



ELI

EUROPEAN
LAW
INSTITUTE



2016 Annual Conference and General Assembly

7-9 September 2016



Overview of the Programme

Wednesday, 7 September

Venues: Faculty of Law, University of Ferrara; Castello Estense di Ferrara

- 10:00 – 11:00 **Registration**
Aula Magna, Faculty of Law
- 11:00 – 13:00 **ELI General Assembly (ELI members only)**
Aula Magna, Faculty of Law
- 14:00 – 18:00 **ELI Council Meeting (ELI Council members only)**
Council Room, Faculty of Law

ELI ANNUAL CONFERENCE (ALL CONFERENCE PARTICIPANTS)

- 19:00 – 22:00 **Opening Ceremony and Reception**
Castello Estense di Ferrara
Diana Wallis, ELI President
Giorgio Zauli, Rector of the University of Ferrara
Keynote Lecture: *Marta Cartabia, Vice-President of the Italian Constitutional Court*

Thursday, 8 September

Venues: Faculty of Law, University of Ferrara; Castello Estense di Ferrara

- 08:00 – 09:00 **Registration**
Aula Magna, Faculty of Law
- 09:00 – 09:45 **Welcome Addresses and Introduction**
Aula Magna, Faculty of Law
Giovanni De Cristofaro, Dean of the Faculty of Law, University of Ferrara
Dario Franceschini, Italian Minister of Cultural Heritage and Activities and Tourism
Diana Wallis, ELI President
Christiane Wendehorst, ELI Vice-President

Panel Sessions

09:45 – 11:15	Rescue of Business in Insolvency Law I <i>Aula Magna</i>	09:45 – 11:15	Prevention and Settlement of Conflicts of Exercise of Jurisdiction in Criminal Law I <i>Aula 1</i>
11:15 – 11:30	Coffee Break	11:15 – 11:30	Coffee Break
11:30 – 13:00	Rescue of Business in Insolvency Law II <i>Aula Magna</i>	11:30 – 13:00	Prevention and Settlement of Conflicts of Exercise of Jurisdiction in Criminal Law II <i>Aula 1</i>
13:00 – 14:00	Buffet Lunch	13:00 – 14:00	Buffet Lunch
14:00 – 16:00	From Transnational Principles to European Rules of Civil Procedure I <i>Aula Magna</i>	14:00 – 15:30	Empowering European Families: Choice of Court and Choice of Law <i>Aula 1</i>
16:00 – 16:30	Coffee Break	15:30 – 16:00	Coffee Break
16:30 – 17:30	From Transnational Principles to European Rules of Civil Procedure II <i>Aula Magna</i>	16:00 – 17:30	Vulnerable Adults and the Conflict of Laws <i>Aula 1</i>
17:30 – 19:30	Meetings of Special Interest Groups <i>Faculty of Law</i>		
20:00 – 23:00	Conference Dinner <i>Castello Estense di Ferrara</i>		

Overview of the Programme

Friday, 9 September

Venues: Faculty of Law, University of Ferrara; Hostaria Savonarola Ferrara

09:00 – 10:30	Digital Single Market: Discussion Draft of a Directive on Online Intermediary Platforms I <i>Aula Magna</i>	09:00 – 10:30	The Principled Relationship of Formal and Informal Justice through the Courts and Alternative Dispute Resolution <i>Aula 1</i>
10:30 – 11:00	Coffee Break	10:30 – 11:00	Coffee Break
11:00 – 12:15	Digital Single Market: Discussion Draft of a Directive on Online Intermediary Platforms II <i>Aula Magna</i>	11:00 – 12:15	The Tools of the Digital Age in the Service of More Accessible Justice <i>Aula 1</i>
12:15 – 13:00	Keynote Lecture: <i>Koen Lenaerts</i> , President of the Court of Justice of the European Union <i>Aula Magna</i>		
13:00 – 14:00	Buffet Lunch		
14:00 – 16:00	Digital Single Market: European Developments after the Withdrawal of the CESL Proposal <i>Aula Magna</i>	14:00 – 16:00	Detention of Asylum Seekers and Irregular Migrants and the Rule of Law <i>Aula 1</i>
16:00 – 16:15	Closing Remarks <i>Aula Magna</i>		
16:30 – 18:00	Launch of the ELI Italian Hub <i>Aula Magna</i>		
19:00 – 22:00	Dinner - Social Event <i>Hostaria Savonarola Ferrara</i>		



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About the European Law Institute



Diana Wallis, President

"I am greatly excited by our meeting in Ferrara, I know that our hosts have done so much preparation to welcome the ELI to their beautiful and historic city and university. I am certain from my own experience of a visit last autumn that we will have an immensely enjoyable event. However, we meet in testing times for Europe and whilst we have a varied agenda reflecting our ever growing project work, we must also stand ready to discuss and respond to the very real challenges that are occurring in respect of the legal structures and law on our continent."



Christiane Wendehorst, Vice-President

"2016 has witnessed serious challenges to our common European vision. This merely underlines how important it is to have pan-European institutions such as the ELI which are not strictly confined to any existing political structure and which serve, and will continue to serve, as a forum for debate and exchange, irrespective of the vicissitudes of international politics."



Johan Gernandt, Treasurer

"Since its foundation in 2011, the ELI has attracted a large number of members. Starting from approx. 300 members in 2011, the ELI has grown to include approx. 1,200 members today. Similarly, the number of institutional members and observers has also increased. Furthermore, the ELI activities have broadened from one project in 2011 to seven ongoing projects today. A big percentage of its members are currently engaged in an active way in the work of the ELI through projects, SIGs and national Hubs. Thus, the ELI has become an excellent and well-established forum for the exchange of ideas and experiences between jurists, primarily from the European legal community."

The law in Europe has a profound impact on the daily lives of European citizens, companies and organisations. As an independent organisation, the European Law Institute (ELI) aims to improve the quality of law, support its development and contribute to its proper implementation both on a national and European level.

At the heart of the ELI's activities are its projects, which can be either Statements or Instruments: the former are usually short-term projects that react to current developments, while the latter are proactive in nature and will often take several years of drafting. Alongside HUBs, which are national networks of ELI members, the ELI has also established Special Interest Groups (SIGs), through which it aims to scrutinise the latest, cutting-edge developments in the different fields of law. Participation in ELI activities is encouraged amongst all members, and those members wishing to play a particularly significant and decisive role in the functioning of the Institute can stand for election to the ELI Council. ELI members can also take part in various projects, either as project team members or as participants of Members Consultative Committees. The ELI is proud of its diverse membership, and values the variety of expertise and perspectives, which it brings to the organisation.

The ELI is partly modelled on the American Law Institute (ALI), which was founded in 1923 and has since become a landmark institution in the US-American legal system. Like its American counterpart, the ELI aims to unite jurists of the highest standing from all branches and professions of the law. The Institute operates on its own initiative but is also open for cooperation with other institutions that share its vision. Since its foundation, the Institute has established close working relations with European institutions such as the European Parliament, the European Commission and the Council of Europe, international organisations such as UNCITRAL and UNIDROIT, as well as institutions such as the Council of the Notariats of the European Union (CNUE), the European Network of Councils for the Judiciary (ENCJ) and the Academy of European Law (ERA).

Programme

Wednesday, 7 September 2016

Venues: Faculty of Law, University of Ferrara; Castello Estense di Ferrara

10:00 - 11:00

Registration

Aula Magna, Faculty of Law

11:00 - 13:00

ELI General Assembly (ELI members only)

Aula Magna, Faculty of Law

11:00 - 11:20

Welcome and Opening Address (**Diana Wallis**)

Approval of the minutes of the 2015 General Assembly

11:20 - 11:45

President's and Executive Committee report (**Diana Wallis**)

Report of the Treasurer, including approval of 2015 accounts and of 2017 budget forecast (**Johan Gernandt**)

11:45 - 12:50

Overview on Projects (**Christiane Wendehorst**)

Report on SIGs (**John Sorabji**)

Report of the Membership Committee (**Walter Doralt**)

Presentation of European Young Lawyers' Award

12:50 - 13:00

Closing of the General Assembly

14:00 - 18:00

ELI Council Meeting (ELI Council members only)

Council Room, Faculty of Law

ELI ANNUAL CONFERENCE (ALL CONFERENCE PARTICIPANTS)

19:00 - 22:00

Opening Ceremony and Reception

Castello Estense di Ferrara

Diana Wallis, ELI President

Giorgio Zauli, Rector of the University of Ferrara

Keynote Speaker:

Marta Cartabia, Vice-President of the Italian Constitutional Court



Marta Cartabia was appointed Vice-President of the Italian Constitutional Court in February 2016 and has served as Justice of the Italian Constitutional Court since September 2011. She is also Full Professor of Italian and European Constitutional Law at the Law School of the University of Milano-Bicocca and was Professor of Public Law at the University of Verona between 1999 and 2004. She obtained her Ph.D. in Law from the European University Institute in Florence in 1993.

Thursday, 8 September 2016

Venues: Faculty of Law, University of Ferrara; Castello Estense di Ferrara

08:00 - 09:00

Registration

Aula Magna, Faculty of Law

09:00 - 09:45

Welcome Addresses and Introduction

Aula Magna, Faculty of Law

Giovanni De Cristofaro, Dean of the Faculty of Law, University of Ferrara

Diana Wallis, ELI President

Christiane Wendehorst, ELI Vice-President

Special Guest:

Dario Franceschini, Italian Minister of Culture



Dario Franceschini is the Italian Minister of Cultural Heritage and Activities and of Tourism, formerly the Minister for Relations with Parliament, and a native of Ferrara. He is a civil lawyer to the Supreme Court of Cassation and the author of several award-winning novels. He has been an MP since 2001, and is a member of the Board of Elections and the Constitutional Affairs Commission of the Chamber of Deputies. He was the former Secretary of the Democratic Party and President of the Democratic Party's parliamentary group in the House in the 16th parliamentary term.

Rescue of Business in Insolvency Law

Aula Magna

09:45 - 11:15

Panel I

Chair: Bob Wessels

Panellists: Stephan Madaus, Arno Metzler, Heinz Vallender

11:30 - 13:00

Panel II

Chair: Stephan Madaus

Panellists: Matthias Storme, Heinz Vallender, Bob Wessels

Panel I will be devoted to the actors in the field of restructuring and insolvency. There are a number of actors and stakeholders involved in insolvency proceedings at different stages. For example, administrators or trustees (more recently referred to as Insolvency Practitioners (IPs) or Insolvency Office Holders (IOHs)). One of the issues that needs to be addressed, when designing a legal framework that facilitates business rescue, is to define the role of each actor in the process of restructuring and insolvency (mediator, expert, practitioner), these actors' rights and obligations and the way these professions are selected and appointed (required professional and ethical standards and remuneration). One of the most pertinent questions is whether and to what extent insolvency practitioners and other actors should be regulated and their work supervised. The panel will describe, consider and discuss the recommendations of the Reporters of the ELI Project on "Rescue of Business in Insolvency Law" on how these matters should be handled.

Panel II will focus on instruments in pre-insolvency frameworks. Under (future) insolvency law in EU Member States, insolvency frameworks will probably include proceedings which promote the rescue of economically viable but distressed businesses outside formal insolvency proceedings. Distressed businesses can be of all shapes and sizes and their stakeholders range from employers and suppliers to large multinational banks, municipal communities and states. A regulatory framework that can encourage business rescue before a debtor actually is insolvent must be carefully drafted to be capable of covering all different scenarios and respecting all legal rights involved. The panel will introduce and discuss a number of recommendations of the Project Reporters on how the parties involved in pre-insolvency situations can be encouraged to negotiate solutions and how these negotiations can be made efficient and effective and the resulting agreements practicable.

Prevention and Settlement of Conflicts of Exercise of Jurisdiction in Criminal Law

Aula 1

09:45 - 11:15

Panel I

Chair: Katalin Ligeti

Panellists: André Klip, Frank Meyer, John Vervaele

11:30 - 13:00

Panel II

Co-chairs: André Klip and John Vervaele

Panellists: Katalin Ligeti, Frank Meyer

The ELI Project on “Prevention and Settlement of Conflicts of Exercise of Jurisdiction in Criminal Law” is aimed at addressing the complex situation where various States have legitimate jurisdiction over a cross-border crime. The Project Team has developed three legislative drafts, each corresponding to a possible regulatory approach or normative model that can be used to address such conflicts. These are the following:

1. A draft directive based on horizontal settlement of conflicts. Under this draft, conflicts are settled by consultation between the Member States concerned;
2. A draft regulation based on vertical settlement of conflicts. Under this draft, conflicts will be settled by a binding decision of Eurojust if the consultation between the Member States lead to no result; and
3. A draft regulation based on territorial jurisdiction in the Area of Freedom, Security and Justice. This draft establishes rules for the allocation of the exercise of territorial jurisdiction.

The two panels of the Conference will be devoted to explaining and discussing in detail these drafts, their potential impact and added value.



From Transnational Principles to European Rules of Civil Procedure

Aula Magna

14:00 - 16:00

Panel I

Chair: Diana Wallis

Panellists: Frédérique Ferrand, Paul Gilligan, Raffaele Sabato, Alan Uzelac

16:30 - 17:30

Panel II

Chair: Anna Veneziano

Panellists: Chiara Besso, Xandra Kramer

The aim of the ongoing ELI-UNIDROIT joint Project is to develop a set of Rules of European Civil Procedure. At the 2015 ELI Annual Conference, three initial Working Groups - "Access to Information and Evidence", "Provisional and Protective Measures", and "Service and Due Notice of Proceedings" - presented their work.

This year, two further Working Groups, "*Res Judicata* and *Lis Pendens*", and "Obligations of Parties, Lawyers and Judges", will present their advanced work to the public. The Reporters will speak on behalf of their groups and will present the main challenges and achievements of their work to the audience.

At a joint meeting in April 2015, the Steering Committee of the Project decided that to achieve the aims of the Project and to cover as wide a scope of the issues pertaining to the European civil procedural law as possible, there was a need to extend the Project to cover the fields of judgments, costs and parties, and to harmonise the structure of the final result of the Project. Following that decision, four new Working Groups were established: "Judgments", "Structure", "Parties" and "Costs". The new Working Groups are now finalising determining the composition of each team and start to plan their work ahead.

At this Conference, the Reporters of the Working Groups on "Judgments" and "Structure" will present the envisaged methodology and work plan of their groups during the second panel session. The Reporters will also speak about the topics they have identified as the focus of their work.



Empowering European Families: Choice of Court and Choice of Law

Aula 1

14:00 - 15:30

Chair: Christiane Wendehorst

Panellists: Elena Bargelli, Richard Frimston, Maria Vilar Badia

For want of a uniform European regime in the field of marriage and partnership law, couples in the EU are still facing a number of problems when one or both partners live in a country other than their country of origin, when changing the country of their habitual residence, or when buying or selling property abroad. To a certain extent, the existing problems could be overcome by way of early choice of court and choice of law, and by agreeing in advance on important economic issues pertaining to a couple's legal relationship. The Project aims at removing obstacles to free movement for couples within the EU and at improving certainty and predictability within a couple's legal relationships by way of:

1. comparative research on the ambit of party autonomy in family and succession law,
2. development of a set of information sheets and model templates to facilitate the use of party autonomy, and
3. a strategy for awareness-raising among couples in the EU and their legal advisers.

The panel will focus on the first draft set of information sheets and model templates prepared by the Working Team.

Vulnerable Adults and the Conflict of Laws

Aula 1

16:00 - 17:30

Chair: Richard Frimston

Panellists: Pietro Franzina, Maja Groff, Renate Schaub, Frederik Swennen

Vulnerable adults are adults who are temporarily or permanently unable to protect their welfare and/or their financial affairs. While the life-span of humans grows ever longer, this group also steadily increases. Everyone is potentially a vulnerable adult. This panel will discuss the possibilities for an ELI project in the field.

A potential ELI project in this field would focus on suggesting ways to harmonise European legislation in the area, which is fragmented at the moment. It could also consider issues such as the means of empowering a representative to handle one's affairs, welfare and property and on what measures need to be taken for such instruments to be recognised in other Member States.

17:30 - 19:30

Meetings of Special Interest Groups (SIGs)

Faculty of Law

20:00 - 23:00

Conference Dinner

Castello Estense di Ferrara



Friday, 9 September 2016

Venues: Faculty of Law, University of Ferrara; Hostaria Savonarola Ferrara

Digital Single Market: Discussion Draft of a Directive on Online Intermediary Platforms

Aula Magna

09:00 - 10:30

Panel I

Chair: Giovanni De Cristofaro

Panellists: Hans Schulte-Nölke, Fryderyk Zoll

11:00 - 12:15

Panel II

Chair: Reiner Schulze

Panellists: Christoph Busch, Samuel Laurinkari

The panel sessions will deal with the rise of the 'platform economy'. The digital economy is increasingly shaped by online platforms serving as marketplaces where customers can buy goods or book services (e.g. Airbnb, Uber, eBay, Amazon Marketplace). The purpose of the panels is to discuss the need to adjust consumer law and contract law to the changing market structure caused by the rise of the platform economy. A model for a new legislative instrument – possibly a 'Platform Directive' – will be presented.

Such a Platform Directive could define the criteria for distinguishing whether a platform operator is only a 'facilitator' or the actual supplier. In addition, it could specify the duties and obligations of the platform operator, making it clear under which conditions the operator may be liable for a non-performance by the supplier.

Specific regard will be given to the question "what are the basic requirements for transparency and fairness of online reputation systems (e.g. ratings and reviews), which are a key feature of many online platforms?"



The Principled Relationship of Formal and Informal Justice through the Courts and Alternative Dispute Resolution

Aula 1

09:00 - 10:30

Chair: Diana Wallis

Panellists: Christopher Hodges, Geoffrey Vos, Aleš Zalar

Well-structured, consent-based ADR mechanisms can and should complement formal justice systems. They can deliver fair, cost-effective, timely and, most importantly, just dispute resolution, facilitating access to justice rather than hindering it.

The ELI-ENCJ joint Project seeks to examine the development of ADR in Europe, in particular the EU instruments currently in place and their implementation. This includes identifying gaps, overlaps, discrepancies, and contradictions between the various instruments. The Project seeks to ascertain whether, and to what extent, ADR systems in individual Member States reduce access to national justice systems, and to identify the proper relationship between formal justice systems and ADR and to consider the role of the judiciary in respect of both. It also seeks to promote a proper understanding of ADR, its application and limits by policy-makers, legal professionals and citizens.

The panel will discuss the Project's aims and methodology and will identify the main problems and difficulties that ADR faces in Europe. The panel will also consider the main themes of a joint position paper of the ELI and ENCJ, which the Project Team seeks to produce as a first concrete step in the development of its ideas.

The Tools of the Digital Age in the Service of More Accessible Justice

Aula 1

11:00 - 12:15

Chair: Sjef van Erp

Panellists: Natalie Nickel, Jaana Pohjanmäki, Carsten Schmidt, Ernst Steigenga, Jacques Vos

During the panel session, digital access to justice will be discussed, not only access to the judiciary, but also access to legal services as such. The discussion aims at addressing some of the main challenges that the use of technology brings to justice. Some of those challenges, which are of particular relevance to civil and commercial as well as criminal legal practice, will be discussed in detail.

The discussion will focus on questions such as:

- Are IT developments going to set the law?
- How to create trust in digital solutions?
- What could be done better at the EU level and what should remain the responsibility of Member States?
- How can the use of clear and coherent legal terminology facilitate the building of digital tools for legal practice?

Keynote Lecture

Aula Magna - Plenary Session

12:15 - 13:00

Koen Lenaerts, President of the Court of Justice of the European Union



Koen Lenaerts has been President of the Court of Justice of the European Union since October 2015 and has served at the Court as Judge since October 2003. Before his appointment as President, he held the position of Vice-President of the Court of Justice from 2012 to 2015. He was a Judge at the Court of First Instance of the European Communities from 1989 to 2003. He was also Legal Secretary at the Court of Justice, Visiting Professor at Harvard Law School, and taught at the College of Europe in Bruges, as well as at the Katholieke Universiteit Leuven. He holds a Ph.D. in Law from the Katholieke Universiteit Leuven, a Master of Laws and a Master in Public Administration from Harvard University.

Digital Single Market: European Developments after the Withdrawal of the CESL Proposal

Aula Magna

14:00 - 16:00

Chair: Lord John Thomas

Panellists: Hugh Beale, Christiane Wendehorst, Mikolaj Zaleski

After the proposal for a Common European Sales Law (CESL) was withdrawn, the European Commission presented its strategy on the Digital Single Market (DSM). The ELI responded with a second supplement to the ELI Statement on the CESL proposal that sets out recommendations on how to further develop the DSM.

In 2015, the European Commission introduced two proposals for directives on sales law in the Digital Single Market. If accepted, these proposals will present the first step towards a harmonised, modern European sales law, even if their scope is limited to online and distance sales on the one hand, and to digital content on the other. The ELI Project Team has been working on providing constructive criticism and recommendations on how to improve these proposals to the greatest extent possible.

The panel will consider these important developments and aim at discussing the recommendations of the Working Group to amend and improve the proposed DSM instruments.



Detention of Asylum Seekers and Irregular Migrants and the Rule of Law

Aula 1

14:00 - 16:00

Chair: Boštjan Zalar

Panellists: Fabrizio Cafaggi, Marc Clément, Nuala Mole

The Treaty on European Union establishes that the rule of law is one of the values on which the EU is founded and one of the principles which the EU is bound to promote in its relations with third countries. Numerous principles and standards on detention of asylum seekers and irregular migrants developed by the case law of the CJEU and ECtHR and the norms offered by the EU legislation in place may pose a challenge to the harmonised application of common standards of the rule of law in detention cases by judges across the EU Member States.

The ELI Project on "Detention of Asylum Seekers and Irregular Migrants and the Rule of Law" aims to contribute to an effective implementation of the existing EU law, including due process standards and material conditions for detention by offering to the attention of national judges a set of user-friendly and well-referenced checklists, each complemented by an explanatory note with additional clarification of contentious issues in relation to detention under the Dublin III Regulation, the Return Directive and the Reception Directive (recast). The panel invites participants to discuss the preliminary results of the ELI Project.

16:00 - 16:15

Closing Remarks

Aula Magna

Launch of the ELI Italian Hub

Aula Magna

16:30 - 18:00

Presentation of the Italian Hub: Organisation, Aims, Initiatives, Focus Groups



The ELI Italian Hub will be launched during the ELI 2016 Annual Conference. President Diana Wallis will chair the event, which will begin with a presentation of the Italian Hub, its aims and future plans by Fabrizio Cafaggi, Remo Caponi, Mario Comba and Raffaele Sabato. Following this presentation, a round table will gather Silvana Sciarra, Giovanni Mammone, Roberto Mastroianni, Guido Alpa and Paolo Pasqualis. Professor Sabino Cassese will give the concluding remarks.

19:00 - 22:00

Dinner - Social Event

Hostaria Savonarola Ferrara



Panellists



Elena Bargelli is Full Professor of Private Law and Family Law at the University of Pisa. She was a Research Fellow of the Alexander von Humboldt Stiftung at Max Planck Institute in Hamburg from 2008 to 2009, a Visiting Fellow at the Institute of Advanced Legal Studies in London from 2011 to 2012 and at the Yale Law School in 2007. She is a Fellow of ECTIL (European Centre of Tort and Insurance Law) and co-coordinator of the ELI SIG on 'Family and Succession Law'. Her main areas of research are contract, family, tort and housing law. She serves on the ELI Council and Membership Committee.



Hugh Beale is Professor of Law at the University of Warwick, and Visiting Professor and Senior Research Fellow of Harris-Manchester College, Oxford. He was a Law Commissioner from 2000 to 2007. He was a member of the Commission on European Contract Law from 1987 to 2000, of the Study Group on a European Civil Code, and of the Group of Experts called upon to draft the Feasibility Study for a Common European Sales Law. Professor Beale specialises in contract law and commercial law. He is a Founding Member of the ELI and serves on its Council.



Chiara Besso is Full Professor of Law at the University of Torino. She has been a Visiting Fellow at the Cardozo Law School, at the Columbia University Italian Academy, at the London Institute of Advanced Legal Studies, and at the University College of Oxford. She is a Member of the Board of the Italian Association of Civil Procedure, of the Doctorate Programme on "Foundations of the European Law and Comparative Method", and of the Review *Giurisprudenza Italiana*. She is an expert in the law of evidence, transnational dimensions of civil procedure, and alternatives to adjudication. She has written and lectured in these fields.



Christoph Busch is Professor of European Private and Business Law at the University of Osnabrück, and Speaker of the Centre on European Services Law at Osnabrück's European Legal Studies Institute. He is co-founder and editor of the *Journal of European Consumer and Market Law* (EuCML) and a Fellow of the European Law Institute. His research interests focus on European consumer and contract law, Internet law and new regulatory techniques such as standardisation of services (ISO, CEN).



Fabrizio Cafaggi is Professor of Private Law at the University of Trento (on leave) and Professor of Comparative Regulation at the Italian National School of Administration. He is a Founding Member of the ELI and serves on its Council. He is also a member of the ALI. He is the scientific coordinator of a project on EU principles and remedies in administrative and civil enforcement in collaboration with the European Association of Administrative Judges, and of the projects ACTIONES and REJUS funded by the European Commission's Directorate-General for Justice and Consumers. His research interests include European consumer law and judicial dialogue, global supply chains and contractual governance, and transnational private regulation.



Marc Clément is a Judge at the Administrative Court of Appeal of Lyon. From 2006 to 2012, he was a lawyer at the European Commission's Directorate-General for Environment. From 2004 to 2006, he was a legal adviser of the European Environment Agency in Copenhagen. Previously, he worked for private companies (Lyonnaise des Eaux, EDF). He is a Founding Member of the European Law Institute and serves on its Executive Committee and Membership Committee.



Giovanni De Cristofaro is Professor of Private Law and has been the Dean of the Faculty of Law of the University of Ferrara since 2012, of which he was the Director from 2008 to 2012. He is the author of more than 200 publications in the field of Italian private law (especially contract law, family law and law of obligations) and consumer law, as well as in the field of European contract and consumer law. He is also an editor, together with Alessio Zaccaria, of the *Commentario Breve al Diritto dei Consumatori* (Wolters Kluwer).



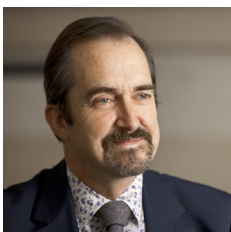
Sjef van Erp is Professor of Civil Law and European Private Law at Maastricht University. He is also a Deputy Justice at the Court of Appeals of 's-Hertogenbosch, past President of the Netherlands Comparative Law Association, Vice-President of the World Society of Mixed Jurisdiction Jurists, a Founding Member of the ELI and currently serving on its Executive Committee, member of the Executive Committee of the International Association of Legal Science, co-founder and Advisory Editor of the *European Journal of Comparative Law and Governance*, and co-founder and Editor-in-Chief of the *European Property Law Journal*.



Frédérique Ferrand is Tenured Professor at the University Jean Moulin Lyon 3, where she is Director of the Research Team in International, European and Comparative Law. She is also Director of the Edward Lambert Institute of Comparative Law and Deputy Director of the Institute of Business Law and Economy. She is Honorary Professor at the University of Augsburg. She is also a member of the Institut Universitaire de France and of two Working Groups of the ELI-UNIDROIT Project. She has undertaken editorial activities with many prominent journals.



Pietro Franzina is Associate Professor of International Law at the University of Ferrara. He has published extensively in the field of private international law. He was a Director of Studies at the Hague Academy of International Law and a trainer for the Italian School of the Judiciary and the European Judicial Training Network (EJTN). He is a member of the Editorial Board of the *Rivista di Diritto Internazionale Privato e Processuale*, and serves as an expert to the Italian Ministry of Justice as regards civil judicial cooperation.



Richard Frimston is Partner and Head of the Russell-Cooke LLP Private Client Group in London and advises clients in relation to their wills, probate and tax planning issues. His areas of expertise include cross-border estates and private international law. He qualified as an English solicitor in 1979 and as an English Notary Public in 1995. He was awarded the STEP 2014 Geoffrey Shindler Award and is currently chair of the STEP EU Committee and co-chair of the STEP Public Policy Committee and sits on the Law Society of England & Wales' EU Committee.



Paul Gilligan is a Judge at the High Court of Dublin and heads the Chancery Division. He holds a degree in Civil Law and a Diploma in European Law from University College Dublin, and received the professional qualification of Barrister at Law from the Honorable Society of King's Inns in Dublin. He practiced at the Bar for thirty-two years before being appointed a Judge. He has been a qualified mediator through the Chartered Institute of Arbitrators (Irish Branch) since 2011. He was President of the ENCJ from 2012 to 2014.



Maja Groff is Senior Legal Officer at the Permanent Bureau of the Hague Conference on Private International Law. She works on, among other topics, the Hague Conventions related to the cross-border protection of vulnerable adults and the cross-border protection of children. She has conducted liaison work with international professional associations, NGOs and other international organisations and has played a key role in the coordination of a range of international conferences and expert groups. She holds degrees from McGill, Oxford and Harvard Universities, and is an attorney admitted to practice in the State of New York.



Christopher Hodges is Professor of Justice Systems and a Supernumerary Fellow of Wolfson College, Oxford and Head of the Swiss Re/CMS Research Programme on Civil Justice Systems at the Centre for Socio-Legal Studies, at the University of Oxford. He is a Board Member of the UK Research Integrity Office. From 2013 to 2016, he has been Honorary Professor at the China University of Political Science and Law, Beijing, and Guest Professor at Wuhan University. His research is directed at reviewing all EU regulatory and dispute resolution systems to devise an integrated, balanced civil justice and regulatory model for European States.



André Klip is Professor of Criminal Law, Criminal Procedure and the Transnational Aspects of Criminal Law at Maastricht University. He is a member of the Royal Netherlands Academy of Arts and Sciences. He conducted research at the Yale Law School (New Haven) and the Max Planck Institute (Freiburg im Breisgau). He is a Judge at the 's-Hertogenbosch Court of Appeal (in the criminal division). In 2016, he published the 3rd edition of *European Criminal Law. An Integrated Approach* (Intersentia Cambridge). He is co-founder and co-editor of *Annotated Leading Cases of International Criminal Tribunals* (47 volumes since 1999).



Xandra Kramer is Professor of Law at the Erasmus School of Law in Rotterdam. She conducts research and lectures in the area of private international law, international litigation, and European private law. She was project leader and has participated in studies for the Dutch Ministry of Justice, the European Parliament and the European Commission. She serves as Editor-in-Chief of the *Dutch Journal on Private International Law* (NIPR), and is on the editorial board of several other journals.



Samuel Laurinkari heads eBay's work on EU policies impacting eBay and its users, such as e-Commerce legislation, online platform policy, consumer policy, competition policy, and cross-border trade policy. Prior to joining eBay, he worked in government relations for LVMH Moët Hennessy Louis Vuitton and as a consultant for FTI Consulting. He grew up in Finland and Germany and studied European Law at Maastricht University.



Katalin Ligeti is Professor of Law at the University of Luxembourg, where she teaches European and International Criminal Law as well as Economic and Financial Criminal Law. She is Vice-President of the International Association of Penal Law (AIDP), and co-coordinator of the European Criminal Law Academic Network (ECLAN) for which she acts as the contact point for Hungary. She has published widely on criminal policy and serves on the editorial board of *Eu crim* and the *New Journal of European Criminal Law*. She has also participated as an expert in several impact assessments conducted by the European Commission and has been called on by the EP, the OECD and ICTY for her expertise. Recently, she has been appointed to the European Commission expert group on EU criminal law policy.



Stephan Madaus assumed professorship at Martin-Luther-University Halle-Wittenberg in April 2014, where he teaches insolvency law, civil procedure, company, contract and tort law after having taught several years at the University of Regensburg and having been a Visiting Scholar on bankruptcy law and complex litigation at the University of Stanford in 2008/2009. He has published in prominent legal journals in Germany, Europe and beyond, including a treatise on the fundamentals and doctrinal nature of rescue plans titled *Der Insolvenzplan*.



Arno Metzler has been a member of the European Economic and Social Committee since 2002 and the Vice-President of its Group III, where he gives voice to the concerns of the various social, occupational and economic organisations generally, and to the liberal professions and SMEs in particular. He was rapporteur on several reports dealing with European legal issues. He is General Manager of the German Association of Consulting Engineers. Previously, he held the same position at the German Federal Association of Liberal Professions from 1992 to 2012.



Frank Meyer is Professor of Law and the Chair of Criminal Law and Procedure at the University of Zurich. His research focuses on European and international criminal justice. He has been Visiting Professor at the Hebrew University in Jerusalem and has conducted research at Yale (2005), where he also received his LL.M., at the Max-Planck-Institute for criminal law in Freiburg (2006-2008) and at the Universities of Hamburg and Bonn, where he obtained his “Habilitation” in 2011. He is a member of the Cologne Bar and serves as a counsel with Redeker Sellner Dahs in Bonn.



Nuala Mole has a degree in law from the University of Oxford and in European Law from the College of Europe in Bruges. In 1993, she founded the AIRE Centre to provide information on European law and representation at the ECtHR and the CJEU and on European law issues in national courts in over 200 cases. She has specialised in free movement and in the European law aspects of immigration and asylum and has written widely in this field, including on several editions of the *Handbook on European Law Relating to Asylum, Borders and Immigration* of the Council of Europe, ECtHR and FRA. She has litigated several key asylum cases before the ECtHR. She also provides training on these matters to judges, public officials and practitioners across Europe, most recently in Belgrade and in Tirana.



Natalie Nickel has worked for the Ministry of Justice of North Rhine-Westphalia since 2010, and is the project technical coordinator of the e-CODEX project (e-Justice Communication via Online Data EX-change), which focuses on improving access to justice across Europe by enabling the secure pan-European electronic exchange of procedural documents. Since April 2013, she is also part of the project administration team of the e-SENS project (Electronic Simple European Networked Services). From 1996 to 2010, she worked for the Higher Regional Court Düsseldorf in the IT-Integration division, which focuses on the information technology development in the state of North-Rhine-Westphalia.



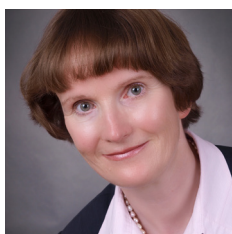
Hans Schulte-Nölke is Professor of Law and Legal History at the European Legal Studies Institute at the University of Osnabrück, and Professor of Law at the Radboud University Nijmegen. He is the author of several books on the European harmonisation of private law and of a large number of articles in several European journals. From 2005 to 2009, he coordinated the “Common Principles of European Contract Law (CoPECL)” Network, entrusted with the elaboration of the Draft Common Frame of Reference on European Contract Law. From 2010 to 2015, he was a member of the European Commission’s Expert Group on Contract Law. He regularly advises committees of the European and the German Parliaments as well as national ministries and international organisations.



Jaana Pohjanmäki works as Principal Administrator in charge of e-Justice issues in the civil law unit in the Directorate General for Justice and Home Affairs in the General Secretariat of the Council of the EU. In this capacity, she is in particular responsible for the Working Party on e-Law (e-Justice). She obtained her Master's Degree in Finland in 1990 and joined the General Secretariat of the Council of the EU in 1995. Before being appointed to the civil law unit, she was responsible for the external relations policy area in the same Directorate General.



Raffaele Sabato is a Justice at the Italian Supreme Court of Cassation. Before his current post, he published and lectured widely on issues in civil, international and EU law, procedural law, mediation and judicial ethics in post-graduate programmes. He serves as an expert of the Council of Europe and has taken part in initiatives aimed at promoting reforms in legal systems. He also served as member of the Consultative Council of European Judges since its start in 2000, having been its Chair for two years. From 2012 to 2016, he was a member of the Board of Directors of the School for the Judiciary of Italy. He serves on the ELI Council.



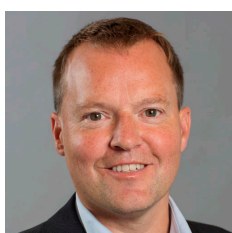
Renate Schaub is Professor of Civil Law, Private International Law, Comparative Law, Commercial and Economic Law at Ruhr University Bochum. Her focus of research is on tort and contract law, private international law, comparative law, intellectual property law and law of unfair competition. She is, *inter alia*, a member of the German Association of Comparative Law, the British-German Jurists' Association, the German Association for the Protection of Intellectual Property (GRUR) and various working groups on intellectual property law.



Carsten Schmidt is Deputy Head of the information technology and e-Justice division at the Ministry of Justice of North Rhine-Westphalia. He is also the Director of the e-SENS project, a large scale project funded by the European Commission and 20 Member States and Associated Countries to establish an interoperability platform for e-Government services in Europe. Besides that he is a member of the experts groups for e-Justice, company law and insolvency registers of the European Commission and of the Working Party for e-Law/e-Justice of the Council of the European Union.



Reiner Schulze is Professor of German and European Civil Law, Director of the Centre for European Private Law (CEP), Director of the Institute for International Business Law and Director of the Institute for Legal History at the University of Münster. He qualified as Professor at the University of Frankfurt a.M. in 1983 and served as Professor of Civil Law and German and Modern European Legal History at the University of Trier from 1989 to 1994. From 1996 to 2005, he served as a Judge at the Higher Regional Court Hamm. Reiner Schulze is a member of the Research Group on the Existing EC Contract Law and serves on the ELI Council.



Ernst Steigenga has worked for the Dutch Ministry of Justice as senior IT policy officer since May 2004, specialised in European cooperation and semantics. After managing the Dutch contribution to e-CODEX, he is currently in charge of the marketing and communication in Me-CODEX. He has initiated the development of digital interaction for cross-border legal procedures. He also chairs the WG for the development of a multi-channel strategy for European e-Justice. His professional interest lies in the alignment of diversity in legal semantics with the urge for IT harmonisation to support automated processing of (cross-border) legal procedures. He has degrees in information management and political science.



Matthias Storme is Full Professor at the University of Leuven, Guest Professor at the Universities of Antwerp, Tilburg and CUPL Beijing, and a senior partner in a law firm in Ghent. He is joint Editor-in-Chief of the *European Review of Private Law* and joint Editor-in-Chief of the *Tijdschrift voor privaatrecht* and was a member of the Commission on European Contract Law (Lando-Commission) and of the Compilation and Redaction Team of the CoPECL Network, drafting a Common Frame of Reference for European Contract Law (2006-2009).



Frederik Swennen is Professor of Family Law at the University of Antwerp, where he chairs its Research Centre and various international and national research networks. He specialises in national and international family law and private international law. He is a member of the private client law firm Greenille by Laga, which was ranked as a Tier 1 Leading Belgian Law Firm in Chambers High Net Worth Guide (2016). His work involves family proceedings and planning for vulnerable adults.



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



Alan Uzelac is Professor of Procedural Law at the University of Zagreb, where he teaches Civil Procedure, Arbitration, ADR, Judiciary, Evidence and Protection of Human Rights in Europe. He is involved in various activities of the Council of Europe's European Commission for the Efficiency of Justice (CEPEJ) and was also a member of its SATURN Group de pilotage (2007-2008). Since the mid-90s, he has furthermore been engaged as a Croatian delegate in the work of UNCITRAL's Working Group for Arbitration and Conciliation.



Heinz Vallender is Managing Director of the Department for International and European Insolvency Law at the Cologne University, where he also holds an honorary professorship. Until November 2015, he was a Judge at the local court of Cologne, where he was the head of the insolvency department. He is the chairman of the judicial wing of Insol Europe and also a member of Insol Europe's Managing Board. Since 1997, he has been the Chairman of the *Arbeitskreis für Insolvenzwesen Köln e.V.*, one of the oldest and most prestigious insolvency organisations in Germany.



Anna Veneziano is Deputy Secretary-General of UNIDROIT. She is Professor of Comparative Law at the University of Teramo and is affiliated with the University of Amsterdam as Professor of European Property Law. Her education includes an LL.M. degree from Yale Law School and a Ph.D. from the University of Firenze, as well as periods of study in Germany. Her main research areas are on international, comparative and European secured transactions and contract law. She sits on the Steering Committee of the ELI-UNIDROIT joint Project "From Transnational Principles to European Rules of Civil Procedure".



John Vervaele is Professor of Economic and European Criminal Law at the University of Utrecht's Law School, and Professor of European Criminal Law at the College of Europe in Bruges. He is President of the AIDP. His main topics of research are enforcement of EU law, standards of due process, procedural safeguards and human rights, criminal law and procedure and regional integration, comparative economic and financial criminal law and terrorism. He has conducted research, both as a Researcher of Utrecht Law School and under contract for Dutch Departments and European Institutions. He is regularly teaching as Visiting Professor in foreign universities in Europe, the US, Latin America and China.



Maria Vilar Badia is a Legislative Officer of the European Commission's Directorate-General for Justice, Consumers and Gender Equality. Ms Vilar Badia holds a Law Degree from the University of Barcelona and a Master's Degree in Union Law from the University of Exeter. Her areas of work include cross-border succession and family law.



Geoffrey Vos is a Judge of the Court of Appeal of England and Wales, having been appointed in 2013, when he became a member of the Privy Council. He was also appointed a Judge of the High Court in 2009 and served previously as a Judge of the Courts of Appeal of Jersey and Guernsey and of the Cayman Islands. Moreover, he was President of the ENCJ from January 2015 to June 2016. He was educated at Gonville & Caius College Cambridge from 1973 to 1976, and was elected as an Honorary Fellow of that College in 2015.



Jacques Vos LL.M. is a legal practitioner with a special interest in IT and international cooperation. He holds a law degree (Notarial Law) from the University of Groningen (2001). He was a Board member of the European Land Registry Association (ELRA) and participated in the Crobeco and Imola projects. He has extensive experience and knowledge of the use of qualified electronic signatures, text recognition and XML-structures. He currently focuses on the use of possible new techniques in electronic processing of deeds (Blockchain).



Diana Wallis is President of the European Law Institute. After a diverse legal education in London, Liège, Zurich and Chester, she gained over fifteen years of professional experience as a litigation lawyer. From 1999 to 2012, she was a member of the European Parliament (EP) and a leading member of its Legal Affairs Committee. Since leaving the EP, she has continued her activities in the European legal field as member of various institutions and speaker at many events across Europe.



Christiane Wendehorst is Professor of Law at the University of Vienna. She is a member of the American Law Institute, the Austrian Academy of Sciences, the International Academy of Comparative Law, and several international research groups. Before coming to Vienna, she held full professorships in Germany and served as Managing Director of the Sino-German Institute for Legal Studies. She is on the board of a range of academic bodies and associations and provides expert advice to governments and legislative bodies. Ms Wendehorst is Vice-President of the ELI and one of its Founding Members.



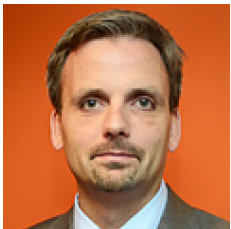
Bob Wessels is Professor emeritus of International Insolvency Law at the University of Leiden. He has over 40 years of experience as an independent legal counsel and acted as consultant to the IMF, the World Bank and is counsel to the European Commission in matters of cross-border insolvency (EU Insolvency Regulation (Recast)), and on a legislative proposal, due in autumn 2016, on modernising restructuring and insolvency laws in EU Member States. He is Visiting External Scientific Fellow at the Max Planck Institute Luxembourg for International, European and Regulatory Procedural Law.



Aleš Zalar has been President of the European Centre for Dispute Resolution since 2012. From 2008 to 2012, he served as Minister of Justice in the Republic of Slovenia. He was also the EU's legal consultant for EU law with the Romanian Supreme Court and for mediation with the Croatian Ministry of Justice. From 1989 to 2008 he served as a Judge. From 1991 to 2007, he was President of the Basic Court in Ljubljana and later of the District Court in Ljubljana.



Boštjan Zalar is a Senior High Court Judge of the Administrative Court of the Republic of Slovenia and *ad hoc* Judge of the European Court of Human Rights. He is also a researcher at the University of Ljubljana, and Vice-President of the European Chapter of the International Association of Refugee Law Judges (IARLJ-Europe) and Co-Chair of the Working Party on Country of Origin Information and Country Guidance of the IARLJ. He is immediate past co-chair of the Working Party on Asylum and Immigration of the Association of European Administrative Judges and a Member of the ELI Council. He is a member of the Editorial Team under the IARLJ-EASO 3 years contract for development of the core judicial training materials for judges in the field of the Common European Asylum System.

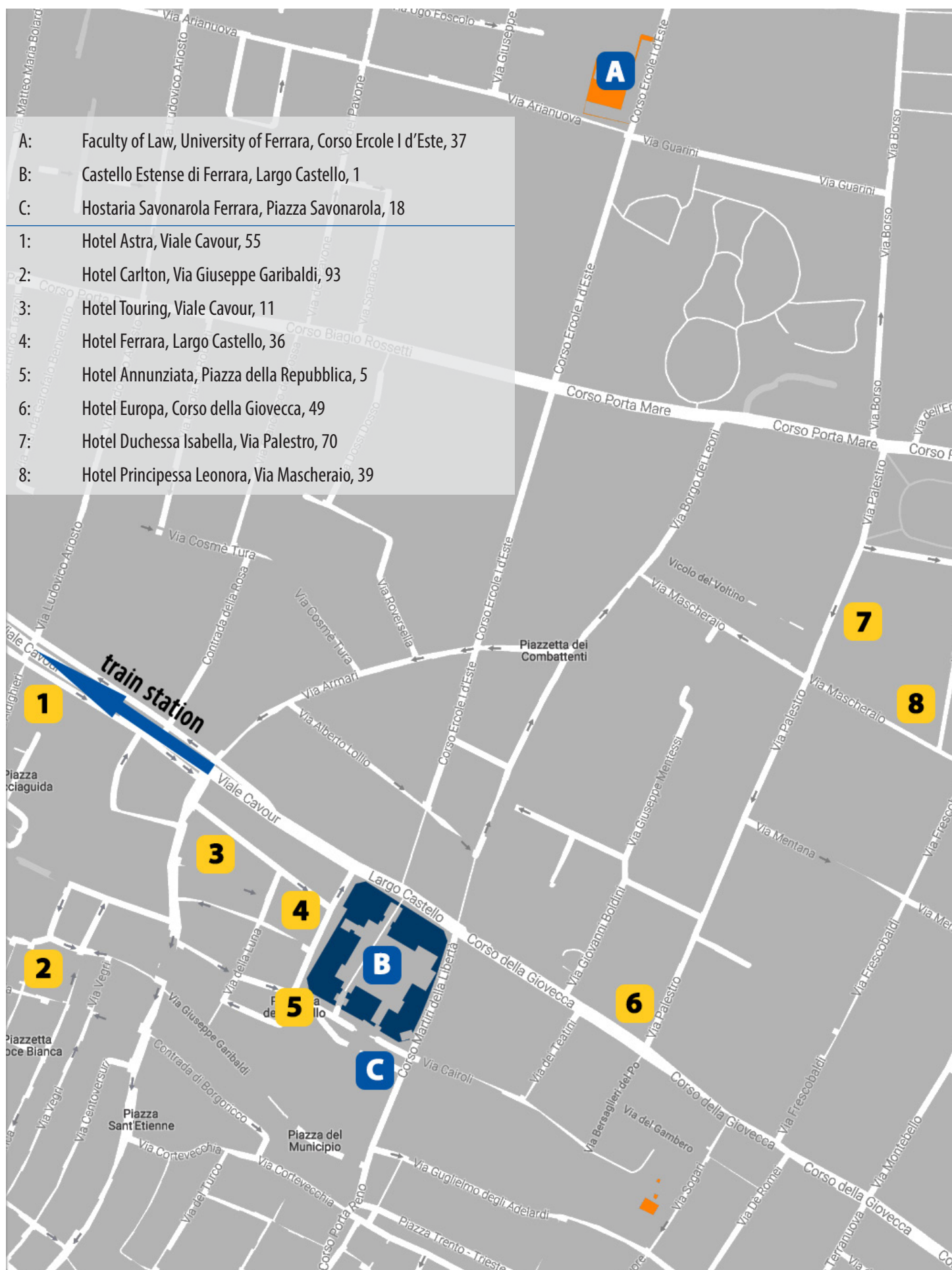


Mikolaj Zaleski LL.M. works in the Civil and Contract Law unit in the European Commission's Directorate-General for Justice and Consumers. He is a team leader, co-responsible for proposals for a directive on the supply of digital content and for a directive on online and other distance sales of goods. In the past he has participated in the legislative process related to the proposal for the Common European Sales Law and assisted the European Commission Expert Group on the European Contract Law.



Fryderyk Zoll has been Professor of European, Polish and Comparative Private Law at the University of Osnabrück since 2011 and Professor at the Jagiellonian University since 2006. From 2011 to 2015, he was a member of the Drafting Team of the Polish Codification Commission. He has been an associated member of the International Academy of Comparative Law since 2010, and a member of the Acquis Group and of the Common Frame of Reference Team since 2005. He is also a Managing Publisher of the Journal *Transformacje prawa prywatnego*.

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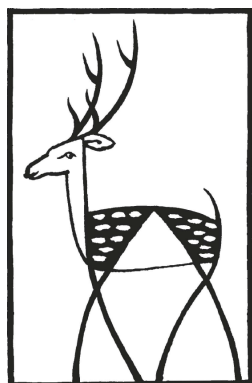


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The 2017 ELI Annual Conference will take place from **20 to 22 September** in **Vienna, Austria**. Please take note of this date.

We look forward to seeing you there!



ELI in Vienna

The Secretariat of the ELI, which is hosted by the University of Vienna, is located in the heart of the Austrian capital, close to the main building of the University, the representation of the European Commission in Austria as well as the information office of the European Parliament.

We cordially invite you to visit us whenever you are in Vienna.



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