

European Law Institute, Vienna
On september 3 and 4 I visited the ELI General Assembly and
Annual Conference in Vienna.

September 3 started with The General Assembly. I am not sure, a list of participants was not handed, but I think that some 200+ members were present. Most of the subjects on the agenda were dealt with in a standard way, some questions were asked, some subjects were voted on and the minutes of last year meeting passed easily. No one voted against and no abstentions, so everything passed smoothly.

Although ELI is a young organisation (Founded in 2010, and everyone keeps repeating that) I notice a group of people of whom many know each other. On some moments it looked more like a homecoming or reunion, then a conference or GA. However the atmosphere is friendly and at the same time one of professionalism.

Being young ELI has a good public relations officer. I attended speeches of the Vice President of the Academy of Science (our host for the day) and the Austrian Minister of Justice. Although both speeches were very short and not on the subject matter. September 4, EU Commissioner for Justice, Consumers and Gender, Vera Jourova held a keynote speech.

She is, and also her predecessor was, a warm supporter of ELI. She is happy with ELI as it is dealing with matters that influence millions of consumers. She is happy also with the results that ELI is showing. She appears to be mainly focussed on consumers and not so much on businesses. On the other hand she is also looking on reforming Criminal Proceedings.

As her speech was originally planned for first day, some of the content seemed a bit outdated as she wished the conference good luck in debating and discussing all subjects.

ELI has a lot of members, called Fellowes (a little over 1.000) of whom - alike EEEI - I observe a part is active and a part is "only attending the conference". But I realize I do not know their names, so I do not know whether they are or have been actively involved in one of the projects. But having a lot of fellowes a lot of work can be done and in fact is done. From the signals during the conference I sense a very active group of people.

ELI is working on many projects at a time: 4 projects, 2 project proposals and 1 Pilot project with the US Uniform Law Commission.

The treasurer stated that funding is a problem with ELI (too). Although they have a very different perspective. 1. They have just gotten a EC framework funding of € 1.000.000,00 !!!!! for a period of 4 years. 2. Having more fellowes they have more funding of their own. Individual Fellowes pay € 60,00 per year. I observe that cooperation with the Vienna Academy of Science is also profitable for ELI. As far as I understood also then Academy has funded ELI. The Academy is also benefited by the cooperation with ELI by the way. There is a lot of funding, but there is a lot of work and a lot of expected results.

ELI works in a very different way from EEEI.

ELI defines their own projects and does the work for it. Furthermore I notice that projects take longer: 2-3 years, and sometimes ongoing reports and amendments are presented.

The last are mostly performed by Special Interest Groups within ELI. SIG consist of fellows of course. The project organisation is smaller and kept to some 10-20 fellows per project, depending on the scope or importance of the project, but very formally organised. Assigned officers in the ELI Secretariat, Reporters, Working Group Members, Advisory Committee members. And sometimes a European Commission Observer.

The Executive Committee acknowledged that for the Framework funding ELI is tending towards projects that have the attention of the EC already, but highly values its independency. Then also the budget from EC leaves other funding available for 100% own choice of projects.

ELI also has comparisons with EEEI

Then ELI is also very much alike EEEI. Both tend to seek for arguments and information to inform EC-politics and key figures with the right information. We both have a desire to look further into matters than maybe politicians would do. And then maybe other channels or sources of information would feed them. We both strive for a way to inform correct and adequate and in time, and by that enabling a just and fair legislation from Brussels.

Furthermore ELI has projects that are directly related to Consumers and B2C matters.

The Single Digital Market project is a good example of that.

Although we should not scare ELI by being a new Institutional Observer, EEEI was presented as such on presentation by membership committee, and then trying to cooperate and lifting with their success, I do think that we may be able to or want to make use of some of ELI knowledge or fellows for future projects. Trying to find active participants for EEEI projects from within the members of ELI might be profitable.

I do think we should present ELI executive Committee the EGLE project report.

All members of their COMEX are on the website.

Maybe ask ELI to disseminate the EGLE report between their members? That will expose our report 1000 times. And within a group of very interested individuals that are also on key positions! Judges, lawyers and academics. Any content from EGLE being mentioned in ELI reports can only be profitable.

The next ELI annual conference is 7-9 September 2016 in Ferrara Italy. Maybe EEEI can present the EGLE report and even some accomplishments after the report there? We can always ask.

In terms of networking I have spoken with several persons that where interested in the work of EEEI and the EGLE project. During the day I already e-mailed Maya some addresses and requests to send EEEI and EGLE information to these persons. A special interest might be there for ELI Project 2, a combined ELI-UNIDROIT project "From Transnational Principles to European Rules of Civil Procedure". In this project there is a part "Access to Information and Evidence" that is directly connected with our work for EGLE. I have asked Maya to send specifics on EGLE to the two representatives for this part, Prof Neil Andrews and Fernando Gascón Inchausti, and a copy to Gilles Cuniberti. Neil Andrews is working with "our" Gilles Cuniberti on a different topic within this project, so he could be aware of EGLE already.

I did not get to speak/meet with Gilles Cuniberti by the way. I could not find him during breaks.

In general terms for networking I feel all ELI Fellowes would be interested in hearing about EEEI.

During one of the meetings a discussion arised, a little bit besides the subject matter, about language and language problems. One of the panellists brought up that by discussing subjects in English, it is undoubtedly so that the result of the working group is influenced by the language. Chair Prof. Matthias Storme, (Law, University of Leuven, Belgium)

admitted he once promised to write a short article on this subject but has not done so yet. He did mention that all working groups should bear in mind that before presenting any result of any working group the final text should have been translated in at least one other language. This is to find that the English text is indeed "translatable". Having done so in several instances he found that almost in all cases the English text was altered and became better.

I think we exercise this already within EEEI/EGLE but nevertheless it now seems to be academically proven.

With my report I only attach the program with some extra content on the subjects (more than in previous communication shared by Maya) and some general information on ELI. I have not attended all sessions of course. Content wise I have no observations other than the ELI is doing a lot of things the way we do it, and looks at subjects the way we do it. My observing role has been more on the organisational part and comparison.

My conclusions are that ELI is a professional organisation that might be useful for EEEI, which might be reciprocal. We should keep an eye on their projects. We might be able to benefit from the results, as we may want to offer them ours.

**Written by Nico Keijser,
Vienna, September 4, 2015.**