



Message from Guido Raimondi

President of the European Court of Human Rights



Dear ELI Members and Friends

It is an honour to be able to address you through this summer edition of the European Law Institute's (ELI) Newsletter. As a member of the ELI, you are part of a unique European legal community. The European Court of Human Rights plays a unique role within its own European community. It monitors respect for human rights in the 47 Council of Europe Member States that have ratified the European Convention on Human Rights. Not only citizens of those 47 Member States, but also everyone within the States' jurisdiction, may bring his or her complaint to Strasbourg.

I was particularly interested to read about your research project on Empowering European Families. If there are, as the ELI estimates, around 16 million international couples in the European Union, one can assume that this figure is even higher within the Council of Europe's legal space of 830 million Europeans. The ELI's project looks at the problems international couples are facing in relation to family and succession law. We witness some of these problems here in Strasbourg when complaints are brought to the Court by an individual, whether a mother, a father, a spouse, a grandparent or even a child, against a Respondent State.

International child abduction is a phenomenon which often arises when one parent lives in a country other than his or her country of origin. The Court has found that in these cases the obligations that the European Convention on Human Rights imposes on the Contracting States must be interpreted taking into account, in particular, the Hague Convention on the Civil Aspects of International Child Abduction of 25 October 1980. The best interests of the child are paramount for the Court.

Another area of litigation which may end in Strasbourg is international gestational surrogacy. Very interesting and thorny legal issues are raised where couples enter into gestational surrogacy contracts abroad and then bring the child back to their home country. The Court through its case-law, like ELI through its project, is responding to new legal issues which concern international families and cross-border disputes.

I wish you a very successful Annual Conference and General Assembly in Riga this September, and will follow with interest the presentation of the final results of your Empowering European Families project.

Greetings from Guido Raimondi

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Guido Raimondi

Welcome to Riga!

The Keynote Speakers at the ELI 2018 Annual Conference

The ELI's Annual Conference and General Assembly is hosted by various countries outside its Secretariat's base in Vienna (Austria) biennially. Following Brussels (Belgium in 2012), Zagreb (Croatia in 2014) and Ferrara (Italy in 2016), this year the ELI will gather the legal community to discuss pressing legal issues from 5–7 September 2018 in Riga (Latvia). Read more about this year's keynote speakers at the ELI Annual Conference in Riga. A detailed Conference Brochure with information on our distinguished speakers is available for download [here](#).



Harriet Lansing

Former President of the Uniform Law Commission (ULC)

Harriet Lansing has served as a Judge on the Minnesota Court of Appeals for 28 years and five years as a senior judge. During her tenure, she has been active in judicial education, including a decade with the Appellate Judges Institute at New York University Law School.

Following retirement, she was elected President of the ULC. She continues her ULC work on its international committees and by serving on the US Delegation to the United Nations Commission on International Trade Law (UNCITRAL) Committee on Mediated Settlements.



Lance Liebman

Former Director of the American Law Institute (ALI)

Lance Liebman is Professor of Law at the Columbia Law School. He teaches and does research in the areas of employment law, property law and social welfare law.

He began his tenure in Columbia (USA) in 1991 as Dean. He stepped down as Dean in 1996 and then led the Parker School of Foreign and Comparative Law for almost 20 years.

From 1999 to 2014, he was Director of the ALI, a private American law reform organisation now approaching its 100th anniversary. Before coming to Columbia, Liebman was a professor at Harvard Law School for 21 years.

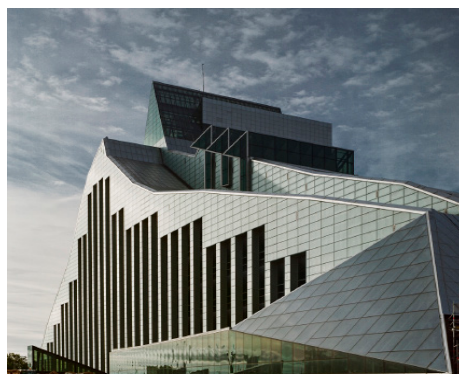
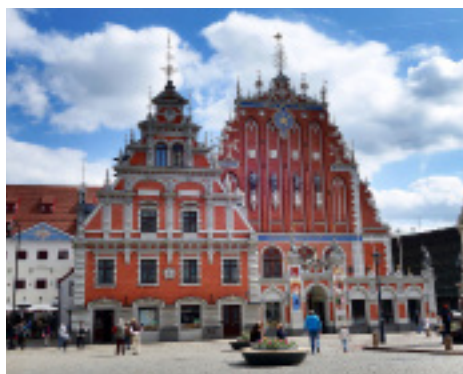


Pauliine Koskelo

Finnish Judge to the European Court of Human Rights

Pauliine Koskelo is a Judge at the European Court of Human Rights. She was member (2000–2005) and President (2006–2015) of the Supreme Court of Finland.

Earlier in her career, she served the Finnish Ministry of Justice as Senior Adviser in Legislative Affairs (1985–1995) and the European Investment Bank in senior positions at the Directorate of Legal Affairs (1995–2000). She chaired the Judicial Appointments Board of Finland (2006–2012) and was a member of the Treaty on the Functioning of the European Union (TFEU) Article 255 panel (2014–2018).



ELI Annual Conference

Wednesday | 5 September

VENUE: UNIVERSITY OF LATVIA, FACULTY OF LAW; RAIŅA BOULEVARD 19, RIGA, LV-1586

08:45 - 10:55 Registration (Council and General Assembly only), Entrance Hall

11:00 - 13:00 Council Meeting, Senate Hall, 2nd Floor

13:00 - 13:55 Lunch, Daily Canteen, Basement

14:00 - 15:30 Council Meeting, Senate Hall, 2nd Floor

15:30 - 15:55 Coffee Break, Auditorium 5, 2nd Floor

16:00 - 18:00 General Assembly, Aula Magna, 2nd Floor

19:00 - 22:00 Opening Ceremony and Reception

VENUE: NATIONAL ART MUSEUM; JAŅA ROZENTĀLA LAUKUMS 1, CENTRA RAJONS, RIGA, LV-1010

Christiane Wendehorst, ELI President

Dzintars Rasnačs, Latvian Minister of Justice

Edvīns Balševics, Director General of the Court of Administration

Anita Rodina, Dean of the Law Faculty at the University of Latvia

Book Launch

Nils Jansen, Co-Author (with Reinhard Zimmermann) of the Commentaries on European Contract Laws (2018)

Lord John Thomas, ELI Executive Committee Member, Former Lord Chief Justice of England and Wales

Thursday | 6 September

VENUE: UNIVERSITY OF LATVIA, FACULTY OF LAW; RAIŅA BOULEVARD 19, RIGA, LV-1586

08:00 - 08:55 Registration (For All Others), Entrance Hall

09:00 - 09:30 Welcome Addresses, Aula Magna, 2nd Floor

Indriķis Muižnieks, Rector of the University of Latvia

Ineta Ziemele, President of the Constitutional Court of Latvia

Christiane Wendehorst, ELI President

09:30 - 11:00 **Principles for a Data Economy**

Aula Magna, 2nd Floor

Lord John Thomas (chair)

Neil Cohen

Steven O Weise

Christiane Wendehorst

Protection of Adults in International Situations

Aula Parva, 2nd Floor

Bea Verschraegen (chair)

Pietro Franzina

Richard Frimston

Maja Groff

Patrizia de Luca

11:00 - 11:25 Coffee Break, Auditorium 5, 2nd Floor/Hallway at Merkela Street, 1st Floor

11:30 - 13:00 **Draft Model Rules on Online Intermediary Platforms (I)**

Aula Magna, 2nd Floor

Hans Schulte-Nölke (chair)

Christoph Busch

Christoph Schmon

Common Constitutional Traditions in Europe

Aula Parva, 2nd Floor

Mario Comba (chair)

Celestina Iannone

Jeffrey Jowell

Bostjan Zalar

Ineta Ziemele

13:00 - 13:55 Lunch, Daily Canteen, Basement

14:00 - 14:40 Keynote Speech: **Harriet Lansing**, Former President of the Uniform Law Commission, Aula Magna, 2nd Floor

14:45 - 16:15 **Draft Model Rules on Online Intermediary Platforms (II)**

Aula Magna, 2nd Floor

Gerhard Danneman (co-chair)

Teresa Rodriguez de las Heras Ballell (co-chair)

Hans Schulte-Nölke

Fiduciary Access to Digital Assets

Aula Parva, 2nd Floor

Denis Phillippe (chair)

Sjef van Erp

Lord John Thomas

Jos Uitdehaag

16:15 - 16:40 Coffee Break, Auditorium 5, 2nd Floor/Hallway at Merkela Street, 1st Floor

16:45 - 18:15 **From Transnational Principles to European Rules of Civil Procedure**

Aula Magna, 2nd Floor
Anna Veneziano (co-chair)
Diana Wallis (co-chair)
Emmanuel Jeuland
Xandra Kramer
John Sorabji

Principles of Liability in Digitalised Environments

Aula Parva, 2nd Floor
Anne Birgitte Gammeljord (chair)
Ernst Karner
Hans Schulte-Nölke
Dirk Staudenmayer
Christiane Wendehorst

19:30 - 22:00 Gala Dinner with music by the Liepaja Symphony Orchestra

VENUE: KLĪVERSALA RESTAURANT, NATIONAL LIBRARY; MŪKUSALAS IELA 3; RĪGA, LV-1423

Raivis Kronbergs, State Secretary of the Ministry of Justice of Latvia

Lance Liebman, Former Director of the American Law Institute

Friday | 7 September

VENUE: UNIVERSITY OF LATVIA, FACULTY OF LAW; RAIŅA BOULEVARD 19, RĪGA, LV-1586

09:00 - 10:30 **Empowering European Families (Presentation of Final Results)**

Aula Magna, 2nd Floor
Jens M Scherpe (chair)
Elena Bargelli
Markus Buschbaum
Wendy Schrama
Christiane Wendehorst

A Latvian Perspective on Topics of Current and Prospective ELI Projects (I)

Aula Parva, 2nd Floor
Inga Kačevska (chair)
Agris Bitāns (Civil Liability in Digitalised Environments)
Artūrs Kučs (Digitalisation)
Vadims Mantrovs (Online Platforms)

10:30 - 10:55 *Coffee Break*, Auditorium 5, 2nd Floor/Hallway at Merkela Street, 1st Floor

11:00 - 12:30 **Research and Development Tax Incentives**

Aula Magna, 2nd Floor
Georges Cavalier (chair)
Kārlis Ketners
Alain Lamassoure
Tomi Viitala

A Latvian Perspective on Topics of Current and Prospective ELI Projects (II)

Aula Parva, 2nd Floor
Inga Kačevska (chair)
Inese Libiņa-Egner (Family Law)
Lauris Liepa (Business and Human Rights) (tbc)
Daiga Rezevska (Common Constitutional Traditions)

12:30 - 13:25 *Lunch*, Daily Canteen, Basement

13:30 - 14:55 **Business and Human Rights**

Aula Magna, 2nd Floor
Jonas Grimheden (co-chair)
Diana Wallis (co-chair)
Heidi Hautala
Gabriela Quijano

Blockchain Technology and Smart Contracts

Aula Parva, 2nd Floor
Sjef van Erp (chair)
Juliette Senechal
Dirk Staudenmayer
Hubert de Vauplane
Christopher Wray

15:00 - 15:30 Keynote Speech: **Pauliine Koskelo**, Finnish Judge to the European Court of Human Rights

Aula Magna, 2nd Floor

15:30 - 15:45 ELI Young Lawyers' Award (sponsored by Interleges): Winner's Presentation, Aula Magna, 2nd Floor

15:45 - 16:10 *Coffee Break*, Auditorium 5, 2nd Floor/Hallway at Merkela Street, 1st Floor

16:15 - 17:45 **e-CODEX and its Impact on Execution of European Legal Procedures**

Aula Magna, 2nd Floor
Ernst Steigenga

17:45 - 18:00 Closing Speech: **Christiane Wendehorst**, ELI President

Aula Magna, 2nd Floor

19:30 - 22:00 Social Event

VENUE: ROZENGRĀLS MEDIEVAL RESTAURANT; ROZENA 1, RĪGA, LV-1050

Egils Levits, Latvian Judge to the Court of Justice of the European Union

Christiane Wendehorst, ELI President

Sponsoring the ELI Annual Conference

Each year the ELI Annual Conference is the success that it is thanks to various hosts and sponsors. The ELI would like to thank the following hosts and sponsors of the 2018 Annual Conference. If you would like to sponsor a future Conference please get in touch with the ELI Secretariat, which would be happy to provide you with details of our various sponsorship packages.

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Spotlight on the ELI Projects

Projects are Central to the ELI's Ambitions of Improving the Quality of European Law

At the ELI Annual Conference 2018, all current and prospective ELI projects will be featured in panels with leading experts in the field from across the globe. Details about panel discussion can be found in the following section of our website. In this section, we provide an overview of the aims of ELI projects, both current and prospective. The ultimate beneficiaries of all ELI projects are primarily European citizens and companies, but the ripple effect goes beyond the borders of Europe.

Current Projects



Civil Procedure

The project, undertaken with the International Institute for the Unification of Private Law (UNIDROIT), seeks to reduce uncertainties for parties litigating in unfamiliar jurisdictional surroundings through the development of a model universal civil procedural code. The importance of this undertaking has been repeatedly underlined by key European bodies, including within the European Parliament.



Protection of Adults in International Situations

Today, the protection of adults (and their assets) is more frequently an issue in international scenarios. Which law should apply? Which courts should have jurisdiction to hear cases? What are the drawbacks to current rules? The answers to such questions, amongst others, are addressed by this project's team with a view to laying down a final and detailed draft text of a possible EU measure on the protection of adults in international situations.



Empowering European Families (EEF)

With over 16 million couples where at least one of the partners lives in a country other than his or her country of origin, obstacles to justice in the context of divorce, succession, etc might be faced. The EEF project seeks to address these and others, inter alia, by improving existing rules on applicable law, jurisdiction, recognition and enforcement in family and succession law as well as to promote family mediation.



Deduction of R&D Expenses

The financial crisis of 2008 has highlighted the need to find new sources of economic growth and innovation is one such underutilised sources in Europe.

As tax incentives are known to stimulate investment in research and development, the aim of the project is to elaborate a harmonised list of eligible expenses and an explanatory memorandum to aid the European Commission in drafting laws on the above.



Online Intermediary Platforms

So many of us use Airbnb, Uber and Amazon today but the dynamics of such platforms can be difficult to reconcile with the currently existing regulatory framework at EU level. Model rules which include the criteria for identifying 'platform operators' and 'suppliers' as well as their duties and obligations and rules on transparency and fairness of online reputation systems (eg ratings and reviews) are among the themes addressed by this project.



Principles for a Data Economy

The world has moved from commerce in physical goods to services and today, the data economy is a powerful lever. The law is yet to catch up in a manner that promotes certainty but does not inhibit growth or innovation in this emerging field. As data has no boundaries, ELI has partnered with its American counterpart, ALI, to produce transnational Principles that can facilitate the drafting of model agreements or provisions to be used on a voluntary basis by parties in the data economy.



Common Constitutional Traditions

The Common Constitutional Traditions in Europe project seeks to address a number of questions on a theme of rising significance. The notion is enshrined in key European legal texts and repeated in courts at the highest level in Europe (like the Court of Justice of the European Union and European Court of Human Rights) but what are common constitutional traditions in Europe? What is their nature and their relationship with national identity? How do such sources emerge as common to Member States? How can they be identified and used by courts?



Business and Human Rights

As multinational corporations continue to gain economic and social influence that rivals that of nation States, it is necessary to review their impact on human rights and in particular to ensure access to justice to victims of corporate infractions in a manner that alleviates procedural and other burdens on them and facilitates the redress of their grievances. Alongside the European Union Agency for Fundamental Rights (FRA), the ELI has embarked on identifying a range of possible draft EU regulatory and/or soft law options intended to ensure the above.



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Find out more on the
ELI Webpage

Prospective Projects



Liability in Digitalised Environments

Principles of liability and conflict of laws rules need to be adapted to a world where data is no longer located in physical jurisdictions but in clouds which may change rapidly, where damage may be caused by autonomous agents acting according to patterns derived from deep learning or by decentralised autonomous organisations. The law must move with the times and preferably anticipate inevitable trends. It is the goal of this prospective ELI project to develop transnational model rules to be used as sources of inspiration by legislators in developing rules for our modern age.



Access to Digital Assets

Immovable property was and for most private individuals still predominates one's asset. However, digital assets and electronic communications are on the rise. Digital wealth covers a very heterogeneous variety of assets such as software, cryptocurrencies, gaming equipment, online bank accounts, social media profiles, etc. Those who are now faced with the need to deal with digital assets including judges, notaries and bailiffs, would benefit from a regulatory framework on this subject. The outcome of the project is a draft legislative instrument in the form of a directive that addresses the above.



Blockchain Technology

We have all heard of crypto-currencies like Bitcoin and the 'blockchain' technology that facilitates the same. These and so-called, 'smart contracts' have a huge potential to fundamentally change many areas of private law transactions. The ELI hopes to scrutinise the legal basis for these dynamic applications with a view to developing an anticipatory legal response. In particular, the goal is to formulate a legislative guide on blockchains and smart contracts that will assist legislators and judges alike in navigating their ways through this complex field.

Best Practices in European Restructuring

Presentation of ELI Project Findings at the CODIRE Workshop in Brussels (Belgium)

The topical issue of preventive restructuring in the case of insolvency was discussed at the Conference on 'Best Practices in European Restructuring', an event organised by the University of Florence (Italy), the Humboldt Universität zu Berlin (Germany) and the Universidad Autónoma of Madrid (Spain).

The ELI was represented by Stephan Madaus, Professor of civil law, civil procedure and insolvency law at the Martin-Luther-University Halle-Wittenberg (Germany) and one of the reporters of the ELI project on the Rescue of Business in Insolvency Law. Madaus was invited to discuss efficiency and best designs for 'semi-formal restructurings' in light of the ELI Instrument on the Rescue of Business in Insolvency Law.

The workshop took place in Brussels at the Centre for European Policy Studies (CEPS), on 5 July 2018 and was attended by international experts in insolvency law, members of the European Commission, academics and professionals, all of whom

contributed actively to the debate. It was an important occasion for the ELI to disseminate insights from the above-mentioned ELI Instrument to the restructuring community as well as amongst lawmakers.

Both the Instrument and the background materials leading to it will be published with Oxford University

Press in the coming months. You can download the ELI Instrument on the Rescue of Business in Insolvency Law for free [here](#).

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Panelists at the CODIRE Workshop

ELI-UNIDROIT Working Group Meeting

Meeting of the Costs Working Group in Vienna (Austria)



Eva Storskrubb, Wendy Kennett and Paul Oberhammer from the ELI-UNIDROIT Costs Working Group met in Vienna

The Costs Working Group was established in November 2015 by a decision of the Steering Committee of the joint ELI-UNIDROIT project on 'From Transnational Principles to European Rules of Civil Procedure'.

On 3 July 2018 the Costs Working Group held a meeting kindly hosted by the Dean of the Faculty of Law of the University of Vienna, Paul Oberhammer, at the premises of the University of Vienna.

The focus of the meeting was on the structure of the draft on costs. Members of the Working Group, Wendy

Kennett, Paul Oberhammer and Eva Storskrubb, discussed, among other things, the following issues: a traditional 'European rule' on costs and its principles, rules on court decisions regarding costs, the scope and amount of cost, a possible recourse and security for costs.

On 6 September 2018, a panel dedicated to this project will speak during the ELI Annual Conference in Riga. Additionally, on 26–27 November 2018, a public Conference will be held in Trier (Germany) in cooperation with the Academy of European Law (ERA).

ELI-ENCJ Statement Presented at Online Dispute Resolution Conference in Liverpool (UK)

Diana Wallis Speaks on the 'Statute Book and in Court Proceedings'

Diana Wallis, former President of the ELI and former Vice-President of the European Parliament, took part in a conference on 'Online Dispute Resolution: Justice Re-Imagined' on 27–28 June 2018 in Liverpool (UK), during which she presented the ELI-European Networks of Councils for the Judiciary (ENCJ) Statement on Alternative Dispute Resolution.

In particular, Wallis spoke during a panel on 'Online Dispute Resolution (ODR) on the Statute Book and in Court Proceedings', which focused on a review of current legislative and regulatory moves in place and prospective, promoting or otherwise impacting on the future of ODR including the European law on ODR.

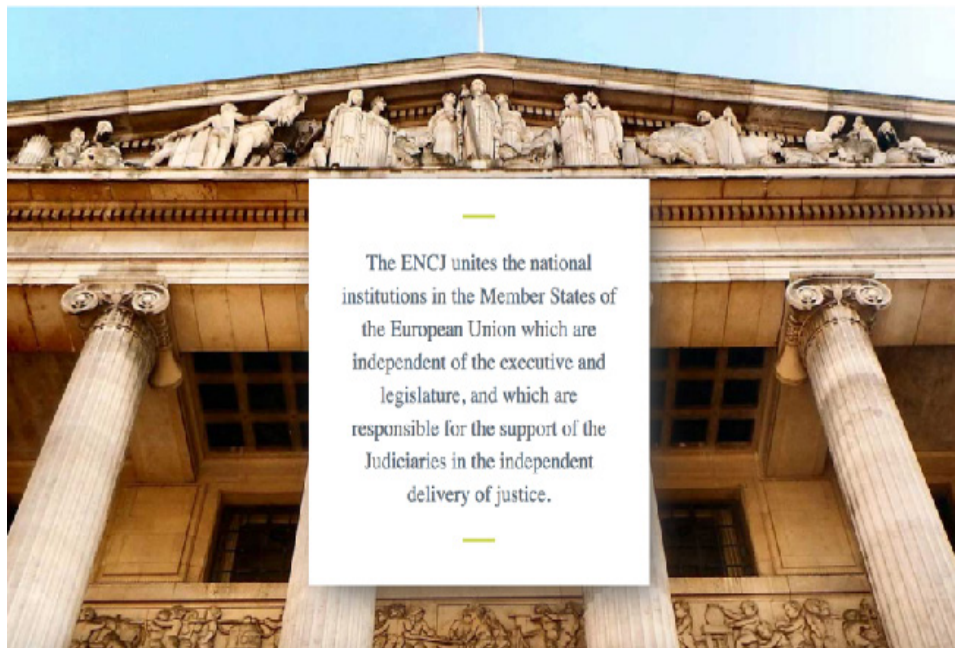
This very well-attended event was a great opportunity to promote the ELI-ENCJ Statement as well as the Dis-

pute Resolution: Beyond the Courts Conference that the ELI is organising with the ENCJ and ERA in Trier (Germany) on 9 November 2018. You can download the ELI-ENCJ Statement [here](#).



European Network of Councils for the Judiciary (ENCJ)

Réseau européen des Conseils de la Justice (RECJ)



Empowering European Families Project Close to Finalisation

Final Presentation of the EEF Project in Riga



The final outcome of the Empowering European Families (EEF) project, which is financed by an EU action grant under the justice programme will be presented to ELI bodies at the upcoming assembly in Riga (Latvia). ELI fellows will be given the chance to vote on the project (electronically) shortly afterwards. The project was led jointly by Katharina Boele-Woelki (Bucerius Law School and Utrecht University), Wendy Schrama (Utrecht University) and ELI President, Christiane Wendehorst (University of Vienna). The project was also conducted in cooperation with the support of the Council of the Notariats of the European Union (CNUE).

The ELI Enters Into Dialogue with National Ministries of Justice

ELI President Christiane Wendehorst Initiates Relationship-Building with Key National Stakeholders in Europe

The ELI is currently entering into dialogues with national Ministries of Justice to inform them about the work of the ELI and also about the outcome of the ELI's 'Empowering European Families (EEF)' project.

As one of the project's Reporters, ELI President, Christiane Wendehorst, has already visited Sofia (Bulgaria) and meetings in Bucharest (Romania), Budapest (Hungary) and Ljubljana (Slovenia) are also scheduled with the respective Ministers of Justice as well

as with presidents of Constitutional Courts, Administrative Courts and national Bar Associations.

The meetings are not only intended to solicit the input of the above on the project's current drafts and to ascertain how the drafts would work in practice in the above jurisdictions, but also constitute opportunities to present the ELI's work and discuss the various possibilities open for cooperation between the institutes visited and the ELI.



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Meeting at the Bulgarian Constitutional Court and the Union of Bulgarian Jurists in Sofia

ELI President Christiane Wendehorst Visits Sofia (Bulgaria) on 3 July 2018

In the course of her visit to Sofia (Bulgaria), ELI President, Christiane Wendehorst, held three meetings, the first of which took place at the Ministry of Justice with experts on international

family law. She also met Boris Velchev, Chairman of the Bulgarian Constitutional Court. They exchanged views on the role of the ELI and of constitutional courts in general.

Given Velchev's acclaim as a renowned academic in this field, Wendehorst was particularly pleased to have had the opportunity to elaborate on the ELI's project on Common Constitutional Traditions in Europe. This project seeks to identify the source of Common Constitutional Traditions in Europe; their content; their relationship with national identity; whether they are an autonomous source of European law and the way in which they emerge as common to Member States and are expressed as such.

After her meeting with Velchev, Wendehorst was subsequently hosted by Vladislav Slavov, President of the Union of Bulgarian Jurists. Among other themes, the two shared information on how their respective organisations are financed, the role of members in the running of their organisations and ways to encourage more active participation in key events.



Boris Velchev and Christiane Wendehorst met in Sofia

Cross-Atlantic Relation Building with the ULC

A meeting of the Uniform Law Commission (ULC, also known as the National Conference of Commissioners on Uniform State Laws) took place on 20–26 July 2018 in Louisville (USA). ELI Vice-President, Sjef van Erp, elaborated on the role of the ELI, recent developments in ELI projects as well as on the Institute's ambitious goals. He also participated in various sessions, including on the Uniform Criminal Records Accuracy Act, on the Civil Remedies for Unauthorised Disclosure of Intimate Images Act, on the Electronic Wills Act, on Tort Law relating to the Drones Act as well as on the Highly Automated Vehicles Act. The ELI is proud to have Harriet Lansing, Former President of the ULC, deliver a keynote speech at its Annual Conference and General Assembly in Riga (Latvia) this year.



ELI Vice-President van Erp Represents the ELI at the Trans Europe Experts (TEE) General Assembly in Paris (France)

Trans Europe Experts (TEE) is an association created in 2009 with the dual aim of creating a network of various universities (French and international), practitioners of law, politics, economics and representatives of NGOs and other organisations and ensuring the participation of everyone in the development of European law. ELI Vice-President, Sjef van Erp, took part in the TEE General Assembly on 25 June 2018.



Legal Symposium on the Future of the EU in Alpbach (Austria)

The European Forum Alpbach is a renowned discussion-forum where international academics and practitioners meet to discuss topical questions in the impressive surroundings of the Austrian Alps. This year's motto, 'Diversity and Resilience' was also reflected by the panels at the Legal Symposium.

On 28 July 2018, ELI President, Christiane Wendehorst, chaired a panel on the topic of 'The Future of the EU: The Challenges of Self-Determination'. The panellists examined which legal challenges follow on from mounting calls for national self-determination, particularly given the context of contemporary separatist movements.



Inspired by the nature: Alpbach is a hotspot for European intellectuals

ELI Vice-President in New Zealand

ELI Vice-President Sjef van Erp took part in the international high-level Conference 'New Horizons for Torrens: Current Reforms, Emerging Issues', held in Auckland (New Zealand) from 29–31 August 2018. The conference was organised by Auckland University Law School and supported by the Law Foundation of New Zealand. Part of his presentation on 'Issues Arising from Privatising the Operation of a Public Register' was devoted to the work by the ELI, particularly in the area of IT and law.

Thought Exchange with Students

ELI President Christiane Wendehorst opened the 70th Summer University of the University of Vienna in Strobl (Austria) on 15 July 2018.

Strobl, situated at one of Austria's most beautiful lakes, is an inspiring place to be, especially in the summertime. Around 100 international students from 22 nations participated in an interdisciplinary thought exchange. The 70th Summer University raised the question: 'Towards a European Legal Community?' In her opening speech, Wendehorst introduced the ELI and its activities and talked about the role of a common EU legislation and its daily-life impact for EU citizens.



American Constitution Society (ACS) joins the ELI as a New Institutional Observer

The American Constitution Society (ACS) is the United States' leading progressive legal organisation, with over 200 student and lawyer chapters in almost every state and on most law school campuses. Originally formed as the progressive response after the Supreme Court's *Bush v Gore* decision, ACS was founded on the principle that the law should be a force to improve the lives of all people.

ACS's various projects provide resources and best practices for policy-makers, lawyers and advocates on key legal issues as well as engage commu-

nities across the country in promoting the Constitution. Through its public programs (over 1,400 debates, conferences, and press briefings across America each year), publications, and active online presence, ACS generates intellectual capital for ready use by progressive allies and shapes debates on key legal and public policy issues including access to courts, voting, equality, immigration, workers' rights, and many others.

ACS nurtures the next generation of progressive lawyers, judges, policy experts, legislators, and academics

by providing opportunities for networking, mentoring, and organising around matters of both local and national significance. More information can be found [here](#).

The ELI is happy to welcome the American Constitution Society as a new Institutional Observer.



Join an MCC and Contribute Directly to the Work of the ELI

Closely Follow and Contribute Towards Projects

Members Consultative Committees (MCC) are established to give all ELI members the opportunity to directly have a say in the development of ELI Projects.

The ELI is happy to welcome you as a member of the following MCCs:

- Common Constitutional Traditions in Europe
- Draft Model Rules on Online Intermediary Platforms
- Principles for a Data Economy (with the American Law Institute)

Any ELI member who is interested in actively contributing to the development of a project can join an MCC, irrespective of their status as a Fellow, Individual Observer or Institutional Observer.

There is no limit to the number and MCC Members need not be experts in the relevant field. It is desirable that MCC members come from various legal professions and specialise in different areas of law. It is precisely

this diversity that enriches the debating potential of the MCC and makes its contribution so valuable. If you are interested in closely following one of the above-mentioned projects, receiving regular updates and par-

ticipating in discussions with Project Reporters and Project Teams to shape the project's output, you are welcome to send an [e-mail](#) to the ELI Secretariat expressing your interest in joining one of the above MCCs.



Dispute Resolution: Beyond the Courts

Conference on 9 November 2018 in Trier (Germany): Register Now!

The ELI and the ENCJ are pleased to announce a Conference on 'Dispute Resolution: Beyond the Courts' that will take place at ERA in Trier on 9 November 2018.

The Conference seeks to disseminate the output of the 'The Principled Relationship of Formal and Informal Justice through the Courts and Alternative Dispute Resolution (ADR)' project by setting directions in which the discussion about dispute resolution processes should go in the future.

The starting point will therefore be the presentation of the final results of the joint ELI-ENCJ Project. Given the recent developments at UN level, as well as the progress in the field of digitalisation, the potential impact of the Convention on International Settlement Agreements resulting from mediation on the relationship between courts and ADR as well as on the opportunities and challenges for digital dispute resolution will also be discussed.

The Statement on 'Principled Relationship of Formal and Informal Justice through the Courts and Alternative Dispute Resolution' was approved by the ELI Council on 8 February 2018. ENCJ members voted upon the Statement on 1 June 2018 which was unanimously approved. You can read more about the background of the project [here](#). The tentative agenda of the conference can be found [here](#). Please note that an attendance fee of €100 applies (coffee and lunch are complimentary).



ELI-UNIDROIT Share Current Project Output

Conference on 26–27 November 2018 in Trier

The ELI and UNIDROIT will organise a Conference on the ELI-UNIDROIT's project 'From Transnational Principles to European Rules of Civil Procedure'.

As the work on the structure of the rules nears completion, this public Conference aims at presenting the advanced results achieved by the project's current and former working groups. Participants of the Conference will have a chance to get a sense of the whole project as the work is

drawing to an end with an estimated completion date of spring 2019. The members of the project as well as other esteemed experts in the field of civil procedure will present the achievements and challenges of the work of the respective working groups and stimulate discussions on selected pressing legal issues in the area of civil procedure. More information about this Conference is available on the ELI website.

ERA Special Offer for Professional Development

ELI Members Get 40 % discount at ERA Conferences

Did you know that as an Individual Observer or Fellow of the ELI, you are entitled to a discount of 40% when attending a conference hosted by ERA? ERA, an Institutional Observer of the ELI, seeks to promote the awareness, understanding and good practice of European law through providing a centre for training and debate for lawyers. The ELI and ERA therefore share a common goal of improving the law in today's Europe. Make the most of our cooperation! More information about the events offered by ERA can be found [here](#).



European and Asian Perspectives on the Digital Economy

Interdisciplinary Conference Co-Organised by the Digital Law SIG in Ferrara (Italy) from 5–6 July 2018

Technological innovation has an increasingly significant impact on individuals and enterprises creating new business opportunities but also new regulatory challenges. Smart technol-

ogies are changing the equilibrium between individual fairness, privacy and legal certainty and other established legal paradigms. These topics were discussed at a conference on

‘European and Asian Perspectives on the Digital Economy: Platforms, Blockchain and FinTech’ in Ferrara from 5–6 July 2018.

The Conference was co-organised by the ELI Digital Law SIG and the Korea Institute for National Competitiveness, the University of Ferrara, the University of Osnabrück and the Hankuk University of Foreign Studies. This interdisciplinary Conference brought together leading experts from Europe and Asia and sought to address the impact of digital technology on the law and to assess the most recent legislative developments. The focus was set, in particular, on Online Intermediary B2C & B2B Platforms; P2P Lending; FinTech; Blockchain Technology; Smart Contracts; Bitcoins & other Cryptocurrencies; and Liability for Cyberattacks.



The participants from Asia and Europe debated about the digital economy

Green Paper by Business and Financial Law SIG Published

The Current Challenges for EU Company and Financial Law and Regulation – Free Download

The Business & Financial SIG is proud to announce that its Green Paper on ‘The Current Challenges for EU Company and Financial Law and Regulation’ was published, *independently of the ELI*, by the above SIG. The publication is available for free download [here](#).

Abstract

European company and financial law and regulation have been evolving over time along with business and financial practices. The resulting ‘social licence’ established by company and financial law and regulation aimed to balance the granted privileges of limited liability and share transferability with the corporate social contribution to economic development and

employment. Recent transformations driven by shareholder value and financialisation have been challenging this balance of interests between stakeholders (including employees and shareholders) and society. The EU institutional framework may respond to these challenges by reaffirming the centrality of the enterprise as a going concern. On this basis, corporate accountability and responsibility may be enforced to make ongoing corporate affairs accountable and responsible for their contribution to economy and society. Ongoing corporate capacity to cope with social and environmental responsibilities may be assured along with the fair and sustainable remuneration of stakeholders, including shareholding investors, and a fair tax contribution.



Hungarian Hub soon to be launched

Inaugural Conference, ELTE Faculty of Law on 14 September 2018 in Budapest (Hungary)

The ELI Hungarian Hub will be formally established by the opening words of Miklós Király, Professor at the ELTE Faculty of Law, Department of International Private Law and European Economic Law. ELI President Christiane Wendehorst will outline the goals and mission of the ELI.

The Conference focuses on the future relationship between the UK and the EU following Brexit. Keynote speaker Steve Peers, Professor at the School of Law, University of Essex (UK), will also speak on 'Discovering the Impact and Effects of Brexit on both EU Law and UK Law – in Theory and in Practice'.



**BABEŞ-BOLYAI
UNIVERSITY**

Pre-Launch Event of Romanian Hub

**Seminar on Legal Aspects of the Digital Economy
on 21 November 2018 in Cluj (Romania)**



The ELI is further expanding its outreach to countries in Central Eastern Europe. Romania is a candidate for the next ELI Hub and is set to established one shortly after the launch of the Hungarian Hub. 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. At present, the ELI has 11 Hubs across Europe.

The pre-launch of the Romanian Hub will be in the form a seminar on Legal Aspects of the Digital Economy, organised and hosted by the Babeş-Bolyai University in Cluj on 21 November 2018. ELI President, Christiane Wendehorst, will be amongst those present and will speak as a keynote on Principles for a Data Economy, a current ALI-ELI project.

Call for Papers on Human Rights, Poverty and Social Justice

University College Dublin Organises One-Day Conference

On behalf of the University College Dublin (UCD), an Institutional Observer of the ELI, the following call for papers is shared with you:

A one-day conference on 3 November 2018 in Dublin (Ireland) will bring together scholars from a range of disciplinary fields to address the role that human rights have in tackling the global challenges of poverty and material deprivation. It will consider the moral basis and content of human rights against poverty, what obligations these rights entail and how they can be institutionally implemented and enforced.

Each speaker will have twenty minutes of presentation time, followed by ten minutes Q&A. The UCD invites you to submit your abstract of no more than 300 words by 17 September 2018. Online registration details will follow. Further details of this call will be found [here](#).



UCD Centre for Human Rights
Ionad um Chearta an Duine



2018 Sponsor of the ELI Young Lawyers Award

INTERLEGES
the international association of independent law firms

Interleges is honoured to be associated with the ELI through its sponsorship of the 2018 Young Lawyer Award. Interleges was founded in 1989 by a group of like minded law firms who saw the opportunity of strengthening

links in other jurisdictions at a time when boundaries in Europe were coming down.

As such it shares the aims of the ELI in learning from the achievements of the different legal cultures, endorsing the value of comparative knowledge and taking a genuinely international perspective in dealing with legal issues. Interleges has grown from its roots in Europe and is now a well-established and closely linked alliance of independent law firms with offices across the countries of the European Union, Eastern Europe, the Middle East and North and South America. Through Interleges, both business organisations and individuals have access to specialist lawyers who have experience in representing clients from different countries.



Save the Date: Upcoming ELI Events

5–7 September 2018

ELI 2018 Annual Conference and
General Assembly in Riga (Latvia)

14 September 2018

Inaugural Conference on occasion of the
launch of the Hungarian Hub
in Budapest (Hungary)

24 September 2018

Follow-up meeting of the ELI-FRA Business and
Human Rights Project Team
in Vienna (Austria)

9 November 2018

Dispute Resolution: Beyond the Courts
Conference in Trier (Germany)

21 November 2018

Pre-Launch Event of Romanian Hub
in Cluj (Romania)

26–27 November 2018

ELI-UNIDROIT & ERA Conference
in Trier (Germany)

12–14 September 2018

Conference for Judges: Presentation of the
ELI project on Detention of Asylum Seekers
and Irregular Migrants and the Rule of Law by
Boštjan Zalar in Catania (Sicily)

21 September 2018

ELI-ELFA Working Group Meeting
in Paris (France)

26 October 2018

Principles for a Data Economy
Project Meeting in Philadelphia (USA)

16 November 2018

ELI-FRA Business and Human Rights
Project Team Meeting in Vienna (Austria)

22–23 November 2018

4th Spanish-German Hub Meeting
in Münster (Germany)

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 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 General Assembly, bringing together Europe's leading experts in diverse fields of law.

Executive Committee

President:	Christiane Wendehorst
Vice-President:	Sjef van Erp
Treasurer:	Denis Philippe
Members:	Anne Birgitte Gammeljord
	Raffaele Sabato
	Hans Schulte-Nölke
	Lord John Thomas

2019 ELI Conference

The 2019 ELI Annual Conference will take place from
4–6 September in Vienna (Austria).
Please take note of this date.

We look forward to seeing you there!

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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