ($color_val & 0xFF);  
    } else {  
        $rgb_array['r'] = hexdec(substr($hex_str, 0, 2));  
        $rgb_array['g'] = hexdec(substr($hex_str, 2, 2));  
        $rgb_array['b'] = hexdec(substr($hex_str, 4, 2));  
    }  
    return $rgb_array;  
}  
return $return_string = implode($separator, $rgb_array);  
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Speakers



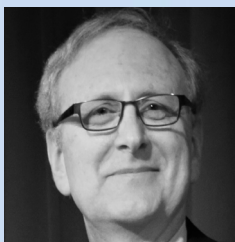
Lord John Thomas (Co-Chair)

Lord John Thomas served as Lord Chief Justice of England and Wales from 2013–2017 and was President of the European Networks of Councils for the Judiciary 2008–2010. He is President of the Qatar International Court, a practising arbitrator, Chairman of the London Financial Markets Law Committee and sits in the United Kingdom Parliament as a member of the House of Lords. He is Chancellor of Aberystwyth University and an Honorary Fellow of Trinity Hall, Cambridge. He is First Vice-President of ELI.



Steven O. Weise (Co-Chair)

Steven O. Weise is Co-Chair of the Principles for a Data Economy Project, a member of the Permanent Editorial Board for the Uniform Commercial Code (UCC), the Council of the American Law Institute, and the Joint Study Committee on UCC and Emerging Technologies. He was a member of the Drafting Committee for Article 9 of the UCC. He is the American Bar Association's (ABA) Representative to the UNCITRAL Working Group on Security Interests. He was the chair of the Business Law Section of the ABA.



Neil Cohen

Neil Cohen is the Jeffrey D Forchelli Professor of Law at Brooklyn Law School and serves as the Director of Research of the Permanent Editorial Board for the Uniform Commercial Code (UCC). Since 2009, he has been a member of the US Department of State's Advisory Committee on Private International Law. He has served as a member of the US delegation to UNCITRAL for its work on harmonising and modernising the law of secured credit and as a member of the Working Group at the Hague Conference on Private International Law.



Ioana Hrenincu

Ioana Hrenincu is the CEO of GameAnalytics, the most popular analytics tool for mobile game developers, used in over 100,000 titles to measure the behaviour of more than two billion players each month. GameAnalytics also tracks over 16 billion monthly sessions and more than 150 million transactions. Some of the most successful studios and publishers in the world use GameAnalytics, including Voodoo, Say Games, Kwalee, Madbox, and countless others.



Elettra Ronchi

Elettra Ronchi, PhD, MPP, is Senior Policy Analyst at the OECD. Since 2015 she has been Head of Unit in the Division for Digital Economy Policy, where she coordinates work on privacy, risk management and data governance. She is currently leading the review of the implementation of the 2013 OECD Guidelines on the Protection of Privacy and Transborder Flows of Personal Data. Elettra Ronchi has over 20 years of experience as a policy analyst, evaluating the instruments to improve the public benefits from investments in health, science and technology.



Christiane Wendehorst

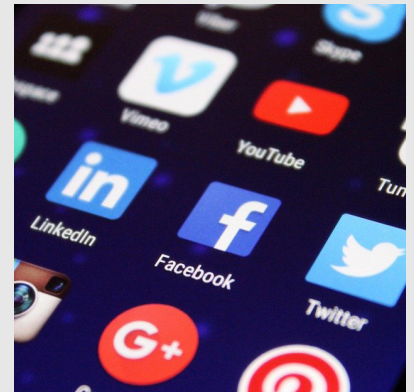
Christiane Wendehorst is Professor of Law at the University of Vienna. She is a member of the Academia Europaea, the Austrian Academy of Sciences, the International Academy of Comparative Law the American Law Institute, and numerous international research groups and advisory bodies. Before coming to Vienna, she held full professorships in Germany and served as Managing Director of the Sino-German Institute for Legal Studies. Wendehorst is President of the ELI and one of its Founding Members.

Detailed Programme | Day 3 |

Thursday, 10 September 2020

16:30 - 17:45 CET Access to Digital Assets

For most private individuals immovable property still predominates one's assets. However, digital assets and electronic communications are on the rise. Digital wealth covers a very heterogeneous variety of assets such as software, cryptocurrencies, online bank accounts, social media profiles, etc. The ELI project hopes to facilitate the position of those entitled to access to digital assets and those who increasingly have to deal with digital assets in their daily legal practice, particularly judges, notaries and bailiffs, by drafting principles aimed at harmonising the laws of the Member States. It focuses on digital wealth inherited by heirs, the seizure of digital wealth in the interest of creditors and the use of digital wealth as security for a loan. The webinar will focus on practical issues arising in regard to access to digital assets.



Speakers



Jos Uitdehaag (Chair)

Jos Uitdehaag is the Secretary of the International Union of Judicial Officers with almost 25 years of experience in judicial enforcement. From 2004–2016 he was a member of the Royal Dutch Organization of Judicial Officers (KB-vG)'s board. In the last 20 years, he has worked as a legal reform and legal drafting expert in numerous countries supported by different international organisations, including the Council of Europe and the European Union, and lectured at different universities and judicial academies.



Phoebus Athanassiou

Phoebus Athanassiou is Lead Legal Counsel at the European Central Bank, and a member of the Faculty of the Institute of Law and Finance at Frankfurt University. He holds a PhD in Law, from King's College London, and he is a qualified lawyer who has published extensively on financial services, capital markets regulation, and EMU-related issues. He is the author of several monographs, including 'Digital Innovation in Financial Services – Legal Challenges and Regulatory Policy Issues' (Kluwer 2018).



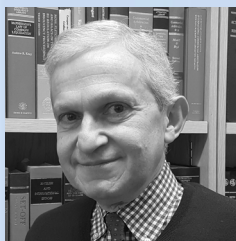
Sijf van Erp

Sijf van Erp is Professor of Civil Law and European Private Law at Maastricht University, where he teaches foundations of *Ius Commune*, comparative, European and Dutch property law. He is also deputy justice at the Court of Appeals in 's-Hertogenbosch. He is a member of the American Law Institute. He was a Founding Member of the ELI as well as a former Vice-President. He is Chair of the ELI 'Blockchain Technology and Smart Contracts' project and Co-Reporter of the 'Access to Digital Assets' project.



Yannick Meneceur

Yannick Meneceur is a French magistrate, seconded to the Council of Europe, assigned as an advisor in digital transformation. He contributed to the comparative analysis of European judicial systems and developed expertise in the field of digital transformation, in particular with regard to the regulation of artificial intelligence. He is a Lecturer at the University of Strasbourg in cyberjustice and digital economy law and published his first book, '*L'intelligence artificielle en procès*', in May 2020.



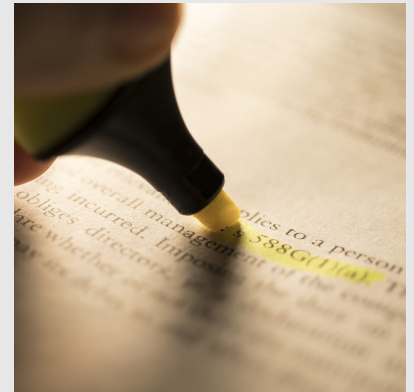
Sir Geoffrey Vos

Sir Geoffrey Vos was appointed Chancellor of the High Court of England and Wales in October 2016. He holds responsibility for the conduct of business in the Business and Property Courts and presides in the Court of Appeal. He is Editor-in-Chief of the White Book, a member of the UK Government's Law-Tech Delivery Panel and chairs its UK Jurisdiction Taskforce. He is Dean of Chapel and Keeper of the Black Books for Lincoln's Inn for 2020.

Thursday, 10 September 2020

19:45 - 21:00 CET ELI-UNIDROIT European Model Rules of Civil Procedure

ELI and UNIDROIT joined efforts in a bid to elaborate the Model European Rules of Civil Procedure in a way that could constitute a frame of reference for policy makers both at European and national levels. Most importantly, the Team succeeded in striking a balance between the generality and specificity of the Rules, ensuring that they are general enough to be acceptable for all Member States, but at the same time specific enough to promote common standards that allow for an increase of mutual trust. The Rules have the potential to influence European civil procedure law and have long been eagerly awaited by key decision making organisations, such as the European Parliament. With these Model Rules, the ELI and UNIDROIT present a model law ready to be discussed further at the EU level and adapted by national legislators, with a view to facilitating and enhancing the judicial cooperation and access to justice in Europe. This webinar will aim at presenting the Rules.



Speakers



Anna Veneziano (Co-Chair)

Anna Veneziano is Deputy Secretary-General of UNIDROIT. She is Professor of Comparative Law at the University of Teramo in Italy (on leave). From 2013–2018 she was Professor of European Property law at the University of Amsterdam. She holds an LLM from Yale Law School and a PhD from the University of Florence. Her research areas are international, comparative and European secured transactions and contract law. She is on the Steering Committee of the ELI-UNIDROIT Civil Procedure project.



Marco de Benito

Marco de Benito holds the Jean Monnet Chair in European Civil Procedure at IE University in Madrid. He has authored monographs on arbitration agreements (his views having been mirrored by the Tribunal Supremo) and European justice systems (criticising the bureaucratisation of Spanish civil justice). He serves as co-director of Arbitraje, the Spanish academic journal on arbitration. He is a member of the Procedural Law Board of the Spanish Royal Academy of Jurisprudence and Legislation.



John Sorabji

John Sorabji is a barrister, Senior Judicial Institute Fellow at University College London's Judicial Institute, and a Visiting Professor at the University of Paris-II. He was formerly the Principal Legal Adviser to the Lord Chief Justice and Master of the Rolls. He is the General Editor of the White Book. He was a Founding Member of the ELI, served on its Executive Committee, and is a member of the Steering Committee and Working Groups of the ELI-UNIDROIT Civil Procedure project.



Diana Wallis (Co-Chair)

Diana Wallis is a Senior Fellow at the University of Hull Law School, a member of the Law Society's EU Committee, a Trustee of the ERA in Trier and the Board of Trustees of the British Institute of International and Comparative Law and an Honorary Associate of the Centre for Socio-Legal Studies at Oxford University. After time as a litigation lawyer, she was a member of the European Parliament before acting as its Vice-President. Between 2013 and 2017 she was President of the ELI. She is also a member of the Chartered Institute of Arbitrators.



Paul Oberhammer

Paul Oberhammer is Full Professor at the Faculty of Law of the University of Vienna and has been a Full Professor in Halle and Zurich. He specialises mainly in domestic and international civil procedure and enforcement, international insolvency and arbitration. He presently serves as Dean of the Faculty of Law of Vienna University, the host institution of ELI, and is a member of a working group of the ELI-UNIDROIT Civil Procedure project.



Rolf Stürner

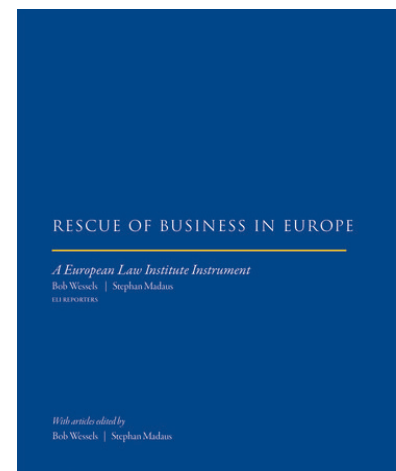
Rolf Stürner is Professor of Law at the University of Freiburg. As a Visiting Professor at Harvard, New York University and many others he has taught international civil litigation and comparative civil procedure. He was a judge of the State Courts of Appeal of Karlsruhe and Stuttgart, President of the Association of German and Austrian Proceduralists, Co-Reporter of the ALI-UNIDROIT Project on Principles of Transnational Civil Procedure and now on the Steering Committee and Structure Group of the ELI-UNIDROIT Civil Procedure project.

Rescue of Business in Europe - Book Launch

Thursday, 10 September 2020

21:00 - 21:30 CET

Since the global financial crisis, insolvency and restructuring law have been at the forefront of law reform initiatives in Europe and elsewhere. The specific topic of business rescue ranks top on the insolvency law related agenda of both the EU and national legislators faced by a rapid growth of insolvencies. This clearly highlights the importance of efficient mechanisms for dealing with financially distressed, but viable business. For the ELI, this fueled the momentum to launch an in-depth project on furthering the rescue of such businesses across Europe and commend changes in traditional liquidation oriented legislation. The ELI Instrument on the Rescue of Business in Insolvency Law, elaborated by Bob Wessels and Stephan Madaus, with the assistance of Gert-Jan Boon, was voted upon by the ELI Council and ELI Membership and was unanimously approved. The Report and accompanying national reports, in all over 1,400 pages, was published by Oxford University Press earlier this year. This webinar aims at presenting the publication and emphasising its importance for both insolvency law and general private law.



Speakers



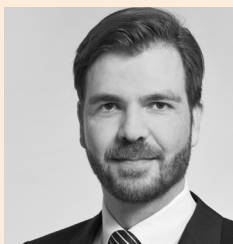
Gert-Jan Boon

Gert-Jan Boon is a Researcher and Lecturer in the departments of Company Law and Business Studies of the Leiden Law School at the University of Leiden in the Netherlands. He conducts research in the field of restructuring and insolvency. Gert-Jan Boon is a member of the project team of the ELI project on Rescue of Business in Insolvency Law. Furthermore, he is a board member of the INSOL Europe Academic Forum and Adjunct Secretary of the Conference on European Restructuring and Insolvency Law (CERIL).



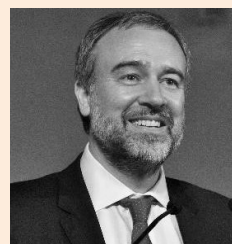
Tatjana Josipović

Tatjana Josipović is Professor of Civil Law at the University of Zagreb's Faculty of Law, where she previously served as Vice Dean. She is a member of a number of domestic and international scholarly and professional associations. She was a head of the task-force preparing Croatia's accession negotiations in the chapter Right of Establishment and Freedom to Provide Services. She has written many papers and several books on civil law and European private law and presented papers in numerous national and international conferences.



Stephan Madaus

Stephan Madaus is Professor at Martin Luther University in Halle-Wittenberg in Germany where he teaches German, European and international insolvency law as well as contract and tort law. He is a member of the International Insolvency Institute and a Founding Member of the Executive of the Conference of European Restructuring and Insolvency Law (CERIL). In 2017 he was mandated (with two colleagues) by the German Ministry of Justice to evaluate the 2012 reform of the German Insolvency Code.



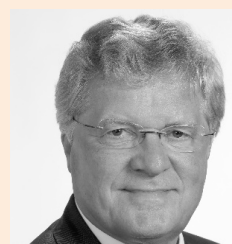
Ignacio Tirado

Ignacio Tirado (PhD, Bologna, PhD Madrid, LL.M, London) has been Secretary-General of UNIDROIT since 2018, and is Professor of Commercial, Corporate and Insolvency Law at the Autonomous University of Madrid in Spain (on leave). He has been a Senior Legal Consultant at the World Bank's Legal Vice-Presidency and Financial Sector Practice for almost a decade. Tirado is a founding member of the European Banking Institute, an International Fellow of the American College of Bankruptcy and has been Director and Academic Co-Chair of the International Insolvency Institute.



Christiane Wendehorst

Christiane Wendehorst is Professor of Law at the University of Vienna. She is a member of the Academia Europaea, the Austrian Academy of Sciences, the International Academy of Comparative Law the American Law Institute, and numerous international research groups and advisory bodies. Before coming to Vienna, she held full professorships in Germany and served as Managing Director of the Sino-German Institute for Legal Studies. Wendehorst is President of the ELI and one of its Founding Members.



Bob Wessels

Bob Wessels is Professor Emeritus of International Insolvency Law at the University of Leiden in the Netherlands. He is Chairman of the Conference of European Restructuring and Insolvency Law (CERIL), Fellow of the American College of Bankruptcy, member of the American Law Institute, Honorary Member of INSOL Europe and served as Deputy Justice at the Court of Appeal in the Hague from 1988 to 2016. Since 2010 he has been Expert Counsel to the European Commission.

Detailed Programme | Day 4 |

Friday, 11 September 2020

09:00 - 10:15 CET Business and Human Rights - Access to Justice and Effective Remedies

As businesses continue to gain an economic and social influence rivalling that of nation states, their impact on human rights is increasingly gaining attention from legislators – globally, at a European level and nationally. Access to remedy is a particular area of concern, with victims struggling to get traction in the current mechanisms. The ELI project, conducted with input from the European Union Agency for Fundamental Rights (FRA), aims at identifying a range of possible draft EU regulatory possibilities including both judicial and non-judicial options intended to increase access to remedies for victims of business related human rights abuse in line with European and International commitments. The webinar will focus on two issues covered by the project, namely human rights due diligence and the implications of private international law rules on access to remedies.



Speakers



Jonas Grimheden (Chair)

Jonas Grimheden leads one of five programmes at the European Union Agency for Fundamental Rights (FRA). The programme deals with structured human rights work in the EU and its Member States. Previously heading FRA's access to justice work, he has been with the Agency since 2009. He is a specialist in international human rights law with focus of work placed on justice, business and human rights, indicators, and monitoring mechanisms.



Catherine Kessedjian

Catherine Kessedjian is Professor Emerita of the University Panthéon-Assas Paris II. She acts as arbitrator in a selected number of International Commercial and Investment Disputes. She acts as mediator (also for preventive mediation) in French and English. She is a member of numerous professional organisations, notably the American Law Institute (ALI) and the *Institut de droit international*. She is the President of the French Branch of the International Law Association and Vice Chair of the global ILA.



Robert McCorquodale

Robert McCorquodale is Professor of International Law and Human Rights at Nottingham University, barrister and mediator at Brick Court Chambers and Founder of Inclusive Law, a consultancy on business and human rights. He has over 25 years of experience working in business and human rights. He has published widely, advised and supported companies, civil society, governments and international organisations around the world, and advocates before the ICJ and UK Supreme Court, and is a legal expert at UN bodies.



Ilaria Pretelli

Ilaria Pretelli is legal adviser at the Swiss Institute of Comparative Law with a habilitation as Associate Professor of International Law. Former Director of the *Centro di Studi Giuridici Europei*, she held teaching positions at the University of Urbino, Padua, Paris 1, Panthéon-Sorbonne and Paris Sud. Associate editor of the Yearbook of Private International Law, she collaborates with the *Cuadernos de derecho transnacional*, and the *Revue Critique de droit international privé*.



Lise Smit

Lise Smit is Senior Research Fellow in Business and Human Rights at the British Institute of International and Comparative Law. She works on human rights due diligence and legal developments relating to the UNGPs. She has authored multiple publications, including leading the recent study for the European Commission on due diligence requirements through the supply chain. Smit was previously a practicing advocate in South Africa, and Law Clerk to the Chief Justice of South Africa.

Detailed Programme | Day 4 |

Friday, 11 September 2020

10:30 - 11:30 CET Independence of Judiciary

The independence of the judiciary is increasingly important, as the rule of law is under pressure in more and more countries. In the EU, while justice systems are becoming more efficient, citizens perceive judicial independence as decreasing and believe that this is due to the pressure from politicians and governments. It also results from economic interests. In order to uphold the rule of law and democracy, it is essential that courts and judges remain independent. The International Association of Judicial Independence and World Peace approved the Mount Scopus International Standards of Judicial Independence in 2008 and have occasionally revised them including in 2015 with the aim of ensuring the legitimacy and effectiveness of the judicial process and enabling the judiciary to play a role in the adequate protection of human rights and in the operation of an efficient and fair market economy with a human face in the era of globalisation. This webinar will discuss the advancement of the Mount Scopus International Standards on Judicial Independence with cooperation and support from ELI.



Speakers



Fryderyk Zoll (Chair)

Fryderyk Zoll is Professor at the Jagiellonian University of Cracow and the University of Osnabrück and Doctor Honoris Causa of the Ternopil National University. He has been a member of the Redaction Committee of Acquis Group, the Common Frame of Reference Team and the Codification Commission at the Polish Ministry of Justice (2011–2015), among others. He is a member of ELI and of its Executive Committee. He has been involved in many projects focusing on EU private law. He is also an arbitrator at the Arbitration Tribunal at the Polish Chamber of Commerce.



Giuseppe Ferrari

Giuseppe Franco Ferrari is Full Professor of Constitutional law at University Bocconi in Milan and a coordinator of the public law teachings. He is Vice-President of the International Academy of Comparative Law and Director of *Diritto Pubblico Comparato Europeo*. He is co-editor of the Comparative Law Review, member of the scientific board of *Giurisprudenza Costituzionale*, *Percorsi Costituzionali*. Author and editor of about 60 books, he also has published about 350 articles.



Thorsten Ingo Schmidt

Thorsten Ingo Schmidt is Professor of Public Law, especially constitutional law, administrative law and local government law, at the University of Potsdam and vice-dean of the Faculty of Law. He is a former judge at the Higher Administrative Court of Berlin-Brandenburg. He provides expert advice to governments and legislative bodies both at the federal and the state level.



Daniela Piana

Daniela Piana is Professor of Political Science at the University of Bologna. She is the Italian representative at the Research Committee of the Organisation for Economic Co-operation and Development on Justice and Access to Justice and a Member of the Scientific Committee of the Italian Council of the State. Her latest publication will be 'Legal Services and Digital Infrastructures: A New Compass for Better Governance' (Routledge, London).



Shimon Shetreet

Shimon Shetreet is Professor of Law at the Hebrew University of Jerusalem, Israel. He holds the Greenblatt Chair of Public and International Law and is the President of the International Association of Judicial Independence and member of the Royal Academy of Science of Belgium. From 1988–1996 he served as a Member of the Israeli Parliament, and was a cabinet minister. He was a Judge of the Standard Contract Court. He has served as Visiting Professor in many universities around the world and published 25 books and over 130 articles.



Lord John Thomas

Lord John Thomas served as Lord Chief Justice of England and Wales from 2013–2017 and was President of the European Networks of Councils for the Judiciary 2008–2010. He is President of the Qatar International Court, a practising arbitrator, Chairman of the London Financial Markets Law Committee and sits in the United Kingdom Parliament as a member of the House of Lords. He is Chancellor of Aberystwyth University and an Honorary Fellow of Trinity Hall, Cambridge. He is First Vice-President of ELI.

Detailed Programme | Day 4 |

Friday, 11 September 2020

11:45 - 12:45 CET Fundamental Constitutional Principles

The purpose of the webinar is to present and discuss the outcome of the feasibility study on Fundamental Constitutional Principles. This study seeks to outline the basic principles, which form the foundations of a European liberal democratic State. It is assumed that such a State is based on majority rule but constrained by fundamental rights resulting from respect for the rule of law and principles of legal and political accountability. The study intends to lead to a project on the formulation of those principles, identifying their content and providing guidance to public authorities, the courts, and citizens. The study has both a descriptive and a prescriptive character. On the one hand, it will outline the basic tenets of the rule of law as understood in European liberal democracies. On the other hand, it will provide standards to be observed by those countries.



Speakers



Takis Tridimas (Chair)

Takis Tridimas is the Chair of European Law at the Dickson Poon School of Law, King's College London and Director of the Centre of European Law. He is also Professor at Pennsylvania State University and a Barrister in Matrix Chambers. His interests include the constitutional law of the EU, judicial protection, banking and financial law, and comparative law. He is the author of numerous publications, including Schütze and Tridimas (Eds) 'Oxford Principles of European Union Law, Volume I: The European Union Legal Order'.



Silvana Sciarra

Silvana Sciarra is the first woman elected by Parliament as a Judge at the Italian Constitutional Court. She started her mandate in November 2014, after serving as Full Professor of Labour Law and European Social Law at the University of Florence and at the European University Institute. She was Harkness Fellow and Fulbright Fellow at US Universities and Visiting Professor at several universities, including Warwick, Columbia Law School, and Cambridge. She holds Doctorate Honoris Causa in Law from the Universities of Stockholm (2006) and Hasselt (2012).



Alison Young

Alison Young is the Sir David Williams Professor of Public Law at the University of Cambridge and the Director of the Cambridge Centre for Public Law. She researches in constitutional law, constitutional theory, administrative law, EU public law and fundamental rights and has published widely in the field, including 'Parliamentary Sovereignty and the Human Rights Act' and 'Democratic Dialogue and the Constitution'. She also co-edits the UKCLA blog and is a trustee of the Constitution Society.



Laurent Pech

Laurent Pech is Professor of European Law and Head of the Law and Politics Department at Middlesex University London and a Visiting Professor of Law at Bordeaux University. He specialises in EU Public Law and is currently a member of the editorial board of the Hague Journal on the Rule of Law and of the H2020 funded research project on 'Reconciling Europe with its Citizens through Democracy and the Rule of Law'. His main primary area of research is respect for the rule of law in the European legal space.



Krzysztof Wojtyczek

Krzysztof Wojtyczek is Professor at the Jagiellonian University in Kraków. He has been a Judge of the European Court of Human Rights since November 2012. Previously he was a legal advisor at the Constitutional Court and from 2009–2010 he was on a Committee of Experts tasked with drafting a new chapter of the Polish Constitution on the European Union membership. He is a member of the European Scientific Council (European Group of Public Law) and an associate member of the International Academy of Comparative Law.

Detailed Programme | Day 4 |

Friday, 11 September 2020

14:00 - 15:00 CET The Concept and Role of Courts in Family and Succession Matters

The concept and role of courts in family and succession matters present a practical problem in the EU and its Member States. Most EU private international law instruments presuppose that justice in the area of family and succession law is still mainly administrated by courts. However, it is a current trend in the Member States to shift competences in family and succession matters from courts to other authorities such as notaries, civil status officers, child protection agencies, judicial officers, advocates or even the private parties themselves. Are the common provisions on jurisdiction, applicable law and recognition and enforcement of foreign judgments fit to deal with this 'dejuriditisation'? Recent case law of the Court of Justice of the European Union (CJEU) suggests that there is need for reform. The webinar will aim at discussing these issues and presenting the outcome of the feasibility study.



Speakers



Anatol Dutta (Chair)

Anatol Dutta holds a Chair of Private Law, Private International Law and Comparative Law at the Ludwig Maximilians University Munich. He was a Fellow at the Max Planck Institute for Comparative and Private International Law in Hamburg (2003–2014) and Professor at the University of Regensburg (2014–2017). Dutta is on the editorial board of the *Zeitschrift für das gesamte Familienrecht* (FamRZ), a leading family law journal for practitioners and academics in Germany, and a member of the German Council of Private International Law (Federal Ministry of Justice). He has a special interest in family and succession law, from a private international law as well as comparative and interdisciplinary perspective.



Matthias Neumayr

Matthias Neumayr is Professor of Law at the University of Salzburg's Department of Private Law. He has been a judge since 1984 and a judge of the Austrian Supreme Court since 2001. Between 2005 and 2009 he took part in various projects of judicial cooperation and reform in the Western Balkans and Azerbaijan and in 2016–2017 he was a member of the Working Group of the ELI project 'Empowering European Families: Towards More Party Autonomy in European Family and Succession Law'. He is the author of numerous publications.



Elena Bargelli

Elena Bargelli is Professor of Private Law at the University of Pisa. She was a Research Fellow of the Alexander von Humboldt Stiftung at the Max Planck Institute in Hamburg from 2008–2009. She is a member of the ELI Council and Membership Committee and a chair of the Family and Succession Law SIG. She is a member of the International Association of Comparative Law, the European Network for Housing Research and the European Centre of Tort and Insurance Law. In 2017 she became a Member of the Scientific Advisory Board of the Institute for European Tort Law. Her main areas of research are contract, tort, family and housing law.



François Trémosa

François Trémosa has been a notary in Toulouse since 1998. He is a former President of the Notaries of Europe's (CNUE) Succession working group. Between 2006 and 2008, he was a member of the Expert Group of the European Commission on the Succession Regulation and, later, a member of the Committee drafting the European Certificate of Succession. Among other things, Trémosa participated in the ELI's 'Empowering European Families: Towards More Party Autonomy in European Family and Succession Law' project. He regularly participates in the meetings of the European Judicial Network (EJN).

Detailed Programme | Day 4 |

Friday, 11 September 2020

15:15 - 16:15 CET EU Conflict of Laws for Companies

International company mobility and regulatory competition of company laws depend on clear-cut rules designating the applicable substantive company law. It would thus seem an integral part of a functioning internal market to provide such conflict of laws rules. Regrettably, a 'Rome IV' Regulation, ie an EU conflict of laws code for companies, despite manifold initiatives, has not yet been adopted. Instead, the stage has been left to the Court of Justice of the European Union (CJEU), which in well-rehearsed case law from the Daily Mail (C-81/87) to the Polbud (C-106/16) decisions has developed a certain framework for corporate mobility, culminating in Directive 2019/2121 on cross-border conversions, mergers and divisions. One shortcoming of the European status quo is that the piecemeal harmonisation acquired through these developments still leaves a fundamental question unanswered: which company law regime by default is applicable to a given company?



Speakers



Georg Kodek (Chair)

Georg E. Kodek studied law at the University of Vienna and at Northwestern University School of Law. In 2006, after serving at the Vienna district court, the superior court in Eisenstadt and the Court of Appeals in Vienna, he was appointed to the Austrian Supreme Court.

He is Professor of Civil and Commercial Law at the Vienna University of Economics and Business. He has published extensively in the fields of civil and commercial law, insolvency law and civil procedure law.



Jessica Schmidt

Jessica Schmidt holds the Chair for Civil Law, German, European and International Company and Capital Markets Law at the University of Bayreuth. She is a member of numerous international academic associations and of the European Commission's Informal

Expert Group on Company Law and Corporate Governance. She has published extensively on German and European company law as well as on European private law, capital markets law, private international law and comparative law.



Luca Enriques

Luca Enriques is Professor of Corporate Law at the University of Oxford's Faculty of Law, a Research Fellow at the European Corporate Governance Institute and a Fellow Academic Member of the European Banking Institute. He has held visiting positions, among

others, at Harvard Law School, IDC Herzliya, the University of Cambridge Faculty of Law and Sydney Law School. He has published widely in the fields of comparative corporate law, securities regulation and banking law.



Chris Thomale

Chris Thomale is Professor of International Business Law at the University of Vienna. He studied law and philosophy in Heidelberg, Cambridge and Geneva and holds an LLM from Yale University and a PhD from the Free University of Berlin. He was an Associate Professor at the University of Heidelberg and a Visiting Professor at Georgetown University, NTU (Taipei) and the University of Toulouse. His main research interests are corporate and business law, international private law and comparative law.

Detailed Programme | Day 4 |

Friday, 11 September 2020

17:30 - 18:30 CET Corporate Sustainability, Financial Accounting and Share Capital

Sustainability is increasingly considered as a fundamental dimension for finance, economy and society. A variety of initiatives and policy proposals that aim to achieve and enforce corporate sustainability in businesses have emerged in the last few years. The feasibility study aims to identify actual techniques and mechanisms that are used to enact unsustainable corporate policies, in order to show their inconsistency with the general principles of share capital maintenance, investor and creditor protections, and broader environmental, social and governance (ESG) considerations. The webinar will focus on discussing the current state of affairs on corporate sustainability and the preliminary findings of the ongoing ELI SIG project on this matter.



Speakers



Yuri Biondi (Co-Chair)

Yuri Biondi is senior tenured Research Fellow of the National Centre for Scientific Research of France (CNRS) at University Paris Dauphine PSL (IRISSO). He is the founding editor of the journal 'Accounting, Economics and Law: A Convivium' and convener of the Society for the Advancement of Socio-Economics (SASE) Research Network in Accounting Economics and Law. He is a Co-Chair of the ELI Business and Financial Law SIG and serves on the ELI Council.



Colin Haslam

Colin Haslam is Professor of Accounting and Finance at Queen Mary University of London. His research centres on financial reporting and business model viability. Previously he has acted as technical advisor to the European Financial Reporting Advisory Group (EFRAG) disclosure project and the United Nations Environment Program (UNEP/GHG) carbon-risk initiative. In 2019, he gave evidence to relevant UK Government Committees' investigations on the collapse of Carillion and Thomas Cook.



Jean-Philippe Robé

Jean-Philippe Robé is a partner in one of the largest US law firms and teaches at SciencesPo. He was awarded the 2016 Prix du Cercle Montesquieu for his book 'Le temps du monde de l'entreprise'. He is a member of the Informal Expert Group on Company Law and Corporate Governance (ICLEG) advising the European Commission. He has given numerous lectures on enterprise law and corporate governance and published in the field, with his forthcoming book addressing issues of property, power and politics.



Corrado Malberti (Co-Chair)

Corrado Malberti is Associate Professor of Commercial Law at the University of Trento. From 2010–2015, he was Associate Professor of Commercial Law at the University of Luxembourg, where he was the Director of the Master 1 in European Law. He graduated from the University of Milan. He completed an LLM at the University of Chicago and a PhD in commercial law at Bocconi University. He has published widely in the fields of company law and financial market regulation in English, Italian and French.



Vera Palea

Vera Palea is Associate Professor in Accounting and Finance at the University of Turin, with a national qualification as a Full Professor. She is a member of the Scientific Committee of the Italian Body for Business Reporting. Recently, she joined the Inter-governmental Working Group of Experts on International Standards of Accounting at UNCTAD. She was an Academic Fellow at the European Financial Reporting Advisory Group and is now involved in the ELI's feasibility study on Corporate Sustainability, Financial Accounting and Share Capital.



Maria di Sarli

Maria Di Sarli is Assistant Professor of Company Law at Turin University. She is a member of the Board of Directors at the Centro RES (Regulation, Ethics and Society) and a member of Centro CRISI (Centro di Ricerca interdisciplinare su Impresa, Sovraindebitamento e Insolvenza dell'Università di Torino). Di Sarli received her PhD in Commercial law from Bocconi University and has published widely in the fields of company law and accounting law.

Coronavirus and the Law - Book Launch

Friday, 11 September 2020

18:45 - 19:45 CET

The COVID-19 pandemic is causing disruption and unrest around the globe and legal issues across all legal areas are arising in regard to it. The collection of around 60 essays entitled *Coronavirus and the Law* (eds Ewoud Hondius, Marta Santos Silva, Andrea Nicolussi, Pablo Salvador Coderch, Christiane Wendehorst, Fryderyk Zoll; Intersentia, 2020), attempts to address these issues and offer guidance to judges, businesses and citizens in Europe and beyond. The webinar will offer an opportunity to present some of the currently most pressing legal issues covered in the book and discuss them with the European legal community.



Speakers



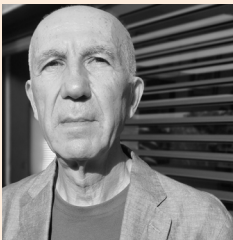
Ewoud Hondius (Chair)

Ewoud Hondius holds a doctorate from Leiden and honorary degrees from Edinburgh and Leuven. He is Emeritus Professor of European Private Law at the University of Utrecht. Previously, he was a Visiting Professor in Cambridge, Kyoto, Münster, Paris I and Sydney. He was a member of the Commission on European Contract Law. He has written or edited several books on private and consumer law. He is a *membre titulaire* of the International Academy of Comparative Law and member of the Royal Netherlands Academy of Sciences.



Andrea Nicolussi

Andrea Nicolussi is Full Professor of Civil Law at the Law Faculty of the Catholic University of Milan, where he teaches comparative private law and family law. His published works focus on unjustified enrichment, contract law and tort law, as well as biolaw and family law. He has taken part in international collaborations such as the Study Group on a European Civil Code and the Eusoco project and was a member of the National Bioethics Committee. He is co-editor of the book *Coronavirus and the Law in Europe*.



Pablo Salvador Coderch

Pablo Salvador Coderch studied law and economics at the University of Barcelona. He is a co-founder of and Emeritus Professor at the Pompeu Fabra University, Barcelona. Since 1995, he is of counsel at Cuatrecasas Abogados. He is a member of the ALI, the ELI, and the International Academy of Comparative Law and founder of InDret. He writes and teaches on civil law, civil constitutional law, legislative drafting, and comparative law of torts and contracts.



Marta Santos Silva

Marta Santos Silva is Lecturer at Maastricht University and affiliated senior researcher at KU Leuven dealing with consumer law and sustainability. She was appointed member of the Expert Group on Liability and New Technologies (Product Liability Formation), providing the European Commission with expertise on the applicability of the Product Liability Directive to traditional products, new technologies and new societal challenges. She is a member of the ELI Digital Law SIG.



Christiane Wendehorst

Christiane Wendehorst is Professor of Law at the University of Vienna. She is a member of the Academia Europaea, the Austrian Academy of Sciences, the International Academy of Comparative Law the American Law Institute, and numerous international research groups and advisory bodies. Before coming to Vienna, she held full professorships in Germany and served as Managing Director of the Sino-German Institute for Legal Studies. Wendehorst is President of the ELI and one of its Founding Members.



Fryderyk Zoll

Fryderyk Zoll is Professor at the Jagiellonian University of Cracow and the University of Osnabrück and Doctor Honoris Causa of the Ternopil National University. He has been a member of the Redaction Committee of Acquis Group, the Common Frame of Reference Team and the Codification Commission at the Polish Ministry of Justice (2011–2015), among others. He is a member of ELI and of its Executive Committee. He has been involved in many projects focusing on EU private law. He is also an arbitrator at the Arbitration Tribunal at the Polish Chamber of Commerce.

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- Uniting prominent jurists of all legal professions
- Aiming to improve the law in Europe
- Carrying out projects with immediate practical application

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

Executive Committee

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2021 ELI Conference

The 2021 ELI Annual Conference will take place in Vienna, Austria from **6–8 September 2021**.

ELI in Vienna

The Secretariat of the 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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