

### **ELI Decennial Celebration** 1 June 2021

### Building a European Legal Community – 10 Years of ELI's Contribution



### About the European Law Institute

The idea of founding an independent organisation that would develop and improve European law through research and the provision of specialist expertise to European legislators as well as providing a forum for jurists from different legal traditions, had been deliberated and examined for more than a decade. In 2010, two initiatives originating from the Association for a European Law Institute (ELIA) and the Robert Schuman Centre for Advanced Studies of the European University Institute (EUI) led to the Hamburg Memorandum on working together towards the founding of the European Law Institute (ELI).

Their joint meeting in Vienna, which resulted in the Vienna Memorandum, laid the cornerstone of ELI as it set up working groups that began to prepare key documents for the launch of a European Law Institute. In 2011, after a meeting of the ELI Founding Committee in Athens, ELI was established by its 56 Founding Members and its first Council appointed.

ELI is the outcome of the commitment and hard work of jurists all over Europe who wished to establish a community of experts prepared to guide decisionmakers in making better law, with a view to serving the public. To this day, ELI continues in this spirit by involving its Members and its Friends in activities that aim at identifying areas which require development and proposing solutions for the improvement of European law.

For over ten years, the Institute has pursued this far sighted objective, reflected in its Manifesto and in its Statute, and has improved the quality of European law as understood in the broadest sense. From its founding, ELI has and continues to study, stimulate and propose European legal development in a global context by initiating, conducting and facilitating research, making recommendations, and providing practical guidance in the field of European legal development.





**President** Christiane Wendehorst



First Vice-President Lord John Thomas



Second Vice-President Pascal Pichonnaz



**Treasurer** Denis Philippe

'It has been one of the greatest privileges in my life not only to witness the establishment of the ELI, but also to have been one of its driving forces during its first decade. I am convinced that the ELI, with its vision of a vigorous European legal community, fills a conspicuous gap in the landscape of institutions and came at exactly the right point in time.'

'ELI is achieving the vision of its founders by bringing together academics, practising lawyers and judges from the differing legal traditions of Europe, by looking to the wider world primarily through its engagement with the American Law Institute and by delivering projects and products that are making a real difference.'

'Bringing together lawyers with different backgrounds, coming from diverse cultural and legal systems, to foster and enhance a European understanding of law is at the heart of the ELI. I remember the exciting atmosphere of the Inaugural Congress in Paris, as everyone wanted to be part of this endeavour. May this spirit continue to inspire us all also in the future.'

'After a very rich experience in the Von Bar Group, naturally I joined the European Law Institute in 2011. What characterises the ELI for me? First, the impact on Europe; we see more and more people withdraw into themselves, which leads to frustration and violence. We absolutely must fight this deadly cycle and ELI contributes substantially to this fight. Second, the spirit that animates the members is unique; tolerance, optimism, curiosity toward other ideas, other cultures; enthusiasm and creativity; from the almost 2,000 members come new ideas, new projects that the ELI, at the end of the day, can implement. Last but not least, the community; the people I meet are exceptional and engaging with them enriches me personally.'

#### The ELI Decennial Celebration is supported by:

#### **University of Vienna**



Commission Representation in Austria



European Commission

#### **European Union**





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## **Tentative Programme**

16:00 – 16:20 (CET) Slideshow: 10 Years of ELI

Welcome Addresses and Introduction Christiane Wendehorst (President, European Law Institute (ELI)) Reinhard Zimmermann (Director, Max Planck Institute for Comparative and International Private Law; Speaker of the Senate, European Law Institute (ELI))

- 16:20 16:35 (CET) Keynote Speech by **Věra Jourová** (Vice-President for Values and Transparency, European Commission), Video Message
- 16:35 16:45 (CET)Welcome AddressLance Liebman (former Director, American Law Institute (ALI), 1999–2014)
- 16:45 16:50 (CET) Message from **Marshall Marcus** (Secretary General, European Union Youth Orchestra (EUYO)) followed by a musical performance of the orchestra:

European Anthem – *Ode to Joy* by Ludwig van Beethoven (arr. H. v. Karajan), Conductor Marin Alsop, Recorded in Grafenegg, Austria

16:50 – 18:05 (CET) Panel Discussion: 'Facing the Current Challenges in Europe – the Role of the Institutions and Civil Society'

Moderated by Christiane Wendehorst (President, European Law Institute (ELI))

#### Panelists:

Koen Lenaerts (President, Court of Justice of the European Union (CJEU))
Robert Spano (President, European Court of Human Rights (ECtHR))
Didier Reynders (European Commissioner for Justice)
Adrián Vázquez Lázara (Chair, European Parliament's Committee on Legal Affairs (JURI))
Margarete von Galen (President, Council of Bars and Law Societies of Europe (CCBE))

With ongoing technological advances, societal changes, climate change, financial and economic disruption as well as political polarisation, Europe is faced with pressing challenges but also unique opportunities to build a better future. The outbreak of the COVID-19 pandemic and measures taken by the governments to curb the spread of the disease put enormous pressure on the functioning of States, their democratic institutions and legal systems. European and international organisations must play an important role in addressing these challenges, now and in the future, in a coordinated manner and cooperative spirit. The European Law Institute (ELI), which brings together legal experts and institutions committed to tackling the problems of the contemporary world, provides a unique forum for better law and policy making. On the 10th anniversary of its establishment, together with some of the European legal landscape, ELI wants to reflect on the role which institutions and civil society, specifically the legal community, should play in ensuring that the challenges of today and tomorrow are effectively addressed.

18:10 – 19:15 (CET)Panel Discussion: 'Faces and Stakeholders behind ELI – Looking Ahead'<br/>Moderated by Lord John Thomas (First Vice-President, European Law Institute (ELI))<br/>and Pascal Pichonnaz (Second Vice-President, European Law Institute (ELI))

#### Panelists:

Heinz W Engl (Rector, University of Vienna)

**Bénédicte Fauvarque-Cosson** (Judge, French Council of State, *Conseil d'Etat*) **Irmgard Griss** (Professor of the University of Graz; former President of the Austrian Supreme Court, 2007–2011)

**Anna Joubin-Bret** (Secretary, United Nations Commission on International Trade Law (UNCITRAL))

Ádám Tóth (President, Council of the Notariats of the European Union (CNUE))

A decade ago, the journey of the European Law Institute (ELI) began with a vision of the ELI Founding Members in establishing an independent non-profit organisation with the aim of initiating, conducting and facilitating research, making recommendations and providing practical guidance in the field of European legal development. Since its establishment, ELI has become an important voice in the European legal landscape with a vibrant network of more than 1,500 Individual Members of diverse vocational backgrounds and over 110 Institutional Members. During its short but rich history, our Community, together with various other organisations, has provided a significant contribution to European law. Over the years, ELI's fully committed Members have completed 13 projects on pressing issues in different legal fields, have been engaged in a rich palette of activities through various working groups and exchanged ideas at regular meetings and Conferences. All these activities stimulated discussions, provided guidance and inspired legal improvements throughout Europe and beyond. Distinguished Speakers forming this panel, who represent some of the crucial forces behind ELI's progress, will reflect on ELI's achievements and lessons learned as well as on ideas for the continuation of this journey, ensuring that in 10 years' time ELI will have further strengthened its position and increased the impact of its activities.

19:15 – 19:25 (CET)Live Musical Performance by Eliza Schmidt (Violin Player) and Maria Radusin (Piano<br/>Player):<br/>Alla Hornpipe from Watermusic by Georg Friedrich Händel

Love's Sorrow & Lovely Rosemary by Fritz Kreisler

19:25 – 19:30 (CET) Closing Remarks by **Christiane Wendehorst** (President, European Law Institute (ELI))



#### Keynote (Video Message)

#### Věra Jourová



Věra Jourová is Vice-President of the European Commission for Values and Transparency and deals with democracy, rule of law, disinformation and media pluralism. From 2014 to 2019, she served as EU 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. 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 EU Accession. She holds a Degree in Law and a Master's degree in the Theory of Culture from the Charles University, Prague.

#### Welcome Addresses

#### **Reinhard Zimmermann**



Professor Zimmermann is Director at the Max Planck Institute for Comparative and International Private Law in Hamburg. In 1981, he was appointed to the Chair of Roman and Comparative Law at the University of Cape Town. In 1988, he returned to Germany to become Professor of private law, Roman law and comparative legal history at the University of Regensburg. In 2002, he was appointed Managing Director at the Max Planck Institute for Comparative and International Private Law in Hamburg. In addition, in 2008, he joined the Bucerius Law School as Professor in Legal History. He holds honorary doctorates from the Universities of Chicago, Aberdeen, Maastricht, Lund, Edinburgh, Cape Town, Lleida, Stellenbosch and McGill. He has served as Dean in Cape Town and Regensburg and as Chairman of the Humanities Division of the Max Planck Society from 2006–2010. Professor Zimmermann was Chairman of the *Zivilrechtslehrervereinigung* between 2011 und 2015, and he was elected President of the *Studienstiftung des deutschen Volkes*. In 1996 he was awarded the Leibniz-price of the *Deutschen Forschungsgemeinschaft*.

#### Lance Liebman



Lance Liebman is the William S Beinecke Professor of Law Emeritus and Dean Emeritus at Columbia Law School. His academic career was in the areas of employment law, property law, and social welfare law. From 1999 to 2014, he was Director of the American Law Institute, the leading private law reform organisation in the world. Before coming to Columbia, Liebman was a Professor at Harvard Law School for 21 years. In the Supreme Court's 1967 term, he was a law clerk to Justice Byron White. From 1968 to 1970, he was an assistant to Mayor John V Lindsay of New York.

### First Panel: 'Facing the Current Challenges in Europe – the Role of the Institutions and Civil Society'

#### **Koen Lenaerts**



Koen Lenaerts obtained his law degree in 1977 at the University of Leuven (Belgium), before continuing his studies at Harvard University (USA), where he obtained a Master of Laws in 1978 and a Master in Public Administration in 1979. He then returned to the University of Leuven, where he became a Doctor of Law in 1982 and a Professor of European law in 1983. During his university career, he also taught at the College of Europe in Bruges (Belgium) from 1984–1989, and at Harvard Law School as a Visiting Professor in 1989. Lenaerts' career at the Court of Justice began when he became legal secretary to Judge René Joliet, before practising law at the Brussels Bar from 1986–1989. He was appointed judge at the Court of First Instance of the European Communities in 1989. He served on this Court for more than 14 years before being appointed judge at the Court of Justice in 2003. He was elected as President of Chamber for two successive mandates from 2006–2012 and then as Vice-President of the Court of Justice on 9 October 2012. He was elected President of the Court of Justice on 8 October 2015, a post he occupies to this day.

#### **Robert Spano**



Judge Robert Spano was elected to the European Court of Human Rights in 2013 with respect to Iceland and is currently the President of the Court. Before taking up his judicial office he served as Parliamentary Ombudsman of Iceland from 2009–2010 and again in 2013. He served as Dean of the Faculty of Law, University of Iceland, from 2010–2013, and was appointed Professor of Iaw in 2006. He was Chairman of the Standing Committee of Experts in Criminal Law in the Icelandic Ministry of Justice from 2003–2009 and from 2011–2013. He was also the Icelandic delegate to the European Committee on Crime Problems and an Independent Expert to the Lanzarote Committee of the Council of Europe. Judge Spano is a graduate of the University of Iceland and of the University of Oxford.

#### **Didier Reynders**



Didier Reynders has been serving as European Commissioner for Justice since December 2019. From 1999–2019, he served as a member of the Belgian government, inter alia as Minister of Finance (1999–2011), Minister of Foreign Affairs, Foreign Trade and European Affairs (2011–2019) and Deputy Prime Minister (2004–2019). He has worked as a Lecturer and Visiting Professor at different Belgian universities, and has been engaged in various political activities, including chairing the *Mouvement Réformateur* (2004–2011).

#### Adrián Vázquez Lázara



Adrián Vázquez Lázara is a Spanish politician, Member of the European Parliament for *Ciudadanos*, which is part of the Renew Europe parliamentary group. He is currently chairing the Legal Affairs Committee (JURI), and he is a Substitute Member of the Agriculture and Rural Development Committee (AGRI). Previous to his nomination as a Member of the European Parliament in February 2020, Mr Vázquez was the Chief of Cabinet of the Delegation of *Ciudadanos Europeos*. From this position, he coordinated the international and European activity of *Ciudadanos*, contributing to its incorporation into the ALDE European liberal family and negotiated the electoral coalition between ALDE and Emmanuel Macron's political party. Renew Europe is the result of that coalition. With a Master in International Relations from the University of Warwick and a Degree in International Studies from the University of Lindenwood, Mr Vázquez has a vast experience in international affairs and international organisations.

#### **Margarete von Galen**



Margarete von Galen, President of the Council of Bars and Law Societies of Europe (CCBE), has been practicing as a lawyer in Berlin since 1983 and as a specialist lawyer in criminal law since 1998. Alongside with her activities as a criminal defence lawyer she advises on compliance issues and acts as External Ombudsperson for several companies. She has published essays and decision notes as well as having contributed to publications in the field of criminal law. From 2004–2009, she was President of the Berlin Bar. She has been a judge at the Constitutional Court of the State of Berlin since 2014. In 2008, she joined the Criminal Law Committee of the CCBE and, from 2015–2017, she was a member of the German CCBE Delegation.



#### Second Panel: 'Faces and Stakeholders Behind ELI – Looking Ahead'

#### **Heinz W Engl**



Heinz W Engl has been Professor of Industrial Mathematics at the University of Linz and is the Rector of the University of Vienna (Austria). He received a doctorate in mathematics sub auspiciis praesidentis from the Johannes Kepler University Linz in 1977 and a habilitation in 1979. Engl has received various prizes, including the Wilhelm Exner Medal in 1998 and the International Council for Industrial and the Applied Mathematics Pioneer Prize in 2007. He is also Honorary Professor of Fudan University Shanghai (China), has an Honorary Doctorate from Saarland University (Germany), and is Full Member of the Austrian Academy of Sciences and of *Academia Europaea*.

#### **Bénédicte Fauvarque-Cosson**



Bénédicte Fauvarque-Cosson is a judge at the *Conseil d'Etat* in Paris and a former Professor of Law at the University Panthéon-Assas. She was Vice-President of ELI and is also the co-founder and Chair of the ELI French Hub. B Fauvarque-Cosson is a former President of the *Société de Législation Comparée* as well as a former Vice-President of the International Academy of Comparative Law. She was a special counsellor for Vice-President and Commissioner Viviane Reding (2011-2014).

#### **Irmgard Griss**



Irmgard Griss is an Honorary Professor at the University of Graz. She is a former President of the Austrian Supreme Court. She also served as the President of the Network of the Presidents of the Supreme Judicial Courts of the European Union. Professor Griss is a Founding Member of ELI.

#### **Anna Joubin-Bret**

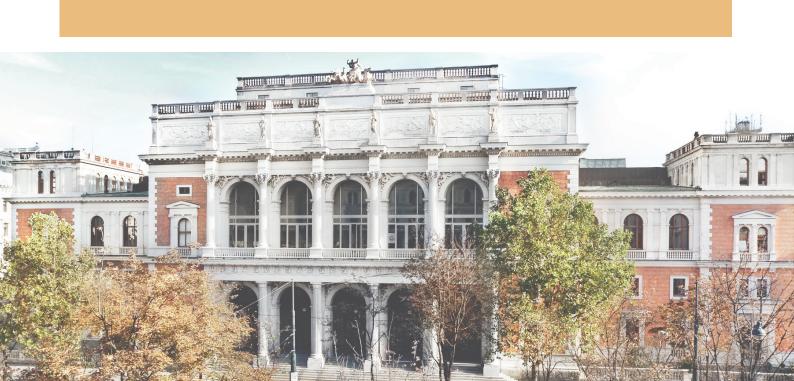


Anna Joubin-Bret was appointed as Secretary of Vienna-based UNCITRAL in 2017. She has over 25 years of experience in international investment law and international investment dispute resolution, working both in international organisations and in the private sector. Prior to that function, she spearheaded the *Cabinet d'Avocats* Joubin-Bret and served as senior Legal Advisor to the Division on Investment, Technology and Enterprise Development of the United Nations Conference on Trade and Development (UNCTAD).

#### Ádám Tóth



Ádám Tóth has been the President of the Council of the Notariats of the European Union (CNUE) since January 2021. Prior to that position, he has served as the Vice-President since 2020 and has been a Member of the CNUE Board of Directors since 2016. He has been a Member of the Presiding Board of a Disciplinary Court of the Territorial Chamber of Civil Law Notaries in Budapest since 2004, the Vice-President of the Hungarian Chamber of Notaries from 2004–2007, and its President since 2007. He was also a Member of the Council of the Institute of Comparative Law (CAEM) of the International Union of Notaries (UINL) from 1996–2004. Tóth is an Associate Professor at the Faculty of Law of the Eötvös-Loránd-University in Budapest (Hungary), and author of national and international legal books and journals.



#### Introduction and Moderation

#### **Christiane Wendehorst**



Christiane Wendehorst is Professor of Law at the University of Vienna. She is a member of the *Academia Europaea*, the Austrian Academy of Sciences, the International Academy of Comparative Law, the American Law Institute, and numerous international research groups and advisory bodies. Before coming to Vienna, she held full professorships in Germany and served as Managing Director of the Sino-German Institute for Legal Studies. Wendehorst is President of ELI and one of its Founding Members.

#### Lord John Thomas



Lord John Thomas served as Lord Chief Justice of England and Wales from 2013–2017. He is President of the Qatar International Court, a practising arbitrator, sits in the United Kingdom Parliament as a member of the House of Lords and Chancellor of Aberystwyth University. He is First Vice-President of ELI and one of ELI's Founding Members.

#### **Pascal Pichonnaz**



Pascal Pichonnaz is Professor for private law, comparative law and Roman law at the Faculty of Law of the University of Fribourg. Pichonnaz was Dean of the Faculty of Law from 2014–2017. He is a Member of several boards of legal periodicals and is active as an international commercial arbitrator. He has been member of the board and then President in 2008–2009 of the European Law Faculties Association (ELFA) and is also currently President of the Swiss Federal Commission for Consumers. He is Second Vice-President of ELI.

## Musicians

#### **Marshall Marcus**



Marshall Marcus has been inspired by and involved in the world of music since the 1960s, and as a violinist, programmer, writer, educator and broadcaster has worked in more than 70 countries across five continents. His current interests include particularly the role of culture in helping meet the UN's Sustainable Development Goals. He was recently General Editor of the European Commission's Voices of Culture Structured Dialogue brainstorming report 'Culture and of the UN's Sustainable Development Goals: Challenges & Opportunities'.

#### **Eliza Schmidt**



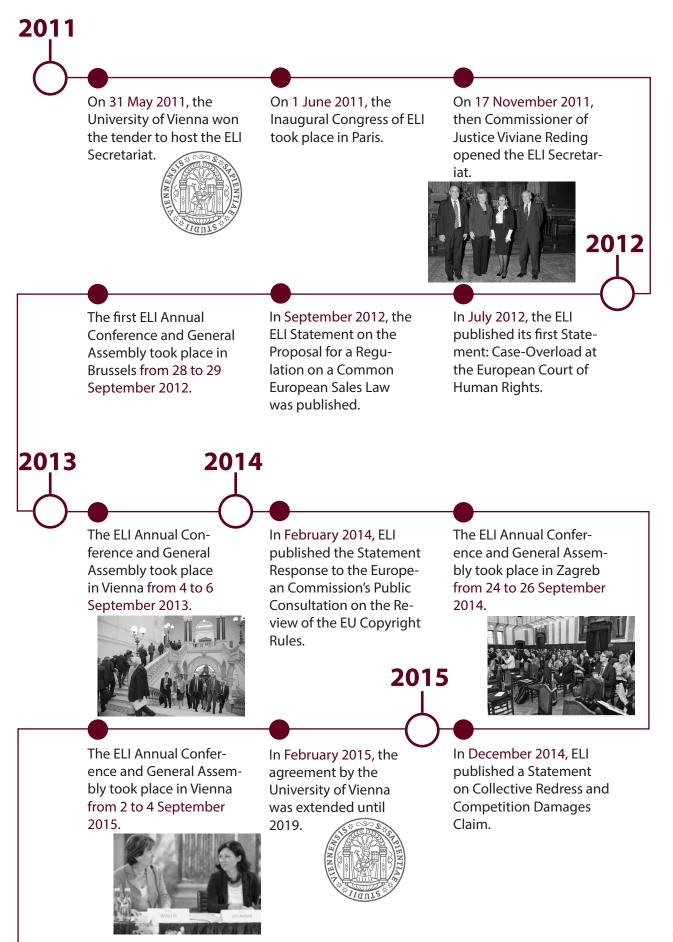
Eliza Schmidt has been playing the violin since the age of six. She graduated with honours from the Academy of Music in Hungary and later studied in Vienna with Florian Zwiauer, the concertmaster of the Vienna Symphony Orchestra and founder of the Franz Schubert quartet. The Old Vienna School of Franz Samohyl and Karl Barylli shaped and deepened her remarkable music style. This also led to her own first album "The Four Seasons" by Vivaldi. Since 2009, she has played every year at the New Year's concerts in the Vienna City Hall and has frequently performed with various ensembles such as Ensemble Rondo Vienna or Strauss Philharmonic Orchestra in Austria and across the whole of Europe.

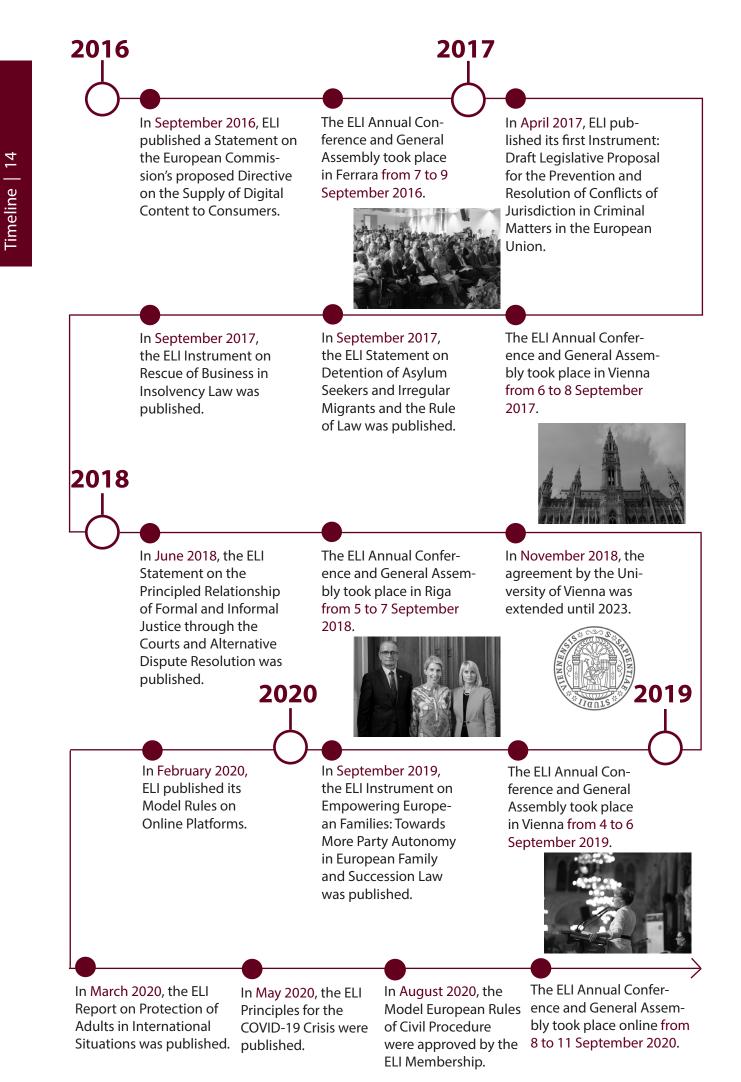
#### **Maria Radusin**



Maria Radusin, born in Serbia, studied concert piano with Srdjan Grbić in Belgrade and with Noel Flores in Vienna. She further studied piano chamber music with Avedis Koujoumdjian and graduated with unanimous distinction in both fields of study. For her extraordinary artistic achievements, she has been awarded several first prizes: at the national competition in Belgrade, the Bach-Händel-Scarlatti Competition, the Chopin-Festival for young pianists in Belgrade, and many more. She has often appeared on stage as a soloist (Vienna Konzerthaus-Schubert Hall), a chamber musician (Vienna Konzerthaus-Mozart Hall) and as a soloist with orchestras (Arad Philharmonic Orchestra in Romania). Since 1994, she has been a pianist with the Vienna Residence Orchestra, with whom she has played all over the world.

# Timeline





The ELI is characterised by the diversity of its members and its work-scope. It is quite unusual that its members consist of experts on the one hand as well as institutions like supreme courts, universities and law firms on the other. Its work programme is marked by a broad spectrum of topics and, above all, contains projects aiming at the development of the European legal order. Austria is proud to have been chosen as the seat of the ELI at the University of Vienna. – Alexander Van der Bellen, President of Austria

The foundation of the European Law Institute is an important milestone in building an EU-wide area of law, rights and justice. The Institute has the potential to bring a significant added value to European legal research, improving the implementation of EU law and helping to put it to work for citizens and businesses.

- Viviane Reding, Vice-President of the European Commission (2010-2014)

The American Law Institute welcomes and takes a degree of pride in the formation of the ELI and its rapid progress. [...] Full discussion, criticism, and rewriting means that recommendations take substantial time but lead to a product that deserves to be influential. – Lance Liebman, Director of The American Law Institute (1999-2014)

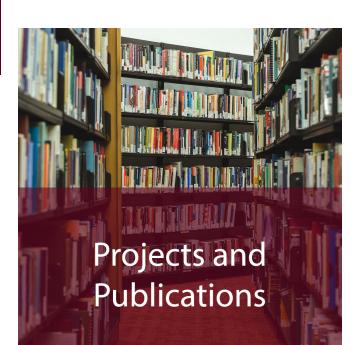
[...] I am sure that in the next years the European Law Institute will be able to work more closely with the European Parliament and, in particular with the legal affairs and the civil liberties committees, will contribute its expertise to the legislative process. [...] For this reason I consider a deeper involvement of ELI as important in order to further improve the quality of our work. Both MEPs and the Secretariats would benefit from this closer cooperation since ELI has at its disposal experts and resources which it can make available to the Parliament. – Luigi Berlinguer, Member of the European Parliament (2009–2014)

[W]e salute the considerable progress that the ELI is making through projects aimed at producing results which can be of immediate practical utility.

- Harriet Lansing, President of the Uniform Law Commission (2013-2015)

We are facing a challenging future in the European Union. We will have to cross legal paths that are yet to be fully mapped. We will have to find solutions to difficult situations. Working together, gathering the expertise where it is to be found, collecting evidence to support our action to reach the objective is essential. We are very grateful for ELI's important contribution this far, and look forward to cooperating also in the future to shape the future of the legal environment of the EU. – Tiina Astola, Director-General for Justice and Consumers at the European Commission

# Useful Links









### European Law Institute

- Pan-European, democratic, membership-based organisation
- Uniting prominent jurists of all legal professions
- Aiming to improve the law in Europe
- Carrying out projects with immediate practical application

Members of the ELI can contribute to its projects and gain access to an international network of jurists. Apart from other activities, the ELI organises its Annual Conference and Meetings, bringing together Europe's leading experts in diverse fields of law.

### Executive Committee

President: 1<sup>st</sup> Vice-President: 2<sup>nd</sup> Vice-President: Treasurer: Other Members: Christiane Wendehorst Lord John Thomas Pascal Pichonnaz Denis Philippe Anne Birgitte Gammeljord Pietro Sirena Fryderyk Zoll

### ELI Annual Conference 2021 6–8 September (Online)

### ELI in Vienna

ROPEAN

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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.

#### **ELI Secretariat**

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