



Welcome

'After 10 years, one can acknowledge that the European Law Institute (ELI), with its members comprised of judges, legal professionals, academics and jurists of other vocational backgrounds from across Europe and beyond, has given voice to the European legal community. ELI has fostered the common vision of its members of a Europe that supports the rule of law and fundamental principles, that tackles the challenges of digitalisation and AI, as well as those of climate justice and the environment. ELI aims at constantly improving and further developing the law by adequately taking various legal cultures and experiences into consideration.'

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

At the heart of ELI's activities are its projects, which can be long-term endeavours or quick reactions to legislative developments.

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, 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 several European institutions such as the European Parliament, the European Commission and the Council of Europe as well as international institutions such as the United Nations Commission on International Trade Law (UNCITRAL) and the International Institute for the Unification of Private Law (UNIDROIT).



Pascal PichonnazPresident of the European Law
Institute



We have a lot of things to do to convince different citizens that the rule of law is not just an abstract concept for some judges and lawyers, but it is very important if you have a conflict with the authorities, with businesses, or with other citizens, that you have the capacity to go to an independent, qualified, and efficient judge to defend your position. We need to explain that better and better, but I know that we are doing that together with the European Law Institute and I am sure that we will continue to work on it with the Institute.

Didier ReyndersEuropean Commissioner for Justice

Despite its young existence, ELI has already established itself as a leading independent organisation whose scholarly work contributes to clarifying, modernising and otherwise improving European law, understood in a broad sense. It provides European scholars with an ideal institutional framework within which they can exchange ideas and learn about each other's national experiences. Most importantly, ELI gives new impetus to the comparative law method in the 21st century, a method of interpretation that enhances the legitimacy of the EU by interlocking European and national legal orders.

Koen Lenaerts

President of the Court of Justice of the EU (CJEU)

ELI is characterised by the diversity of its members and its work scope. It is quite unusual that its Members consist of experts on the one hand as well as institutions like supreme courts, universities and law firms on the other. Its work programme is marked by a broad spectrum of topics and, above all, contains projects aiming at the development of the European legal order. Austria is proud to have been chosen as the seat of ELI at the University of Vienna.

Alexander Van der Bellen President of Austria

A Unique Platform

Building on the wealth of diverse legal vocations and traditions, ELI's mission is the quest for better law-making in Europe and the enhancement of European legal integration. ELI is therefore committed to the principles of comprehensiveness and collaborative working, thus striving to bridge the oft-perceived gap between the different legal cultures, between public and private law, as well as between scholarship and practice.

ELI is a unique, democratic, membership-based organisation established under Belgian law as an 'Association Internationale Sans But Lucratif' (AISBL). Founded in June 2011 as an entirely independent organisation, ELI aims to improve the quality of European law. It is currently headquartered in Austria, where the Secretariat is hosted by the University of Vienna.

Building on the wealth of diverse legal traditions, its mission is the quest for better law-making in Europe, the enhancement of European legal integration and the formation of a more vigorous European legal community.

The uniqueness of ELI's membership base is expanded upon in more depth on pages 6 and 7.

As an organisation committed to the principles of comprehensiveness and collaborative working, ELI strives to bridge the oft-perceived gap between different legal cultures, between public and private law, as well as between scholarship and practice. To further that commitment it seeks to involve a diverse range of personalities, reflecting the richness of the legal traditions, legal disciplines and vocational frameworks found throughout Europe.







A Membership-Based Organisation

It is ELI's constituents that run and shape its course. It is also its constituents, through its elected Council, that approve projects to go ahead under the Institute's auspices, and it is the Council or Membership that critique and ultimately vote on whether to approve the results of projects as worthy of ELI's seal.

Embracing Diversity

We firmly believe in building on the wealth of diverse legal traditions and legal vocations in our quest for better law-making in Europe. As such, all our structures, from the composition of key bodies to Project Teams, strive to harness this principle by striking an appropriate balance of lawyers, judges, academics and other members of the legal profession from various locations of the European continent (and where appropriate, beyond).

Spanning the Breadth of the Law

We pride ourselves on covering all branches of law, from substantive to procedural; private to public.

Membership and Governance

ELI has over 1,600 Individual Members and nearly 120 Institutional Members, reflecting the full diversity of legal communities in Europe and beyond. Our Members are a fundamental part of the Institute, having been so from ELI's conception, and are the driving force behind ELI's progress.

ELI is a special melting pot of legal communities that affords exceptional opportunities for individuals to engage with peers from their own or different vocational and geographical legal backgrounds.

Members can be involved in all aspects of the Institute's work, in pursuance of the principle of collaborative working, from governance to projects. It is this expansive constituency that ensures that the Institute's output is broadly considered and impactful.

Together, ELI Members form a unique legal community, with Individual Members stemming from over 60 countries in Europe and beyond. Institutional Members largely fall into the following categories:

- EU institutions (including the European Parliament, the CJEU and the European Union Agency for Fundamental Rights (FRA))
- International organisations (such as UNCITRAL, the Organization for Security and Co-Operation in Europe (OSCE) and UNIDROIT)
- Over 20 Supreme Courts (including the French, Italian, Spanish, Thai and UK Supreme Courts) and other courts of the highest instance
- Professional associations (such as the Council of Bars and Law Societies of Europe (CCBE), the Council of the Notariats of the European Union (CNUE) and the European Network of Councils for the Judiciary (ENCJ))
- Law firms (among them, Freshfields Bruckhaus Deringer LLP and Schönherr Rechtsanwälte)
- Academic and other entities (such as the Academy of European Law (ERA), the European Law Students' Association (ELSA) and numerous law faculties)

Fellows

Reputable individuals or legal entities that actively engage, through their professional, vocational or scholarly activities, in European legal development. Fellows make crucial decisions about the direction of ELI. Among other things, they can vote to approve the results of ELI projects and can elect candidates to sit in ELI's Council, the Institute's main governing body. Each Individual or Institutional Fellow has one vote.

Observers

Reputable individuals or legal entities actively involved in European legal development, but cannot undertake to act without regard to the interests of particular stakeholders. As such no voting rights are conferred on them.

Sustaining Members

Individual Fellows or Observers that support ELI by doubling their Membership fees, giving ELI a dependable safety net and enabling it to embark on new initiatives which further its causes.



Individual Application Form



Institutional Application Form

Membership Benefits At-A-Glance

ELI works closely with its Membership Committee to offer a range of benefits for its Members, both Individual and Institutional. An overview of Membership benefits is displayed in the table below.

	Institutional Members	Sustaining Members	Individual Members
Free Entry to ELI Annual Conference	✓	✓	✓
Access to ELI approved project output	~	✓	✓
30% discount on the UK recommended retail price of ELI's publications with Oxford University Press	~	✓	✓
20% discount on Oxford University Press publications*	✓	✓	✓
25% discount on conferences hosted by the Academy of European Law in Trier		✓	✓
Hub and SIG Membership	~	✓	✓
Short Biography on the ELI website	✓	✓	
Networking Breakfast/Dinner	✓	✓	
Subscription to our Newsletter	✓	✓	✓

Membership and Governance

Membership

The Membership consists of all the Institute's Fellows and Observers. Observers have a right to participate in meetings and to speak, but not, as is the case with Fellows, to vote. The main functions of the Membership are to elect Members of the Council and to approve the results of ELI projects carried out under the regular procedure. ELI's Annual Conference provides a forum that gathers all ELI Members together to critique progress made on current projects and provide guidance on prospective ones.

Council

The Council consists of up to 56 Members, elected by the Membership from among the individual Fellows in a way that adequately takes into account the general principles of the Association. In addition to elected Council Members, the President, the two Vice-Presidents and the Treasurer become exofficio Members of the Council from the moment they take office. Further, up to 10 Members can be offered ex-officio seats on the Council. As the Institute's governing body, its tasks extend to the election of the Executive Committee, the approval of the accounts and the budget and the appointment of ELI's auditor. The Council, which meets up to four times a year, is also charged, amongst other things, with deciding which projects ELI should embark on, shaping them and approving their final results.

Executive Committee

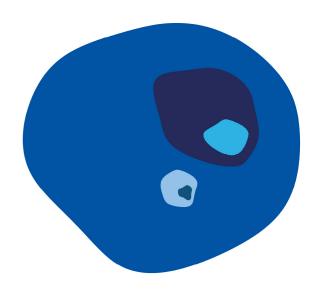
The Executive Committee is ELI's administrative body, consisting of four nominate positions (President, two Vice-Presidents, Treasurer) and three innominate Members. The Executive represents ELI and is charged with the general administration of the Institute as well as the implementation of decisions made by competent bodies of the Institute. The Executive meets several times a year.

Senate and Arbitral Tribunal

The Senate is a body of persons, each of whom has an outstanding reputation, ready to give advice. It consists of up to 21 ELI Fellows. Three Members of the Senate form ELI's Arbitral Tribunal, which settles any disputes that may arise. They are appointed by the Senate for a three-year term. The Senate meets at least once a year.

Secretariat

The Secretariat, which is hosted by the University of Vienna, is tasked to support the competent bodies of the Institute and Project Teams. Its responsibilities also include securing funding for the Institute, overseeing the Institute's budget and expenditure, ensuring compliance with ELI's Statute and various ELI guidelines, planning and organising key ELI events and meetings, the admission and care of ELI Members, as well as public relations. The Secretariat is headed by a Secretary General, and is staffed by Project Officers, Membership and Finance Officers and a PR Officer. It welcomes interns throughout the year.



Membership

Composed of all the Institute's Fellows and Observers

Council

Consists of up to 56 elected delegates and up to 10 exofficio Members in addition to the President, Vice-Presidents and Treasurer

Executive Committee

President, two Vice-Presidents, Treasurer and three ordinary Members

Senate

Consists of up to 21 ELI Fellows

Arbitral Tribunal

Three Members of the Senate appointed by the Senate

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

Věra Jourová

Vice-President of the European Commission for Values and Transparency

This is the first joint project between ELI and the ALI. The ALI has been looking for a suitable project to embark on with ELI and this was really ideal as it is a developing area of the law. People in both Europe and the United States have a very strong interest in figuring out how to address data transactions and the data economy, as existing areas of law may not fit well into the transactions involving data.

Neil B Cohen

Reporter for the ALI-ELI Principles for a Data Economy Project

The publication of this report is a timely reminder that freedom of speech and expression is a cornerstone throughout Europe of democracy and the fundamental freedoms which we all enjoy. The struggle for that freedom has been long, but the constitutional tradition that has developed across Europe has given us a common bond and value. When it has been denied, that denial has enabled dictatorships to wage aggressive wars and subject those they conquer to tyranny. The enjoyment of that tradition in Ukraine must not be supplanted as a result of the Russian invasion.'

Lord John Thomas

First Vice-President of ELI and Assessor of the Common Constitutional Traditions Project

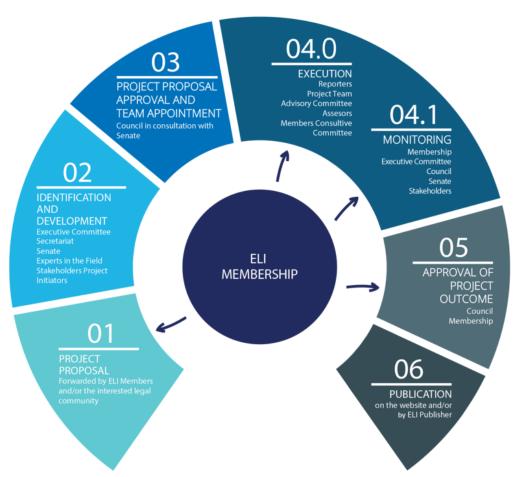
Projects and Similar Initiatives

Projects are ELI's foremost focus among its range of activities. The Institute's project portfolio span three umbrella topics: Rule of Law in the 21st Century, Law and Governance for the Digital Age and Sustainable Life and Society. Ideas for projects are put forward by stakeholders, ELI Members, Hubs, SIGs or High Level Expert Groups, composed of leading experts in the field, that ELI establishes on an ad hoc basis. In addition to projects, ELI (or its bodies) also embarks on shorter-term initiatives, usually under accelerated procedures. These include the ELI Council Resolution on Ukraine, ELI's COVID-19 Principles, ELI's Innovation Papers and Responses to EU Public Consultations.

Projects carried out under the auspices of ELI should:

- Serve the people, companies and organisations in Europe by improving the law or facilitating its application
- Be principally capable of producing results which can be of immediate practical utility to legislative bodies, judiciaries or other interested parties
- Have a genuinely pan-European perspective which takes due account of Europe's various legal traditions

Project Workflow



The selection, management and approval of projects carried out under the auspices of ELI are regulated by ELI's Project Guidelines, which can be found on our website. The above pictogram depicts the various stages of a project's life-cycle and the comprehensive consultation processes.

The ELI Executive Committee, supported by ELI's Scientific Director, is responsible for identifying ELI projects and for submitting them as project proposals to the Council. The Executive consults the Senate and, where appropriate, experts in the field and relevant stakeholders.

Projects and Similar Initiatives

Broad Consultation

ELI projects have fallen into four broad categories, namely draft legislative proposals; model laws, model rules or statement of principles; checklists, other practical guidance; and position papers.

Projects are conducted by Reporters, supported by additional members of the Project Team, as well as an Advisory Committee (AC) and in most cases a Members Consultative Committee (MCC). The Council must concurrently add to the AC two or three members drawn from the Council as Assessors whose task it is to keep themselves informed about the project, closely monitor the quality of the work being carried out, supervise and contribute to regular reports to the Council and Executive and provide a separate report on the project to focus discussion on approval of the draft.

The role of the AC and MCC is to provide comments at various stages of the project. The AC consists of appointed experts whereas the MCC may be joined by any Member, Individual or Institutional, of the Institute. MCCs play an essential role in the work of ELI projects. MCC members come from various legal professions and specialise in different areas of law. It is precisely this diversity which enriches the debating potential of the MCC and makes its contribution so valuable.

In addition to the above safeguards, project quality is also guaranteed particularly through the periodic consultation of ELI Executive, Council, Senate and Membership. Teams also work in close liaison with ELI's Scientific Director who offers guidance. The final results of a project have to be approved by the Council and the Membership (in the latter case, except in the case of a project under the accelerated procedure). Completed projects, and the results thereof, may only be published as an official position of ELI after they have been approved by ELI bodies. ELI outputs are freely downloadable online and, depending on their nature, may be available to order with background materials from ELI's publisher, Oxford University Press.

In addition to projects, ELI embarks on a broad range of other initiatives, such as innovation Papers and responses to consultations issued by the European Commission.

Immediate Practical Effect

ELI's projects aim to produce results of immediate practical utility and have, among other things, inspired national governments and EU bodies in the drafting of legislation. Projects have also received the endorsement of key national and European bodies, including the European Parliament. For an overview of completed, current and prospective ELI projects, we invite you to visit the ELI website.

Project Team

Reporters have the prime responsibility for conducting ELI projects. Reporters and, where applicable, other members together form the Project Team. The above, as well as the AC and Assessors, are specialists of outstanding reputation in the relevant field of research and have diverse backgrounds, both in terms of geography and vocation.

AC and Assessors

The AC is a group of expert advisors who support the work of the Project Team, in consultation with the Executive Committee. These include two or three Council Members who act in the capacity of peer reviewers and auditors of quality (Assessors).

MCC

A group of ELI Members who take interest in a particular project. The MCC is established by the Council, with a view to its influencing the direction of the ELI project in question.



Annual Conference

ELI's Annual Conference and Meetings is the principal means through which the fifth aim set out in Article 3 of ELI's Statute has been achieved, namely to provide a forum, for discussion and cooperation, of jurists irrespective of their vocation or occupation, *inter alia* academics, judges, lawyers and other legal professionals, who take an active interest in European legal development and together represent a broad range of legal traditions.

The ELI Annual Conference takes place in September every year. The Conference promotes a series of panels of both current and prospective ELI projects, which span a number of areas of law. The Conference features welcome addresses and a keynote speech by distinguished individuals. It is also an occasion for exemplary ELI Hubs and SIGs to be recognised and for the Young Lawyers Award to be handed over.

Annual Conference Venues

- 2022 Madrid, Spain
- **2021 Online**
- **2020 Online**
- 2019 Vienna, Austria
- 2018 Riga, Latvia
- 2017 Vienna, Austria
- 2016 Ferrara, Italy
- 2015 Vienna, Austria
- 2014 Zagreb, Croatia
- 2013 Vienna, Austria
- 2012 Brussels, Belgium
- 2011 Vienna, Austria

Keynote speakers



2021 Marija Pejcinovic Buric Secretary General of the Council of Europe



2020
Didier Reynders
EU Commissioner for Justice



2019 Anna Joubin-Bret Secretary of UNCITRAL



2017
Michael O'Flaherty
Director of the EU Agency
for Fundamental Rights



2016 Koen Lenaerts President of the CJEU



2015 Věra JourováCurrently Vice-President of the European Commission for Values and Transparency

ELI's Satellite Groups

Hubs and 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.

ELI Hubs are a practical means through which ELI Members can meet closer to home, communicate in their native language, discuss current or upcoming projects, and generate ideas for future ELI activities.

In consultation with its Executive Committee, ELI relies on SIGs to prepare responses to any EU or other relevant consultation or legislative proposal; provide an effective means to review any legal instruments within their area of expertise; and, most importantly, provide an active forum for debate by ELI Members in the field through which project proposals could be developed, and, where appropriate, carry out such project work.

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

At present, ELI has 14 Hubs and 11 SIGs and constantly adds to these numbers in line with demand.

Current ELI Hubs

- Austrian Hub
- Belgio-Luxembourg Hub
- Croatian Hub
- French Hub
- German Hub
- Hungarian Hub
- Irish Hub
- Italian Hub
- Polish Hub
- Slovenian Hub
- Spanish Hub
- Turkish Hub
- Ukrainian Hub
- United Kingdom Hub



Current ELI SIGS

- Administrative Law SIG
- Business and Financial Law SIG
- Competition Law SIG
- Digital Law SIG
- Dispute Resolution SIG
- Environmental Law SIG
- Family and Succession Law SIG
- Fundamental Rights Law SIG
- Global Private Law SIG
- Insurance Law SIG
- Intellectual Property Law SIG



ELI Hubs and SIGs

Giving a Voice to Young Lawyers

As today's young lawyers are tomorrow's legislators and influencers, ELI launched its Young Lawyers Award in 2016 to give voice to future European legal experts and to help ELI in fulfilling its core mission of improving the quality of European law. The award is supported by ELI and other appropriate participating institutions.

Applicants must be students currently undertaking a university law degree, whether undergraduate or postgraduate, or be within five years of being awarded a law degree at the date by which entries must be submitted.

Candidates must submit a unique and original paper which was not previously published and deals with a European legal issue that could be improved. The contribution may be submitted in English. Papers for the ELI Young Lawyers Award have to be submitted by 30 April each year.

The Jury of the ELI Young Lawyers Award is drawn from ELI and other participating institutions. It is selected by the ELI Executive Committee every two years.

The successful candidate wins a cash prize and is invited to present their paper at the ELI Annual Conference. This provides the winner with an opportunity to meet some of the world's leading legal experts and exchange ideas with them. Their accommodation and travel expenses are covered (subject to a maximum sum of EUR 1,000). In addition, the winning contribution is published on ELI's website and its author awarded two years of free ELI Fellowship, which allows the winner to be involved in the activities of the Hub of their residence or SIGs, present project proposals and participate in the MCCs of the various ELI projects.

Interleges has been the proud sponsor of the Award since 2018.

INTERLEGES the international association of independent law firms

Entry Criteria

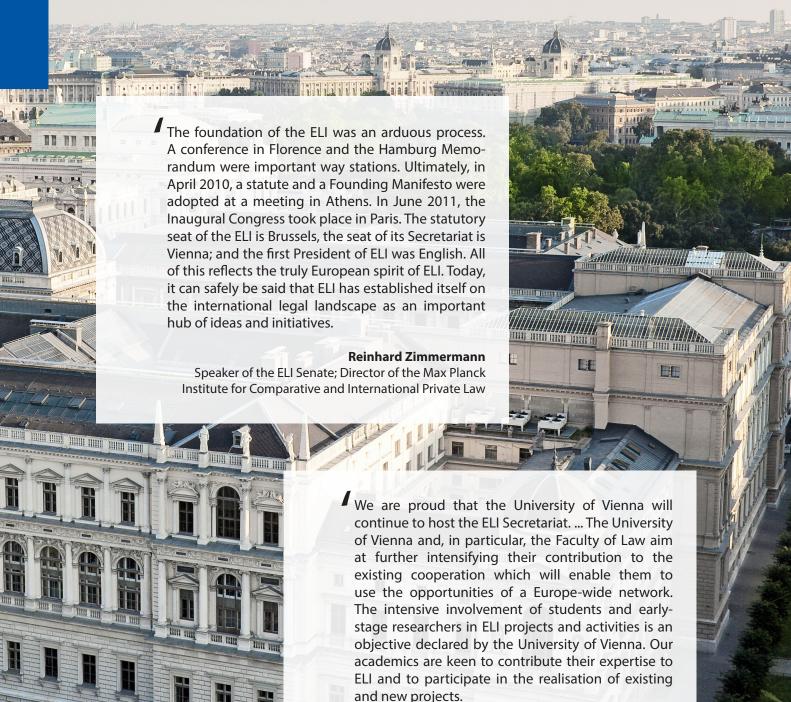
- Candidate currently undertaking a law degree or within five years of being awarded a law degree at the date by which entries must be submitted.
- A unique and original paper on a European legal issue.

Prizes

- Cash
- Presentation of paper at the ELI Annual Conference
- Publication of paper on ELI website
- Travel and accommodation expenses covered
- Two-year complimentary ELI Membership







Heinz Engl

Former Rector of the University of Vienna

History

In 2012, the ELI published its first Statement: Case-Overload at the European Court of Human Rights and the ELI Statement on the Proposal for a Regulation on a Common European Sales Law.

In 2015, the agreement between ELI and the University of Vienna was extended until 2019. A second Supplement on the Statement on Sales was issued.

In 2017, ELI published the Draft Legislative Proposal for the Prevention and the Resolution of Conflicts of Jurisdiction in Criminal Matters in the European Union, the ELI Statement on Detention of Asylum Seekers and Irregular Migrants and the Rule of Law and the ELI Instrument on Rescue of Business in Insolvency Law.

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

> In 2020, ELI published its Model Rules on Online Platforms, the ELI Report on Protection of Adults in International Situations and the ELI Principles for the COVID-19 Crisis.

In 2021, ELI celebrated its 10th anniversary. Its Report on For a European Approach to R&D Tax Incentive(s) and the ALI-ELI Principles for a Data Economy, the ELI-UNIDROIT Model European Rules of Civil Procedure, the ELI Innovation Paper on Guiding Principles for Updating the EU Product Liability Directive for the Digital Age, a Supplement to the ELI Principles for the COVID-19 Crisis and Response to the Public Consultation on the Data Act were published.

In 2023, ELI published Feedback on the European Commission's Proposal for a Revised Product Liability Directive, ELI Guidance on Company Capital and Financial Accounting for Corporate Sustainability and Principles on Blockchain Technology, Smart Contracts and Consumer Protection.

In May 2011, the University of Vienna won the tender to host the ELI Secretariat. In July, the Inaugural Congress of ELI took place in Paris. In November, then Commissioner of Justice Viviane Reding opened the ELI Secretariat.

In 2014, ELI published a Statement on Collective Redress and Competition Damages Claim, a supplement to its Statement on the Proposal for a Regulation on a Common European Sales Law and a Response to the European Commission's Public Consultation on the Review of the EU Copyright Rules.

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

In 2018, the agreement between ELI and the University of Vienna was extended until 2023. ELI also published the ELI Statement on the Principled Relationship of Formal and Informal Justice through the Courts and Alternative Dispute Resolution.

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

2011

2012

2014

2015

2016

2017

2018

2019

2020

2021

2022

2023

European Law Institute

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

Members of ELI can contribute to its projects and gain access to an international network of jurists. Apart from various other activities, ELI hosts its Annual Conference, a three-day event that includes meetings of its various bodies, panels on various fields of law and several social events, bringing together some of the leading legal experts in law from Europe and beyond.

Executive Committee

President: Pascal Pichonnaz **First Vice-President:** Lord John Thomas

Second Vice-President: Anne Birgitte Gammeljord

Treasurer: Pietro Sirena

Other Members: Bénédicte Fauvarque-Cosson

Teresa Rodríguez de las Heras Ballell Aneta Wiewiórowska-Domagalska

ELI in Vienna

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

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



ELI Secretariat

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The ELI Secretariat is hosted by the University of Vienna ELI is also supported by the City of Vienna





