



ELI
EUROPEAN
LAW
INSTITUTE

Issue 1: January–February 2023

Newsletter

Bringing Legal Experts Together



Inside this Issue

- 2 Cover Letter by Kerstin Jorna
- 3 Spotlight by Prof Geraint Howells
- 5 ELI Council Meeting
- 6 Projects and Hub and SIG Activities
- 10 ELI Representation
- 12 Other Updates

Connect



Cover Letter by Kerstin Jorna, Director-General, Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW)



Spotlight by Prof Howells: Comment on ELI's Feedback on the European Commission's Proposal for a Revised Product Liability Directive

Photo Credits

Pictures were provided by contributors to the ELI Newsletter. Other sources of images: Shutterstock.

Imprint

Media Owner & Editor: ELI
Schottenring 16/175, 1010 Vienna, Austria

On the Reform of the Product Liability Directive

By Kerstin Jorna, Director-General of DG GROW

Dear ELI Members and Friends,

It is my great pleasure, as Director-General of the European Commission's DG GROW,¹ to contribute to this edition of the ELI Newsletter, with its special focus on the reform of the Product Liability Directive.

This edition comes as we celebrate the 30th anniversary of the Single Market, recalling the culmination in 1993 of a legislative drive to tackle internal barriers and replace diverse national regulations with simplified European rules. The Single Market is one of the EU's greatest achievements, allowing businesses and professionals to offer their goods and services to almost 450 million people, and benefitting us all as consumers and citizens through wider choice, lower costs and safer goods, as well as opportunities to shop, travel and study abroad.

Remarkably, the Product Liability Directive predates not only the 1993 milestone we're celebrating this year, but most EU safety legislation too. The Product Liability Directive was a true Single Market trailblazer that has, since 1985, been a cornerstone of the Single Market in goods. It has created a level playing field for companies across the continent and has provided protection for individuals harmed by defective products. But products and markets have changed drastically in the 38 years

since the Directive's adoption. The way products are produced and supplied, and their novel technological features were not imaginable back then.

To take account of these changes and to boost the digital transformation of EU industry, the Commission has already taken initiatives to modernise product safety rules. With the Machinery Regulation and General Product Safety Regulation it has proposed rules to make products safer in the digital age. With the Artificial Intelligence (AI) Act, it has put forward new rules specifically on safe and trustworthy AI systems. With the Cyber Resilience Act it is proposing new rules to guarantee that products are cybersecure. With the Sustainable Products Initiative it has taken action to boost a more circular economy.

With safety rules adapted and polished for the new age, it is now the time to adapt liability rules: it is the old family silver's turn. The proposal for a new Product Liability Directive, published last September, seeks to reinforce the principle that when defective products cause harm, victims must get fair compensation. And this principle must apply whether we are talking about simple raw materials or complex smart devices in our homes, autonomous vehicles, AI systems, 3D-printed goods, or refurbished products.

What is more, the new proposal seeks to ensure that this main principle applies wherever the product in question comes from. In doing so, we also seek to create a more level playing field between EU and non-EU manufacturers.

And as products and technologies – be it biomedicine or AI – become ever more complex it is only right that we make sure victims of harm are placed on an equal footing with manufacturers by improving access to vital information from manufacturers in court, and by easing the burden of proof when it is excessively difficult to enforce a claim.

Altogether, the proposal puts forward a future-proof modernisation of product liability rules. It gives businesses legal certainty to innovate and develop solutions to tackle the challenges of today and tomorrow, it protects individuals and creates a trustworthy environment to encourage consumers to take up new technologies.

ELI has been a vocal supporter of the reform. With its papers and webinars it has provoked debate and raised interest in this project. Just as the current Product Liability Directive inspired legal systems around the world for the industrial age, let's work together to make the new Product Liability Directive the global gold standard for the digital age.



The Author

Kerstin Jorna is a German national and a civil servant at the European Commission where she has held various positions, amongst others as Head of Cabinet of several Commissioners and different Director posts.

Mrs Jorna is the Director-General for Internal Market, Industry, Entrepreneurship and SMEs. Before, she was Deputy Director-General for Economic and Financial Affairs.

Mrs Jorna also held positions on the Board of the European Investment Bank, the European Investment Fund as well as the European Innovation Council Fund.



The ELI has engaged constructively on recent reform proposals including publishing Guiding Principles for updating the Directive and drafting its own proposal.

Comment on ELI's Feedback on the European Commission's Proposal for a Revised Product Liability Directive

By Geraint Howells, Executive Dean for Business, Public Policy and Law at NUI Galway

In 1985 the introduction of strict product liability in the Product Liability Directive was a remarkably progressive development in European tort law. However, the Commission had shown little subsequent appetite for substantive reform (bar bringing primary agricultural products and game firmly within the scope of the Directive). This changed with the recognition of the need to modernise the law to deal with the digital revolution and its impact on products through developments such as the internet of things and the integration of AI. The ELI has engaged constructively on recent reform proposals including publishing [Guiding Principles](#) for updating the Directive and drafting its own proposal. This dialogue is continued in the latest [feedback](#) on the Commission's proposal, which the ELI broadly welcomes, whilst making a number of suggestions for improvement.

The main driver behind the reform process was to consider whether

digital products should be brought within the scope of the Directive. The definition of product is to be extended to include software. ELI supports this, but questions whether other digital content should be included so long as they go beyond merely supplying information even if they do not execute tasks on their own. There may be need for greater precision about what strict liability should attach to. Also, ELI calls for clarity as to whether SaaS (Software as a Service) should be covered and notes there is no functional difference between software bought as a standalone application that is updated and a software bought on a subscription basis. Specific mention of a digital manufacturing file is doubtless included because of the extensive discussion of 3D printing liability, but it may be unnecessary especially if liability is extended more broadly to digital content.

Inclusion of software has impacted on the definition of defect. Including the

'effect on the product of any ability to learn' as a relevant circumstance clearly seeks to take account of AI. Whereas 'the effect on the product of other products that can reasonably be expected to be used together' with it clearly relates to the Internet of things. There is also an express reference to safety-relevant cybersecurity requirements. How these factors should be taken into account is of course an important but unclear matter that needs to be determined in concrete cases. Also the time for assessing defectiveness can be pushed passed the time of its being placed on the market so long as the manufacturer retains control over the product, eg by providing updates. This same extended period is used for assessing the manufacturer's objective state of knowledge for the purpose of the development risks defence. This last measure to my mind seems to place an ongoing duty to monitor scientific knowledge that may all but undermine the value of the defence.

The Directive maintains a hierarchy of defendants with the manufacturer at the apex, but also adds as potential new defendants: authorised representatives, fulfilment service providers and online platforms. If the manufacturer is outside the EU, then the importer or authorised representative are next to be held liable. There had been a criticism under the previous Directive that making the importer liable did not assure the claimant of a defendant within the EU as they may themselves be based outside the EU. It was perhaps for this reason that the draft defines both importers and authorised representatives so as to require them to be based inside the EU. However, as the ELI notes this is not a good solution as it simply removes them from any possible liability. The ELI also notes the drafting error that makes fulfilment service providers liability conditional on the importer and authorised representative not being established in the EU, whereas the definition of both requires those parties to be within the EU. The ELI questions whether it is fair to impose liability on all fulfilment service providers even if there are no close connections with the producer. In particular, it suggests that online platforms, which in the current draft only have similar obligations to distributors, should be

made liable before fulfilment service providers. On the other hand, the broad exclusion of postal and freight transport services from the definition of fulfilment service provider may be too broad if they do in fact perform such services.

ELI also calls for refurbished products and hence refurbishers to be included within the scope. The draft refers only to those who modify and modification, eg adding an accessory, seems different from refurbishment. Including refurbished products would help green the economy.

The draft includes as damage loss or corruption of data. The ELI questions whether this should be extended to the leakage of data.

There are lots more nuggets of knowledge in the ELI Feedback. Some are hopefully just of a drafting nature (such as pointing out the development risks defence as currently drafted is only available to manufacturers). Others are more substantive, such as the calls for more clarity on recourse rules and questioning whether extending the long stop limitation period to 15 years is sufficient to address latent illnesses. The proposal itself has novel rules on disclosure and burden of proof that merit detailed examination. The ELI continues to

make the case for a broader liability regime for non-compliance with obligations under product safety and market surveillance.

There is much to be applauded in this attempt to deal with the difficult task of modernising product liability law. The new rules when adopted are sure to give rise to a host of questions in practice particularly as to how the technology impacts the assessment of safety. However, I would have liked the drafters to have also given more consideration to the need for reform beyond the context of technology. Pharmaceutical litigation is by far the most socially important category of product liability. Those involved in that field will be concerned to find out what is meant by the objective state of scientific and technical knowledge in the newly drafted development risks defence. More might have been done to incorporate lessons for the European courts' jurisprudence and even to have addressed some of the openly discussed questions such as the role of warnings in avoiding liability. This is a reform proposal driven by and addressing the technology agenda. Technology is the pressing issue of our age, but product liability serves a far wider range of social issues from fast food to healthcare.

The Author



Geraint Howells is Executive Dean for Business, Public Policy and Law at NUI Galway. Previously he was Professor of Commercial Law and Associate Dean in Humanities for Internationalisation at Manchester University, where he remains a Visiting Professor. He has been Dean of Law at the City University of Hong Kong and Head of the Law Schools in Manchester and Lancaster. He was called to the bar in 2002 through a special route for distinguished academics and was awarded an LLD in 2014. He has published extensively on consumer law, product liability and European private law and was a member of the Acquis Group developing common principles of European contract law and tort law. A former President of the International Association of Consumer Law, he edited the Consumer Law Journal for many years, is on the editorial board of the Journal of Consumer Policy and European Review of Private Law and is Series Editor for Routledge's Markets and Law series. He has undertaken extensive consultancy for government, the EU and NGOs. Prof Howells is a member of the ELI Council.

ELI Council Meeting Updates

Below is an overview of updates of events that took place at the ELI Council meeting of 23–24 February 2023.

ELI Council (Re)-Elects Next ELI President, Vice-Presidents and Treasurer

On 24 February 2023, Members of the ELI Council elected the next ELI President, Vice-Presidents and Treasurer, all of whom will assume office in September 2023 and will serve for a term of two years. In September 2023, the ELI Council will elect three innominate members of the Executive. Read more [here](#).



ELI President, Prof Dr Pichonnaz was unanimously re-elected as ELI President for a second term



Second Vice-President Anne Birgitte Gammeljord will assume the role of First Vice-President



Sir Geoffrey Vos was elected Second Vice-President



Prof Dr Pietro Sirena was re-elected as Treasurer

ELI and UNIDROIT Sign a Second Memorandum of Understanding

On 23 February 2023, in framework of the 2023 ELI Council Meeting, ELI President, Prof Dr Pascal Pichonnaz, and the International Institute for the Unification of Private Law's (UNIDROIT) Secretary General, Prof Dr Ignacio Tirado, signed the parties' second Memorandum of Understanding (MoU).

The initial MoU constituted the framework for the joint cooperation of the two organisations in the since completed [project](#) for the development of Model European Rules of Civil Procedure, based on the American Law Institute-UNIDROIT Principles of Transnational Civil Procedure.

The signing of this MoU is testament to the effective and mutually advantageous nine year-long cooperation between the two organisations. This is a step forward towards intensifying the parties' long-standing relations. Read more [here](#).



Updates on ELI Projects

The following projects were adopted and approved at the February 2023 ELI Council Meeting.

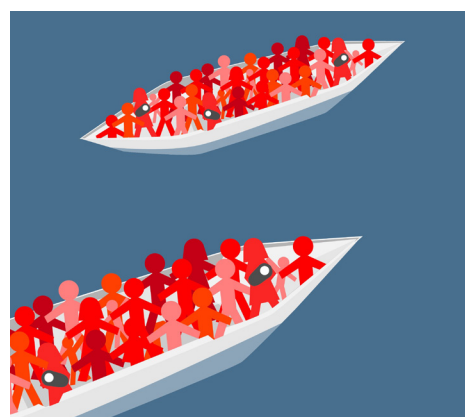
Admissibility of E-Evidence in Criminal Proceedings in the EU

The ELI Council approved the 'Draft Legislative Proposal of the European Law Institute for a Directive of the European Parliament and the Council on Mutual Admissibility of Evidence and Electronic Evidence in Criminal Proceedings', which is the final outcome of the ELI project on Admissibility of E-Evidence in Criminal Proceedings in the EU. The Draft Legislative Proposal, which will be voted upon by the ELI Membership shortly, aims at providing guidance on future EU legislative action in the field with a view to enhance the principle of mutual recognition of judgments and judicial decisions in criminal matters having a cross-border dimension, as well as to strengthen the protection of human rights of suspects and accused.



ELI Detention of Asylum Seekers and Irregular Migrants and the Rule of Law: Checklists and European Standards

In 2017, ELI published its Statement which aimed at contributing to an effective implementation of due process standards and material conditions for detention based on an integrated approach in respect of EU secondary law, case law of the CJEU and case law of the ECtHR in judicial practices of Member States. At its February 2023 meeting in Vienna, the ELI Council voted to update the Statement which is scheduled for completion this year. The project will be lead by María Teresa Gil Bazo and Boštjan Zalar. The updates will be in respect of the three checklists and their explanatory notes. Further information is available here.



Corporate Criminal Liability in the European Union

The project emerged out of an ELI High Level Expert Group meeting and aims at the development of Model Rules on the matter. The Project Co-reporters are Prof Dr Celina Nowak and Dr Fabio Nicolicchia. As European Union Member States show very different approaches to the issue of corporate liability at present, the new ELI project aims at providing guidance to national legislators and/or the EU by proposing a framework for harmonising rules of responsibility and sanctions imposed on corporations for crimes.



Digitalisation of Civil Justice Systems in Europe

The need for digitalisation of justice is self-evident in an increasingly digitalised society, accelerated in part by the COVID-19 pandemic. In the past decade governments have invested in digitalising justice, but the level of digitalisation differs from country to country and within the EU. The primary purpose of this new ELI project thfore is to develop a set of principles, deriving fundamental rights from Article 6(1) ECHR and Article 47 of the EU Charter on Fundamental Rights, providing an overarching framework for improving the use of digital technology in the judiciary. The project will be led by Prof Masood Ahmed, Prof Mr Dr Xandra Kramer, Jiří Novák and Dory Reiling. Read more here.

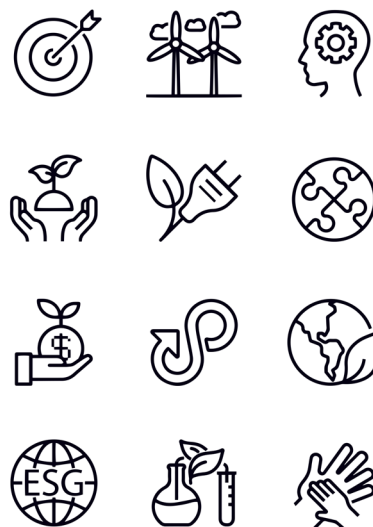


Updates on ELI Projects

The following events took place in January and February 2023.

ELI Issues Guidance on Company Capital and Financial Accounting for Corporate Sustainability

The ELI Guidance contributes to the important and timely debate on how company law and financial accounting can be reformed to promote corporate sustainability and responsibility, in the interest of business and society at large. The Guidance includes a set of 20 Recommendations on company capital and financial accounting for corporate sustainability which: (a) provide a frame of reference and analysis to understand corporate sustainability in the context of business and law; (b) point to specific issues which need to be addressed by European and national lawmakers and regulators; and (c) establish a set of company law instruments recommending possible solutions to cope with these issues. The output, which was approved by the ELI Council on 6 September 2022 and by the ELI Membership on 24 January 2023, is available [here](#).



ELI Fellows Approve its Report on Ecocide: Model Rules for an EU Directive

The ELI Report on Ecocide is the final outcome of the ELI project on Ecocide, which was launched in February 2021. The ELI Report is well-timed, given the ongoing legislative developments at the international, EU and national levels, aimed at ensuring the prevention of the most serious environmental crimes. The principal innovative aspect of the Report is its definition of the crime of ecocide. The Report proposes that the objective element of a crime (*actus reus*) must consist in typified behaviour, ie: (a) behaviour which European Union law has identified as unlawful and dangerous for the environment; (b) which results or is likely to result in a severe damage, which is also long-term, or in a severe damage, which is also irreparable or irreversible. The Council Draft of the Report is available [here](#). A webinar on the topic, open to the public free of charge, will take place on **26 April 2023** from 12:30–14:00 CET. To register, please click [here](#).



ELI Submits a Response to the European Commission's Public Consultation on Digital Fairness

In its 2020 consumer policy strategy, the 'New Consumer Agenda', the European Commission announced that it would analyse whether additional legislation or other action is needed in the medium-term to ensure equal fairness online and offline. In furtherance of the above strategy, the Commission launched a public consultation on 28 November 2022, to which the ELI contributed. The Response, which was recently approved by the ELI Council and is available [here](#), was submitted to the Commission on 20 February 2023. ELI's Response will be presented and discussed at the webinar on **27 April 2023** from 12:30–14:00 CET. Participation in the webinar is free of charge. To register, please click [here](#).



Further Updates on ELI Projects

The following events took place in January and February 2023.

Advance Choices

Meeting

On 9 January 2023, ELI Co-Reporter on Advance Choices for Future Disablement project, met Peter Lown, KC, Member of the Uniform Law Conference of Canada's (ULCC) Executive. Read more [here](#).

Nudges as Enablers of Sustainable Living

HLEG Meeting

On 18 January 2023, leading experts from policy-making, practice and academia discussed the focus of a prospective ELI project in the above field. Read more [here](#).

Implementing Workers' Right to Disconnect

Project Team Meeting

On 30 January 2023, the Team of the above project convened online to discuss the most recent draft of the project. Read more [here](#).

Fundamental Constitutional Principles Project

PT and AC Meeting

On 6 February 2023, the Project Team and Advisory Committee of the above ELI project met remotely to discuss the formulation of the Principles. Read more [here](#).

ELI-Mount Scopus European Standards of Judicial Independence

PT and AC Meeting

On 6 February 2023, the Project Team and Advisory Committee of the above ELI project met remotely to discuss the revised draft. Read more [here](#).

Justice and Gender Discrimination

HLEG Meeting

On 27 January and 17 February 2023, leading experts from policy-making, practice and academia discussed the focus of a prospective ELI project in the above field. Read more [here](#).

ELI Principles on Blockchain Technology, Smart Contracts and Consumer Protection

Dr Sjeff van Erp (Professor, Maastricht University) and Dr Martin Hanzl (MSc (WU), LL M (IT Law); Attorney, EY Law), Reporters of the above ELI project published a short article on the topic at [blogdroiteuropeen](#) on 28 February 2023. The full article can be read [here](#).

The ELI Principles were approved by the ELI Council on 5 July 2022 and by ELI Fellows on 8 September 2022. The full report is available [here](#).

MCC Call

ELI Members are invited to join one or more Members Consultative Committees (MCCs) of the following projects:

- Access to Digital Assets
- Corporate Criminal Liability in the European Union
- ELI Principles on the Digitalisation of Civil Justice Systems in Europe
- ELI Principles on the Extra-Judicial Administration of Justice in Cross-Border Family and Succession Matters
- ELI-Mount Scopus European Standards of Judicial Independence
- Climate Justice – New Challenges for Law and Judges
- Fundamental Constitutional Principles

- Guiding Principles and Model Rules on Algorithmic Contracts
- Third Party Funding of Litigation
- Advance Choices for Future Disablement

MCC members will be invited to comment on drafts at various stages of the project's lifecycle. Typically, Project Reporters will submit drafts to the MCC at least twice per year, ahead of the ELI Council meeting in February and September, and invite comments.

It goes without saying that MCC members will be fully acknowledged in the final ELI publication.

You can register your interest to join the MCC by sending a message to [ELI Secretariat](#).

Updates on Other ELI Initiatives

The following events took place in January and February 2023.

Webinar on Repair and Reuse – Towards a Circular Economy

The webinar, which took place on 25 January 2023, was an opportunity to discuss ELI's Response to the [European Commission's Public Consultation on Sustainable Consumption of Goods – Promoting Repair and Reuse](#) in the context of other initiatives in Europe. Speakers included: Pascal Pichonnaz (ELI President; Professor, University of Fribourg; Chair), Susanne Augenhöfer (Professor, University of Innsbruck and author of [ELI's Response](#)), Hans Micklitz (Professor, European University Institute), Victor Mehnert (Research Assistant at the Chair of Civil Law, Information Law and Data Law at University of Bonn), Patrycja Gautier (Team Leader, Senior Legal Officer, The European Consumer Organisation, BEUC), Malte Gallée (Group of the Greens/European Free Alliance, Member of the European Parliament) and Dirk Staudenmayer (Head of Unit Contract Law, European Commission). Read more [here](#); watch the webinar [here](#).



Webinar on ELI Feedback on the European Commission's Proposal for a Revised Product Liability Directive

A webinar on [ELI's Feedback on the Commission's Proposal for a Revised Product Liability Directive](#) took place on 13 February 2023. Speakers included: Pascal Pichonnaz (ELI President; Member of the ELI Project Team on the Reform of the Product Liability Directive; Professor, University of Fribourg; Chair), Jean-Sébastien Borghetti (Co-Reporter of the ELI Feedback, Co-Reporter of the ELI Project; Professor, Université Panthéon Assas (Paris II)), Bernhard A Koch (Co-Reporter of the ELI Project; Professor, University of Innsbruck), Christiane Wendehorst (ELI Scientific Director; Chair of the ELI Project; Professor, University of Vienna), Dr Urs Buscke (Senior Legal Officer, BEUC, member of the Advisory Committee of the ELI Project), Karina Stan (Director of EU Policy, Head of Brussels Office, Developers Alliance), Alexis WARAVKA (Head Digital and Competitiveness, Independent Retail Europe) and Fabian Junge (Legal and Policy Officer, DG Internal Market, Industry, Entrepreneurship and SMEs, European Commission). Read more [here](#); watch the webinar [here](#).



Updates on ELI Hub and SIG Activities

The following events by ELI Hubs and SIGs took place in January and February 2023.

ELI Austrian Hub

Workshop

On 16 January 2023, the ELI Austrian Hub held a workshop on 'Supply Chain Responsibility' as part of its 'Monday Seminar Series'. Read more [here](#).

ELI Croatian Hub

21st Webinar in its Series

On 17 January 2023, the Hub held a webinar on 'The Lost Philosophy of Copyright', delivered by 2022 ELI YLA winner, Tea Mustač. Read more [here](#).

ELI Insurance Law SIG

Lecture

On 25 January 2023, the SIG held its 8th Transatlantic Lecture on the 'Principles of Reinsurance Contract Law'. Read more [here](#).

ELI Austrian Hub

Forum

On 27 January 2023, the Hub hosted the 3rd International Commercial Contracts and Dispute Resolution Forum. Read more [here](#).

ELI Croatian Hub

22nd Webinar in its Series

On 14 February, the Hub held a webinar on 'The Issue of Nullity of a Contract'. Read more [here](#).

ELI Nordic Hub

Establishment

We are pleased to report that the ELI Executive Committee approved the Hub's establishment at its meeting of 23 February 2023. More [here](#).

Updates on ELI Representation

Below is an overview of ELI's representational activities that took place in January and February 2023.



UNCITRAL Intersessional Event on AI and Automated Contracting

17 January 2023

The event was opened by the Secretary of UNCITRAL Madam Anna Joubin-Bret and ELI President Prof Dr Pichonnaz. Read more [here](#).



ELI President Presents Schemes for Young Scholars at the University of Vienna

20 January 2023

ELI President, Prof Dr Pichonnaz, gave a talk on the subject at an informal networking session at the University of Vienna. Read more [here](#).



ELI President Participates in 77th UNCITRAL Working Group II (Dispute Settlement)

10 February 2023

ELI's President, Prof Dr Pichonnaz, represented ELI at the session, which sought to intensify relations between ELI and UNCITRAL. Read more [here](#).



ELI President and the President of L'institut JUR-I of UCLouvain Meet

15 February 2023

The meeting, which is one in a series of meetings between the ELI President and ELI Institutional Observers, was an opportunity to reflect on cooperation to date. Read more [here](#).



ELI President and the International Union of Judicial Officers (UIHJ) President and Vice Meet

15 February 2023

The meeting served as an opportunity to reflect on the ELI-UIHJ cooperation and update each other on current initiatives. Read more [here](#).



ELI President Meets the American Constitution Society President

17 February 2023

ELI's President, Prof Dr Pichonnaz, met the American Constitution Society's President, Russ Feingold online. Read more [here](#).



ELI Presidency Meet the Recently Elected Rector of the University of Vienna

22 February 2023

ELI's Presidency met Rector Schütze, who took office on 1 October 2022. The meeting was on occasion to congratulate the Rector on his appointment and further introduce him to ELI's project portfolio. Read more [here](#).

ELI Welcomes its New Members

ELI is pleased to welcome the following individual and institutional Members that joined recently.

New Institutional Member

Maynooth University School of Law and Criminology, Centre for European Law



Maynooth University
National University of Ireland Maynooth

Maynooth University School of Law and Criminology is the youngest and at the same time fastest-growing law school in Ireland. More than 40 full-time academic members of staff engage in diverse areas of research with a strong international focus employing a diverse range of methodologies. Members of staff have attracted considerable research funding – most notably two recent ERC grants, Horizon 2020 and Irish Research Council funding – and have been the recipients of prestigious research prizes. Most recently, the School established four specialist research centres, among them a Centre for European Law which incorporates a Jean Monnet Chair. The School's international and European focus is also reflected in its teaching offer with numerous specialist European and international law modules on offer to undergraduate and postgraduate students as well as a double Bachelor's degree programme in collaboration with the Université Catholique de Lyon.

New Individual Members

Denise Amram, Scuola Superiore Sant'Anna, Italy
Raluca Bercea, West University of Timișoara, Romania
Michele Cincimino, LUMSA University, Italy
Marta-Claudia Cliza, University of Nicolae Titulescu, Romania
Paula Sofia Couceiro de Almeida Távora Vítor, University of Coimbra, Portugal
Ozlem Dogerlioglu Isiksunur, Izmir University of Economics, Turkey
Hrefna Fridriksdottir, University of Iceland, Iceland
Rosa M Garcia-Teruel, University of Barcelona, Spain
Helene Hayden, University of Vienna & Austrian Supreme Court, Austria
Noriko Kawawa, Doshisha University, Japan
Katharina Kolb, Law Firm, Germany
Katarzyna Malinowska, Kozminski University, Poland
Thomas Margoni, KU Leuven Centre for IT & IP Law, Belgium
Terry McGuinness, Judicial Office, United Kingdom
Dorota Miler, University of Augsburg, Germany
Tea Mustać, Spirit Legal Law Firm, Germany
Silvino Navarro, Public Cooperation of Property Rights & Commerce Registrars of Spain, Spain
Simona Novaretti, University of Turin, Italy
Ekin Ömeroglu, Kadir Has University, Turkey
Cristina Elena Popa Tache, Andrei Șaguna University of Constanța & Andrei Rădulescu Legal Research Institute of Romanian Academy, Romania
Yukio Sakurai, Tokyo Medical and Dental University, Japan
Riccardo Serafin, University of Turin, Italy
Luca Sicignano, Università degli Studi della Campania 'L Vanvitelli, Italy
Erik Sinander, Stockholm University, Sweden
Laura-Cristiana Spataru-Negura, University of Nicolae Titulescu, Romania
Balázs Völcsy, Hungary
Eleni Zervogianni, Aristotle University of Thessaloniki, Greece

Events Calendar At-A-Glance

Please save the following dates. Stay up to date by visiting our [website](#) and following our social media channels.

Mar

14 Mar	ELI Croatian Hub: The New Regime on Liability of Online Auction Platforms for Storing Illegal Content Under the Digital Services Act <i>Online</i>
tbd	ELI Polish Hub: General Assembly <i>Online</i>
tbd	ELI Polish Hub: Conference on the Recent Judicial Reforms in Poland and the Rule of Law <i>Gdansk, Poland</i>
tbd	ELI Slovenian Hub: Round-Table Discussion on Proposed Amendments to the Slovenian Constitution in Light of the TEU and Jurisprudence of the CJEU <i>Ljubljana, Slovenia</i>
tbd	ELI Ukrainain Hub: Webinar on the Concept of Transitional Justice in the Context of the Russian-Ukrainian Armed Conflict <i>Online</i>

Apr

17 Apr	ELI Croatian Hub: Lawyers and Legal Services in the Case Law of the CJEU <i>Online</i>
26 Apr	<u>ELI Webinar</u> : ELI Report on Ecocide <i>Online</i>
27 Apr	<u>ELI Webinar</u> : ELI Response to the European Commission's Public Consultation on Digital Fairness – Fitness Check on EU Consumer Law <i>Online</i>

7th ELI Young Lawyers Award

ELI Young Lawyers Award gives voice to the next generation of legal experts. Share your ideas on legal issues that require urgent attention in Europe and stand a chance to win the 7th ELI Young Lawyers Award.

PRIZES

- Extract of paper published in the ELI Newsletter and on ELI website
- Best efforts to get the paper published in UNIDROIT's Uniform Law Review, an Oxford University Press Journal
- Presentation of the paper at the ELI Annual Conference (costs up to EUR 750 covered)
- EUR 750 cash
- 5 year ELI membership
- up to 3 months paid internship at a law firm affiliated with Interleges

Who

Applicants undertaking an undergraduate/postgraduate law degree or individuals who are within five years of being awarded a law degree at the date by which entries must be submitted.

What

Candidates must submit a previously unpublished original paper which deals with a European legal issue that could benefit from improvement. A jury composed of ELI representatives and of other institutions determines the winner.

When

Submit the paper by **30 April 2023**, alongside the [application form](#), to the following address: secretariat@europeanlawinstitute.eu

Jury

Prof Dr Walter Doralt (University of Graz; Jury Chair)
Dr Sarah Bechaalany (ELI Council Member; Attorney at Law, Lenz & Staehelin)
Lord Jonathan Mance (ELI Senate Member; Former Deputy President, Supreme Court of the UK)
John North (Representative, Interleges)
Yuri van Steenwijk (President, European Law Students Association International)
Dr Aneta Wiewiórska-Domagalska (ELI Executive Committee Member; Counsel, Hoffman Taborowski & Wspólnicy)
Prof Dr Reinhard Zimmermann (ELI Senate Member; Former Director, Max Planck Institute for Comparative and International Private Law; Professor, Bucerius Law School)



ELI
EUROPEAN
LAW
INSTITUTE

INTERLEGES
the international association of independent law firms



universität
wien



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.



ELI Secretariat

Schottenring 16/175
1010, Vienna, Austria
T +43 1 4277 221 01
F +43 1 4277 922 1
www.europeanlawinstitute.eu
secretariat@europeanlawinstitute.eu



ELI
EUROPEAN
LAW
INSTITUTE



universität
wien



Supported by
the European Union



City of
Vienna