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Bringing Legal Experts Together

Newsletter

Issue 4: July–August 2021

Inside this Issue:

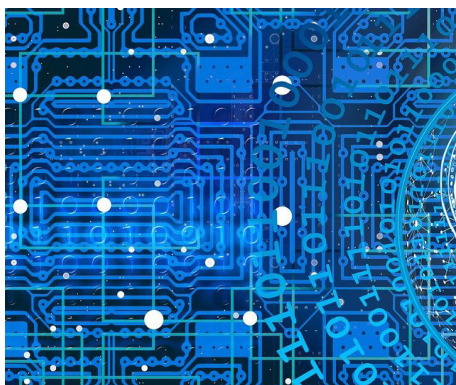
Cover by Elettra Ronchi

Organisation for Economic Cooperation and Development (OECD)

Cover Letter on the ALI-ELI Principles for a Data Economy



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Spotlight on Principles for a Data Economy by Herbert Zech

With the rise of an economy in which data is a tradeable asset globally, more certainty is needed with regard to the legal rules that are applicable to the transactions in which data is an asset. Critical questions arise such as who has which right with regard to the data generated by connected devices?

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Imprint

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Schottenring 16/175
1010 Vienna, Austria

ELI Annual Conference Programme

ELI Members received login details over email. To find out how to become an ELI Member, please visit [ELI website](#).

TUESDAY | 31 AUGUST 2021

07:15 – 11:15 (CET) ELI Executive Committee Meeting (Executive Committee Members Only)

WEDNESDAY | 1 SEPTEMBER 2021

09:00 – 14:30 (CET) ELI Council Meeting (Council Members Only)

FRIDAY | 3 SEPTEMBER 2021

15:00 – 15:25 (CET) ELI Senate Meeting (Senate Members Only)

15:30 – 16:30 (CET) ELI Executive Committee-Senate Meeting (Executive Committee and Senate Members Only)

MONDAY | 6 SEPTEMBER 2021

10:00 – 11:00 (CET) Membership Meeting and Opening of ELI Council Elections

15:30 – 16:30 (CET) Welcome Addresses

Christiane Wendehorst (ELI President)

Alexander Van der Bellen (Federal President of the Republic of Austria; Video Message)

Brigitta Zöchling-Jud (Dean of the Law Faculty of the University of Vienna)

Keynote speech by **Marija Pejčinović Burić** (Council of Europe Secretary General)

17:15 – 18:30 (CET) Principles for a Data Economy: Data Rights and Transactions (with the American Law Institute)

Speakers:

Steven O. Weise (Chair)

Lord John Thomas

(Chair)

Malte Beyer-Katzenberger

Neil Cohen

Nuria de Lama

Christiane Wendehorst

18:45 – 20:00 (CET) Access to Digital Assets: Use of Digital Assets as Security

Speakers:

Sjef van Erp (Chair)

Phoebus Athanassiou

Carlo Di Nicola

Louise Gullifer

Teemu Juutilainen

Tilman Lueder

TUESDAY | 7 SEPTEMBER 2021

09:00 – 10:15 (CET)	Blockchain Technology and Smart Contracts	Speakers: Sjef van Erp (Chair) Martin Hanzl Marina Niforos	Claudia Sandei Dirk Staudenmayer
10:30 – 11:45 (CET)	AI and Public Administration – Developing Impact Assessments and Public Participation for Digital Democracy	Speakers: Paul Craig (Chair) Brando Benifei Marc Clément	Jens-Peter Schneider Peggy Valcke
12:00 – 13:15 (CET)	Admissibility of E-Evidence in Criminal Proceedings in the EU	Speakers: Lorena Bachmaier Winter (Chair) Vânia Costa Ramos	Farsam Salimi Tania Schröter
14:15 – 15:30 (CET)	The Concept and Role of Courts in Family and Succession Matters	Speakers: Matthias Neumayr (Chair) Elena Bargelli	Véronique Chauveau Andréas Stein Francois Tremosa
15:45 – 17:00 (CET)	Climate Justice – New Challenges for Law and Judges	Speakers: Henrik Andersen (Chair) Larisa Alwin Alberto de Franceschi	Tim Eicke Lavanya Rajamani Gerhard Wagner
19:00 – 19:45 (CET)	ELI Young Lawyers Award	Speakers: Sjef van Erp (Chair) John North	Winner of the Award
19:45 – 20:00 (CET)	ELI SIG and Hub Awards	Speakers: Christiane Wendehorst	Winners of the Awards
24:00 (CET)	<i>Closing of ELI Council Elections</i>		

WEDNESDAY | 8 SEPTEMBER 2021

09:00 – 10:15 (CET)	Corporate Sustainability, Financial Accounting and Share Capital	Speakers: Corrado Malberti (Chair) Yuri Biondi Colin Haslam	Hideki Kanda Martina Macpherson
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10:30 – 11:45 (CET) Ecocide	Speakers: Fausto Pocar (Chair) Robert Bray Kate Mackintosh	Jojo Mehta Marie Toussaint
12:00 – 13:15 (CET) ELI-Mount Scopus European Standards of Judicial Independence	Speakers: Fryderyk Zoll (Chair) Milan Kristof Silvana Sciarra	Sophie Turenne Ksenija Turković
14:30 – 15:45 (CET) Fundamental Constitutional Principles	Speakers: Lord John Thomas (Chair) Adam Bodnar	Elise Muir Takis Tridimas Renáta Uitz
16:00 – 17:15 (CET) The Concept of Corporate Criminal Liability	Speakers: Celina Nowak (Chair) Peter Csonka Marc Engelhart	Willem Geelhoed Fabio Nicolichia
18:30 – 19:45 (CET) Membership Meeting and Announcement of ELI Council Elections 2021 Results Closing Ceremony (Handover of Presidency)	Speakers: Pascal Pichonnaz Christiane Wendehorst Reinhard Zimmermann	

WEDNESDAY | 15 SEPTEMBER 2021

- 09:00 – 11:00 (CET) Council Meeting (New Formation, Council Members Only)
- 16:00 – 17:00 (CET) Council Meeting (New Formation, Council Members Only)



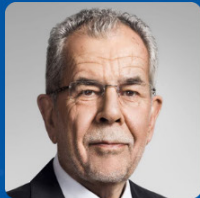
Further details, including panel descriptions, are available in the ELI Annual Conference 2021 Brochure.



ELI Annual Conference 2021: Speakers



Christiane Wendehorst
ELI President



Alexander Van der Bellen
Federal President of the Republic of Austria



Brigitta Zöchling-Jud
Dean of the Law Faculty of the
University of Vienna



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WELCOME ADDRESSES

6 September 2021
15:30 (CET)



Marija Pejčinović Burić
Council of Europe Secretary General



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KEYNOTE SPEECH

6 September 2021
15:30–16:30 (CET)



Malte Beyer-
Katzenberger



Neil
Cohen



Nuria
de Lama



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PRINCIPLES FOR A DATA ECONOMY

6 September 2021
17:15–18:30 (CET)



Steven
O Weise



Lord John
Thomas



Christiane
Wendehorst



Phoebus
Athanassiou



Carlo
Di Nicola



Sjef
van Erp



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EUROPEAN
LAW
INSTITUTE

USE OF DIGITAL ASSETS AS SECURITY

6 September 2021
18:45–20:00 (CET)



Louise
Gullifer



Teemu
Juutilainen



Tilman
Lueder



Sjef
van Erp



Martin
Hanzl



Marina
Niforos



ELI
EUROPEAN
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INSTITUTE

BLOCKCHAIN TECHNOLOGY AND SMART CONTRACTS

7 September 2021
09:00–10:15 (CET)



Claudia
Sandeï



Dirk
Staudenmayer



Brando
Benifei



Marc
Clément



Paul
Craig



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EUROPEAN
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INSTITUTE

AI AND PUBLIC ADMINISTRATION

7 September 2021
10:30–11:45 (CET)



Jens-Peter
Schneider



Peggy
Valcke



Lorena
Bachmaier Winter



Vânia
Costa Ramos



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ADMISSIBILITY OF E-EVIDENCE IN CRIMINAL PROCEEDINGS IN THE EU

7 September 2021
12:00–13:15 (CET)



Farsam
Salimi



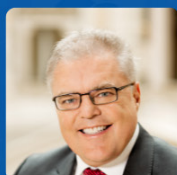
Tania
Schröter



Elena
Bargelli



Véronique
Chauveau



Matthias
Neumayr



ELI
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THE CONCEPT AND ROLE OF COURTS IN FAMILY AND SUCCESSION MATTERS

7 September 2021
14:15–15:30 (CET)



Andreas
Stein



François
Trémosa



Larisa
Alwin



Henrik
Andersen



Alberto
De Franceschi



ELI
EUROPEAN
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CLIMATE JUSTICE – NEW CHALLENGES FOR LAW AND JUDGES

7 September 2021
15:45–17:00 (CET)



Tim
Eicke



Lavanya
Rajamani



Gerhard
Wagner



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ELI YOUNG LAWYERS AWARD

7 September 2021
19:00–19:45 (CET)



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ELI SIG AND HUB AWARDS

7 September 2021
19:45–20:00 (CET)



Yuri
Biondi



Colin
Haslam



Hideki
Kanda



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CORPORATE SUSTAINABILITY, FINANCIAL ACCOUNTING AND SHARE CAPITAL

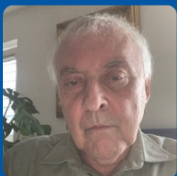
8 September 2021
09:00–10:15 (CET)



Martina
Macpherson



Corrado
Malberti



Robert
Bray



Kate
Mackintosh



Jojo
Mehta



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ECOCIDE

8 September 2021
10:30–11:45 (CET)



Fausto
Pocar



Marie
Toussaint



Milan
Kristof



Silvana
Sciarra



Sophie
Turenne



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ELI-MOUNT SCOPUS EUROPEAN STANDARDS OF JUDICIAL INDEPENDENCE

8 September 2021
12:00–13:15 (CET)



Ksenija
Turković



Fryderyk
Zoll



Adam
Bodnar



Elise
Muir



Lord John
Thomas



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FUNDAMENTAL CONSTITUTIONAL PRINCIPLES

8 September 2021
14:30–15:45 (CET)



Takis
Tridimas



Renáta
Uitz



Peter
Csonka



Marc
Engelhart



Willem
Geelhoed



ELI
EUROPEAN
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THE CONCEPT OF CORPORATE CRIMINAL LIABILITY

8 September 2021
16:00–17:15 (CET)



Fabio
Nicolichia



Celina
Nowak

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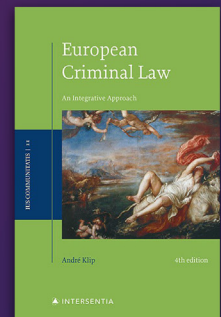
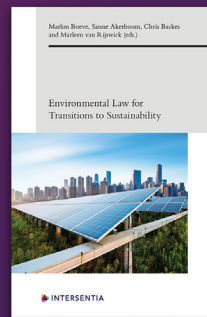
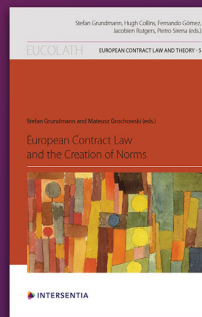
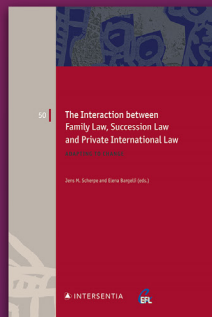
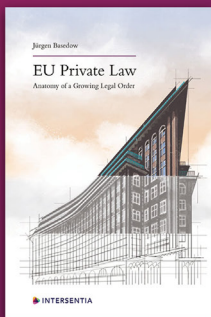


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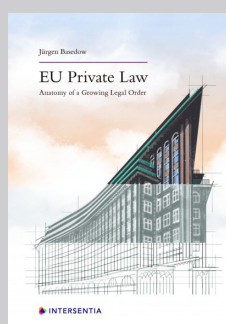
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Link to the last catalogue [here](#). Attendees of ELI 2021 Annual Conference can get a 20% discount on all English language titles. More information is available [here](#).

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- Civil Enforcement in a Comparative Perspective. More [here](#)
- European Employment Law. More [here](#)
- European Legal Methodology. More [here](#)
- European Criminal Law 4th ed. More [here](#)
- EU Private Law. More [here](#)
- A New Deal for Professional Football in the EU. More [here](#)
- European Contract Law and the Creation of Norms. More [here](#)
- Informed Choices in Cross-Border Enforcement. More [here](#)
- Immoral Contracts in Europe. More [here](#)
- Unfair Trading Practices in the Food Supply Chain. More [here](#)



EU Private Law

Author: Jürgen Basedow

The book deals with the impact of EU law on private relations. While EU law has principally developed through vertical relations of the Union and its Member States with private persons, its foundations, principles and enforcement mechanisms are increasingly affecting the growing body of EU law governing horizontal relations between individuals and undertakings. The results are sometimes unexpected and sometimes inappropriate.

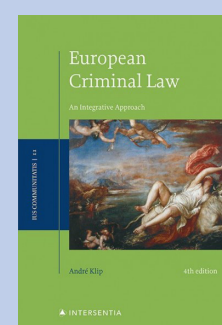
Read more [here](#).

European Criminal Law 4th ed

Author: André Klip

This fourth edition explains European criminal law as a multi-level field of law, in which the EU has a normative influence on all criminal proceedings, but also on aspects of substantive criminal law and on the co-operation between Member States. It analyses the contours of the emerging criminal justice system of the EU and presents a coherent picture of the legislation enacted, the case law on EU level and its influence on the national criminal justice systems.

Read more [here](#).



Message from

Elettra Ronchi

Head of Data Governance and Privacy in the Digital Economy and Policy Division of the Organisation for Economic Cooperation and Development

Dear ELI Members and Friends

It is a great pleasure for me, as Head of Data Governance and Privacy in the Digital Economy and Policy Division of the Organisation for Economic Cooperation and Development (OECD), to address all of you in this special issue focused on the Data Economy and the Principles on Data Rights and Transactions developed by the ELI and the American Law Institute (ALI).

There is a good reason for this: the finalisation and upcoming adoption in October by the OECD Council of the draft Recommendation on Enhancing Access to and Sharing of Data¹. I am particularly delighted as there are meaningful complementarities between this OECD Recommendation and the ELI-ALI Principles. And both emerge at a critical time for global data governance.

In today's digitalised and interconnected world, data has become the lifeblood of economic and social interactions. There is no doubt that data access and sharing can generate a wide range of benefits. Since more than a decade, the OECD has been at the forefront of global efforts to unlock the value of data to help resolve economic, societal and

environmental challenges including through facilitating collaboration and data-driven innovation² across both private and public sectors. With the increasing use of artificial intelligence and the diffusion of the Internet of Things, access to and sharing of data will further grow in importance, even in traditionally less data-intensive fields such as manufacturing, agriculture, and construction. And the pandemic has proven that in times of crisis and global emergencies data is more important than ever. Timely, secure and reliable data access and sharing have been critical to understanding the virus and its spread, improving the effectiveness of government policies, and fostering global co-operation in the race to develop and distribute therapies and vaccines.

Despite the growing need for data across society, and despite evidence of the economic and social benefits of data across sectors, data access and sharing remain below their potential, however, as highlighted in the OECD report "Enhancing Access to Data and Sharing of Data: Reconciling Risks and Benefits for Data Re-use across Societies"³, individuals, businesses, and governments often face restrictions to data access, which



may be compounded by reluctance to share, including within and across countries. It is increasingly clear that the benefits of the data economy requires trust in the activities of the different players operating in the data ecosystem. But to create an environment of trust and unlock the potential benefits of data within and across countries there is a need for greater certainty on the applicable legal rules and frameworks as well as greater coherence and interoperability across policy approaches to the governance of all forms of data, including personal data, research data, public sector information data and across all sectors.

In this context, the parallel undertakings of the ELI, ALI and of the OECD are concrete evidence of the need on one side, for legislative guidance on data transactions and data rights, vital to promoting certainty and trust among all stakeholders and on the other, for policy guidance on how governments can maximise the benefits of enhancing data access and sharing arrangements while protecting individuals' and organisations' rights and other legitimate interests and objectives.

Looking ahead, a key challenge will now be to support and advance the adoption and implementation of these instruments and their continual

improvement. Given their common interests, there is scope for mutually beneficial sharing of information and cooperation between the ELI, the ALI and the OECD. Some concrete venues for such cooperation already exist. Crucially, with its Going Digital Project on Data Governance for Growth and Well-being⁴, the OECD aims to go beyond the traditional discussion around data and provide an international forum for fostering multi-stakeholder and interdisciplinary dialogue, building a bridge across sectors and policy communities, provide analysis and measurement to guide countries in designing their data governance policies.

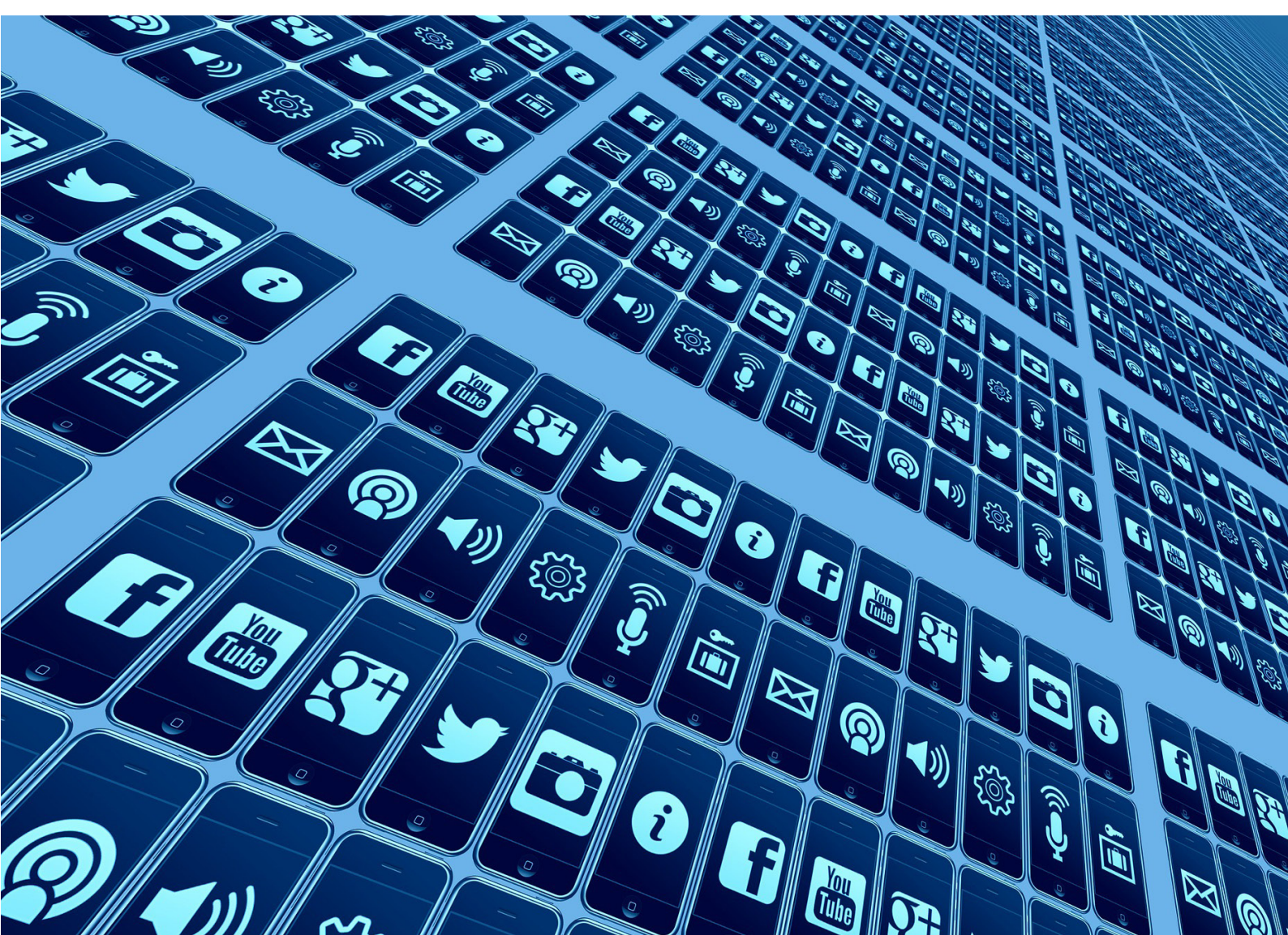
References

¹<https://www.oecd.org/sti/ieconomy/enhanced-data-access.htm>

²OECD(2015),Data-DrivenInnovation: Big Data for Growth and Well-Being, OECD Publishing, Paris, <https://dx.doi.org/10.1787/9789264229358-en>.

³OECD (2019), Enhancing Access to and Sharing of Data: Reconciling Risks and Benefits for Data Re-use across Societies, OECD Publishing, Paris, <https://dx.doi.org/10.1787/276aaca8-en>.

⁴<https://www.oecd.org/going-digital/project/>



Spotlight

The ALI-ELI Principles for a Data Economy

by Herbert Zech

With the recently approved by ELI Council Principles for a Data Economy, a joint ALI-ELI project, the Project Team created a comprehensive set of principles governing data transactions. The purpose of these principles, spelled out in principle 1, is to bring coherence to and to help harmonising existing law, serve as a source of inspiration for future legal developments and be used by legal practitioners (for model agreements, default rules and arbitration). Therefore, these principles (many of them rather rules) are not a merely analytical exercise but also contain valuable legal policy considerations. They are designed to work together with existing legal regimes concerning data, like data privacy law and intellectual property law, and to be transnational in nature. Despite these restraints the result almost amounts to a model data law.

The scope of application and the definitions contained in principles 2 and 3 bring clarity to many different terms used in connection with the data economy. First of all, data are defined as 'information recorded in any machine-readable format suitable for

automated processing, stored in any medium or as it is being transmitted', being in line with a widely accepted definition encompassing a wide range of data. The scope, however, is limited prudently to use data by excluding software ('functional data') and tokens ('representative data'). As a result, the principles focus on transactions concerning use data. The main topics (addressed in parts II, III and IV respectively) are data contracts, data rights and third-party aspects of data activities.

Principles governing data contracts (contracts the subject of which is data) are set out in part II (principles 5 to 15). As a starter, principle 5 highlights the hierarchy of legal rules, where terms included in the contracts by operation of principles 7 to 15 fit in as subsidiary to the agreement of the parties and rules of law that cannot be derogated from by agreement. Principle 6 contains interesting aspects relevant for the interpretation of data contracts in particular, notably the non-rivalrous use of data ('the nature of data as a resource of which there may be multiple copies and which can be used in parallel by

[...] the principles contain not only a valuable analysis and the structuring of existing legal rules, but they also provide creative new ideas for a functioning legal framework for the data economy. The timing is also excellent since the European Commission's promised Data Act is still underway.

– Herbert Zech

various parties for a multitude of different purposes’).

An important contribution to the development of a new data contract law can be found in principles 7 to 10 where contracts for the supply of data are differentiated according to the amount of duties of the supplier. Starting with transferring the data as the main obligation, to providing access to the data, to providing access to a particular data source and finally to simply authorizing access, a hierarchy of contracts for the supply of data with their respective typical obligations is construed. In addition, contracts for data pooling can be found in principle 11.

In the following principles, other important contracts are analysed, especially data trust and data escrow contracts (principles 13 and 14 respectively). The importance of data trust contracts is underlined by the fact that data sharing constellations that create fiduciary duties of intermediaries will be regulated within the scope of data sharing services (or data intermediaries) by the European Commission’s proposal for a Data Governance Act, currently undergoing the Trilogue process.

Part III (principles 16 to 27) concerns data rights. A data right is defined (in principle 3) as a right against a controller of data (control meaning being able to access the data and determine the purposes and means of its processing) that is specific to the nature of data and that arises from the way in which the data is generated, or from the law for reasons of public interest. Principle 16 describes in an analytical way the possible contents of data rights, ie access to data (which arguably is the fundamental legal position with respect to data, comparable to possession of physical objects), desisting from data activities, correction of data and/or receiving an economic share in profits derived from the use of data. The distinction between desisting and the right to receive economic share reflects the ongoing important shift, especially in IP law, from exclusivity (injunctive

relief) to participation (liability rule).

An innovative concept for the attribution of data is developed in the principles on ‘co-generated’ data (18 to 23). Co-generated data, as defined in principle 3, means ‘data to the generation of which a person other than the controller has contributed, such as by being the subject of the information or the owner or operator of that subject, by pursuing a data-generating activity or owning or operating a data-generating device, or by producing or developing a data-generating product or service’. Principle 19 proposes that data rights in co-generated data may arise as a result of balancing the involved interests. Among the factors to be considered is *inter alia* the share which a party had in the generation of the data by being the subject of (the information coded in) the data, producing the data or aggregating the data. The resulting rights comprise not only (and rarely) of exclusivity but also access and participation in the economic value. While the underlying idea of balancing might be criticised for a lack of legal certainty, it has the benefit of answering to the highly complicated meshwork of interests involved in data.

Another innovative concept is found in the principles on data rights (especially access rights) for the public interest access (principles 24 to 27). This reflects the current debate on access rights to data as an instrument to foster their use. Principle 27 proposes a principle of reciprocity, ie a mutual granting of rights. This is an interesting concept reminiscent of patent law compulsory licenses in cases of dependency where in some jurisdictions the patent owner can require the licence seeker to grant him a cross-licence on reasonable terms and conditions. The overall societal aim is to use data as efficiently as possible.

Part IV (principles 28 to 37) deals with third party aspects of data activities. Most notably, third-party effects of contractual obligations are proposed, comparable to the follow-on effects of

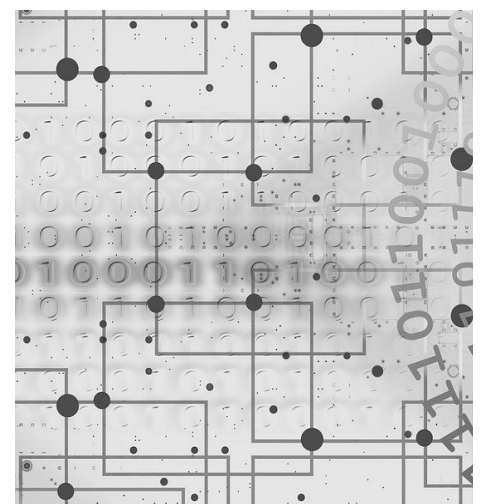
The Author



Professor Dr Herbert Zech holds the Chair of Civil Law, Technology Law and IT Law at Humboldt University, Berlin, and is a Director at the Weizenbaum Institute for the Networked Society. He is interested in the regulation of new technologies with a focus on IP law and liability law.

trade secret protection. This might be a solution to transaction costs caused by the lack of IP-like legal protection for data.

To sum it up, the principles contain not only a valuable analysis and the structuring of existing legal rules, but they also provide creative new ideas for a functioning legal framework for the data economy. The timing is also excellent since the European Commission’s promised Data Act is still underway.





ELI at 10

ELI celebrates its 10th anniversary in 2021. Over the course of the 2021 issues of this Newsletter, we will display ELI's history, Members, and project milestones to commemorate this occasion. In this issue, you are cordially invited to take a trip down memory lane with us to 2017 and 2018.

March 2017

ELI published its report on '[Prevention and Settlement of Conflicts of Exercise of Jurisdiction in Criminal Law](#)'.

September 2017

ELI published its report on '[Detention of Asylum Seekers and Irregular Migrants and the Rule of Law: Checklists and European Standards](#)'.

September 2017

ELI published its report on '[Rescue of Business in Insolvency Law](#)'.

June 2017

'Being a Council Member affords you direct influence on the development of the ELI; it allows you to work together with prominent legal experts from all over Europe and offers the opportunity to be actively involved in projects aimed at improving the law and law-making across the continent.' – Irmgard Griss, then ELI Returning Officer on the ELI Council Election

September 2017

ELI elected a new Executive Committee: Christiane Wendehorst (ELI President), Sjef van Erp (ELI Vice-President), Denis Philippe (ELI Treasurer), Anne Birgitte Gammeljord (Member), Raffaele Sabato (Member), Hans Schulte-Nölke (Member), Lord John Thomas (Member).

September 2017

'I have had the great honour of being elected the new ELI President and of receiving your mandate to guide this Institute through the next chapter of its existence. While being aware that, following Sir Francis Jacobs and Diana Wallis, I will be stepping into enormously big shoes, I confidently accept the challenge because I know I can count on the expertise of wonderful colleagues in the new Executive Committee and Council, on the support of an excellent Secretariat, and on a vibrant and committed ELI Membership.' – Christiane Wendehorst, then newly elected ELI President

February 2018

ELI published its report on [‘The Principled Relationship of Formal and Informal Justice through the Courts and Alternative Dispute Resolution’](#).

2018

The ELI Insurance Law SIG was launched.

5–7 September 2018

ELI held its ELI Annual Conference and General Assembly in Riga. The Keynote Speech was delivered by Harriet Lansing, Former President of the Uniform Law Commission.



6–8 September 2017

The ELI Annual Conference and General Assembly took place in Vienna (Austria) in 2017 and was co-organised by the City of Vienna. The Keynote Lecture was delivered by Micheal O’ Flaherty, Director of the EU Agency for Fundamental Rights.



14 September 2018

The ELI Hungarian Hub was launched.

October 2018

‘As co-legislator, the European Parliament welcomes the contributions of the ELI during the legislative process – be it through publications or active participation in parliamentary hearings or workshops.’ – Antonio Tajani, then President of the European Parliament

Rescue of Business in Insolvency Law

Bob Wessels, Project Co-Reporter of the Project on the Rescue of Business in Insolvency Law, shares his perspective of working on this ELI project, together with Co-Reporter Stephan Madaus and Gert-Jan Boon from 2013 to 2017.



The report, unanimously adopted by ELI in 2017, has served as inspiration not only to the EU legislator, but also to national legislators and courts.

How would you describe the project outcome in a couple of sentences?

I am not shy to say that our project has lived up to all expectations, and more than that. The report, unanimously adopted by ELI in 2017, has served as inspiration not only to the EU legislator, but also to national legislators and courts. It has been downloaded over 1,000 times, steering the debate in the academic literature while also being translated into eg Russian.

Why was this project relevant for the development of the European legal order? Does it remain relevant?

Our work has been inspired by suggested changes to the US Bankruptcy Code's Chapter 11, which is also famous in Europe, as well as international recommendations from standard-setting organisations, such as the World Bank and UNCITRAL. During the finalisation of our project, the European Commission issued drafts, leading to the EU Preventive Restructuring Directive 2019/1023, containing some seventy options for Member States. Our project provides

an impetus for national legislators to consider pros and cons, and balance their outcome in the light of our recommendations. As to its relevance today and in the near future: there will be a dramatic challenge to cope with the effects of the COVID-19 pandemic. Even a return to pre-pandemic economies may see a tidal wave of impending insolvencies that have been suppressed by government measures in many Member States. In weighing this cliff-edge risk, our recommendations may assist legislators to deal with the post-pandemic area of recovery of the European economies.

What do you consider the direct impact of the project for citizens?

Businesses which are in their core financially viable should not end being liquidated in bankruptcy. Maintaining these businesses will mean that employment can be preserved, that other businesses can continue to deliver goods and services to such companies in rescue proceedings, and that the latter can continue to pay taxes, to the benefit of the society as a whole.

What are your personal memories of the project?

Many moments in Vienna, Zagreb, Ferrara and Vienna again, I cherished debates and a collaborative atmosphere. The unanimous support for our report, with a topic so strongly related with business, commerce and finance certainly was memorable. Working with next generation researchers as well as the ELI staff is a joy for an insolvency veteran like me and leaves good memories.

About the Project Reporter

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

What are your recommendations for future projects in this area?

I definitively feel it is time to think more thoroughly about the problems arising in today's credit and easy-to-click money society resulting in the over-indebtedness of private persons and households, creating social exclusion of individuals and their families. Over-indebtedness, also as a result of the harsh and costly debt collection mechanisms, calls for identifying these difficulties, finding solutions and preparing one or more appropriate ELI-instruments defining legislative and administrative measures. In this area, certainly ELI could make a meaningful contribution toward halting an increasing wealth divide in society.

Quick Facts:

Project Type and Output: [Report](#)
 Project Period: September 2013–
 September 2017
 Read more about the project [here](#).

ELI at 10: Rescue of Business in Europe – the Impacts of ELI’s Work

On 15 July 2021, on the occasion of ELI’s 10th anniversary, ELI hosted a webinar on ‘Rescue of Business in Europe – the Impacts of ELI’s Work’ to discuss present and future options in developing effective restructuring regimes in Europe as well as the impact the ELI Rescue of Business in Insolvency Law report had, and continues to have.



Against the background of reform initiatives in insolvency law in Europe, the output of the ELI project on Rescue of Business in Insolvency Law, which was adopted by the ELI Bodies in 2017, aimed to develop a legal enabling framework in a situation of business distress. Among many other things, it proposed the so-called ‘absolute priority rule’ versus ‘relative priority rule’ inspiring the new legislative tools in the United Kingdom (UK) to improve rescue opportunities for financially distressed companies.

Bob Wessels (Chair, Emeritus Professor of Law, Reporter of the ELI project) opened the webinar and briefly presented the output of the ELI Rescue of Business in Insolvency Law project, which he led together with Stephan Madaus (Professor, Martin Luther University Halle-Wittenberg) and with the assistance of Gert-Jan Boon (Researcher and Lecturer at the Department of Corporate Law, Leiden Law School). The report includes 115 recommendations with regard to 10 themes and served as an inspiration not only to EU legislators, but also to national ones, steering the debate in the academic literature while being

translated into different languages. Two particular topics have been chosen as a basis for the discussion of this webinar, namely the role and function of the debtor-in-possession (DIP) and medium and small enterprise.

Gert-Jan Boon introduced the webinar’s first topic and provided a definition of the debtor-in-possession, which is described in detail in the part of the ELI report dealing with the role of actors in insolvency proceedings. DIP represents a novelty in certain jurisdictions, and in other European countries its application varies widely. Furthermore, it entails specific intrinsic contradictions with regard to potential trust issues towards the debtor continuing in the company’s position and initiating the insolvency procedure at the same time. In this respect, the ELI report recommends clear duties and liabilities of the debtor to take adequate measures to prevent the financial distress, enhancing the trust between involved parties.

Helene Bourbouloux (Judicial Administrator, fhb) presented the DIP principle from the perspective of the

French rules. In France, as in most EU Member States, a distinction is made between reorganisation proceedings as amicable, pre-insolvency, safeguard or rescue proceedings on the one hand, and the liquidation proceedings, on the other hand. In a nutshell, the loss of control of the debtor over their business is directly proportional to the level of difficulties and coercion of the procedure. The EU Directive 2019/1023 on the Preventive Restructuring defines that total or partial control of the assets and day-to-day operation of the business by the debtor should be ensured when accessing preventive restructuring procedures as well as regulating the appointment of a practitioner in the field of restructuring to assist the debtors and creditors in negotiating and drafting the plan. In France, both of these crucial measures have already been in place before the adoption of this Directive.

Alexander Zadorozhny (Partner, Synum Attorneys at Law) continued with presenting the Russian legislation on DIP. Among the most common insolvency procedures in Russia is a so-called ‘observation’ that enables the debtor to remain in full possession. Only in exceptional cases related to, for instance, violations of obligations to provide information or permission of bad transactions, the management can be removed and interim insolvency practitioner appointed, with a consequence of possible restrictions towards the debtor such as suspension of payments, moratorium, and enforcement proceedings. However, the essential feature of the restructuring procedure is missing as the debtors and creditors are not

deprived of the right to negotiate and conclude an amicable agreement and instruments of real restructuring are missing. He went on to explain the crucial role of the management in the procedure referring to the reasoning of the American Bankruptcy Institute analysed in the output of the ELI project. After discussing the difficulties in restructuring relations, he emphasised two possible solutions: having DIP as an autonomous party of restructuring relations and introducing special means to control their activity (eg by a court).

Stephan Madaus presented the second topic on how to deal with insolvency of small businesses. The traditional approach of insolvency law towards proceedings is through the prism of the standardised medium-size firm. However, when looking at the range of companies involved in insolvency proceedings, it varies widely from sole entrepreneurs to multinational corporate groups, with small companies being the most represented. The focus of insolvency procedures is gradually shifting towards micro, and small-sized businesses in their insolvencies, primarily through academic research and initiatives from standard-setting organisations such as the World Bank or the UNCITRAL Working Group V, to name but a few. The legislative reforms are yet to follow in many countries.

Irit Mevorach (Professor of International Commercial Law and Co-Director of the University of Nottingham Commercial Law Centre, Faculty of Social Sciences) emphasised that policymakers on all levels need to create regimes tailored for small entities rather than adjusting the existing insolvency procedures focused on larger entities. She presented the idea of a modular – country and case specific – approach, which is being developed by the UNCITRAL Working Group V in the forthcoming Guide on simplified regimes for the micro and small entities, and aims to simplify the

insolvency regimes for small entities. In particular, five main features can be highlighted: first, comprehensiveness in terms of applicability to all small entities as well as in terms of covering different procedures such as restructuring, liquidation, and reorganisation; second, encouragement and facilitation of actors to easily access the procedure at an early stage while recommending tools to prevent abuse of the system; third, the concept of DIP as the default rule; fourth, ensuring meaningful participation of creditors; and fifth, the question of the supervisory body depending on the system and availability of authorities.

Andres F Martinez (Senior Financial Sector Specialist with the World Bank Group’s Finance, Competitiveness and Innovation Global Practice) outlined the World Bank’s approach on the treatment of micro, small, and medium enterprises in insolvency. From the perspective of the World Bank, small businesses play a critical role in poverty reduction, financial inclusion and many other aspects necessary for societal cohesion across the globe. When looking

at the insolvency procedures across the continents, among the main challenges small and micro-businesses face in insolvency are matters such as the lack of incentives to access insolvency proceedings, the passivity of the creditors, limited information, problems accessing finance during insolvencies, insufficient assets to fund insolvency processes. The main principles relating to insolvency procedures for small businesses that the World Bank stresses in its 2021 report are convenience, low costs, easy access to the procedures, minimisation of formalities, management of businesses by debtors and discharge of good faith, to name but a few, while stressing the necessity to consider different settings of various countries and easily implementable rules.

During the Q&A session, participants discussed different standards of duties and liabilities of debtor in possession vs court appointed practitioner in preventive and insolvency proceedings within the different national contexts as well as the measures to creditor’s acceptance of plan foreseeing DIP.

[Watch the Webinar](#)



Webinar ELI at 10: Future of Civil Procedural Law – ELI-UNIDROIT Model European Rules of Civil Procedure and Their Impact

On 20 July 2021, on the occasion of ELI's 10th anniversary, ELI hosted a webinar on 'Future of Civil Procedural Law – ELI-UNIDROIT Model European Rules of Civil Procedure and Their Impact' to reflect on the impact the Model Rules have had and might have, in the field.

Building upon the Principles of Transnational Civil Procedure developed by the American Law Institute (ALI) and UNIDROIT in 2004, ELI and UNIDROIT jointly produced Model European Rules of Civil Procedure, which were approved by ELI Bodies and UNIDROIT Governing Council in 2020, with the aim to establish a frame of reference in civil procedure law for policymakers both at European and national levels. The Rules are available [here](#), and the full version with comments will be published by the Oxford University Press (OUP) in August 2021.

Anna Veneziano (Chair, Deputy Secretary-General of UNIDROIT, Professor of Comparative Law at the University of Teramo; Member of the ELI-UNIDROIT Project's Steering Committee), opened the webinar by presenting the history of the joint project and emphasising that the drafters had to consider a wide array of sources including European national laws, supranational regulations and international instruments. The Model Rules, which were prepared by nine Working Groups, an overarching Structure Group and Steering Committee composed of legal experts of a wide variety of different European legal traditions, with the support from Institutional Observers, are divided into 12 parts accompanied by comments and should serve as best practice rules for the future development of the European civil procedure.

Magdalena Tulibacka (Adjunct Professor, Emory Law) presented the academic perspective on the ELI-



UNIDROIT Model European Rules of Civil Procedure and its impact by defining the desired values and practical results with regard to civil procedure in general and in light of the proposed Model Rules in particular, and assessing the achieved outcome. With regard to desired aims of the Model Rules, two categories could be distinguished – internal and external ones. While the former relate to solutions for a variety of civil procedure steps, motions and roles of key players compliant with European traditions, advancing certain procedural solutions in line with the 'European' model of justice, the latter are focused on the role of civil procedure in the larger context of the local, national, inter- and supranational, global and transnational legal systems. When looking at the Model European Rules, one needs to bear in mind that the civil justice system and its components have an evolving nature, with the transition being noticeable on a global level. In addition, unification of civil procedures is not an option due to the cultural specificity and

complexity of different judicial systems. In this context, model rules approach proves to be the most efficient way of much needed harmonisation of procedural systems. In her view, the ELI-UNIDROIT Model European Rules of Civil Procedure, which have clear, efficient, purpose oriented and flexible to accommodate the fast transformation of the civil justice systems, will continue to play great role in this process serving as an inspiration.

Norel Rosner (Legal and Policy Officer, DG Justice and Consumers, Unit A1 Civil Justice) referred to the ELI-UNIDROIT Model European Rules of Civil Procedure as a high-quality project that serves as a point of reference in the European civil procedure and, in his view, will continue to do so in the following decades. He discussed the interplay between the Model Rules and the EU acquis, in particular focusing on instances when these Rules have

[Watch the Webinar](#)

influenced EU law, on their possible future impact, on the examples of EU acquis' effect on the Model Rules and on illustrations where EU acquis should have been a more prominent source of influence. The output of some of the Working Groups of this Joint ELI-UNIDROIT project impacted the drafting of EU regulations on service of documents, with its revolutionary element of access to direct electronic service across borders, and on taking of evidence in cross-border situations by videoconference. EU legislation can further be influenced by provisions of the Model Rules that address situations of limiting effect on the access to justice in cross-border situations, in particular, Rule 84 on longer or different procedural time-limits depending on the domicile of the addressee, and Rule 165 on the extension of time-limits for appeals if a party is not domiciled in the State where the court is located. On the other hand, the impact of EU acquis on the Model Rules can be observed in provisions dealing

with *lis pendens* and cross-border provisional and protective measures. The EU recommendations on third-party funding and success fees could perhaps have served as a more balanced point of reference.

John Sorabji (Barrister, Senior Judicial Institute Fellow at University College London's Judicial Institute; Member of the ELI-UNIDROIT Project's Steering Committee) emphasised the significance of the ELI-UNIDROIT Model European Rules in terms of work undertaken by academics, practices lawyers and judges from across Europe and in ensuring that ELI, collaborating with UNIDROIT, helped to further its aims by sharing different perspectives while finding a common ground and best practice for the future. We are already witnessing influence of the Model Rules on EU as well as national levels and potential impact within and beyond Europe manifested by, for instance, the forthcoming translation of the output into Chinese. He further commented

on the impact of the Model Rules and their reciprocal relations to EU acquis, stressing the role of the Commission in the drafting process, and Model Rules' influence on the Proposal for a Directive of the European Parliament on common minimum standards of civil procedure. On the national level, some reforms have already been heavily influenced by the Model Rules, such as the reforms in Norway or digital reform programme of civil procedure system in Wales. It is the digital area that might serve as a basis for the real and lasting impact of the Model Rules - creating, shaping and enforcing the future civil procedure laws.

A lively discussion followed the presentations and focused on recent developments in the US Federal Rules, on the role of arbitrators and mediators in the future of civil procedure, and on the role of Alternative Dispute Resolution methods and their relation to courts, among others.



ALI-ELI Principles for a Data Economy Unanimously Approved by ELI Council

On 1 September 2021, the ELI Council unanimously approved the Final Council Draft of the [Principles for a Data Economy: Data Rights and Transactions](#), a flagship project conducted jointly by the American Law Institute (ALI) and ELI.

This groundbreaking project aimed to produce a set of transnational principles that are intended for use in various legal systems, irrespective of the otherwise applicable legal framework. They are designed to make existing law in the field of the data economy more coherent and inspire the further development of the law by courts and legislators worldwide.

ELI wishes to congratulate Project Reporters, Professor Neil Cohen and Professor Christiane Wendehorst as well as Project Chairs, Lord John Thomas and Steven O Weise for their immense work and great achievement. Gratitude is also due to the members of the Advisory Committee and Members Consultative Committee of both organisations, who provided comments and support to the Team throughout the lifespan of the project.

The results of the Project were already approved by the ALI Council

in January 2020 (Principles 1–10 and 16–23) and January 2021 (Principles 11–15 and 24–40), as well as by the ALI Membership in May 2021.

The Final Council Draft of the ALI-ELI Principles for a Data Economy will now be submitted for a vote to the ELI Membership and will be published on the ELI website on approval.

We are pleased to announce that the Principles will be presented and discussed on 6 September 2021 at 17:15 – 18:30 CET during the ELI Annual Conference. There will also be a ‘Principles for a Data Economy Conference’ on 18–19 October 2021, which the public is welcome to attend at no charge. Further details are available [here](#).

On the European side, the project is generously funded by the Fritz Thyssen Foundation.

Other Updates on ELI Projects and SIG

Below is an overview of ELI Projects-related events that took place in July and August 2021.

Environmental Law SIG Webinar on ‘Corporate Environmental Responsibility’

On 1 July 2021, the ELI Environmental Law SIG organised a Seminar on Corporate Environmental Responsibility. Read more [here](#).

Corporate Sustainability, Financial Accounting and Share Capital

Project Team Meeting

The ELI project on Corporate Sustainability, Financial Accounting and Share Capital held its kick-off meeting on 6 July 2021. Read more [here](#).

AI and Public Administration

Project Team Meeting

The Project Team met again remotely on 21 July 2021. Read more [here](#).

AI and Public Administration

Project Team Meeting

The Project Team met again remotely on 18 August 2021. Read more [here](#).

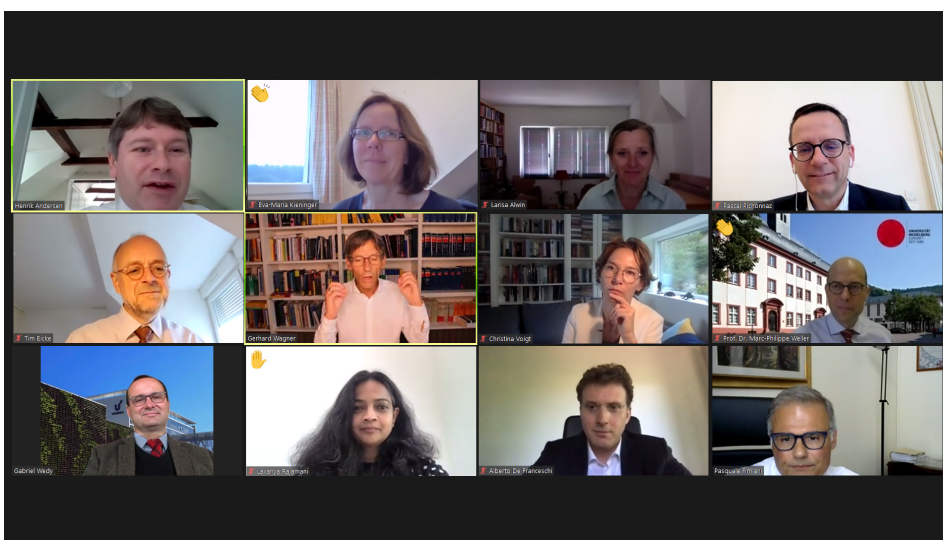


Fritz Thyssen Stiftung
für Wissenschaftsförderung

High Level Expert Group Meeting on Climate Justice

The first High Level Expert Group (HLEG) meeting of 2021 took place on 9 July and provided an opportunity for practitioners and academics to identify, present, and discuss the legal challenges in respect of international, EU, constitutional, public, and private law, that courts and lawmakers are facing in connection with climate change related issues.

Larisa Alwin (Judge, The Hague District Court), Henrik Andersen (Professor, Copenhagen Business School Law), Alberto De Franceschi (Professor, University of Ferrara), Tim Eicke (Judge, European Court of Human Rights), Pasquale Fimiani (Deputy General Public Prosecutor, Italian Supreme Court), Eva-Maria Kieninger (Professor, University of Würzburg), Lavanya Rajamani (Professor, University of Oxford), Christina Voigt (Professor, University of Oslo), Gerhard Wagner (Professor, Humboldt University), Gabriel Wedy (Professor, Federal Judge and University do Vale do Rio dos Sinos) and Marc-Philippe Weller (Professor, University of Heidelberg) met to investigate the major legal issues that emerge from the debate on climate protection in a holistic perspective, from the point of view of substantive and procedural law, examining both public and private law aspects. ELI's Second Vice President, Pascal Pichonnaz, joined the meeting.



ELI is grateful to the experts for their preparedness to devote their time and expertise to this initiative and share their knowledge. The issues identified during the meeting will feed into the development of the proposal for ELI project on Climate Justice – New Challenges for Law and Judges, which will be examined by the ELI Executive Committee and Council in due course.

ELI started with a series of HLEG meetings in 2019 with the aim of expanding and balancing its project portfolio.



Updates on ELI Representation

Below is an overview of ELI's representational activities in July and August 2021.

Meeting Between ELI and OSCE

Representatives of ELI and the Organization for Security and Co-operation in Europe (OSCE), ELI's Institutional Member, met on 29 July 2021 to explore further possibilities for cooperation.



Organization for Security and Co-operation in Europe

The meeting between Christiane Wendehorst (ELI President), Lord John Thomas (ELI First Vice-President), Pascal Pichonnaz (ELI Second Vice-President) and Kateryna Ryabiko (First Deputy Director, OSCE Office for Democratic Institutions and Human Rights (ODIHR)), Ghénadie Barba (Head of Rule of Law Unit, ODIHR Democratization Department), Konstantine Vardzelashvili (Chief of Legislative Support Unit, ODIHR Democratization Department) and Stacey Monic (OSCE

Secretariat) provided for a fruitful exchange of information and ideas.

Representatives of both organisations discussed the organisations' work in areas of common interest, in particular pertaining to the rule of law, judicial independence and criminal law, and explored possible avenues for enhanced cooperation in the future.

ELI President, Vice-President and Secretary General Engaging with ELI Judicial Members

On 19 August 2021 ELI President Christiane Wendehorst, Vice-President Pascal Pichonnaz and Secretary General Vanessa Wilcox had a fruitful exchange with the President of the Supreme Court of the Czech Republic, Petr Angyalossy.



ELI President Christiane Wendehorst, Vice-President Pascal Pichonnaz and Secretary General Vanessa Wilcox had a fruitful exchange with the President of the Supreme Court of the Czech Republic, Petr Angyalossy. The Court, which is one of ELI's 18 Supreme Court Members, has been a committed Observer of ELI since 2012. In the call, which

took place remotely, President Wendehorst emphasised ELI's projects on the independence of the judiciary, among others, in particular the joint ELI-Mount Scopus European Standards of Judicial Independence project and ELI's Fundamental Constitutional Principles project. Means to strengthen ties and ensure even further input from the Court in ELI's work were also explored. ELI wishes to thank President Angyalossy and the Court for their longstanding commitment and support towards it.

Those present also considered possibilities for further strengthening the cooperation in the future and discussed topics of common interest.

ELI President Speaks at Uniform Law Conference of Canada's (ULCC) Video-conference

On 25 August 2021 ELI President, Christiane Wendehorst spoke at the Civil Law Section of the ULCC's videoconference. The section is a part of a broader Conference that takes place from 23–26 August 2021.



Having informed the International Law Session briefly about ELI's work and aims, President Wendehorst updated attendees of the session about the progress made on ELI's Access to Digital Assets project, a project whose Team initially worked closely with the Uniform Law Commission (ULC) and the ULCC, given the inherently cross-border nature of digital assets. The project has since taken a more European focus.

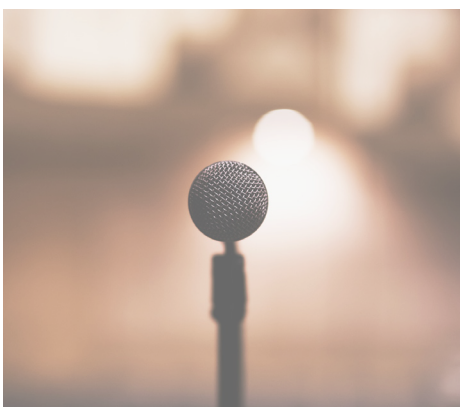
Wendehorst also updated those present about other ELI work in the field, in particular the ALI-ELI Principles for a Data Economy project which has been approved by the American Law Institute's Membership and is due to go before ELI's Membership shortly.

ELI President, President Elect and Secretary General Hold a Meeting with Co-Directors of the Asian Law Institute (ASLI)

The meeting between the representatives of both organisations took place on 26 August 2021.



At the meeting, which was attended by President Christiane Wendehorst, President Elect Pascal Pichonnaz and Secretary General Vanessa Wilcox on the ELI side and Co-Directors of the Asian Law Institute Dr Meng Seng Wee (Associate Professor; Deputy Director, EW Barker Center for Law & Business, National University of Singapore (NUS)) and Kelly Loi (Associate Professor, NUS), as well as Alexandria Chan (Management Assistant Officer) on the ASLI side, representatives of both Institutes sought to learn more about their respective commonalities (and indeed differences) and to explore means in which to intensify contacts going forward.



Strengthening Ties with Tomorrow's Leaders

On 27 August 2021, incoming ELI President Pascal Pichonnaz and ELI Secretary General Vanessa Wilcox had fruitful exchange in a remote call with ELSA International's recently elected President, Francisco Arga e Lima.



The European Law Students' Association

ELI and both ELSA International and ELSA Austria have a longstanding working relationship since both organisations joined ELI as Institutional Members in 2018. President Pichonnaz and Secretary General

Wilcox were impressed by the range of ELSA International's upcoming initiatives, with President Pichonnaz reaffirming his commitment to supporting ELSA and welcoming ELSA's mutual commitment to supporting ELI to the greatest extent possible. Given the overlap in their work programmes, the prospect of a number of joint initiatives were also explored and will be revisited in due course.

Finding Common Grounds and Avenues for Cooperation with the Asian Business Law Institute

ELI President Christiane Wendehorst, ELI President-Elect Pascal Pichonnaz and ELI Secretary-General Vanessa Wilcox gained much insight into the stimulus for the founding of the Asian Business Law Institute, its structure as well as its work programme at a remote meeting that took place on 30 August 2021.



At the meeting, which was attended by the Chief Justice of Singapore and also head of the Senate of the Singapore Academy of Law; Chief Executive of the Singapore Academy of Law (ABLI's parent organisation) Rama Tiwari; as well as Mark Fisher, ABLI's Deputy Executive Director, President Wendehorst and President-Elect Pichonnaz emphasised that as ELI looks beyond its decennial, it is essential for it to reach out to further geographical and indeed intellectual quarters with a view to exploring possible avenues for cooperation. The meeting follows one with the Asian Law Institute (ASLI) that took place on 26 August 2021.

On the occasions, Chief Justice Menon explained that ABLI was established to start a conversation with

key stakeholders and jurists of different vocational and jurisdictional backgrounds in Asia, a Continent with inhomogeneous legal systems (common law, civil law, socialist, Sharia, etc), a vast geography and a vastly diverse populous, with a view specifically to providing practical guidance in the field of Asian legal development and promoting the convergence of Asian business laws. ABLI's mission is therefore to remove unnecessary or undesirable differences between Asian legal systems that pose obstacles to free and seamless trade.

Given the overlaps in outlook, specific proposals for possible future cooperation were laid down at the meeting, subject to further reflections and discussions with both Institutes' respective decision-making bodies. ELI looks forward to this prospective new chapter.

ELI Welcomes its New Members

ELI is pleased to share information about its individual and institutional Members.

Sustaining Members:

The following Member has joined as, or changed their Membership to that of a Sustaining Member, who pay an additional 60 EUR per year to support the ELI's work:

Alain Strowel, UCLouvain Saint-Louis Brussels, Belgium

New Institutional Member: European University Cyprus Law School

European University Cyprus (EUC) is a thriving, international university which grew out of Cyprus College over 60 years ago. The first autonomous School of Law established in Cyprus offers the opportunity to concentrate on Cyprus Law or Greek Law and develop the analytical, communication and problem-solving skills the profession demands.



European University Cyprus



New Individual Members:

Mihaela Aghenitei, Dunarea de Jos University Galati, Romania

Konstantinos Alexandris Polomarkakis, University of Exeter, United Kingdom

Michael Brückner, Munich Re Investment Partners GmbH, Germany

Jacques Hartmann, University of Dundee, United Kingdom

Guillem Izquierdo Grau, Autonomous University of Barcelona, Spain

Anton Jukic, Ludwig Maximilian University of Munich (LMU) Munich, Germany

Magdalena Konopacka, University of Business and Administration in Gdynia, Poland

Sabrina Lanni, University of Milan 'La Statate', Italy

Jakub Mišek, Masaryk University, Czech Republic

Snata Nitti, University of Milan 'La Statate', Italy

Georgios Papachristou, Hellenic Republic Asset Development Fund, Greece

Juan Pablo Rodriguez, University Carlos III of Madrid, Spain

Gianna Šperanda Fabo, Lawyer, Croatia

Hanna Stakhyra, West Ukrainian National University, Ukraine

Alain Strowel, UCLouvain Saint-Louis Brussels, Belgium

Lily Zechner, University of Graz, Austria

Walid Tanios Zogheib, Law Clerk, Italy

Meetings and Events Calendar At-A-Glance

Below is a list of upcoming ELI meetings and events. Please save the dates and stay updated by following our website or social media channels for more details.

Sep	6–8 Sept	ELI Annual Conference <i>Online</i>
	13 Sept	Family and Succession Law SIG: Online Seminar on Will Substitutes in Comparative and EU law <i>Online</i>
	17 Sept	Croatian Hub Webinar <i>Online</i>
	20 Sept	Family and Succession Law SIG: Online Seminar on Non-Biological Children and Circulation of Birth Certificates <i>Online</i>
	23 Sept	Insurance Law SIG: Transatlantic Lecture <i>Online</i>
Oct	13 Oct	Austrian Hub: Die Ultra-Vires-Lehre des Bundesverfassungsgericht – Krise oder Chance für Europa? <i>Hybrid</i>
	18–19 Oct	Principles for a Data Economy Conference 2021 <i>Online</i>
	21–22 Oct	Fifth Spanish-German Meeting on Private Law <i>Online</i>
Nov	11 Nov	Insurance Law SIG: Transatlantic Lecture <i>Online</i>
	26 Nov	Austrian Hub: Umsetzung der Warenkauf-Richtlinie und der Digitale Inhalte-Richtlinie in Österreich und Deutschland <i>Hybrid</i>
Dec	10 Dec	Austrian Hub: Third Party Litigation Funding - a Necessity or Deterrence of Justice? <i>Hybrid</i>
	15 Dec	Austrian Hub: Behavioural Public Policy for Sustainable Development <i>Online</i>

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 other activities, ELI organises its Annual Conference and Meetings, bringing together Europe's leading experts in diverse fields of law.

Executive Committee

President:	Christiane Wendehorst
First Vice-President:	Lord John Thomas
Second Vice-President:	Pascal Pichonnaz
Treasurer:	Denis Philippe
Other Members:	Anne Birgitte Gammeljord Pietro Sirena Fryderyk Zoll



ELI Annual Conference 2021

6–8 September (Online)

ELI in Vienna

The Secretariat of 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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