



# ELI

EUROPEAN  
LAW  
INSTITUTE

## 2015 Annual Conference and General Assembly

2-4 September 2015





## Wednesday, 2 September 2015

*Top Floor Law Faculty Building/Dachgeschoß Juridicum, University of Vienna, Schottenbastei 10-16, 1010 Vienna*

19:00 - 22:00      Opening Ceremony and Reception  
Keynote Lecture: **Harriet Lansing**, Immediate Past President of the U.S. Uniform Law Commission

## Thursday, 3 September 2015

*Austrian Academy of Sciences/ÖAW, Dr. Ignaz Seipel-Platz 2, 1010 Vienna*

08:00 - 09:00      Registration

09:00 - 11:15      **ELI General Assembly (ELI Members only)**

*Grand Ceremonial Chamber/Großer Festsaal*

**Council Elections (09:30 - 10:30)**

11:30 - 17:15      **ELI Annual Conference**

*Grand Ceremonial Chamber/Großer Festsaal*

11:30 - 12:15      Welcome Addresses and Introduction

12:15 - 13:15	<b>Panel I: From CESL to the Digital Single Market*</b>	<b>Panel II: The Future EU Administrative Procedure Law: Issues of Content and Scope</b>
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13:15 - 14:15      Buffet Lunch

14:15 - 15:45      **Panel III: Plenary  
From Transnational Principles to European Rules of Civil Procedure  
(Joint Project with UNIDROIT)**

15:45 - 16:00      Coffee Break

16:00 - 17:00      **Panel IV: Plenary  
Fiduciary Access to Digital Assets (feasibility study with U.S. ULC)**

17:00 - 17:15      Announcement of Election Results

17:30 - 18:30      **ELI Council Meeting (Council Members only)**

*Meeting Room/Sitzungszimmer*

**Executive Committee Elections (17:40 - 18:05)**

19:30 - 22:30      **Conference Dinner:  
Museum of Art History/Kunsthistorisches Museum**

*Maria-Theresien-Platz, 1010 Wien*



# ELI

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## Overview of the Programme

### Friday, 4 September 2015

*Austrian Academy of Sciences/ÖAW, Dr. Ignaz Seipel-Platz 2, 1010 Vienna*

08:30 - 16:30

#### ELI Annual Conference

*Grand Ceremonial Chamber/Großer Festsaal*

08:30 - 10:00

Progress Reports and MCC Meetings:  
**Conflicts of Jurisdiction in Criminal Law\***

**From Transnational Principles to European Rules of Civil Procedure**

10:00 - 10:30

Keynote Lecture: **Věra Jourová**, EU Commissioner for Justice, Consumers and Gender Equality

10:30 - 11:00

Coffee Break

11:00 - 12:30

**Panel V: Plenary  
Empowering European Families: Towards more Party Autonomy in European Family and Succession Law**

12:30 - 13:30

Buffet Lunch

13:30 - 14:45

**Panel VI: Plenary  
Rescue of Business in Insolvency Law**

14:45 - 15:15

Coffee Break

15:15 - 16:15

**Panel VII:  
Rule of Law and Migration**

**Progress Report and MCC Meeting:  
Rescue of Business in Insolvency Law\***

16:15 - 16:30

Closing Remarks

19:30 - 22:30

**Heuriger Evening:  
Traditional Wine Tavern Schübel-Auer/Heuriger Schübel-Auer**

*Kahlenberger Straße 22, 1190 Wien*

#### INTERNET ACCESS

Network: oeaw-guest  
oeaw-fzg  
Username: event2928  
Password: WJ86\$vvh

\*) Panel sessions marked with an asterisk (\*) will take place in the Meeting Room/Sitzungszimmer of the Austrian Academy of Sciences.

# About the European Law Institute



## **Diana Wallis, President**

*"It seems but a moment ago that we were enjoying the hospitality of our colleagues in Zagreb, Croatia; and yet we are meeting again in our home city of Vienna for this year's Annual Conference. Meanwhile, the ELI has continued to develop; this year will be notable for the arrival of the Special Interest Groups and I hope that Vienna will provide a meeting point for some of these to take off. This is a very real way in which all our membership can be involved in the discussion of ideas and the bringing forward of new projects to fulfil our core mission of improving European law."*



## **Christiane Wendehorst, Vice-President**

*"Colleagues sometimes find it hard to believe that the European Law Institute was founded just four years ago. They are often under the impression that the ELI has been existing for decades. I take this as a good sign – to me, it emphasises that the European legal landscape had been in need of an institution precisely like the ELI, and that it arrived at exactly the right moment."*



## **Johan Gerandt, Treasurer**

*"The ELI provides a forum for the exchange of ideas and experiences between jurists of different backgrounds among the European legal community. It contributes to better law-making through its projects covering a wide range of topics. Since its creation, the ELI has grown both in terms of exposure as well as individual and institutional membership."*

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. The ELI has also established Special Interest Groups, through which it aims to scrutinise the latest, cutting-edge developments in the different fields of law. The work of the ELI is organised and supported by its members who, together with the Secretariat staff, are committed to perpetuating the development of the Institute. 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. The ELI is proud of its diverse body of members, 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, as well as international organisations such as UNCITRAL and UNIDROIT.



# Programme

**Wednesday, 2 September 2015**

*Venue: Top Floor, Law Faculty Building/Dachgeschoß Juridicum, University of Vienna,  
Schottenbastei 10-16, 1010 Vienna*

19:00–22:00      Opening Ceremony and Reception

Welcome Addresses:

**Diana Wallis**, ELI President

**Heinz Faßmann**, Vice-Rector of the University of Vienna

**Paul Oberhammer**, Dean of the Faculty of Law, University of Vienna

Keynote Lecture:

**Harriet Lansing**, Immediate Past President of the U.S. Uniform Law Commission



**Harriet Lansing** is Immediate Past President of the U.S. Uniform Law Commission, a law reform organisation founded in 1892, and also a Senior Judge on the Minnesota Court of Appeals. Judge Lansing was a faculty member of New York University Law School's Appellate Institute and an adjunct faculty member of two Minnesota Law Schools. She has received awards for Judicial Excellence and Improvement of the Legal System. She is a life fellow of the American Bar Foundation and a member of the American Law Institute.



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# Thursday, 3 September 2015

Venue: Austrian Academy of Sciences/ÖAW, Dr. Ignaz Seipel-Platz 2, 1010 Vienna

08:00 - 09:00 Registration

## ELI General Assembly (ELI Members only)

*Grand Ceremonial Chamber/Großer Festsaal*

09:00 - 09:15 Welcome and Opening Address  
**Diana Wallis**, ELI President

09:15 - 09:20 Approval of the Minutes of the 2014 General Assembly

09:20 - 09:30 Introduction to the ELI Council Elections:  
**Irmgard Griss**, Speaker of the ELI Senate

09:30 - 10:30 **Council Elections**

10:30 - 10:45 Report from the President and the Executive Committee (**Diana Wallis**)  
Report from the Treasurer (**Johan Gernandt**)

10:45 - 11:15 Overview on Projects (**Christiane Wendehorst**)  
Report on SIGs (**John Sorabji**)  
Report from the Membership Committee (**Walter Doralt**)  
Report on International Relations (**Sjef van Erp**)

11:15 Closing of the General Assembly



# ELI Annual Conference

*Grand Ceremonial Chamber/Großer Festsaal*

11:30 - 12:00      Welcome Addresses  
**Michael Alram**, Vice-President of the Austrian Academy of Sciences  
**Wolfgang Brandstetter**, Austrian Minister of Justice  
**Diana Wallis**, ELI President

12:00 - 12:15      Introduction to the ELI Annual Conference  
**Christiane Wendehorst**, ELI Vice-President

12:15 - 13:15      **Parallel Sessions:**

**Panel I:                      From CESL to the Digital Single Market**

*Meeting Room/Sitzungszimmer*

**Panel II:                      The Future EU Administrative Procedure Law: Issues of Content and Scope**

*Grand Ceremonial Chamber/Großer Festsaal*

**Panel I:  
From CESL to the Digital Single Market**

*Meeting Room/Sitzungszimmer*

**Chair: Lord John Thomas**, Lord Chief Justice of England and Wales

**Axel Metzger**, Professor of Law, Humboldt University, Berlin

**Christiane Wendehorst**, Professor of Law, University of Vienna

Since the publication of the ELI Statement on the Proposal for a Regulation on a Common European Sales Law (CESL) in 2012 and its 1st Supplement in 2014, lively discussions and political developments in Europe have continued.

In May 2015, the European Commission adopted a Digital Single Market Strategy, based on three pillars: (1) better access for consumers and businesses to digital goods and services across Europe; (2) creating the right conditions and a level playing field for digital networks and innovative services to flourish; (3) maximising the growth potential of the digital economy.

The ELI has recently published the 2nd Supplement to its initial Statement on CESL, setting out a general approach for a new legislative proposal that will help unlock the potential of the Digital Single Market.

This panel session invites participants to discuss some of the complex issues identified as controversial or critical, such as:

- What should be the substantive scope of any legal instrument in the field of the Digital Single Market?
- Should the new proposal take the form of a Directive or Regulation?
- Which measures will best foster confidence in the market place?
- How can barriers, such as unjustified geo-blocking, be tackled?

The panel debate could contribute to a longer-term project, within which the ELI might develop a detailed draft legislative proposal.



**Panel II:**  
**The Future EU Administrative Procedure Law: Issues of Content and Scope**

*Grand Ceremonial Chamber/Großer Festsaal*

**Chair: Jacques Ziller**, Professor of European Union Law, University of Pavia

**Heidi Hautala**, Vice-Chair of the Group of the Greens/European Free Alliance, European Parliament

**Herwig Hofmann**, Professor of European Law, University of Luxembourg, Centre for European Law

**Ian Harden**, Honorary Professor, University of Sheffield, Former Secretary-General, European Ombudsman

**Marc Clément**, Administrative Judge at the Administrative Court of Appeal of Lyon

In 2012 the ELI and the Research Network on European Administrative Law (ReNEUAL) decided to cooperate on the development of Model Rules on EU administrative procedure. On 15 January 2013, the European Parliament adopted a resolution with recommendations to the Commission on a Law of Administrative Procedure of the European Union. For the ELI, the cooperation was an experiment with an unconventional format as ReNEUAL had already worked for several years on developing the project. The publication of the Model Rules, therefore, took place on 1 September 2014 without the Model Rules being in the format of an ELI instrument, although important substantive elements of the ELI method were included. The ReNEUAL Model Rules 2014 have greatly benefited from the ELI/ReNEUAL joint efforts.

The European Commission has not yet indicated whether it intends to propose a Regulation on EU administrative procedures; the European Parliament's Legal Affairs Committee appointed a new Rapporteur on the issue, MEP Heidi Hautala. On the basis of the existing fruitful cooperation between the ELI and ReNEUAL, this panel will discuss some of the future challenges of Administrative Law at the European level. The panel will address the need for simplification of the EU administrative procedure law and will examine the current opportunities and difficulties in the process towards a codification of the Law of Administrative Procedure in the EU, especially in light of the agenda of the relevant European institutions.

13:15 - 14:15

**Buffet Lunch**





14:15 - 15:45

**Panel III: Plenary**  
**From Transnational Principles to European Rules of Civil Procedure**  
**(Joint Project with UNIDROIT)**

*Grand Ceremonial Chamber/Großer Festsaal*

**Chair: José Angelo Estrella Faria**, Secretary-General of UNIDROIT, and **Diana Wallis**, ELI President

**Gilles Cuniberti**, Professor of Law, University of Luxembourg

**Neil Andrews**, Professor of Law, University of Cambridge

**Eva Storskrubb**, Marie Curie Research Fellow, Uppsala University

**Rolf Stürner**, Professor of Law, University of Freiburg

**Michael Shotter**, Head of the Civil Justice Policy Unit, DG Justice and Consumers, European Commission

In 2004, the American Law Institute and UNIDROIT jointly published their Principles of Transnational Civil Procedure. The goal was to reduce uncertainty for parties litigating in unfamiliar surroundings and promote fairness in judicial proceedings through the development of universal civil procedure principles.

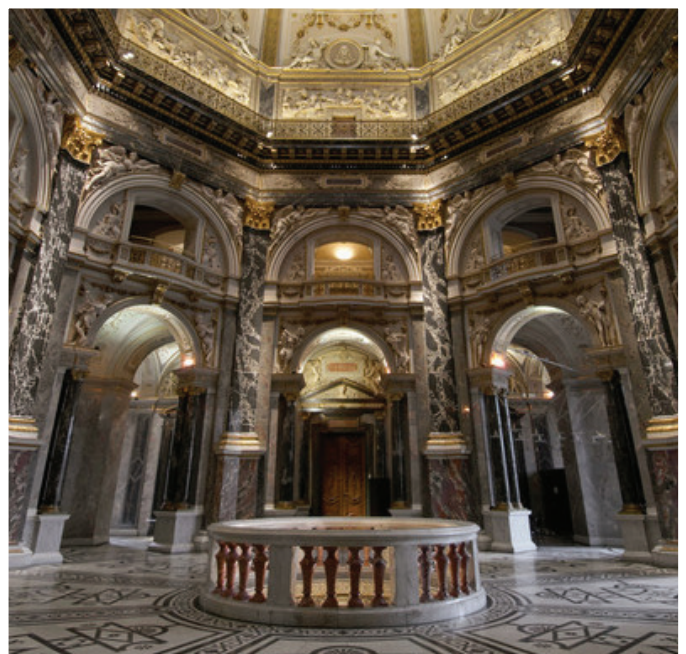
The aim of the ELI/UNIDROIT joint project is to develop those transnational principles to Rules of European Civil Procedure. In order to do so, the Steering Committee appointed three initial working groups (Access to Information and Evidence; Provisional and Protective Measures; Service of Documents) between May and June 2014, and two working groups (Res Judicata; Obligations of Parties, Lawyers and Judges) in November 2014. Two additional working groups will be appointed in the course of 2015.

Each working group consists of 5 to 8 members, representing different European legal traditions and ensuring linguistic and professional diversity, and is led by two co-reporters who are working on the development of the rules. A first set of draft rules is expected to be published by 2017.

The ELI and UNIDROIT are certain that the event will benefit from excellent attendance and will play host to fruitful discussions that will enable the working groups to further improve their draft rules.

15:45 - 16:00

**Coffee Break**



16:00 - 17:00

**Panel IV: Plenary**  
**Fiduciary Access to Digital Assets (feasibility study with ULC)**

*Grand Ceremonial Chamber/Großer Festsaal*

**Chair: Harriet Lansing**, Immediate Past President of the U.S. Uniform Law Commission

**Sjef van Erp**, Professor of Civil Law and European Private Law, University of Maastricht

**Radim Polčák**, Head of the Institute of Law and Technology, Faculty of Law, Masaryk University

**Jos Uitdehaag**, First Secretary, Union Internationale des Huissiers de Justice

**Ernst Steigenga**, Senior Advisor Information Policy, Ministry of Security and Justice, The Netherlands

The digital age has fundamentally changed the way in which we conceptualise, create, capture and transfer value, and define property. In July 2014, the U.S. Uniform Law Commission (ULC), in response to these shifts, approved an act to assure that account holders could retain control of their digital property and plan for its ultimate disposition on death.

The U.S. Uniform Fiduciary Access to Digital Assets Act (UFADAA) expands the fiduciary's traditional duties and powers to provide that the same trusted fiduciary appointed to inventory the estate, gather assets, and oversee their distribution to heirs will have the authority to administer the deceased account holder's digital assets, except for accounts designated by the account holder as private.

The ELI and the ULC are conducting a feasibility study considering whether the UFADAA is a successful blend of law, technology and social practice, and if so, will assess whether and how that information could be useful to the ELI. This assessment will take into account public policy issues that affect digital privacy and the conflict between traditional property rights and the terms-of-service governing online accounts. These considerations will be evaluated within the larger context of the implications for the harmonisation of law across international borders, its potential benefits and challenges.

17:00 - 17:15

**Announcement of Election Results**

17:30 – 18:30

**ELI Council Meeting (Council Members only)**

*Meeting Room/Sitzungszimmer*

Including **ELI Executive Committee Elections**

19:30 - 22:30

**Conference Dinner:**  
**Museum of Art History/Kunsthistorisches Museum**

*Maria-Theresien-Platz, 1010 Wien*





# Friday, 4 September 2015 – Annual Conference

Venue: Austrian Academy of Sciences/ÖAW, Dr. Ignaz Seipel-Platz 2, 1010 Vienna

08:30 – 10:00 **Parallel Sessions: Progress Reports and MCC Meetings**

## Conflicts of Jurisdiction in Criminal Law

*Meeting Room/Sitzungszimmer*

**Chair: André Klip**, Professor of Law, University of Maastricht

## From Transnational Principles to European Rules of Civil Procedure

*Grand Ceremonial Chamber/Großer Festsaal*

**Chair: Matthias Storme**, Professor of Law, KU University of Leuven

10:00 - 10:30 Keynote Lecture: **Věra Jourová**, EU Commissioner for Justice, Consumers and Gender Equality



**Věra Jourová** is the European Commissioner for Justice, Consumers and Gender Equality. In 2014, before arriving to the European Commission, Ms Jourová held the position of Minister for Regional Development in the Czech Republic. Previous to this, from 2006 to 2013, she worked in her own company as an international consultant on European Union funding, and was also involved in consultancy activities in the Western Balkans relating to the European Union Accession. She holds a Degree in Law (Mgr.) and a Master's degree (Mgr.) in the Theory of Culture from the Charles University, Prague.

10:30 - 11:00 **Coffee Break**

11:00 - 12:30 **Panel V: Plenary  
Empowering European Families: Towards more Party Autonomy in European Family and Succession Law**

*Grand Ceremonial Chamber/Großer Festsaal*

**Chair: Katharina Boele-Woelki**, Professor of Law, University of Utrecht; President of the Commission on European Family Law and of the International Academy of Comparative Law

**Christiane Wendehorst**, Professor of Law, University of Vienna

**Kerstin Bartsch**, Legal Expert/Former Family Mediator

**Richard Frimston**, Solicitor and Notary Public

**Wendy Schrama**, Professor of Family Law, University of Groningen

**Michael Shotter**, Head of the Civil Justice Policy Unit, DG Justice and Consumers, European Commission

There are currently more than 10 million international couples in the EU, i.e. couples where at least one of the partners lives in a country other than his or her country of origin. Despite the fact that EU legislation has achieved far-reaching unification of the rules concerning applicable law, jurisdiction, recognition and enforcement in family and succession law, international couples are still facing a number of problems. These problems have their roots in habitual residence as the dominant connecting factor, but also in the fact that existing EU conflict rules tend to encourage forum shopping and a "rush to court". More notably still, there is often a patchwork of two or three forums and applicable laws even in standard cross-border divorce or separation cases, and the approaches taken by the various laws involved are often incompatible with each other.

To a large extent, these problems could be avoided by way of early choice of court and applicable law under existing EU instruments, and by agreements on substantive law issues, as far as these are enforceable in the forum state. However, experience shows that only a minor number of international couples make use of the options afforded to them under existing instruments. The panel will discuss strategies on how to help reduce obstacles faced by international families and facilitate free movement of citizens by enhancing party autonomy in matters of family and succession law.

12:30 - 13:30

**Buffet Lunch**

13:30 - 14:45

**Panel VI: Plenary**  
**Rescue of Business in Insolvency Law**

*Grand Ceremonial Chamber/Großer Festsaal*

**Chair: Bob Wessels**, Professor of International Insolvency Law, University of Leiden

**Kristin van Zwieten**, Clifford Chance Associate Professor of Law and Finance, University of Oxford

**Stephan Madaus**, Professor of Civil Law, Civil Procedure and Insolvency Law, Martin Luther University Halle-Wittenberg

**Paul Oberhammer**, Dean and Professor, Faculty of Law, University of Vienna

**Stephen Taylor**, Partner, Isonomy

Since the global financial crisis, insolvency law has been at the forefront of law reform initiatives in Europe and beyond. The specific topic of business rescue appears to rank top on the (insolvency) law reform agenda of EU institutions. It is a topical field of study in which various fields of law come together, and fits therefore very well within the European Law Institute's mission to promote better law-making in Europe and the enhancement of European legal integration.

This panel will discuss selected law reform issues arising in pursuit of the policy of facilitating the rescue of financially distressed businesses. The discussion will draw on developments taking place within but also outside the EU, e.g. regarding studies on the reform of the U.S. Bankruptcy Code's Chapter 11 reorganisation proceeding. How should such developments serve as a source of inspiration in an EU context? Furthermore, there are at least two key actors involved in the rescue of distressed businesses: insolvency practitioners and judges. What should be their role and responsibilities in facilitating a rescue?

14:45 - 15:15

**Coffee Break**





15:15 - 16:15

## Parallel Sessions:

Panel VII:

### Rule of Law and Migration

*Grand Ceremonial Chamber/Großer Festsaal*

Progress Report  
and MCC Meeting:

### Rescue of Business in Insolvency Law

*Meeting Room/Sitzungszimmer*

Panel VII:

### Rule of Law and Migration

*Grand Ceremonial Chamber/Großer Festsaal*

**Chair: Boštjan Zalar**, High Court Judge of the Administrative Court of the Republic of Slovenia, *ad hoc* Judge of the European Court of Human Rights

**Killian O'Brien**, Training Officer, Centre for Training, Quality and Expertise, European Asylum Support Office  
**Hugo Storey**, President, European Chapter of the International Association of Refugee Law Judges  
**Adriano Silvestri**, Head of Asylum and Migration Sector, Freedoms and Justice Department, European Union Agency for Fundamental Rights

The European Agenda on Migration, launched in May 2015 by the European Commission sets several policy tools for immediate actions in order to protect those in need, especially given the mass influx of asylum seekers and immigrants trying to cross the Mediterranean. The ELI interest in respect of due process and material conditions for detention is not a counterpart to those immediate EU policy measures, but rather a complementary aspect in building the rule of law and mutual trust between Member States in order to avoid fragmentation of the EU asylum system. EU law regulating detention of asylum seekers and third country nationals illegally staying in the territory of the EU is already in force, the ECtHR and the CJEU have already produced case law in this field, and the deadline for the transposition of the Recast Reception Directive was 20 July 2015. Nevertheless, reports, evaluations, and judgments of the ECtHR show that enhancement of the strict implementation of EU law and case-law of the ECtHR by the Member States is needed in this field.

This panel invites participants to focus on:

- a scope, an aim and an envisaged output of the proposal for an ELI project in this field, that will be presented to the audience,
- differentia specifica of the ELI's project proposal in comparison to other recent academic projects or researches in this field,
- information on the factual situation concerning detention of asylum seekers and illegal immigrants in the Member States,
- contributions that the European Chapter of the International Association of Refugee Law Judges, the European Union Agency for Fundamental Rights, the Council of Bars and Law Societies of Europe and individual experts from other relevant institutions, such as the European Asylum Support Office, the ECtHR, or the CJEU, could provide to this project in order to bring all due process standards and minimum conditions for detention that derive from the case-law of the ECtHR and CJEU closer to judges and practitioners.

### Progress Report and MCC Meeting: Rescue of Business in Insolvency Law

*Meeting Room/Sitzungszimmer*

**Chair: Bob Wessels**, Professor of International Insolvency Law, University of Leiden

16:15 - 16:45

Closing Remarks

19:30 - 22:30

## Heuriger Evening: Traditional Wine Tavern Schübel-Auer/Heuriger Schübel-Auer

*Kahlenberger Straße 22, 1190 Wien*

# Panellists



**Neil Andrews** is Professor of Civil Justice and Private Law at the University of Cambridge. He researches in the fields of dispute resolution and contract law. His recent publications are: *Andrews on Civil Processes* (Intersentia, Cambridge, 2013) (2 volumes) and *Contract Law* (2nd edn, Cambridge University Press, 2015). He was the English representative on the working party responsible for the American Law Institute/UNIDROIT's *Principles of Transnational Civil Procedure* (Cambridge University Press, 2006). He is a barrister and Bencher of Middle Temple in London.



**Kerstin Bartsch** is Senior Legal Officer in the Permanent Bureau of the Hague Conference on Private International Law (HCCH) where she focuses on the 1980 Child Abduction and 1996 Child Protection Conventions, the cross-border recognition and enforcement of agreements and unmarried cohabitation. Bartsch worked for the International Organization for Migration in Switzerland, the Philippines and Jordan. She holds an LL.M in European Law and International Economic Law from the University of Lausanne. She studied and practiced international family mediation.



**Katharina Boele-Woelki** is Professor of Comparative Law at the Bucerius Law School in Hamburg and an extraordinary Professor at the University of the Western Cape in South-Africa. Between 1995 and 2015 she held the chair of private international law, comparative law and family law at Utrecht University. Since 2001 she has been the chair of the Commission on European Family Law, established upon her initiative. In 2007 she established the Utrecht Centre for European Research into Family Law. She is also a member of several editorial boards and associations focusing on European Family Law.



**Marc Clément** is a Judge at the Administrative Court of Appeal of Lyon, France. From 2006 to 2012, he was a lawyer at the Directorate General Environment of the European Commission. 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). Judge Clément is a Founding Member of the European Law Institute and serves on its Executive Committee, Membership Committee and Council.



**Gilles Cuniberti** is Professor of Private International Law and Comparative Law at the University of Luxembourg. Previously, he taught in France and practiced international litigation and arbitration in the Paris office of a leading English firm. He was also a visiting Professor at various universities in the United States and Asia, including Columbia Law School where he was the James S. Carpentier Visiting Professor of Law in the fall 2011, and the National University of Singapore, where he teaches every other year.



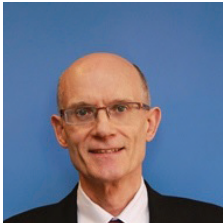
**Sjef van Erp** is Professor of Law at Maastricht University. He is also a Deputy Justice at the Court of Appeals in 's-Hertogenbosch and has been recently re-elected as member of the Executive Committee of the International Association of Legal Science. Van Erp is Past-President of the Netherlands Comparative Law Association, advisory editor of the *European Journal of Comparative Law and Governance* and editor-in-chief of the *European Property Law Journal*. He is a member of the ALI, a board member of the ALPS, a Founding Member of the ELI, and serves on the ELI Executive Committee and Council.



**José Angelo Estrella Faria** is the Secretary-General of UNIDROIT and co-chair of the Steering Committee of the ELI/UNIDROIT Project on Transnational Principles of Civil Procedure. He was a Senior Legal Officer with the Secretariat of the United Nations Commission on International Trade Law (UNCITRAL), in Vienna (1996-2008), and served at the General Legal Division of the UN Office of Legal Affairs in New York (1992-1996). He has published various articles and books on legal harmonisation, commercial law and international law.



**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. Mr Frimston 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.



**Ian Harden** is Honorary Professor in the School of Law of the University of Sheffield UK, where he pursued an academic career from 1976 to 1996 after graduating from the University of Cambridge. He joined the newly established European Ombudsman in 1996 and served as Head of the Legal Department from 2000, before becoming Secretary General in 2006. He retired from the Ombudsman's office at the end of July 2015.



**Heidi Hautala**, previously the Minister for International Development and State Ownership Steering in Finland, is working her third legislature as an MEP in the Greens/EFA group. She has complemented her extensive political career with her various voluntary work commitments related mostly to human rights. Hautala sits in the Development, Budget and Legal Affairs Committees. In addition, she is the co-president of the Euronest Parliamentary Assembly and a co-chair of the European Parliament Working Group on Reproductive Health HIV/AIDS and Development.



**Herwig Hofmann** is Professor of European and Transnational Public Law at the University of Luxembourg teaching European and transnational constitutional, administrative and regulatory law. He has also been visiting scholar, lecturer and professor at various European and U.S. universities. Prof. Hofmann is on the editorial boards of several law journals. He publishes in English, German and French. Some of his work has also been translated to Polish, Italian and Spanish. He is admitted to practice and advises governments and EU institutions.



**André Klip** is Professor of Criminal Law, Criminal Procedure and Transnational Aspects of Criminal Law at Maastricht University and a Judge at the 's-Hertogenbosch Court of Appeal. He conducted research at the Yale Law School, New Haven and the Max Planck Institute in Freiburg im Breisgau. Throughout his career, Professor Klip has been frequently involved in national and international legal practice, in cases before the Court of Justice, the ECHR, the ICTY, the Supreme Court of the Netherlands and in many first and second instance cases.



**Stephan Madaus** is a Professor of Civil Law, Civil Procedure and Insolvency Law at the Martin Luther University Halle-Wittenberg (MLU). His main research interests are in German and international insolvency law and civil procedure, and in particular, procedures aiming at rescuing companies. He is also a member of the International Insolvency Institute and the American Bankruptcy Institute's Advisory Committee on Comparative Law. He has published in prominent legal journals in Germany and beyond.



**Axel Metzger** is a Professor of Civil and Intellectual Property Law at Humboldt University, Berlin. He graduated from the University of Hamburg, received a "Doctor iuris" from the Universities of Munich and Paris II (Panthéon-Assas), an LL.M. from Harvard and finished his "Habilitation" in Hamburg. Metzger was full Professor at the University of Hannover and visiting Professor at Basle University and Bucerius Law School. He is author and editor of numerous books and articles on intellectual property and information technology law.



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**Paul Oberhammer** is full Professor at the University of Vienna and the Dean of its Faculty of Law, where he obtained his "Habilitation" and was appointed as associate professor at the Department of Civil Procedure in 1997. He has served as full Professor at Halle-Wittenberg University, and Zurich University and is a permanent visiting Professor of Law at St. Gallen University. He is admitted to the Bar in Hamburg, Germany, and serves as a counsel with Wilmer Cutler Pickering Hale and Dorr, London (International Arbitration Practice Group).



**Radim Polčák** is the Head of the Institute of Law and Technology at the Masaryk University. His professional interests include ICT law (cyberlaw), energy law and legal philosophy. Polčák is the general chair of the Cyberspace conference, editor-in-chief of the Masaryk University Journal of Law and Technology, a panellist at the "eu-ADR" Arbitration Court, a founding member of the European Academy of ICT and Law and a member of governing bodies of ICT-law focused scientific journals and international conferences around the world.



**Wendy Schrama** is Professor of Family Law at the University of Groningen and Associate Professor at Utrecht University. Schrama has also been working as a senior empirical and legal researcher at the Dutch Ministry of Security and Justice and as an Associate Professor at the Free University of Amsterdam. The University of Antwerp appointed her as visiting Professor in 2009. Family law, comparative law and empirical legal research are her research interests, including law and policy in relation to marriage and de facto cohabitation.



**Michael Shotter** is Head of the Unit for Civil Justice Policy in the European Commission's DG Justice and Consumers. He has a law degree from Cambridge University and a *licence spéciale* from the Institut for European Studies in Brussels. Having worked as a solicitor, he moved to the UK's Department of Trade & Industry before joining the European Commission's Legal Service in 1996. Between 2007 and 2013 Mr Shotter worked in the office of Viviane Reding, during her two mandates as Commissioner for the Information Society and Media portfolio and European Commission Vice-President.



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**Ernst Steigenga** began as an IT Policy Officer at the Ministry of Justice in May 2004. In 2010 he was made responsible for the Dutch contribution to e-CODEX. His interests are in the alignment of the diversity in legal semantics, with the aim of IT harmonisation to support automated processing of (cross-border) legal procedures. Steigenga has recently initiated the development of digital interaction for cross border legal procedures and will also preside over the working group for the development of a multi-channel strategy for European e-Justice. He has degrees in information management and political science.





**Hugo Storey** is Upper Tribunal Judge (Immigration and Asylum Chamber) in the UK. He was formerly a law academic, and later an Honorary Research Fellow at the University of Leeds. He is one of the International Association of Refugee Law Judges' (IARLJ) founding members and is currently a member of its Council, co-chair of its Publications Committee, and the current President of the IARLJ's European Chapter. He took part in the drafting process of the European Commission Refugee Qualification Directive (2004/83/EC) and, more recently, its "recast".



**Matthias Storme** is full Professor at the University of Leuven, guest Professor at the University of Antwerp, Universiteit Tilburg and CUPL Beijing and a senior partner in a law firm in Gent. Storme 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 the Compilation and Redaction Team of the CoPECL network drafting a Common Frame of Reference for European Contract Law (2006-2009).



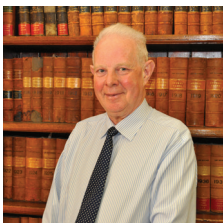
**Eva Storskrubb** is a member of the Finnish Bar, currently on leave of absence from law firm Roschier in Stockholm and conducting a Marie Curie fellowship at Uppsala University. Her research focuses on EU civil justice and commercial dispute resolution. She holds a PhD from the European University Institute and her award winning thesis 'Civil Procedure and EU Law - A Policy Area Uncovered' was published with OUP. She is co-reporter for the ELI/UNIDROIT Project "From Transnational Principles to European Rules of Civil Procedure".



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**Stephen Taylor** is the Founder and Managing Director of Isonomy Limited. He has over 30 years of experience in helping companies handle difficult transactions and strategic transitions. Between 2006 and 2013 he was Managing Director at AlixPartners and before that, he was Partner at PricewaterhouseCoopers for sixteen years. He advises the European Union and several governments on restructuring best practice and has been involved in the drafting of the European Union Recommendation on a new approach to business failure.



**Lord John Thomas** 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 European Network of Councils for the Judiciary (2008-2010). He is an Honorary Fellow of Trinity Hall, Cambridge, and serves as a member of the ELI Council.



**Jos Uitdehaag** is an Enforcement Agent in the Netherlands. He is a member of the board of the Royal Dutch Organisation of Judicial Officers (KBvG), Secretary of the Union Internationale des Huissiers de Justice et des Officiers Judiciaire (UIHJ), with eighty-six member countries, and a senior expert in legal reform projects especially with a focus on enforcement, civil proceedings and judiciary.



**Diana Wallis** is the President of the European Law Institute. After a diverse legal education, in London, Liege, Zurich and Chester, she gained over fifteen years of professional experience as a litigation lawyer. From 1999 to 2012, Wallis was a member of the European Parliament and a leading member of the Parliament's 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.



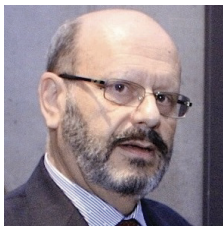
**Christiane Wendehorst** is Professor of Law at the University of Vienna. She is a member of the ÖAW, the IACL, the ALI and several international research groups. Before coming to Vienna, she held full professorships in Germany and served as Managing Director of the Sino-German Institute for Legal Studies. She is on the board of many 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.



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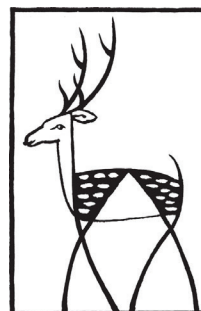
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The 2016 ELI Annual Conference will take place from **7 to 9 September** in **Ferrera, Italy**. Please take note of this date.

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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