



# ELI

EUROPEAN  
LAW  
INSTITUTE

# ELI Updates

## July - August 2017



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### MESSAGE FROM MUNA DUZDAR,

AUSTRIAN STATE SECRETARY FOR DIVERSITY, PUBLIC SERVICES AND DIGITALISATION

Dear ELI Members and Friends

I am honored to address you in this newsletter. As a young Austrian lawyer, it delights me to know that of all European cities, the Secretariat of the European Law Institute (ELI) is situated in Vienna. I hope things remain that way. Given my mandate, among other things, on digitalisation, it strikes me as opportune that that theme will be featuring prominently in the upcoming ELI Annual Conference here in Vienna next month.

In the face of global processes like cross-border trade and labour, a European Framework is absolutely crucial, especially one concerning digitalisation. Digitalisation is not only accelerating processes and trends in our society; there are, in addition, nearly no physical borders to progressive technologies. Very often our national laws cannot provide satisfactory means to regulate new technologies, which increasingly operate across borders and not simply in one national State. With new and emerging technologies we are facing a new era of information technology, but we lack common understanding and common sanctions to bridge gaps. Broadly discussed topics I am currently dealing with are online hate speech and cyber-mobbing. Not even within the European Union do we adopt a common approach to tackling those problems. We are more than ever between wide fields of interpretations of what should be allowed as a matter of free speech and what should be prohibited as inciting hate crime. Within this definition there are many grey areas where our national legislation and cross-border law enforcement systems are not effective enough, since they struggle to solve the above issues in a satisfactory manner).

Also the roles and the responsibilities of social media platforms like Twitter, Facebook, YouTube and other smaller platforms are not entirely clear. While from an Austrian point of view social media providers have (according to a law on E-Commerce) to delete illegal comments on notification of their existence, there are different views in other countries in the European Union. Germany drafted its first legislation (*Netzwerkdurchsetzungsgesetz*) to regulate social media platforms, provisions of which hold platform providers responsible; at European level there is no legislation yet; only a voluntary codex between the largest social media platforms and the European Commission to define how to tackle online hate speech. The first evaluation of the codex shows that there is a slight improvement when it comes to deleting online hate speech from platforms, but still it seems that for a long-term solution the codex alone will not suffice. Also, in the meanwhile, the German solution is heavily criticised by civil society organisations who argue that law enforcement is put in the hands of private companies resulting in over blocking content and hampering free speech.

Current developments show that we will need a smart European regulation to tackle the above problems but we must also recall that freedom of speech is a crucial part of our democracy. The ELI, as an international network, is extremely well-positioned to advise and comment upon such a framework.

Muna Duzdar

## Message from the Austrian President Alexander Van der Bellen



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As the Federal President of the Republic of Austria I am very pleased that the European Law Institute's (ELI's) Annual Conference and General Assembly take place in Vienna already for the fourth time, apart from the opening ceremony of the ELI and its Secretariat which had been held in Vienna in November 2011. The ELI is also closely connected with Vienna and Austria.

I would like to welcome all participants very cordially.

The 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.

Thereby close working relations exist with European institutions, especially the European Parliament, the European Commission and the Council of Europe as well as with institutions outreaching Europe.

Over the decades the EU has evolved from an organisation primarily focused on economic matters to a community of values. This development has been completed by the Lisbon Treaty which puts the henceforth legally binding EU Charter of

Fundamental Rights at the same level as the EU Treaty. In its Article 2 the Treaty contains a summing-up of the fundamental values on which the EU is based. One of these values is the rule of law. The independence of judges is an essential element of the rule of law. The fact that judges are appointed by the State president or a member of the government does not contradict the rule of law. However, the dismissal of already appointed judges must be considered in a quite different manner.

Pursuant to Austrian constitutional law, judges may only be dismissed or against their will transferred to another court by a judgment. Austria is proud to have been chosen as the seat of the ELI at the University of Vienna. I would like to take this opportunity to thank Rector Professor Heinz Engl and Vice-President Professor Christiane Wendehorst for their initiative and their continuous efforts.

In Austria, it has soon been realised that well sounding fundamental rights only make sense if an efficient legal protection system exists for their implementation. Already in 1867, the 'Reichsgericht' has been founded for this purpose. The Constitutional Court, established in 1919, is the worldwide oldest, still existing court specialised in constitutional matters. The Austrian Civil Code (ABGB), dating back to 1811, is one of the oldest codifications of civil law in Europe. Its section 16 expresses that every human being has innate rights which are already evident through reason and has therefore to be considered as a person. Likewise, the beginnings of Austrian social legislation date back to the 19th century. Austrian constitutional law combines the principles 'democracy', 'fundamental rights' and 'rule of law' to a whole unit. It is inadmissible to play one of them off against another. Correspondingly, Article 2 of the EU Treaty mentions exactly these principles side by side at the same level.

I wish your conference much success and am confident that Vienna will continue to remain the seat of the ELI Secretariat.

To read the message in German, please click [here](#).

# The 2017 ELI Annual Conference: Brief Overview

## Keynote Speakers and Greetings



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



**Lance Liebman**  
 Former Director of the  
 American Law Institute and  
 Professor of Law at Columbia  
 Law School



**Wolfgang Brandstetter**  
 Austrian Vice-Chancellor  
 and Minister of Justice

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*Vienna City Hall, Lichtenfelsgasse 2 Entrance* (Registration opens at 09:30 for Council members; 10:00 for others)

**ELI Council Meeting** (ELI Council members only)

10:00–11:00, *Vienna City Hall, Nordbuffet*

### Wednesday 6 September

#### **ELI GENERAL ASSEMBLY INCLUDING EUROPEAN YOUNG LAWYERS' AWARD: WINNER'S PRESENTATION** (ELI members only)

11:05 –12:35, *Vienna City Hall, Festival Hall*

#### **ELI ANNUAL CONFERENCE** (all others)

*Vienna City Hall, Festival Hall*

14:00–14:30, Welcome Addresses and Introduction

14:30–18:00, Panel Sessions

#### **Evening Reception**

19:00 –22:00, *Palais Trautson*

### Thursday 7 September

#### **ELI ANNUAL CONFERENCE** (conference participants)

*Vienna City Hall, Lichtenfelsgasse 2 Entrance* (Registration Opens at 08:00)

09:00–17:00, Panel Sessions

17:00–17:30, Announcement of the Council Election Results

#### **ELI Council Meeting**

17:30–19:00, *Vienna City Hall, Nordbuffet*

#### **Conference Gala Dinner**

19:30–22:00, *Palais Niederösterreich*

### Friday 8 September

#### **ELI ANNUAL CONFERENCE** (conference participants)

*University of Vienna, Faculty of Law, Schottenbastei 10-16, 1010 Vienna*

09:30–16:30, Panel Sessions and Special Interest Group Meetings

#### **Social Event**

19:00–22:00, *Heuriger am Pfarrplatz*

[Conference Brochure](#)

[Venues & Directions](#)

[Vienna City Guide](#)

## The ELI Would Like to Thank the 2017 Annual Conference Hosts and Supporters:

This year, the ELI Annual Conference was kindly co-organised with the City of Vienna and hosted by the University of Vienna. The ELI Secretariat has counted on their valuable support in preparing for the event.



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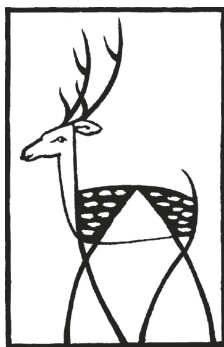


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## The ELI Would Also Like to Thank this Year's Exhibiting Sponsors:



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## Featured ELI Projects and Feasibility Studies at the ELI Conference

At this year’s ELI Annual Conference and General Assembly, six current ELI Projects, two Feasibility Studies and seven potential Projects will be presented.

### Current Projects

- Rescue of Business in Insolvency Law
- Detention of Asylum Seekers and Irregular Migrants and the Rule of Law
- Joint ELI-UNIDROIT Project on From Transnational Principles to European Rules of Civil Procedure
- Joint ELI-ENCJ Project on The Principled Relationship of Formal and Informal Justice through the Courts and Alternative Dispute Resolution
- Draft Model Rules on Online Intermediary Platforms
- Empowering European Families: Towards More Party Autonomy in European Family and Succession Law

### Feasibility Studies

- ALI-ELI Feasibility Study on the Principles for a Data Economy
- ELI-ULC Feasibility Study on Fiduciary Access to Digital Assets

### Prospective Projects

- Common Constitutional Principles
- Business and Human Rights
- Internet of Things
- Third-Party Funding of Litigation
- Protection of Adults in International Situations
- R&D Tax Incentives
- Conflict of Laws and Digitalisation

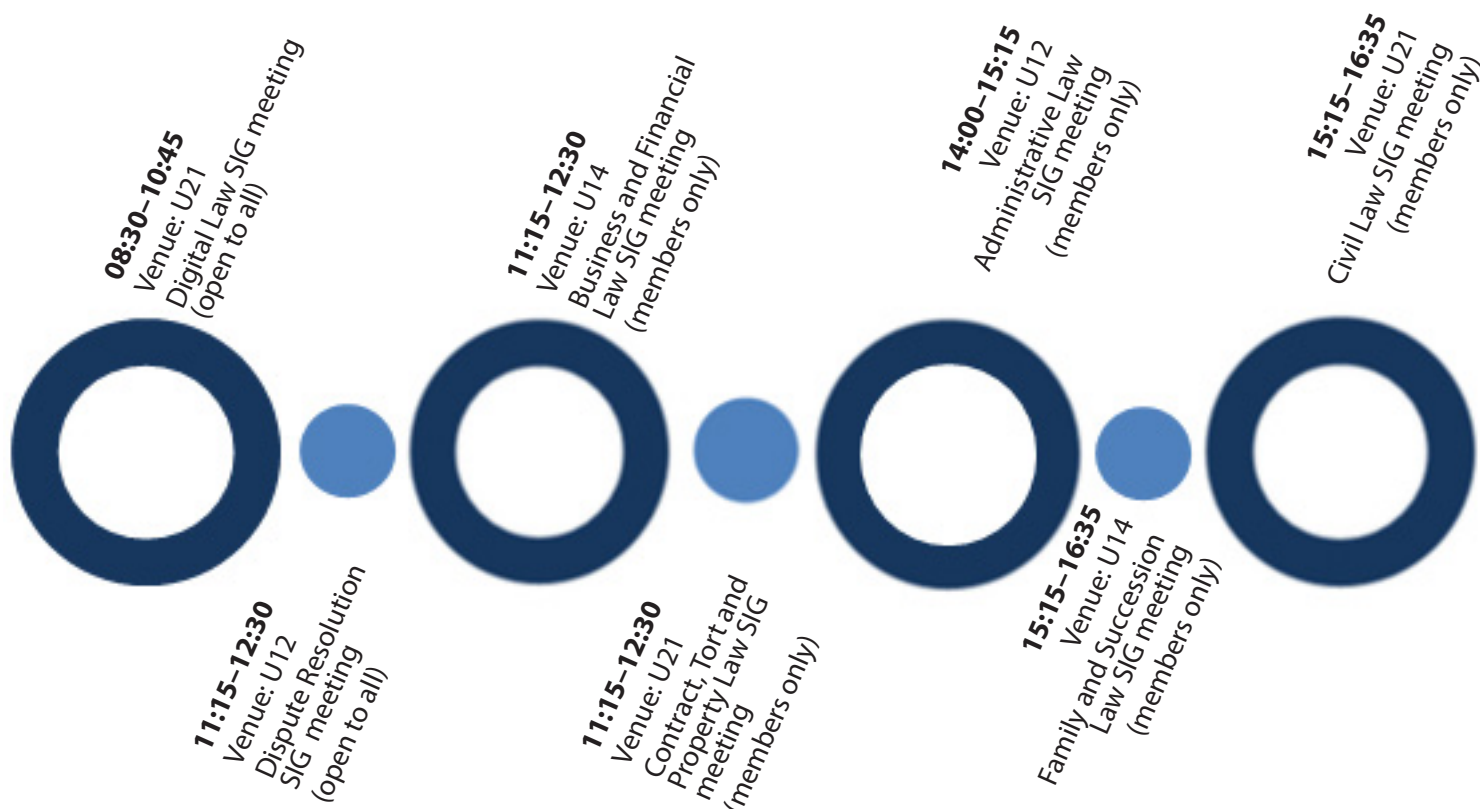
To learn more about current and prospective ELI Projects, we invite you to visit the ELI [website](#).

## Special Interest Group (SIG) Meetings at the ELI Conference

One of the highlights of the ELI 2017 Annual Conference in Vienna will be the meetings of some of the ELI’s SIGs on 8 September. Don’t miss the opportunity to contribute to the discussions in Vienna!

Visit the [SIG section](#) of our website to obtain further information on each SIG meeting. To join a SIG, please [contact the ELI Secretariat](#).

8 September 2017, University of Vienna, Faculty of Law, Schottenbastei 10-16, 1010 Wien



## Updates on Projects

### ELI-UNIDROIT Project Meeting in Paris (France)



This project is co-funded by the European Union

On 3 July 2017, the Co-Reporters of the 'Structure' Working Group (WG), Loïc Cadiet (Professor at the Pantheon-Sorbonne University, France) and Xandra Kramer (Professor at the University of Utrecht, The Netherlands) convened in Paris (France) for a follow-up meeting after the joint meeting of the Steering Committee and Co-Reporters on 5–7 April in Rome (Italy).

The meeting, which was kindly hosted by Paris-Sorbonne University, provided an opportunity to discuss feedback received from some of the Project's Advisers and Observers, and focus on the next steps. It was decided that it would be crucial to prioritise a solid overall structure for the rules and general principles, and to plan for the incorporation of two further sets of rules into the already existing Consolidated Draft rules on 'Access to Information and Evidence', 'Service and Due Notice of Proceedings' and 'Provisional and Protective Measures'. The first

presentation of the latter took place at the UNIDROIT Governing Council on 11 May 2017.

During the meeting in Paris, the Co-Reporters also considered translations of the Consolidated Draft, for which it was announced that French versions of the rules of the first three WGs and those of the fourth and fifth WGs were available (for the latter two, as far as the rules are complete).

Finally, the Co-Reporters reviewed the outline of the entire work, concluding that the Project is largely on track and that the focus will now be on incorporating draft rules on '*Res Judicata*' and '*Lis Pendens*', and 'Obligations of Parties and Lawyers and Judges' in view of the upcoming meeting on 16–17 November in Vienna.

Before that, however, a panel will be dedicated to the topic at the upcoming ELI Annual Conference.

#### Upcoming Events of this Project:

7 September, Vienna:

Panel Session at the ELI Annual Conference and General Assembly

16–17 November, Vienna:

Joint Steering Committee Meeting

## ELI Representation

### ELI President Diana Wallis at a Conference in London (UK)

On 3 July, ELI President Diana Wallis attended a Conference entitled 'Breaking Down Brexit for Citizens and Businesses', which was co-organised by the British Institute of International and Comparative Law (BIICL), one of the ELI's Institutional Observers, and Middlesex Law School.

More information on this event can be found [here](#).



**British Institute of  
International and  
Comparative Law**

## Diana Wallis at the European Parliament in Brussels (Belgium)

On 12 July 2017, President of the ELI and former Vice-President of the European Parliament, Diana Wallis, spoke to the European Parliament's Legal Affairs Committee at a public hearing on 'The ELI-UNIDROIT Civil Procedure Project: State of Play and Next Steps.'



This project is co-funded by the European Union

The Project aims at adapting the ALI-UNIDROIT Principles of Transnational Civil Procedure (2004) in the light of the European Convention on Human Rights and the Charter of Fundamental Rights of the European Union, the wider *acquis* of binding EU law, the common traditions in the European countries, the Storme Commission's work (1994) and other pertinent European sources with the overarching aim of developing European Rules of Civil Procedure.

The opening remarks at the public hearing were delivered by Pavel Svoboda (Czech Member of Parliament and Chair of the Committee on Legal Affairs), following which Wallis spoke about the finalisation of the drafts of the first three Working Groups and the progress made by the other Working Groups. Wallis also highlighted the work of the ELI

generally and its contribution towards European law. Joined by Wallis was Co-Reporter of the ELI-UNIDROIT 'Service and due notice of proceedings' and 'Costs' Working Groups, Eva Storskrubb (Dispute Resolution Counsel at Roschier and



Diana Wallis during her speech at the European Parliament

Associate Professor of Procedural Law at University of Uppsala). Storskrubb contributed by laying down the consolidated draft rules of Transnational Civil Procedure. In particular, during the hearing, rules on 'Access to Information and Evidence', 'Service and Due Notice of Proceedings' and 'Provisional and Protective Measures' were presented. The hearing was extremely fruitful, with the Commission representative Norel Rosner (Legislative Officer, DG JUST, Civil Justice Unit) calling it a very influential Project.

## The ELI Represented at the UNCITRAL Congress in Vienna (Austria)

On 3 July, Christiane Wendehorst (Vice-President of the ELI) held a keynote speech on Digitalisation at a Conference in Berlin (Germany). The Conference was organised by the German Federal Ministry of Justice and Consumer Protection. In her lecture, Wendehorst focused on contractual and non-contractual liabilities and the Internet of Things (IoT). For more information about this event, please click [here](#).

Christiane Wendehorst and Sjef van Erp (Member of the Executive Committee) participated in a UNCITRAL Congress on 4–6 July 2017 in Vienna (Austria). The latter's central theme was the modernisation of the law of international trade and commerce and integrated systems to support cross-border trade.

The three-day event also marked the celebration of the 50th anniversary of the Congress and attracted a wide variety of leaders in the field of international trade law, including practitioners, judges, academics, international officials and other experts.

On 5 July, Christiane Wendehorst and Sjef van Erp sat at a round table discussion on the legal issues arising from digital contracts and in digital property, with a focus on legal instruments in light of a new stage in digitalisation and on questions concerning the ownership of data and the *numerus clausus* of legal objects.

The ELI is proud to announce a joint event with UNCITRAL in autumn 2017. More information will be provided on our [website](#) in due course.

## Company Law Experts Group in Brussels (Belgium)

From 26–27 June, the ELI was invited as a stakeholder to a meeting of the Company Law Experts Group (in its extended composition). Sjef van Erp attended on the ELI's behalf. The harmonisation of conflict of

law rules for companies and digital processes and tools for companies, cross-border mergers, cross-border divisions and cross-border conversions were discussed.

## Workshop in Brussels (Belgium)

Sjef van Erp participated in a workshop on Liability in the Area of Autonomous Systems and Advanced Robots/IoT-Systems in Brussels (Belgium). The aim of the workshop, held on 13 July 2017, was to

explore the specificities of autonomous systems and advanced robots compared to 'traditional' machinery and to discuss these in relation to liability schemes. For more information, please click [here](#).

## The ELI at the European Forum Alpbach (Austria)

From 27–29 August 2017, the Lord Chief Justice of England and Wales and ELI Council Member, Lord Thomas of Cwmgiedd, and ELI Vice-President Christiane Wendehorst, spoke at the Legal Symposium at the European Forum Alpbach.

Established in 1945, the annual European Forum Alpbach is a must-visit event. From 16 August–1 September 2017, the city will play host to a unique interdisciplinary forum of 700 speakers in 200 sessions. In addition to platforms on science, politics, business and culture, one on law was also held.

The first plenary session with Lord Thomas, that was launched as the first official cooperation between the ELI and the Alpbach Forum, was entitled 'Enemies of the People? The Role of an Independent Judiciary in Times of Populism'.



Lord Thomas and Christiane Wendehorst in Alpbach (Austria)



The panel was chaired by Christiane Wendehorst, who initiated the discussion by displaying various British tabloids' covers with Lord Thomas, alongside two other High Court judges.

The Daily Mail declared the three to be the 'enemies of the people' for ruling, on 3 November 2016, that the UK Government would require the consent of Parliament to give notice (under art 50 TFEU) for the UK to withdraw from the European Union. The Daily Telegraph, the Sun and other tabloids featured similar headlines.

The judges were not only attacked by the media; politicians also joined the populist campaign, and the Lord Chancellor even refused to provide backing to the above three judges.



Lord Thomas expressed his belief that the judges were mainly attacked by the media because of their pro-active approach to upholding the rule of law, which is oftentimes interpreted as an obstacle to change. He also explained that courts have gained more power in the last three decades, taking decisions which were previously taken by politicians.

To prevent further conflicts between judges, politicians and society, Lord Thomas highlighted the need not only of judicial independence, but also of interdependence between the different branches of the State, as a form of cooperation, but without interference.

Lord Thomas underlined the role and importance of

justice in society and the need to correct the tainted image of judges in the media. As a countermeasure, he suggested stronger communication between the media and courts, by having more official press offices at courts.

On 29 August, Lord Thomas joined a panel on 'Parallel Systems in Europe? Conflict between European and the Sharia Legal Systems', which was devoted to comparing Sharia law with European legal orders. To watch the entire session online, please click [here](#).

Both Lord Thomas and Christiane Wendehorst will be panelists on the ELI-ALI Building a Data Economy Feasibility Study at the ELI Annual Conference and General Assembly on 7 September 2017.

*Lord John Thomas has been Lord Chief Justice of England and Wales since 2013. He was appointed a judge of the High Court of England and Wales in 1996, became Judge in Charge of the Court in 2002 and in 2003 he was appointed Lord Justice of Appeal. Lord Thomas was the Senior Presiding Judge for England and Wales (2003–2006) and Vice-President and then President of the Queen's Bench Division (2008–2013). He was President of the ENCJ (2008–2010). He is an Honorary Fellow of Trinity Hall, Cambridge, and serves as a member of the ELI Council.*



## SIGs: Call for Interest

The ELI is looking to solicit the level of interest in the establishment of a Tax Law SIG. Please send an e-mail indicating interest in SIG membership, were it to be established, to the ELI Secretariat.



The Tax Law SIG would include an active forum for discussion and cooperation, the review of the legal developments in the area, conducting and facilitating research, making recommendations and providing practical guidance in the field. The research activity of the Tax Law SIG will involve – for example – the study of innovative measures for the improvement of the EU cohesion policy, supporting

the introduction of territorial tax incentives for the most disadvantaged areas of the Union, with the final objective of reducing the negative gap between the poor and rich parts of the EU through the use of taxation. The expected outcomes of the research will include a series of recommendations for EU institutions for the improvement of EU law, overcoming the existing obstacles to the use of territorial tax incentives in the context of the EU cohesion policy.

For more information on the ELI SIGs, please click [here](#).

## Updates on Hubs

### Conference on Platforms Co-Organised by German Hub in Bayreuth (Germany)

The ELI German Hub, alongside the Ernst von Caemmerer Foundation and the Bayreuth Research Centre on Consumer Law (*Forschungsstelle für Verbraucherrecht*, FfV), co-organised the 'Platforms' Conference in Bayreuth (Germany) from 6–7 July 2017. It shed light on the 'platforms' phenomenon, which has developed to be the leading business model of the digital world, penetrating a variety of different markets.

The Conference was divided into three sections. The first entailed a comparison of the current legal and economic discussions of the theme in Europe; Second, the Conference speakers focused on assessing the topic from a comparative law perspective – with an emphasis on the positions in Estonia, France, Italy and the United States. The third and final part of the Conference emphasised both core issues of platforms and their legal realisation; in particular issues regarding the determination of the content of platform contracts, as well as the



Participants at the Conference in Bayreuth (Germany)

responsibility of platform operators and advertising companies and the legal implications of using feedback systems. By elucidating the 'Platforms' topic in an interdisciplinary and comparative manner, the Conference was tailored towards both establishing bases for future legal discussions and towards unveiling the legal and economic overlaps of the theme. A panel on 'Rules and Standards for Online Intermediary Platforms' will also be dedicated to this topic at the upcoming ELI Annual Conference.

## New Institutional Observers

### Faculty of Advocates (Scottish Bar)

The Faculty of Advocates is the professional body to which all Scottish Advocates belong. Its history dates back to the 16<sup>th</sup> century. The Faculty is responsible



FACULTY OF ADVOCATES

for: (a) prescribing the criteria and procedure for admission to the public office of Advocate and for removal from that office; and (b) regulating the professional practice, conduct and discipline of Advocates. These responsibilities have been delegated to the Faculty by the Court of Session under the Legal Services (Scotland) Act 2010. The Faculty promotes and supports the administration of justice and the rule of law in Scotland.

The Faculty is led by elected office-bearers (the Dean of Faculty, the Vice-dean, the Treasurer, the Clerk and the Keeper of the Library) and by an elected Faculty Council. The Faculty also elects the

Chairman of Faculty Services Limited, a company established to provide administrative and other support services to Advocates.

Key decisions are made by Faculty Council, which comprises members elected for constituencies within the bar.

Much of the Faculty's work is undertaken by committees established for particular purposes. The Secretariat supports the office-bearers, Faculty Council and committees in the work of the Faculty.

Many Advocates and trainee advocates carry out work for the Free Legal Services Unit (FLSU) as part of the Faculty's long standing commitment to providing access to justice for everyone in society. The FLSU enables qualified persons to provide advice and representation to clients of accredited advice agencies (including the CAS) across Scotland.

For more than 300 years, the Faculty has maintained within Parliament House the Advocates Library, often regarded as the finest working law library in the United Kingdom, formally inaugurated in 1689. By the 1850s the Library had become in effect Scotland's national library. In 1925 the National Library of Scotland was established when the Faculty gifted to the nation its whole non-law collections comprising 750,000 books, pamphlets, manuscripts,

maps and sheet music, retaining the copyright privilege for law publications.

Currently, the Faculty includes practising and non-practising members. Women make up approximately one quarter practising membership. Total numbers now stand at just over 460, of whom approximately one fifth are Queen's Counsel.

## The Faculty of International Legal Relations at the National University 'Odessa Law Academy'

The ELI welcomes its newest Institutional Observer, which is based in Odessa (Ukraine). The Faculty of International Legal Relations is one of eight Faculties at the National University 'Odessa



Law Academy', founded in 1997. The University is the successor to the rich traditions of Odessa School of Law, with a history rooting back to 1847. With 734 currently enrolled students from 13 different countries, the Faculty offers the opportunity to obtain a bachelor's degree in the fields of public international law and private international law.

Students who wish to continue their studies can undertake a Master's Programme in the following subjects: international human rights protection and international and European law.

Guests from Europe and the United States of America regularly give lectures in: comparative constitutional

law, commercial arbitration, European Union law and international law. Also, the Faculty attracts judges and lawyers from around the world, who willingly share their vast knowledge and experience.

Special attention is given to the language competence of all students, who are encouraged to learn English and also have the opportunity to learn Spanish, French, German or Italian.

Departments of the Faculty, in conjunction with the International Relations Office of the University, motivate students to participate in international and European law competitions. Students also regularly take part in judicial debates, as well as in international moot courts. To foster academic mobility, the Faculty closely cooperates with different international organisations.

Today, the National University 'Odessa Law Academy' is the centre of legal education, culture and science of Ukraine and the leading higher educational institution of jurisprudence.

## Goodbye Message to Outgoing Members of the Executive Committee

### So long, farewell, auf Wiedersehen, adieu ...

Dear outgoing Members of the Executive Committee

The ELI Secretariat wanted to take the time to publically express its gratitude for your guidance and support during your terms. Working under your capable supervision and direction has been a memorable experience. We have learned a great deal from you, both personally and professionally, and we have no doubt that you will continue to

support the ELI in other ways in your roles as Council members. Significantly, we would also like to thank you for the confidence you had in us.

The ELI Secretariat

## Membership Fees

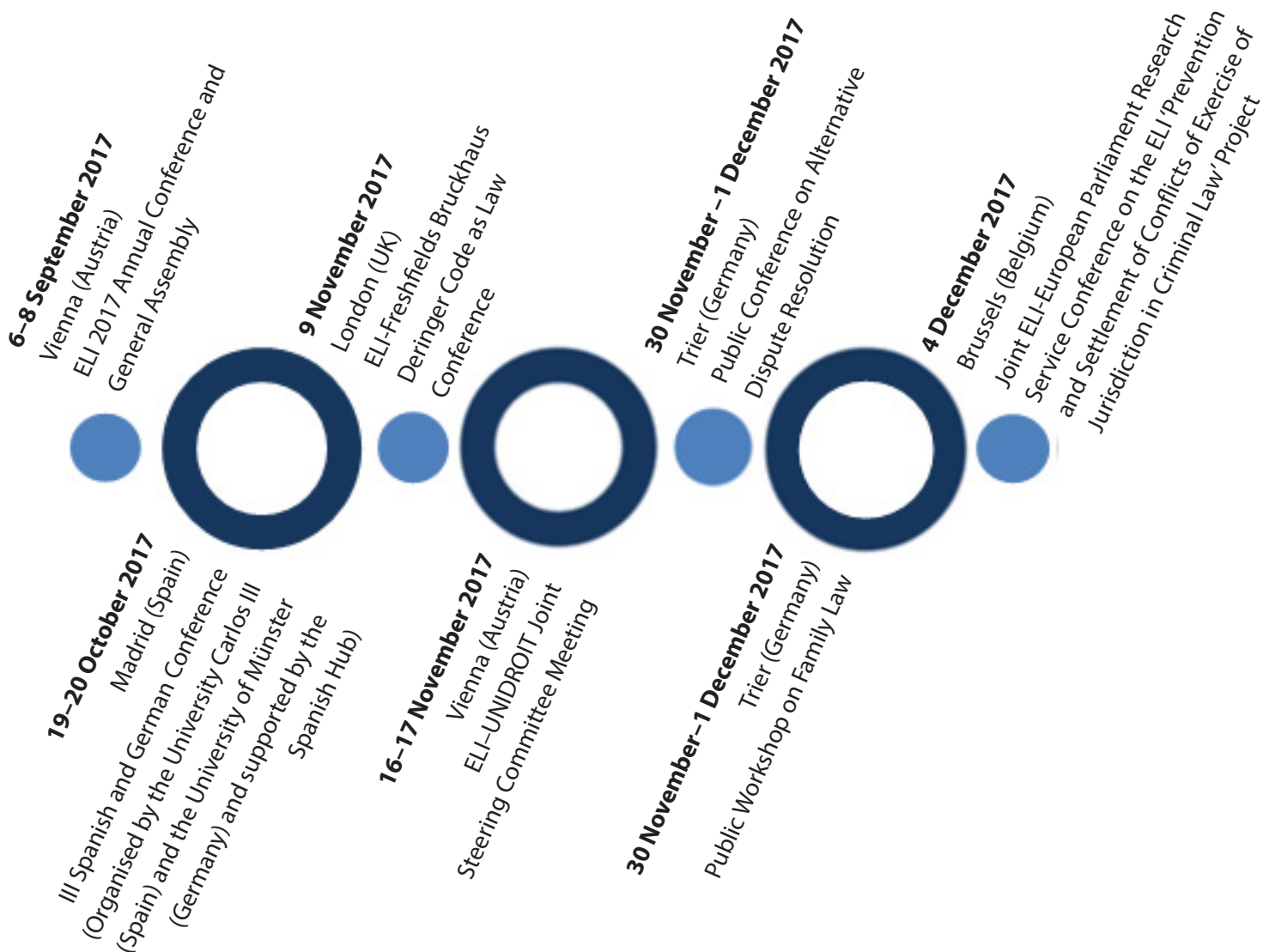
Maintaining diversity with regard to areas of expertise, nationalities and different professional backgrounds will be essential to keep the ELI a vibrant community of legal professionals, a unique meeting point for its Members and to add legitimacy of projects approved by this broad constituency.

In order to achieve this, the Membership Committee announces different focal points for members throughout the year. The next special focus areas will be announced in the next Newsletter.

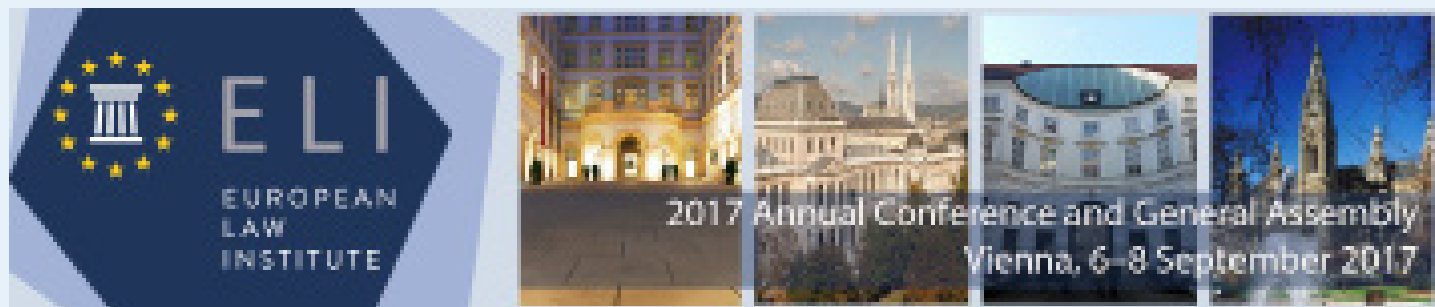
All applications of excellent jurists are, as always, highly desirable too, irrespective of this current focus. Membership applications are made online, directly through the [ELI website](#). Detailed information on what the ELI currently does and stands for can be found on the website as well.

Membership fee: if you have not yet paid your membership fee for 2017, please do so by bank transfer or [PayPal](#) or by filling in the [SEPA Direct Debit](#) mandate form. Please contact the Secretariat with any questions arising in this context.

## Upcoming Events – Save the Date!



## Last Call for Registrations for the ELI Annual Conference! Click [here](#) to Register now!



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### **The ELI Mission**

*Building on the wealth of diverse legal traditions, the European Law Institute's mission is the quest for better law-making in Europe and the enhancement of European legal integration. By its endeavours, the ELI seeks to contribute to the formation of a more vigorous European legal community, integrating the achievements of the various legal cultures, endorsing the value of comparative knowledge, and taking a genuinely pan-European perspective.*

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