



ELI
EUROPEAN
LAW
INSTITUTE

Issue 2: March–April 2022

Newsletter

Bringing Legal Experts Together



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Cover Letter by President of the European Court of Human Rights Robert Spano



Spotlight by Dr Nina Siedler on the Use of Digital Assets as a Security

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Human Rights, Democracy and the Rule of Law

By Robert Spano, President of the European Court of Human Rights

Dear ELI Members and Friends,

It is my great pleasure, as President of the European Court of Human Rights, to continue the tradition of contributing to the European Law Institute (ELI)'s Newsletter.

This edition of the ELI newsletter falls during a period in European history when the relative peace and security which we have taken for granted on our continent has been shattered.

When we celebrated the European Convention on Human Rights' 70th anniversary in 2020, we highlighted that the Convention constituted one of the greatest peace projects in human history. Indeed, the very Preamble to the Convention refers to human rights and fundamental freedoms as the foundation of justice and peace in the world. The work of the Council of Europe and its judicial control mechanism, the European Court of Human Rights, has contributed to the stability, security and peace in Europe through its work on human rights, democracy and the rule of law. What role will it play in the future? My firm view is that the Council of Europe has and will continue to play an essential role in protecting human rights and fundamental freedoms to pave the way for peace in Europe again.

In particular, the European Court of Human Rights ensures the maintenance of a pluralistic democracy by guaranteeing respect for basic democratic principles in areas such as participation in free elections, freedom of expression, religion, association and assembly, and non-discrimination. It

promotes the rule of law, which provides the essential framework for the development of effective political democracy. ELI's current projects on the rule of law in the 21st century, in particular on the independence of the judiciary, demonstrate your understanding of the key link between a rules based order and peace in Europe. For it is when individual freedoms are eroded that we see the catastrophic consequences of unbridled totalitarianism and violence which we are now witnessing.

Ultimately, and as the ELI Council emphasised in their Resolution on Ukraine of 24 February 2022, international law principles must prevail over violence. I very much support ELI's work in creating a vigorous European legal community because as I have had the opportunity of underlining recently, lawyers act as guardians of the rule of law by upholding their clients' fundamental rights and the fair administration of justice in general; by playing a key role as intermediaries between the public and the courts, and as actors within the Convention system by pleading the European Convention on Human Rights before national courts.

Together let us build on the achievements of the past to strengthen European legal integration in the face of atrocities and war.



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President Spano



VIRTUAL
CURRENCY



PAYMENT
SYSTEM
TECHNOLOGY



BITCOIN



BITCOIN
MINING

Use of Digital Assets as a Security

By Dr Nina-Luisa Siedler, Partner at DWF and Chairperson of the Board of Directors of thinkBLOCKtank, designated member of the EU Blockchain Observatory & Forum Expert Group and of the UNIDROIT Digital Assets and Private Law Project.

TRANSACTIONS

BLOCKCHAIN

PRIVATE KEY

HASHRATE

Digitisation is rapidly changing the economic as well as the socio-political landscape. The Corona crisis has even sped up this development. Hence, it comes as no surprise that legal questions relating to digital assets have become increasingly predominant.

‘Digital assets’ are a term for which the precise definition as well as the applicable law is yet to be determined. There are a number of international initiatives striving to contribute to the development of law in this area. Two of those are by International Institute for the Unification of Private Law (UNIDROIT) Working Group for Digital Assets and Private Law and the EU’s co-funded ELI Project on Access to Digital Assets, which have a partly overlapping scope.

The UNIDROIT Working Group for Digital Assets and Private Law was established as part of the 2020–2022 Triennial Work Programme, with the very broad objective of developing a future legal instrument containing principles and legislative guidance in this area. The current proposal states that digital asset means an electronic record which is capable of being subject to control. Control means the (exclusive) ability to change the control of that digital asset to another person and to obtain the benefit (and prevent others from obtaining

the benefit) from such digital asset. In short: a digital asset requires some proprietary, exclusive nature. This

distinguishes it from digital content which may be copied or otherwise arbitrarily reproduced so that it lacks an inherent value.

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Dr Siedler

Similarly, the ELI Principles on the Use of Digital Assets as Security define digital assets as any record or representation of value which is exclusively stored, displayed and administered electronically, capable of being subject to a right of control, enjoyment or use and capable of being transferred. Control includes the legal power or factual capability to deal in or extinguish such asset. [The main difference between it and the current draft of the UNIDROIT model law is that it refers to the ‘right of’ control rather than mere factual control, as well as legal power or factual capability.]

The UNIDROIT model law proposes to consider solely factual control in order to overcome the differences of the various legal instruments creating ownership, property rights or other interests in assets according to national laws. In fact, many countries like eg Germany do not acknowledge any absolute right in digital assets at all. German law recognises digital assets as something comparable to know-how: you may sell it (which means that you are required to grant access to it) but if you ‘lose’ it, you may not

claim it back. There is no ownership, protected by law, in digital assets for the time being which creates a myriad of issues.

One of those problem is that the creation of a security interest in such unrecognised assets cannot create any *in rem* rights for the (to be) protected creditor. The security interest may not be perfected in such sense that it may take effect against third parties. Therefore, Germany does not seem preferable compared to jurisdictions acknowledging an *in rem* right in digital assets and consequently most likely also the creation of a perfected security interest.

The ELI Principles on the Use of Digital Assets as Security propose that initially the law of the jurisdiction applies in which the security provider has its place of business, administration or residence. Exemptions are enumerated for digital assets which are clearly connected to a particular jurisdiction (for which that jurisdiction shall apply) or which represent

...it is of utmost importance that international institutions make an effort to facilitate such research and discussions within expert groups in order to advance and harmonise the applicable (national) legal frameworks.

Dr Siedler

a real-world asset (for which the jurisdiction of such real-world asset shall apply). However, the Principles do not seem to permit an initial choice of law which could assist with creating clarity about the applicable jurisdiction and enable holders of digital assets to choose the jurisdiction which actually created an effective legal regime for this new type of asset. The UNIDROIT model law even recommends the incentivisation of such a choice of law.

These examples demonstrate that research relating to the new phenomenon of digital assets is just kicking off. Digital assets are not tied to geographic regions but are cross border by their very nature. Hence, it is of utmost importance that international institutions make an effort to facilitate such research and discussions within expert groups in order to advance and harmonise the applicable (national) legal frameworks. The ELI project as well as the UNIDROIT working group – which had been created simultaneously and are both ongoing – contribute to that important task.

The Author



Nina-Luisa Siedler is partner at DWF, a technology-oriented global law firm, and head of the international Blockchain Competence Group. She focuses on the legal implications of blockchain/distributed ledger technology projects and assists her clients with the structuring of business cases with a view to legal and regulatory compliance. She is an active member of several associations and initiatives (Blockchain Bundesverband, ITSA, EU Blockchain Observatory & Forum Expert Group, UNIDROIT Working Group on Digital Assets, DENA Future EnergyLab) and member of the board of directors of thinkBLOCKtank. She served as director on the boards of IPDB and INATBA. Nina teaches at the Berlin University of Applied Science and is co-editor of ZdiW (a legal magazine for the digital economy).

Updates on ELI Projects

Below is an overview of project-related developments and events that took place in March and April 2022.



ELI Adopts Principles on the Use of Digital Assets as Security

The new ELI Principles provide guidance to private parties, whether natural or legal, contemplating the use of digital assets as security.

Despite the fact that digital assets only account, at present, for a very small share of most private individuals' asset portfolios, their popularity is on the rise. Digital assets cover a wide variety of assets, such as cryptocurrencies, stablecoins, social media profiles and online gaming accounts; whilst there is no comprehensive definition at present, guidance is desirable, inter alia on their use as security. The ELI Principles seek to provide this guidance, by setting out key concepts relevant to the use of digital assets as security. In particular, the Principles focus on situations

where security providers secure the performance of their obligations vis-à-vis security takers by using digital assets as collateral under the terms of a security agreement.

The Principles also propose ways to identify the law applicable to the creation of security interests in digital assets, and address issues of relevance to the effectiveness of security interests in digital assets against third parties, as well as the enforcement and extinction of security interests in digital assets.

The full report is available [here](#). Background about the project is available [here](#). A webinar on the topic, took place on 26 April 2022. More information is available [here](#).

ELI Adopts a Report on Freedom of Expression as a Common Constitutional Tradition in Europe



The ELI Report summarises the current laws in EU Member States on freedom of expression. It draws from national reports submitted by experts from key jurisdictions. It is intended as a practical tool (checklist) to assist practitioners, judges and public officials in identifying commonalities and differences in the legal approaches to the main issues relating to the freedom of expression.

The ELI Report provides the analysis with respect to several topics pertaining to this field, such as unprotected speech, minority rights, speech with a religious dimension, freedom of information and of the press and media pluralism, among others. The Report is timely, as the checklist can be used to

verify compliance with constitutional traditions common to the Member States in this field, and by way of contrast to understand some of the differences. In particular, as a practical tool, it can help legal practitioners to verify if a certain case or situation affecting freedom of expression can be placed inside or outside the boundaries of constitutional traditions, common to the Member States. This can also be used potentially in the context of implementing the rule of law as a condition to access to EU funds.

The full report is available [here](#). A webinar on the topic, open to the public free of charge, will take place on **17 May 2022** from **18:15–19:45 CET**. To register, please click [here](#).

Further Updates on ELI Projects

Model Rules on Impact Assessment of ADM Systems Used by Public Administration

Guidance

On 3 March 2022, ELI issued guidance on the Use of Algorithmic Decision-Making Systems by Public Administration. Read more [here](#).

ELI Reform of the Product Liability Directive Project

Kick-off Meeting

On 21 March 2022, the Project Team members met to agree on key aspects of the draft they are preparing. Read more [here](#).

Climate Justice – New Challenges for the Law and Judges

Meeting of the PT and AC

On 22 March 2022, the Project Team members met to begin working on the Principles. Read more [here](#).

Blockchain Technology and Smart Contracts

Meeting of the PT, AC and MCC

On 25 March, the PT, ACC and MCC members met to finalise their output. Read more [here](#).

Business and Human Rights: Access to Justice and Effective Remedies

Webinar

On 29 March 2022, ELI organised a Lunchtime Webinar on BHR: Access to Justice and Effective Remedies. Read more [here](#).

Admissibility of E-Evidence in Criminal Proceedings in the EU

Reporters' Meeting

On 1 April 2022, the Reporters of the above project met in Vienna to work on the Team's output. Read more [here](#).

Corporate Sustainability, Financial Accounting and Share Capital

Webinar

On 6 April, ELI organised a Webinar on Corporate Sustainability, Financial Accounting and Share Capital. Read more [here](#).

Corporate Sustainability, Financial Accounting and Share Capital

Meeting of the PT, AC and MCC

On 6 April, the PT, ACC and MCC members met to discuss the revised draft. Read more [here](#).

ALI-ELI Principles for a Data Economy

Meeting

On 8 April, ELI's Scientific Director gave a report on the ALI-ELI Principles at the UNCITRAL Working Group IV session. Read more [here](#).

Model Rules on Impact Assessment of ADM Systems Used by Public Administration

Webinar

On 13 April, ELI organised a webinar on the above project. Read more [here](#).

Business and Human Rights: Access to Justice and Effective Remedies

Meeting

On 21 April, ELI BHR Team Members met with the European Ombudsman's Principal Adviser on Charter Compliance. Read more [here](#).

ELI Model Rules on Impact Assessment of ADM Systems Used by Public Administration

Presented at a Conference

On 22 April, the above was presented at a Conference organised by University of Vienna. Read more [here](#).

Guiding Principles and Model Rules on Algorithmic Contracts

Kick-Off Meeting

On 25 April, the Team of the new ELI project met remotely. Read more [here](#).

ELI Reform of the Product Liability Directive Project

Meeting

On 25 April, the Project Team members met for the second time. Read more [here](#).

High Level Expert Group Meetings on Digitalisation of Justice Systems

Meetings

On 13 and 29 April, ELI organised HLEG meetings on Digitalisation of Justice Systems. Read more [here](#).

Updates on ELI Other Initiatives

Below is an overview of other ELI initiatives that took place in March and April 2022.

Protection of Vulnerable Adults: Response to the European Commission's Public Consultation

On 29 March 2022, ELI submitted a response to the European Commission's public consultation on the Initiative on the Cross-Border Protection of Vulnerable Adults.

The cross-border protection of vulnerable adults remains an important legal issue, especially in light of Europe's ageing population and the increasing mobility of people and their assets.

The ELI response, which is available [here](#), builds on ELI's [Report](#) on the Protection of Adults in International Situations of 2020. The response reiterates the need for action in the above field, in light of the lack of uniform substantive and procedural rules at national level and inconsistent private international law rules in the field, the latter owing in part to

the limited number of signatories to the Hague Convention on the International Protection of Adults.

The response was drafted under the leadership of Christiana Fountoulakis (ELI Council Member; Professor, University of Fribourg) and Gerald Mäsch (Professor, University of Münster), in cooperation with Elena Bargelli (ELI Member; Professor, University of Pisa), Pietro Franzina (ELI Member; Professor, Catholic University of the Sacred Heart) and Adrian Ward (ELI Member; national and international expert in adult incapacity law). ELI is deeply indebted to the authors of the response.

A webinar will be held on the above topic on **2 June 2022** from **18:15 to 19:45 CET**. To register, please click [here](#).



Sustainable Consumption of Goods: Response to the European Commission's Public Consultation

On 5 April 2022, ELI submitted a response to the European Commission's Public Consultation on the Sustainable Consumption of Goods – Promoting the Right to Repair and Reuse.

The European Commission pledged in its communication of 11 December 2019 on the European Green Deal to put sustainability and the well-being of citizens at the centre of economic policy. Its current consultation was launched to solicit feedback on the 'right to repair' and how to incentivise both customers and businesses to foster the sustainable production of products and use.

ELI's Response, which is available [here](#), provides several recommendations on the above questions. It was presented and discussed at the webinar of 27

April 2022. More information about the webinar, as well as the recording are available [here](#). The event provided an opportunity to reflect on the broader topic of the sustainable consumption of goods, including, for example, proposals to make sustainable products the norm in the EU, boost circular business models and empower consumers for the green transition, as announced by the Commission in March 2022, as well as to examine further necessary steps for a more efficient and sustainable economy.

ELI is extremely grateful to Univ-Prof Mag Dr Susanne Augenhöfer, LL.M. (Yale), ELI Council Member, who drafted the Response.



Launch of the ELI Ukrainian Hub

On 1 March 2022, ELI successfully launched its Ukrainian Hub.

The establishment of the ELI Ukrainian Hub, which came after several months of preparation, coincided, sadly, with the deployment of Russian armed forces into Ukraine. In response to the latter, the ELI Council passed a resolution, which is available [here](#).

In light of the above developments the Hub will be headed by Vice-Dean of the Faculty of Law of West Ukrainian National University, Dr Svitlana Mazepa, who will assume the post of Interim-Chair, until members of the Hub are able to formally elect a Chair.

An inaugural event took place on 29 of April 2022 at 11:00 EEST at the Faculty of Law of Western Ukrainian National University during the VI International Scientific and Practical Conference entitled 'Russian-Ukrainian War: Law, Security, Peace.'

Shortly after, at 13:30 EEST the first event of the ELI Ukrainian Hub entitled 'Implementation and Coherence: Europeanisation of the Ukrainian Law' took place online.



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Further Updates on ELI Hubs and SIGs

Below is an overview of other events organised by ELI Hubs and SIGs that took place in March and April 2022.

ELI Austrian Hub

Lecture

On 10 March 2022, the ELI Austrian Hub held a lecture focused on lessons learnt from the COVID pandemic, co-hosted by the Grazer Universitätsbund (GUB). Read more [here](#).

ELI Environmental Law SIG

Online Seminar

On 10 March 2022, the ELI Environmental Law SIG held a seminar on 'ESG Disclosure, Balancing and Proportionality: Towards the Corporate Sustainability Reporting Directive'. Read more [here](#).

ELI Insurance Law SIG

Webinar

On 10 March 2022, the ELI Insurance Law SIG organised its fifth transatlantic lecture on insurance law, dedicated to a transatlantic comparison of automobile insurance problems. Read more [here](#).

ELI Succession Law SIG

First Webinar

On 15 March 2022, the first in a series of webinars on 'The Application of the EU Succession Regulation in the Member States' took place. Read more [here](#).

ELI Croatian Hub

Thirteenth Webinar in Hub's Series

On 15 March 2022, the Hub held its 13th webinar aimed at contributing to discussions on recent developments in Croatian, comparative, and EU law. Read more [here](#).

Irish Hub

Online Event

On 22 March 2022, the ELI Irish Hub hosted an event on Ecocide, which is the topic of a current ELI project. No legal definition has yet been agreed on the term by EU Member States. Read more [here](#).

ELI Belgio-Luxembourg Hub

Online Seminar

On 29 March 2022, the third seminar in the Belgio-Luxembourg Hub's Sustainability Lunchtime Seminar series took place. Read more [here](#).

ELI Succession Law SIG

Second Webinar

On 5 April 2022, the second in a series of webinars on 'The Application of the EU Succession Regulation in the Member States' took place. Read more [here](#).

ELI Italian Hub

Conference

On 6 April 2022, the Hub supported a Conference organised by the Italian Council of State and the University of Turin in Rome. Read more [here](#).

ELI Croatian Hub

Fourteenth Webinar in Hub's Series

On 12 April 2022, the Hub held its 14th webinar aimed at contributing to discussions on recent developments in Croatian, comparative, and EU law. Read more [here](#).

ELI Environmental Law SIG

Conference

From 21–22 April 2022, the SIG supported the international Conference on 'Servitization and Circular Economy' organised by KU Leuven and ULille. Read more [here](#).

ELI Succession Law SIG

Third Webinar

On 26 April 2022, the third in a series of webinars on 'The Application of the EU Succession Regulation in the Member States' took place. Read more [here](#).

ELI Environmental Law SIG

Online Seminar

On 28 April 2022, the SIG held its third seminar on 'Promoting Sustainable Development and the Green Transition Through Public Procurement'. Read more [here](#).



The University of Vienna and ELI Extend Cooperation Agreement

On 28 March 2022, Rector of the University of Vienna, o Univ-Prof Dipl-Ing Dr techn Dr hc Heinz Engl, and President of the ELI, Prof Dr Pascal Pichonnaz, signed an official four-year extension of their joint Framework Cooperation Agreement.

The signing of the agreement by Rector Engl and ELI President Pichonnaz took place in presence of Vice-Rector of the University of Vienna, Prof Dr Jean-Robert Tyran, former ELI President and current ELI Scientific Director, Prof Dr Christiane Wendehorst, as well as ELI's Secretary General, Dr Vanessa Wilcox.

The agreement comes months after ELI celebrated a significant milestone, its Decennial; an event that attracted prominent personalities such as Koen Lenaerts (President of the Court of Justice of the European Union), Robert Spano (President of the European Court of Human Rights) and Didier Reynders (European Commissioner for Justice). On the occasion, Rector Engl underlined the importance of the close relationship the University of Vienna and its Law Faculty enjoy with ELI, pointing among other things to the involvement of many of its staff members in ELI's high-profile projects. ELI also values this relationship immensely, not only in light of the financial support it receives but also for the stability and prospects of growth that it brings.

As he signed the agreement, Rector Engl remarked that: 'The University of Vienna and in particular the Faculty of Law are eager to be intensively involved in the existing cooperation and to be able to make appropriate use of the possibilities of Europe-wide networking.'

President Pichonnaz spoke on behalf of the Executive Committee, saying that in 2011, when ELI was founded, its administrative seat was chosen through a public tender. The University of Vienna, with its renown and



its commitment to supporting ELI for the long run, convinced those tasked to decide on the fate of ELI's seat. The signing of the extension of the Framework Cooperation Agreement for another four years (from 2023–2027) today is yet another confirmation not only that initial promises were kept, but also that the mutual interests of both parties under this arrangement are aligned. It is therefore with great pleasure that ELI, and in particular its Executive Committee, acknowledges the renewed commitment of the University of Vienna towards ELI. Despite the difficult times in Europe, or more precisely, because of the difficulties Europe and the world at large are witnessing, it is of utmost importance that this extended Framework Cooperation Agreement is signed today, with a view to enhancing ELI's potential of strengthening its resilient community of jurists. Fundamental principles and the rule of law in Europe need reaffirming; Europe needs to gear up for the digital age and the existential threats of climate change

and environmental degradation must be addressed. These are some of tasks that ELI, thanks to the support of the University of Vienna, has and continues to tackle with its membership of close to 2,000 leading lawyers, judges, academics and other legal professionals from across Europe and beyond.

At ELI's 2021 Annual Conference, Federal President of the Republic of Austria, Alexander Van der Bellen, observed in his opening speech that it is because of the confidence the University of Vienna had and has in ELI that Austria is at the centre of the most important legal discussions. Like him, ELI is 'proud' that Austria, and more specifically, the University of Vienna, is its host. Above all, ELI warmly thanks Rector Engl and everyone else at the University that have spoken in its favour. It looks forward to continuing to strengthen ties with the University and to building on this collaboration with a view to improving the quality of law in Europe.

Further Updates on ELI Representation

Below is an overview of further ELI's representational activities in March and April 2022.



ELI Representatives Participate in UNCITRAL Working Group IV Session

2 March 2022

ELI's President, Prof Dr Pascal Pichonnaz, ELI's Scientific Director, Prof Dr Christiane Wendehorst, and ELI Council Member, Prof Christian Twigg-Flesner, represented ELI at the United Nations Commission on International Trade Law (UNCITRAL) Working Group IV (Electronic Commerce) session. Read more [here](#).



ELI President Attends HCCH CGAP

4 March 2022

ELI President, Prof Dr Pascal Pichonnaz, attended the Council on General Affairs and Policy (CGAP) of the Hague Conference on Private International Law (HCCH). The focus was on the private international law implications of developments with respect to the digital economy. Read more [here](#).



ELI Representatives Participate in UNIDROIT's Fifth Session

7–9 March 2022

ELI President, Prof Dr Pascal Pichonnaz, ELI's Scientific Director, Prof Dr Christiane Wendehorst and ELI Executive Committee Member, Prof Dr Teresa Rodríguez de las Heras Ballel, represented ELI at the UNIDROIT's Fifth Session of the Digital Assets and Private Law Working Group. Read more [here](#).



EU Insolvency Policy: ELI Represented at the EC's Dedicated Workshop

8 March 2022

Stephan Madaus, Professor of Civil Law, Civil Procedure and Insolvency Law at Martin Luther University Halle-Wittenberg and a Co-Reporter of the ELI Project on Rescue of Business in Insolvency Law, participated in the above workshop. ELI is grateful to Prof Dr Stephan Madaus for representing it at the workshop and for providing advice to the European Commission on the basis of the ELI Report. Read more [here](#).



ELI President Meets President of the Center for AI and Digital Policy

23 March 2022

ELI President, Prof Dr Pascal Pichonnaz, met President Marc Rotenberg, the founder and President of the Center for AI and Digital Policy (CAIDP) and member of ELI. At the remote meeting, which was also attended by ELI's Secretary General, Dr Vanessa Wilcox, the parties sought to explore possible avenues through which ELI and CAIDP can cooperate. Read more [here](#).



ELI President Meets the Permanent Court of Arbitration Secretary-General

23 March 2022

ELI President, Prof Dr Pascal Pichonnaz and Secretary-General Dr Vanessa Wilcox met the outgoing Permanent Court of Arbitration Secretary (PCA) Secretary-General, Hugo Hans Siblesz. The meeting served as an occasion to explore options for cooperation at an institutional level. We would like to take this opportunity to wish Secretary-General Siblesz very best as he steps down. Read more [here](#).



ELI and AEAJ Presidents Meet to Explore Further Opportunities for Collaboration

28 March 2022

ELI President, Prof Dr Pascal Pichonnaz, and the Association of European Administrative Judges' (AEAJ) President Edith Zeller, were joined by ELI's Secretary General, Dr Vanessa Wilcox and AEAJ Rule of Law Officer, Ms Eva Wendler. The meeting follows on from an earlier meeting held in February 2022. Read more [here](#).

An Informative Exchange took place between ELI's President and FRA's Director

28 March 2022

In addition to ELI President, Prof Dr Pascal Pichonnaz, and the European Union Agency for Fundamental Rights' (FRA) Director Michael O'Flaherty, the meeting was attended, by ELI's Secretary General, Dr Vanessa Wilcox, and FRA's Scientific Advisor, Ioannis Dimitrakopoulos. Read more [here](#).

ELI Representatives Participate in UNCITRAL Working Group II Session

1 April 2022

ELI's President Prof Dr Pascal Pichonnaz, and ELI's Executive Committee Member Teresa Rodríguez de las Heras Ballell, represented ELI at the United Nations Commission on International Trade Law (UNCITRAL) Working Group II (Dispute Settlement) session. Read more [here](#).



Talks Held between ELI's President and Secretary General and Deputy Head of Cabinet of the EP

11 April 2022

ELI President, Prof Dr Pascal Pichonnaz, ELI's Secretary General, Dr Vanessa Wilcox, and Deputy Head of Cabinet of the European Parliament, Leticia Zuleta de Reales Ansaldo, met remotely to reflect on how best both organisations can strengthen ties. ELI is extremely grateful to the Deputy Head of Cabinet for her invaluable input. Read more [here](#).

ELI's President and the President of the ICC International Court of Arbitration Meet

14 April 2022

The meeting between President Prof Dr Pascal Pichonnaz and President Claudia Salomon (of the International Chamber of Commerce (ICC) International Court of Arbitration) took place remotely on 14 April 2022. It marked the first such meeting between heads of both organisations. Read more [here](#).



ELI Welcomes its New Members

ELI is pleased to inform you about its new individual and institutional Members.

New Institutional Members:



The Asian Law Institute (ASLI) was established in 2003 through the efforts of several leading Asian law schools to foster Asian legal scholarship and to facilitate greater interaction amongst legal scholars in Asia as well as legal scholars outside Asia working on Asian law.



ELSA Switzerland is a non-political and non-profit organisation which strives to inspire and connect law students through social, academic, and professional opportunities. We share the purpose, vision, and fundamental principles of our parent organisation: ELSA.



Kopaonik School of Natural Law was established 32 years ago under the permanent general 'Law and Justice' title. Every year since then, it has been the place of meetings of eminent jurists, legal scholars as well as practicing lawyers from across the world.

New Individual Members:

Cristina Argelich-Comelles, Autonomous University of Madrid, Spain

Johannes Barbist, Binder Grösswang Rechtsanwälte GmbH, Austria

Giuliana Birindelli, The 'Gabriele d'Annunzio' University, Italy

Luca Boggio, Link Campus University, Italy

Ewa Katarzyna Czech, University of Białystok, Poland

Tina Susanne de Vries, Institute of East European Law, Germany

David Dolidze, Alte University, Georgia

Maria Fletcher, University of Glasgow, United Kingdom

Klaus Ingo Kowalski, Freshfields Bruckhaus Deringer LLP, Belgium

Gerald Mäsch, University of Münster, Germany

Roman Maydanyk, Taras Shevchenko National University of Kyiv, Ukraine

Iza Razija Mešević, University of Sarajevo, Bosnia and Herzegovina

Andreja Branko Mihailović, University of Montenegro, Montenegro

Jorge Murillo Ballell, Lawyer Dac Beachcroft & University Carlos III of Madrid (UC3M), Spain

Annina H Persson, KTH Royal Institute of Technology, Sweden

Vera Lúcia Raposo, University of Coimbra, Portugal

Henrik Rothe, Think Tank Justitia, Denmark

Jan Peter Schmidt, Max Planck Institute for Comparative and International Private Law, Germany

Petr Souček, Attorney-at-law, Czech Republic

Olena Terekh, Taras Shevchenko National University of Kyiv, Ukraine

Lazar Tomov, Tomov & Tomov law firm, Bulgaria

Giorgi Tsertsvadze, EBA Mediation and Arbitration Center, Georgia

Tetiana Tsvina, Yaroslav Mudryi National Law University, Ukraine

New Sustaining Members:

Johannes Barbist, Binder Grösswang Rechtsanwälte GmbH, Austria

David Dolidze, Alte University, Georgia

Olena Terekh, Taras Shevchenko National University of Kyiv, Ukraine

Events Calendar At-A-Glance

Below is a list of upcoming ELI events and events in which ELI team members will speak at. Please save the dates and stay updated by following our [website](#) and social media channels for more details.

May

4 May	Austrian Hub: Digital Dispute Resolution <i>Online</i>
4 May	ELI Reporters: Participating in RAID Conference <i>Online</i>
5 May	Environmental Law SIG: International Investment Law and the Clean Energy Transition <i>Online</i>
5 May	Family and Succession Law SIG: Family status, Identities and Private International Law <i>Online</i>
5–7 May	ELI Representation: International Forum on Succession <i>Online</i>
6 May	German Hub: Unternehmerische Verantwortung in Lieferketten <i>Basel, Switzerland</i>
10 May	Croatian Hub: Annual Meeting <i>Online</i>
12 May	Environmental Law SIG: Green Data Deal: Bridging Data Regulation and Environmental Sustainability <i>Online</i>
12 May	Family and Succession Law SIG: Family Status, Identities and Private International Law <i>Online</i>
17 May	Belgio-Luxembourg Hub: The Precautionary Principle Under EU Law: A Bridge Over Economic and Environmental law <i>Online</i>

17 May	Croatian Hub: The Omnibus Directive: Adaption of EU Consumer Law to the Digital Age? <i>Online</i>
17 May	Environmental Law SIG: Intellectual Property and Sustainability <i>Online</i>
17 May	ELI Webinar: ELI Report on Freedom of Expression as a Common Constitutional Tradition in Europe <i>Online</i>
19 May	Environmental Law SIG: Towards the Regulation of Product Passports as an Enabler for the Circular Economy – A Primer <i>Online</i>
19 May	Insurance Law SIG: A Transnational Comparison with a Focus on Automobile Insurance Problems and Policies: Cross Border Situations <i>Online</i>
20 May	Spanish Hub: VII Annual Meeting <i>Seville, Spain</i>
24 May	ELI Webinar: Data Act: How to Boost the European Data Economy? <i>Online</i>
31 May	Austrian Hub: Empirical Foundations of the Iron Law of Financial Regulation <i>Online</i>
31 May	Environmental Law SIG: European Take on the Right to Repair <i>Online</i>
31 May	Family and Succession Law SIG: The Application of the EU Succession Regulation in the Member States <i>Online</i>
tbc	Slovenian Hub: Annual Meeting <i>Ljubljana, Slovenia</i>

Jun

1 Jun **Belgio-Luxembourg Hub: Environmental Law and Just Transition Under the EU Green Deal**
Online

2 Jun **ELI Webinar: Cross-Border Protection of Vulnerable Adults**
Online

8 Jun **Austrian Hub: The Changing Role of Contracts in the Contemporary Economic Environment**
Online

9–10 Jun **Digital Law SIG: Conference on Harmonising Digital Contract Law**
Ferrara, Italy

10 Jun **Italian Hub: The Introduction of Ecosystem Protection in the Italian Constitutional Framework**
Online

14 Jun **Croatian Hub: General Data Protection Regulation: Recent case law of the Court of Justice**
Online

17–18 Jun **Italian Hub: The Italian Law of Cultural Heritage: a Dialogue with the United States**
Florence, Italy

20 Jun **Belgio-Luxembourg Hub: Sustainability and Competition Law**
Online

21 Jun **Family and Succession Law SIG: The Application of the EU Succession Regulation in the Member States**
Online

29 Jun **Family and Succession Law SIG: Non-judicial Justice in Family Law Four Perspectives on 'Private Divorces'**
Online

Sep

5–8 Sep **ELI Annual Conference 2022**
Universidad Carlos III de Madrid

ELI Annual Conference

Below is a Draft Agenda of the 2022 ELI Annual Conference, hosted by University Carlos III of Madrid. Registration will open soon.

MONDAY | 5 SEPTEMBER 2022

VENUE: CHARLES III UNIVERSITY OF MADRID, RONDA DE TOLEDO 1, 28005 MADRID

09:00 – 13:30 (CET) Executive Committee Meeting

11:15 – 12:30 (CET) Senate Meeting

15:00 – 17:00 (CET) Executive Committee-Senate Meeting

18:45 – 19:00 (CET) Welcome Addresses

Pascal Pichonnaz (ELI President)

19:05 – 20:30 (CET) Fourth Ole Lando Memorial Lecture

Pascal Pichonnaz (ELI President)

Hector MacQueen (Emeritus Professor, The University of Edinburgh)

Christina Ramberg (Professor, Stockholm University)

TUESDAY | 6 SEPTEMBER 2022

VENUE: CHARLES III UNIVERSITY OF MADRID, C MADRID 126, 28903 GETAFE, MADRID

09:00 – 12:00 (CET) Council Meeting

12:00 – 13:00 (CET) *Lunch*

13:00 – 14:15 (CET) Council Meeting

14:30 – 15:30 (CET) Membership Meeting

16:30 – 17:00 (CET) Welcome Addresses

Pascal Pichonnaz (ELI President)

Pilar Llop Cuenca (Minister of Justice of Spain) (tbc)

Juan Romo (Rector of the Universidad Carlos III de Madrid)

17:00 – 18:00 (CET) Keynote Speech

VENUE: tbc

19:30 (CET) Evening Reception

20:00 – 20:20 (CET) ELI Young Lawyers Award

20:20 – 20:30 (CET) ELI Hub and SIG Awards

WEDNESDAY | 7 SEPTEMBER 2022

VENUE: CHARLES III UNIVERSITY OF MADRID, C MADRID 126, 28903 GETAFE, MADRID

09:00 – 10:15 (CET) Climate Justice – New Challenges for Law and Judges

10:30 – 11:45 (CET) Ecocide

11:45 – 12:15 (CET) *Coffee Break*

12:15 – 13:30 (CET) ELI-Mount Scopus European Standards of Judicial Independence

13:30 – 14:30 (CET) *Lunch*

14:30 – 15:45 (CET) Admissibility of E-Evidence in Criminal Proceedings in the EU

16:00 – 17:15 (CET) Access to Digital Assets

19:30 (CET) Gala Dinner
VENUE: tbc

THURSDAY | 8 SEPTEMBER 2022

VENUE: CHARLES III UNIVERSITY OF MADRID, C MADRID 126, 28903 GETAFE, MADRID

09:00 – 10:15 (CET) Blockchain Technology and Smart Contracts

10:30 – 11:45 (CET) Guiding Principles and Model Rules on Algorithmic Contracts

11:45 – 12:15 (CET) *Coffee Break*

12:15 – 13:30 (CET) Fundamental Constitutional Principles

13:30 – 14:30 (CET) *Lunch*

14:30 – 15:45 (CET) Corporate Sustainability, Financial Accounting and Share Capital

16:00 – 16:45 (CET) New Modalities of Work and Their Impact

17:00 – 17:45 (CET) Third Party Funding of Litigation

19:30 (CET) Social Event
VENUE: tbc



Universidad
Carlos III de Madrid

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:	Pascal Pichonnaz
First Vice-President:	Lord John Thomas
Second Vice-President:	Anne Birgitte Gammeljord
Treasurer:	Pietro Sirena
Other Members:	Bénédicte Fauvarque-Cosson Teresa Rodríguez de las Heras Ballell Aneta Wiewiórowska-Domagalska

ELI in Vienna

The Secretariat of ELI, which is hosted by the University of Vienna, is located in the heart of 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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