



**ELI**  
EUROPEAN  
LAW  
INSTITUTE

# Online ELI Annual Conference 2021

Conference Brochure  
6–8 September 2021





# About the European Law Institute

The law in Europe has a profound impact on the daily lives of European citizens, companies and organisations. As an independent organisation, 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 ELI's activities are its projects, which can be either short to medium or long term: the former are usually 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, 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 in the ELI Council. ELI Members can also take part in various projects, either as Project Team members or as members of Members Consultative Committees (MCCs). 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 American legal system. Like its American counterpart, 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 organisations that share its vision. Since its foundation, the Institute has established close working relations with EU Institutions and agencies such as the European Parliament, the European Commission, the Court of Justice of the European Union and the European Union Agency for Fundamental Rights, international organisations such as the Council of Europe, the Organization for Security and Co-operation in Europe, United Nations Commission on International Trade Law and the International Institute for the Unification of Private Law, as well as organisations such as the Council of the Notariats of the European Union, the Council of Bars and Law Societies of Europe, the European Network of Councils for the Judiciary, the Hague Conference on Private International Law and the Academy of European Law. ELI is also grateful for its long-standing successful cooperation with the University of Vienna, which is generously hosting the ELI Secretariat.





### **Christiane Wendehorst, President**

*When the ELI was founded 10 years ago, partly modelled on the American Law Institute, it filled a conspicuous gap. Europe has changed since then, and so have the challenges which legislators, courts, and legal professionals have to cope with. What has not changed is the need for a strong European legal community, and for institutions that give this legal community a voice – quite the contrary, this need has become more vital than ever.*



### **Lord John Thomas, 1<sup>st</sup> Vice-President**

*The celebration of ELI's 10th anniversary has demonstrated the difference ELI is making across Europe to the development of the law to address the issues of the 21st century. A great amount has been achieved, but as the conference programme also demonstrates much remains to be done at the cutting edge of legal advancement.*



### **Pascal Pichonnaz, 2<sup>nd</sup> Vice-President**

*The ELI Decennial celebrations have shown how many ELI projects have addressed core legal issues on the European Continent and beyond. The current projects aim to reinforce the rule of law and fundamental principles, to address digitalisation challenges as well as to tackle environmental and climate concerns by proposing innovative and concrete solutions for legislators in Europe. As shown by this year's Annual Conference, ELI is a wonderful institution to exchange and to reflect upon the various legal cultures and experiences within the EU, the Member States and beyond.*



### **Denis Philippe, Treasurer**

*ELI is now 10 years old and we never imagined it would have achieved so much since its launch. It now boasts 1,600 Members from across Europe and beyond, excellent and efficient staff, very sound financial management, numerous projects in all legal fields with exceptional quality control procedures as well as an excellent reputation at European and international level. Last but not least, it is a pleasure to observe how ELI Members cooperate with each other in a spirit of genuine enthusiasm. Ad multos annos.*

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# Programme Overview

## MONDAY | 6 SEPTEMBER 2021

10:00 – 11:00 (CET) Membership Meeting and Opening of ELI Council Elections

15:30 – 16:30 (CET) Welcome Addresses

**Christiane Wendehorst** (ELI President)

**Alexander Van der Bellen** (Federal President of the Republic of Austria; Video Message)

**Brigitta Zöchling-Jud** (Dean of the Law Faculty of the University of Vienna)

Keynote speech by **Marija Pejčinović Burić** (Council of Europe Secretary General)

To register for the Welcome Addresses and Keynote Speech please click [here](#).

17:15 – 18:30 (CET) Principles for a Data Economy: Data Rights and Transactions (with the American Law Institute)

To register for the above webinar please click [here](#).

*Speakers:*

**Steven O. Weise** (Chair)  
**Lord John Thomas** (Chair)  
**Malte Beyer-Katzenberger**

**Neil Cohen**  
**Christiane Wendehorst**

18:45 – 20:00 (CET) Access to Digital Assets: Use of Digital Assets as Security

To register for the above webinar please click [here](#).

*Speakers:*

**Sjef van Erp** (Chair)  
**Phoebus Athanassiou**  
**Carlo Di Nicola**

**Louise Gullifer**  
**Teemu Juutilainen**  
**Tilman Lueder**

## TUESDAY | 7 SEPTEMBER 2021

09:00 – 10:15 (CET) Blockchain Technology and Smart Contracts

To register for the above webinar please click [here](#).

*Speakers:*

**Sjef van Erp** (Chair)  
**Martin Hanzl**  
**Marina Niforos**

**Claudia Sandei**  
**Dirk Staudenmayer**

10:30 – 11:45 (CET) AI and Public Administration – Developing Impact Assessments and Public Participation for Digital Democracy

To register for the above webinar please click [here](#).

*Speakers:*

**Paul Craig** (Chair)  
**Brando Benifei**  
**Marc Clément**

**Jens-Peter Schneider**  
**Peggy Valcke**

12:00 – 13:15 (CET) Admissibility of E-Evidence in Criminal Proceedings in the EU

To register for the above webinar please click [here](#).

*Speakers:*

**Lorena Bachmaier Winter** (Chair)  
**Vânia Costa Ramos**

**Farsam Salimi**  
**Tania Schröter**

14:15 – 15:30 (CET) The Concept and Role of Courts in Family and Succession Matters

To register for the above webinar please click [here](#).

*Speakers:*

**Matthias Neumayr** (Chair)  
**Elena Bargelli**  
**Véronique Chauveau**

**Andréas Stein**  
**Francois Tremosa**

# Programme Overview

15:45 – 17:00 (CET)	Climate Justice – New Challenges for Law and Judges To register for the above webinar please click <a href="#">here</a> .	<i>Speakers:</i> Henrik Anderson (Chair) Larisa Alwin Alberto de Franceschi	Tim Eicke Lavanya Rajamani Gerhard Wagner
19:00 – 19:45 (CET)	ELI Young Lawyers Award	<i>Speakers:</i> Sjef van Erp (Chair) John North	Winner of the Award
19:45 – 20:00 (CET)	ELI SIG and Hub Awards To register for the ELI Young Lawyers Award & ELI SIG and Hub Awards please click <a href="#">here</a> .	<i>Speakers:</i> Christiane Wendehorst	Winners of the Awards
24:00 (CET)	Closing of ELI Council Elections		

## WEDNESDAY | 8 SEPTEMBER 2021

09:00 – 10:15 (CET)	Corporate Sustainability, Financial Accounting and Share Capital To register for the above webinar please click <a href="#">here</a> .	<i>Speakers:</i> Corrado Malberti (Chair) Yuri Biondi Colin Haslam	Hideki Kanda Martina Macpherson
10:30 – 11:45 (CET)	Ecocide To register for the above webinar please click <a href="#">here</a> .	<i>Speakers:</i> Fausto Pocar (Chair) Robert Bray Kate Mackintosh	Jojo Mehta Marie Toussaint
12:00 – 13:15 (CET)	ELI-Mount Scopus European Standards of Judicial Independence To register for the above webinar please click <a href="#">here</a> .	<i>Speakers:</i> Fryderyk Zoll (Chair) Milan Kristof Silvana Sciarra	Sophie Turenne Ksenija Turković
14:30 – 15:45 (CET)	Fundamental Constitutional Principles To register for the above webinar please click <a href="#">here</a> .	<i>Speakers:</i> Lord John Thomas (Chair) Adam Bodnar Elise Muir	Takis Tridimas Renáta Uitz
16:00 – 17:15 (CET)	The Concept of Corporate Criminal Liability To register for the above webinar please click <a href="#">here</a> .	<i>Speakers:</i> Celina Nowak (Chair) Peter Csonka Marc Engelhart	Willem Geelhoed Fabio Nicolichia
18:30 – 19:45 (CET)	Membership Meeting and Announcement of ELI Council Elections 2021 Results  Closing Ceremony (Handover of Presidency)	<i>Speakers:</i> Pascal Pichonnaz Christiane Wendehorst Reinhard Zimmermann	

# Detailed Programme | Day 1

Monday, 6 September 2021

Welcome Addresses | 15:30 – 16:30 (CET)

[Register here](#)

**By Christiane Wendehorst** (ELI President)

**By Alexander Van der Bellen** (Federal President of the Republic of Austria; Video Message)

**By Brigitta Zöchling-Jud** (Dean of the Law Faculty of the University of Vienna)



**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.



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**Alexander Van der Bellen**

Alexander Van der Bellen has been serving as the Federal President of the Republic of Austria since 2017. Previously he has been a member of the Vienna State Parliament and the Vienna City Council (2012–2015) and member of the Austrian National Council (1994–2012) as well as a Full Professor of Economics at the University of Vienna (1980–2009), among others. He received a Grand Decoration of Honour in Gold with Star for Services to the Republic of Austria in 2004.



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**Brigitta Zöchling-Jud**

Brigitta Zöchling-Jud has been Professor of Civil Law since 2007 and Dean of the Faculty of Law at the University of Vienna since 2020. Previously, she was a Professor at the University of Salzburg and at the University of Bonn. Her research focuses on the law of obligations and succession as well as European private law.





# Detailed Programme | Day 1

Monday, 6 September 2021

## Keynote Speech by Marija Pejčinović Burić (Council of Europe Secretary General) on Challenges to Human Rights, Democracy and the Rule of Law in Europe | 15:30 – 16:30 (CET)

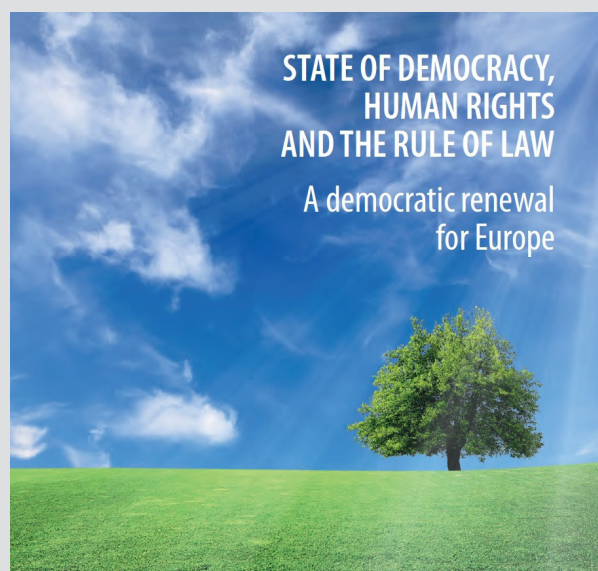
[Register here](#)

The Council of Europe Secretary General's keynote speech and following Q&A session will focus on current challenges to human rights, democracy and the rule of law in Europe, addressing in particular issues of human rights in the digital age, human rights and the environment, as well as violence against women. The Secretary General will present the highlights from the Council of Europe's work in 2021, which are featured in her recent report on State of democracy, human rights and the rule of Law: A democratic renewal for Europe.

*ELI Members and Friends are warmly invited to submit questions that they would like to pose to the Council of Europe Secretary General by 22 August to the ELI Secretariat ([secretariat@europeanlawinstitute.eu](mailto:secretariat@europeanlawinstitute.eu)). Kindly note that, depending on the number of questions received and the duration of the session, not all questions might be featured in the Q&A session.*

### Report by the Secretary General of the Council of Europe

#### State of democracy, human rights and the rule of law: A democratic renewal for Europe



Report by the Secretary General  
of the Council of Europe

2021



[Read here](#)



**Marija Pejčinović Burić**

Marija Pejčinović Burić is the Secretary General of the Council of Europe, the pre-eminent Pan-European international organisation in the field of human rights, democracy and the rule of law. Prior to being elected to her current position, Ms Pejčinović Burić was Deputy Prime Minister and Minister for Foreign and European Affairs of the Republic of Croatia, having served previously, on two occasions, as State Secretary for EU Affairs. She has also served as a Deputy in the Croatian Parliament.

# Detailed Programme | Day 1

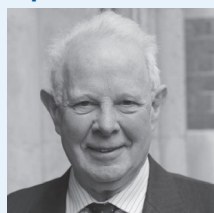
## Monday, 6 September 2021

[Register here](#)

### Principles for a Data Economy: Data Rights and Transactions (with the ALI) | 17:15 – 18:30 (CET)

With the rise of an economy in which data is a globally tradeable asset, there is a need for more certain legal rules applicable to the transactions in which data is an asset. Lack of clarity in this field can hinder innovation and growth and, more importantly, troubles consumers, data-driven industries, and start-ups. ELI and the ALI decided to tackle this uncertainty by developing transnational 'Principles on Data Rights and Transactions'. On 18 May 2021, the current draft was approved by ALI members. The Project Team consisting of Reporters Neil B Cohen and Christiane Wendehorst as well as Chairs Lord John Thomas and Steven O Weise has incorporated the feedback from experts and ELI/ALI bodies to finalise the Principles, which will be submitted for approval to the ELI Membership in September 2021. The webinar will aim at presenting and discussing the Principles and their potential impact on the international legal data economy framework.

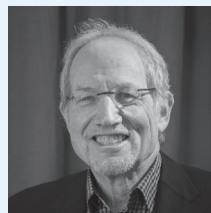
### Speakers



**Lord John Thomas (Co-Chair)**  
Project Co-Chair

Lord John Thomas served as Lord Chief Justice of England and Wales from 2013–2017 and was President of the European Networks of Councils for the Judiciary from 2008–2010. He is President of the

Qatar International Court, a practising arbitrator, Chairman of the London Financial Markets Law Committee and sits in the United Kingdom Parliament as a member of the House of Lords. He is Chancellor of Aberystwyth University and an Honorary Fellow of Trinity Hall, Cambridge. He is First Vice-President of ELI.



**Steven O Weise (Co-Chair)**  
Project Co-Chair

Steven O Weise is Co-Chair of the Principles for a Data Economy Project, a member of the Permanent Editorial Board for the Uniform Commercial Code (UCC), the Council of the ALI, and the

Joint Study Committee on UCC and Emerging Technologies. He was a member of the Drafting Committee for Article 9 of the UCC. He is the American Bar Association's (ABA) Representative to the UNCITRAL Working Group on Security Interests. He was the chair of the Business Law Section of the ABA. He is a partner in the law firm Proskauer Rose LLP.



**Malte Beyer-Katzenberger**

Malte Beyer-Katzenberger studied law and political sciences and obtained a Dr jur degree from Trier University in 2007. From 2007–2011 he worked at the Academy of European Law, Trier.

He joined the European Commission in 2011. He has worked on the law relating to the re-use of public sector information and open access to scientific information and was involved in the drafting of several Communications on the European data economy, the 2020 EU data strategy and the proposal for a Data Governance Act.



**Neil Cohen**  
Project Co-Reporter

Neil Cohen is the Jeffrey D Forchelli Professor of Law at Brooklyn Law School and serves as the Director of Research of the Permanent Editorial Board for the UCC. Since 2009, he has been a member

of the US Department of State's Advisory Committee on Private International Law. He has served as a member of the US delegation to UNCITRAL for its work on harmonising and modernising the law of secured credit and as a member of the Working Group at the Hague Conference on Private International Law.



**Christiane Wendehorst**  
Project Co-Reporter

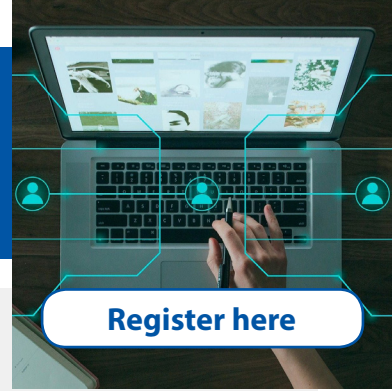
Christiane Wendehorst is Professor of Law at the University of Vienna. She is a member of the Academia Europaea, the Austrian Academy of Sciences, the International Academy of Comparative

Law, the ALI, 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.



# Detailed Programme | Day 1

## Monday, 6 September 2021



### Access to Digital Assets: Use of Digital Assets as Security | 18:45 – 20:00 (CET)

In recent years, a rise of digital assets, which cover a heterogeneous variety of assets such as crypto-currencies, security tokens and social media profiles, can be observed. The first installment of the ELI project on Access to Digital Assets provides Principles to be applied in cases concerning access to digital assets in a financial setting. The Principles are concerned with conventional credit and cover the main aspects of using certain digital assets as security for credit. The Principles are intended as a source of inspiration and guidance for the further development of case law and legislation in the field of digital assets, facilitating the work of international organisations, national legislatures, courts, judicial enforcement officers, public authorities, (civil law) notaries and commercial arbitrators whenever they are dealing with access to digital assets. The webinar will offer an opportunity to discuss the output of the ELI project and its overall importance for the development of the law in the field of secured transactions as well further questions arising when digital assets are used as security.

### Speakers



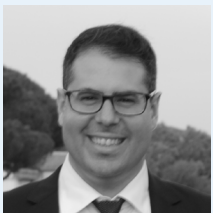
**Sjef van Erp (Chair)**  
Project Co-Reporter

Sjef van Erp is Emeritus Professor of Civil Law and European Private Law at Maastricht University, visiting Professor at Trento University and Deputy-Justice at the Court of Appeals in 's-Hertogenbosch. He is President of the International Association of Legal Science and a member of the ALI. He is a Founding Member of ELI as well as its former Vice-President, and Co-Reporter of the ELI 'Blockchain Technology and Smart Contracts' project and Co-Reporter of the 'Access to Digital Assets' project.



**Phoebus Athanassiou**  
Project Team Member

Phoebus Athanassiou (PhD in Law, KCL, London) is Senior Lead Legal Counsel at the European Central Bank and Associate Professor at the Institute of Law & Finance, Goethe University. He has published extensively on financial services law and regulation. His recent monographs include 'Digital Innovation in Financial Services: Legal Challenges and Regulatory Policy Issues' (Kluwer, 2018) and 'The European Sovereign Debt Crisis: Breaking the Vicious Circle Between Sovereigns and Banks' (Routledge, 2021).



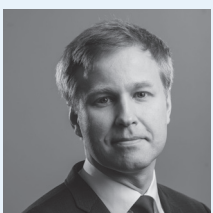
**Carlo Di Nicola**

Carlo Di Nicola is a Senior Legal Officer at the International Institute for the Unification of Private Law (UNIDROIT) where he is currently leading the Digital Assets and Private Law Project. He is qualified to practice law in Canada as a member of the Law Society of Ontario and the Barreau du Québec and holds an LLM (with Distinction) from the London School of Economics and Political Science (LSE). He previously worked for the World Food Programme (WFP), the Food and Agriculture Organisation of the UN (FAO), and the Hague Conference on Private International Law (HCCH).



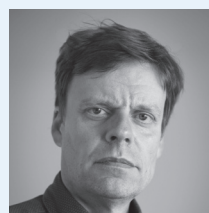
**Louise Gullifer**

Professor Louise Gullifer QC (Hon) FBA is Rouse Ball Professor of English Law at the University of Cambridge, and a Fellow of Gonville and Caius College, Cambridge. She teaches and writes extensively in all areas of commercial and financial law. She is currently co-director of a project on digital assets, based at the Commercial Law Centre, Harris Manchester College, Oxford, and co-chair of the custody sub-group of the UNIDROIT Working Group on the private law relating to digital assets.



**Teemu Juutilainen**  
Project Team Member

Teemu Juutilainen is Associate Professor of Private Law, especially Property and Financial Law, at the University of Turku. He holds a Doctor of Laws degree and the title of Docent from the University of Helsinki. His publications include 'Secured Credit in Europe: From Conflicts to Compatibility' (Hart Publishing, 2018).



**Tilman Lüder**

Tilman Lüder has headed the Securities Markets Unit in Directorate General for Financial Stability, Financial Services and the Capital Markets Union (DG FISMA) of the European Commission since September 2015. He holds a doctorate in law from the University of Tübingen. Before joining the European Commission in 1999, he was as an Associate in Cleary Gottlieb Steen and Hamilton LLP. In the European Commission, he worked, among other things, as the spokesperson of Commissioner Mario Monti as well as Head of different units.

# Detailed Programme | Day 2

## Tuesday, 7 September 2021



### Blockchain Technology and Smart Contracts | 09:00 – 10:15 (CET)

[Register here](#)

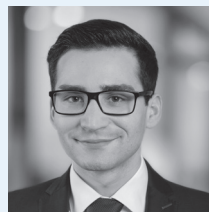
The European Parliament in its resolution of 20 October 2020 called on the Commission to assess the development and use of distributed ledger technologies, including blockchain and, in particular, of smart contracts, provide guidance to ensure legal certainty for business and consumers, in particular regarding enforcement of smart contracts in cross border situations, and make proposals for the appropriate legal framework. With its project on Blockchain Technology and Smart Contracts, ELI wishes to provide expert guidance in this fast developing area. The Project Team, under the leadership of Project Reporters, developed a set of 13 Principles with Explanatory Notes, which aim at providing advice to practitioners, judges, policy makers and all those dealing with blockchain technology and smart contracts. The webinar will aim at presenting and discussing the Principles and their potential impact in the area.

### Speakers



**Sjef van Erp (Chair)**  
Project Co-Reporter

Sjef van Erp is Emeritus Professor of Civil Law and European Private Law at Maastricht University, visiting Professor at Trento University and Deputy-Justice at the Court of Appeals in 's-Hertogenbosch. He is President of the International Association of Legal Science and a member of the ALI. He is a Founding Member of ELI as well as its former Vice-President, and Co-Reporter of the ELI 'Blockchain Technology and Smart Contracts' project and Co-Reporter of the 'Access to Digital Assets' project.



**Martin Hanzl**  
Project Co-Reporter

Martin Hanzl is an Associate at EY Law - Pelzmann Gall Größ Rechtsanwälte GmbH and previously worked at the Vienna University of Economics and Business. He advises on M&A, corporate law and IP/IT law focusing on new technologies. He received a PhD from the University of Vienna writing his thesis on the legal implications of blockchain. In addition, he has published numerous articles on this topic and regularly gives lectures in this field.



**Marina Niforos**

Marina Niforos is Affiliate Professor at HEC Business School (École des hautes études commerciales de Paris) and an experienced Board member and C-suite advisor. She has advised the International Finance Corporation (IFC) and is lead author of their report 'Blockchain: Opportunities for Private Enterprises in Emerging Markets' (2018, 2020). She has been a member of the EU Blockchain Observatory since 2018.



**Claudia Sandei**

Claudia Sandei is Associate Professor of Company Law and IT Law at the University of Padua, Director of the Innovation and Technology Law Lab and Co-founder and Managing Director of the Digital Law Network. Besides IT law, her main areas of expertise include corporate/financial law and IP law. She published extensively in the field of tech law and, among other things, lectured at the Universities of Hong Kong, Hannover and Nottingham. She is a member of the Expert Panel of the European Blockchain Observatory and Forum.



**Dirk Staudenmeyer**

Dirk Staudenmeyer is Head of Unit for Contract Law of the DG Justice and Consumers at the European Commission. He also teaches as an Honorary Professor at the Law Faculty of the University of Münster and has published widely, in particular in the areas of European contract, consumer and IT law. After studying law in Germany and France, Staudenmeyer was awarded a PhD magna cum laude from the University of Bonn. Previously, he has held various positions at the European Commission, including at DG Health and Consumers.

# Detailed Programme | Day

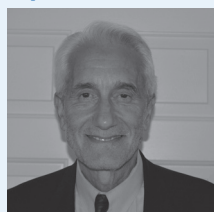
## Tuesday, 7 September 2021



### AI and Public Administration – Developing Impact Assessments and Public Participation for Digital Democracy | 10:30 – 11:45 (CET)

New technologies, such as artificial intelligence, can provide several benefits for the functioning of public administration, however, they also entail risks connected to transparency, accountability, compliance and non-discrimination. The Model Rules, which are being developed by the ELI project, provide for an impact assessment of algorithmic decision-making systems used by public administration, emphasising the need for expert audit and public participation in case of high-risk systems. They aim to lay down a basis for developing procedures on artificial intelligence that will not hinder innovation, while providing solid safeguards to improve citizens' confidence in the use of the technology. The webinar will focus on the project's progress and solutions considered to be proposed in light of the overall developments in the field at the EU level.

### Speakers



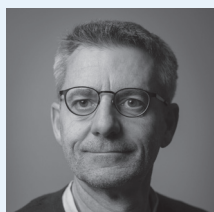
**Paul Craig (Chair)**  
Project Co-Reporter

Paul Craig is Emeritus Professor of English Law, St John's College, Oxford, FBA, QC (Hon). His principal research interests are constitutional law, administrative law, EU law and comparative administrative law. He has written widely on these subjects, and is presently working on a number of projects, including a history of administrative law in the UK. He was the UK alternative member of the Venice Commission from 2010–2019.



**Brando Benifei**

Brando Benifei, European federalist, is the Head of Delegation of the Italian S&D MEPs. His main areas of work are internal market and consumers protection, employment and social affairs, and constitutional affairs. He is rapporteur for the Artificial Intelligence Act and Single Market Program, shadow rapporteur for the European Social Fund Plus, co-chair of the Youth Intergroup and vice-chair of the Disability Intergroup. In 2018, he received the MEP Award for his work on Employment and Social Affairs issues.



**Marc Clément**  
Project Co-Reporter

Marc Clément is a presiding judge at the Administrative Tribunal of Lyon. Since 2014 he has been a member of the French Environmental Authority (French national committee providing opinions on the quality of impact assessments in the context of public participation) and from 2015 a member of the Deontological Committee of the French Institute of Radioprotection and Nuclear Safety (IRSN). He has been a member of the Aarhus Convention Compliance Committee (UNECE) since September 2017.



**Jens-Peter Schneider**  
Project Co-Reporter

Jens-Peter Schneider is Professor of Public Law at Freiburg University in Germany. He served as Project Reporter of the collaborative project of ELI and the Research Network on EU Administrative Law (ReNEUAL) 'Towards Restatement and Best Practices Guidelines on EU Administrative Procedural Law' (2013–15) and is now one of three Reporters of the ELI project 'Artificial Intelligence (AI) and Public Administration – Developing Impact Assessments and Public Participation for Digital Democracy'.



**Peggy Valcke**

Peggy Valcke is Professor of law & technology at KU Leuven and vice dean for research at the Leuven Faculty of Law & Criminology. She is co-director of Centre for IT & IP Law, executive committee member of Leuven.AI, and principal investigator in the Security & Privacy Department of imec (previously iMinds). She taught at Tilburg University, Bocconi University, the European University Institute and Central European University. She is Vice-Chair of the Council of Europe's Ad hoc Committee on Artificial Intelligence.



# Detailed Programme | Day 2

## Tuesday, 7 September 2021



[Register here](#)

### Admissibility of E-Evidence in Criminal Proceedings in the EU | 12:00 – 13:15 (CET)

The issue of the admissibility of evidence gathered in cross-border criminal proceedings in the EU has been on the EU agenda for a long time. Common minimum standards on the gathering and transfer of evidence as well as exclusionary rules are necessary to safeguard fundamental rights and facilitate judicial cooperation at the EU level. The ELI project is developing a legislative proposal on admissibility and exclusionary rules of e-evidence in criminal proceedings, which could ensure effective transnational prosecution of cross-border crime, while strengthening the procedural safeguards for the defendant. The webinar will discuss the project's progress as well as the current state of affairs in the field. In particular, the discussion will focus on three topics: the proposal of limited, but strict exclusionary rules; the acceptance of the lex loci rule as a general principle, only to be softened in case of a breach of constitutional rights in the forum state; and finally, the admissibility of evidence gathered within administrative proceedings in the criminal procedure, taking into account also the criminal proceedings under the European Public Prosecutor's Office.

### Speakers



**Lorena Bachmaier Winter (Chair)**  
Project Co-Reporter

Lorena Bachmaier Winter is Full Professor at the Complutense University in Madrid. She specialises in criminal and civil procedure, arbitration and also teaches at the summer law school of

Saint Louis University. Her research focuses on comparative criminal procedure, rule of law and judicial independence, human rights and procedure, and the EU process of legal harmonisation. She also contributes as an international legal expert for the Council of Europe and was chair of the committee on Transnational Organized Crime in 2013–2014.



**Farsam Salimi**  
Project Co-Reporter

Farsam Salimi is Associate Professor of Criminal Law and Procedure at the Faculty of Law of the University of Vienna. He specialises mainly in cybercrime, organised crime and

terrorism, criminal investigations, the use of IT in criminal proceedings and police law. He is a board member of the Austrian Group of the Association Internationale de Droit Penale (AIDP) and Reporter of the ELI project 'Admissibility of E-Evidence in Criminal Proceedings in the EU'.



**Vânia Costa Ramos**  
Project Team Member

Vânia Costa Ramos is a defence lawyer at Carlos Pinto de Abreu e Associados, Portugal, leading the International, European, Extradition and Mutual Legal Assistance practice. She is the author

of several articles on Portuguese and European criminal procedure and international cooperation in criminal matters and works as a guest lecturer and researcher in the field. She is also a member of the European Commission's Expert Group on European Criminal Law and Vice-Chair of the European Criminal Bar Association.



**Tania Schröter**

Tania Schröter is Deputy Head of Unit of the unit dealing with judicial cooperation in criminal matters in the European Commission, Directorate General for Justice and Consumers. She is part of the team which prepared the

two legislative proposals on e-evidence and is currently also participating in the inter-institutional negotiations on the proposals. She also participated in the international negotiations on a Second Additional Protocol to the Budapest Convention on Cybercrime.

# Detailed Programme | Day 2

## Tuesday, 7 September 2021

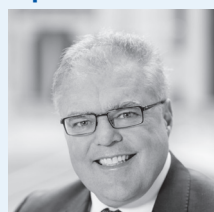


[Register here](#)

### The Concept and Role of Courts in Family and Succession Matters | 14:15 – 15:30 (CET)

Most EU private international law instruments presuppose that justice in the area of family and succession law is still mainly administered by courts. However, it is a current trend in the Member States to shift competences in family and succession matters from courts to other authorities such as notaries, civil status officers, child protection agencies, judicial officers, advocates or even private parties themselves. Are the common provisions on jurisdiction, applicable law and recognition and enforcement of foreign judgments fit to deal with this 'de-judicialisation'? Recent case law by the Court of Justice of the European Union (CJEU) suggests that there is a need for reform. This project is developing an outline for a harmonised European concept of courts, including with regard to notaries and other actors traditionally not qualified as courts, building on the approach of the CJEU in its recent case law, to ensure a harmonised application of EU instruments in different Member States by detecting and developing best practices and minimum standards to be fulfilled. The webinar will aim at discussing these issues and presenting the developments in the project.

### Speakers



**Matthias Neumayr (Chair)**  
Project Assessor

Matthias Neumayr is Professor of Law at the University of Salzburg's Department of Private Law. He has been a judge since 1984 and a judge of the Austrian Supreme Court since 2001. Between 2005–2009 he took part in judicial cooperation and reform projects in the Western Balkans and Azerbaijan and in 2016–2017 was a member of the ELI project on 'Empowering European Families: Towards More Party Autonomy in European Family and Succession Law'. He has been a member of the ELI Council since 2019.



**Véronique Chauveau**

Véronique Chauveau has been an lawyer at the Paris Bar since 1984. She is the founder and partner of Véronique Chauveau & Associés, Fellow of the International Academy of Family Lawyers (IAFL), member of Lawyers in Europe Focusing on International Parental Child Abduction (LEPCA), MIKK and Reunite International Child Abduction Centre, specialist in international family law, expert witness on French family law and procedure in various foreign courts including UK, Ireland, Turkey, USA, Canada and Russia, lecturer in France and abroad.



**François Trémosa**  
Project Co-Reporter

François Trémosa has been a notary in Toulouse since 1998. He is a former President of the Council of the Notariats of the European Union (CNUE)'s Succession working group. From 2006–2008, he was a member of the Expert Group of the European Commission on the Succession Regulation and, later, a member of the Committee drafting the European Certificate of Succession. Among other things, Trémosa participated in the ELI's 'Empowering European Families' project.



**Elena Bargelli**  
Project Co-Reporter

Elena Bargelli is Professor of Private Law and Family Law at the University of Pisa. She was a Research Fellow at the Max Planck Institute in Hamburg from 2008–2009. She is a member of the ELI Council and a Chair of the Family and Succession Law SIG. She is a member of the International Association of Comparative Law, the European Centre of Tort and Insurance Law and the Scientific Advisory Board of the Institute for European Tort Law. She authored several books and contributions in civil law.



**Andreas Stein**

Andreas Stein is Head of Unit Civil Justice at the European Commission's DG Justice. He is a German lawyer holding a doctoral degree (University of Hamburg) and a postgraduate degree in International Relations (Johns Hopkins University SAIS Bologna). After practising as judge at a district court and then at a labour tribunal he joined the Commission in 2001 and has worked in the areas of private international law, contract law, equality and anti-discrimination law, and competition law before taking his current position.

# Detailed Programme | Day 2

## Tuesday, 7 September 2021



[Register here](#)

### Climate Justice – New Challenges for Law and Judges

| 15:45 – 17:00 (CET)

In Europe and beyond, individuals and NGOs are demanding more action from governments concerning climate change and are bringing new cases before the courts. While specific legal rules already exist, they might not be adequate to tackling the increasingly urgent challenges; moreover, their implementation by judges seems often questionable from a rule of law perspective. The climate change problems are of cross-border nature, and courts must address extra-territorial issues as well as questions related to both public international and private international law. Indeed, they must find a balance between different levels of law (international legal instruments, European human rights law, EU rules, national constitutional law, private law rules, etc). The risk is that different methodological approaches can result in legal uncertainty to the detriment of individuals' legitimate expectations under the rule of law. This panel aims to explore these and further challenges for legislators and judges related to environmental sustainability and climate justice, and to discuss some preliminary findings.

### Speakers



**Henrik Andersen (Chair)**  
Project Proposer

Henrik Andersen is an Associate Professor of International Economic Law at Copenhagen Business School (CBS LAW). He is one of the co-founders of the Nordic Center for Climate Law and Economics (NCCLE). His research addresses in particular the relationship between the law and policies of the World Trade Organization, international climate change law, and the rule of law.



**Larisa Alwin**

Larisa Alwin is a judge of the Amsterdam Court of Appeals. Prior to that, she was a judge at the District Courts of The Hague and Rotterdam. She handles civil law cases.



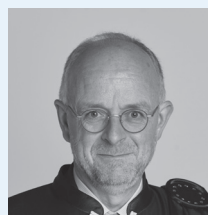
**Alberto De Franceschi**  
Project Proposer

Alberto De Franceschi is Full Professor of Private law, Intellectual Property Rights and Environmental Law at the University of Ferrara. He is Co-Chair of the ELI's Digital Law SIG and of the ELI's Environmental Law SIG. He is a Founding Member and co-editor of the Journal of European Consumer and Market Law (EuCML) and of the Italian Law Journal. His research focuses on issues related to the supply of digital content and digital services, privacy regulation and environmental sustainability.



**Lavanya Rajamani**

Lavanya Rajamani is a Professor of International Environmental Law at the University of Oxford, and a Yamani Fellow in Public International Law, St Peter's College, Oxford. She researches, teaches and practices in the field of international environmental and climate change law and has published extensively in the field. She serves, among other things, as Coordinating Lead Author for the Intergovernmental Panel on Climate Change's Sixth Assessment Report and was part of the UN core drafting team for the 2015 Paris Agreement.



**Tim Eicke**

Tim Eicke is judge of the European Court of Human Rights (ECtHR) in respect of the UK and currently Vice-President of Section. Previously a barrister at Essex Court Chambers with expertise in human rights law, EU law, public international law and UK public law, he was appointed a QC in 2011. He argued cases in the UK Supreme Court, the CJEU and the ECtHR acting for both claimants and governments. He studied law at the Universities of Passau and Dundee, and in 2017 received an Honorary doctorate from the latter.



**Gerhard Wagner**

Gerhard Wagner is Professor of Civil Law, Economic Law, and Economics at Humboldt University. In 2010–2011 he was Visiting Professor of Law at the University of Chicago Law School, USA, and from 2009–2014 he also served as Professor of Fundamentals of Private Law at Erasmus University, Rotterdam. His main areas of research are contracts and torts as well as the design of liability systems.

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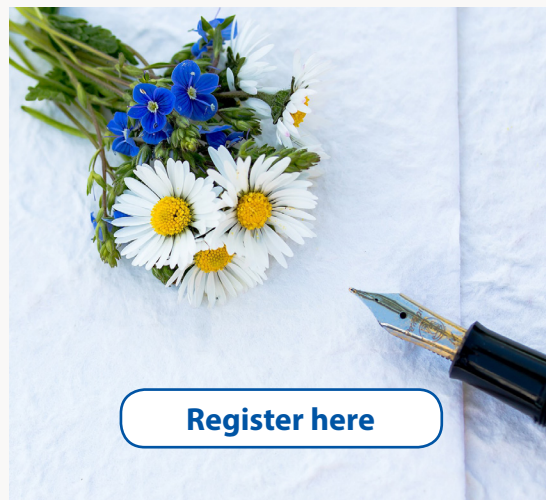


# Detailed Programme | Day 2

## Tuesday, 7 September 2021

### ELI Young Lawyers Award | 19:00 – 19:45 (CET)

This year ELI will again award its Young Lawyers Award, which was officially launched at the 2016 Annual Conference and General Assembly, to a promising young lawyer. The goal of the Award is to provide the young European legal community with a mechanism to propose practical suggestions for the improvement of European law. It is a way of giving voice to future European legal experts and helps ELI in fulfilling its core mission of improving the quality of European law. Applications are open to under- or postgraduate students currently undertaking a law degree at a European university, or those who are within five years of graduation. The 2021 Young Lawyers Award is sponsored by Interleges.

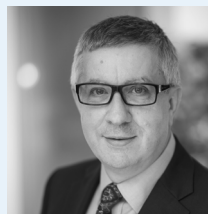


### Speakers



**Sjef van Erp (Chair)**  
Chair of the YLA Jury

Sjef van Erp is Emeritus Professor of Civil Law and European Private Law at Maastricht University, visiting Professor at Trento University and Deputy-Justice at the Court of Appeals in 's-Hertogenbosch. He is President of the International Association of Legal Science and a member of the ALI. He is a Founding Member of ELI as well as its former Vice-President, and Co-Reporter of the ELI 'Blockchain Technology and Smart Contracts' project and Co-Reporter of the 'Access to Digital Assets' project.

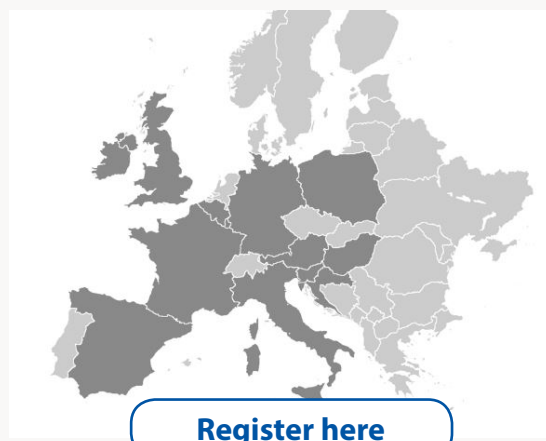


**John North**  
Representing Interleges

John North is a Partner at the London office of Royds Withy King Solicitors. As Head of the corporate team he has over 30 years of legal experience advising on corporate and commercial transactions working with clients in the UK and beyond. He specialises in M&A work and has particular expertise advising clients on the legal and business issues of entering the UK market. In addition, he is a former President of Interleges, the sponsor of the ELI Young Lawyers Award 2021.

### ELI SIG and Hub Awards | 19:45 – 20:00 (CET)

Hubs and Special Interest Groups (SIGs) are working groups which have been established for ELI Members to facilitate discussion, share and monitor legal developments, and stimulate project proposals. As such, they are of fundamental importance to ELI's success. Whereas Hubs are country specific groups, SIGs are topic specific. These groups enable ELI Members to meet periodically with each other and form connections with others that can share their expertise, and create an interactive forum for discussion. The Executive Committee extends its thanks to Members who have shown interest in and contributed to the formation and the activities of Hubs and SIGs. The Hub and SIG awards allow ELI to acknowledge the groups whose achievements in the past year have been particularly impressive.



# Detailed Programme | Day 3

## Wednesday, 8 September 2021



[Register here](#)

### Corporate Sustainability, Financial Accounting and Share Capital | 09:00 – 10:15 (CET)

Sustainable development, including sustainable finance, is one of the values of the EU as set out by the Lisbon Treaty and the need for it has been reiterated by EU Institutions and experts on several occasions. Share capital management and financial accounting thereby play an important role in ensuring sustainable finance and thus corporate sustainability, since only financially robust companies are capable of responding to environmental, social and governance (ESG) considerations, while assuring investor and creditor protections. The ELI project aims to investigate the relationship between corporate sustainability, share capital management and financial accounting to develop a statement of Principles backed by a position paper. The webinar will offer an opportunity to discuss the developments of the project as well as the current state of affairs at the European level.

### Speakers



**Corrado Malberti (Chair)**  
Project Co-Reporter

Corrado Malberti is Associate Professor of Commercial Law at the University of Trento. From 2010–2015, he was Associate Professor of Commercial Law at the University of Luxembourg, where

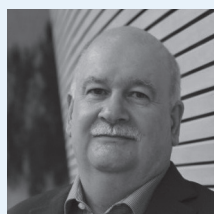
he was the Director of the Master 1 in European Law. He graduated from the University of Milan. He completed an LLM at the University of Chicago and a PhD in commercial law at Bocconi University. He has published widely in the fields of company law and financial market regulation in English, Italian and French.



**Yuri Biondi**  
Project Co-Reporter

Yuri Biondi is senior tenured Research Fellow of the National Centre for Scientific Research of France (CNRS) at University Paris Dauphine PSL (IRISSO). He is the founding editor of the journal

'Accounting, Economics and Law: A Convivium' and convener of the Society for the Advancement of Socio-Economics (SASE) Research Network in Accounting Economics and Law. He is a Co-Chair of the ELI Business and Financial Law SIG and serves on the ELI Council.



**Colin Haslam**  
Project Co-Reporter

Colin Haslam is Professor of Accounting and Finance at Queen Mary University of London. His research centres on financial reporting and business model viability. Previously he has acted as

technical advisor to the European Financial Reporting Advisory Group (EFRAG) disclosure project and the United Nations Environment Program (UNEP/GHG) carbon-risk initiative. In 2019, he gave evidence to relevant UK Government Committees' investigations on the collapse of Carillion and Thomas Cook.



**Hideki Kanda**  
Project Advisor

Hideki Kanda is Emeritus Professor at the University of Tokyo and Professor at Gakushuin University Law School in Japan. He is co-author of 'The Anatomy of Corporate Law' (3rd edn Oxford,

2017), and served as a visiting professor at Chicago, Harvard and Pennsylvania law schools. Also, he is a member of UNIDROIT's Governing Council, a member of the ALI, and a Fellow of the European Corporate Governance Institute.



**Martina Macpherson**  
Project Advisor

Martina Macpherson is Head of Environmental, Social, & Governance (ESG) Strategy and an Executive Committee member for ODDO BHF Asset Management & Private Equity.

She is also President of the Network of Sustainable Financial Markets, a NextGen think tank in Sustainable Finance. She has held several global leadership roles in ESG strategy, product development and innovation, and is involved in various academic research projects and publications in the field, among other things.

# Detailed Programme | Day 3

## Wednesday, 8 September 2021



### Ecocide | 10:30 – 11:45 (CET)

The term 'ecocide' refers to the 'devastation and destruction of the environment to the detriment of life', but no legal definition between States has yet been agreed. With the project on Ecocide, ELI aims to identify the elements of the crime of ecocide that may constitute the legal basis for the adoption of EU legislation. At the same time, the project will help raise awareness and muster support in Europe for bringing the crime of ecocide within the Rome Statute. The project will also support the current political and legal actions aimed at imposing an EU-wide and trans-boundary duty of care in order to prevent the risk of and/or actual extensive damage to or destruction of or loss of ecosystem(s) by prohibiting any natural or legal person from committing or aiding and abetting ecocide, through the imposition of criminal or civil sanctions. The webinar will provide an opportunity to discuss, taking also into account the recently presented proposal for a definition of 'ecocide' by Sand's Group, developments in the upcoming ELI project.

### Speakers



**Fausto Pocar (Chair)**  
Project Co-Reporter

Fausto Pocar is Professor Emeritus of International Law at the University of Milan. He has been an ad hoc judge at the International Court of Justice since 2017, member of UN Human Rights Committee from 1984–2000 (Vice President 1989–1990, President 1991–1992), a judge at the International Criminal Tribunal for the Former Yugoslavia from 2000–2017 (Vice President 2003–2005, President 2005–2008), an appeals judge at the International Criminal Tribunal for Rwanda from 2000–2015 and ELI Council member since 2019.



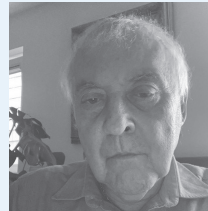
**Kate Mackintosh**

Kate Mackintosh is the inaugural Executive Director of the Promise Institute for Human Rights at the University of California School of Law. She has held multiple roles at the UN international criminal tribunals, worked in post-conflict human rights field operations in Bosnia and in Rwanda, and was for eight years legal adviser and then head of humanitarian affairs for international NGO Médecins sans Frontières. Most recently she was deputy co-chair of the Expert Drafting Panel on the legal definition of ecocide.



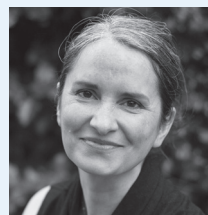
**Marie Toussaint**

Marie Toussaint is a French environmental activist, a jurist in international environmental law, co-founder of the association Notre Affaire à Tous. She was elected member of the European Parliament and joined the Greens and the European Free Alliance (EFA) Group in May 2019 and sits on the ITRE (Energy, Industry), ENVI (Environment) and JURI (Legal Affairs) Committees, where she fights for environmental justice, the recognition of nature rights and of the crime of ecocide, and divestment from fossil fuels.



**Robert Bray**  
Project Co-Reporter

Robert Bray worked for the European Parliament from 1997–2017, in the Legal Service and in the secretariats of the Committee for Legal Affairs and the Internal Market and the Committee for the Internal Market and Consumer Protection. His final position was Head of Unit of the secretariat of the Legal Affairs Committee. As a lawyer and a linguist, he also worked in private industry and for the Court of Justice of the European Communities, the European Economic and Social Committee and the Bank for International Settlements.



**Jojo Mehta**

Jojo Mehta co-founded Stop Ecocide in 2017, alongside the late Polly Higgins, to support the establishment of ecocide as a crime at the International Criminal Court. As the Executive Director of Stop Ecocide International, she has overseen the growth of the movement whilst coordinating between legal developments, diplomatic traction and public narrative. She is Chair of the Stop Ecocide Foundation and convenor of the Independent Expert Panel for the Legal Definition of Ecocide chaired by Philippe Sands QC and Dior Fall Sow.



# Detailed Programme | Day 3

## Wednesday, 8 September 2021



[Register here](#)

### ELI-Mount Scopus European Standards of Judicial Independence | 12:00 – 13:15 (CET)

The ELI-Mount Scopus European Standards of Judicial Independence project seeks to provide specific guidance to measure judicial independence in a national legal system, while promoting common standards of judicial independence across the European Union in particular. The project builds upon the Mount Scopus International Standards of Judicial Independence, which were elaborated upon by the International Association of Judicial Independence and World Peace to apply in a broad range of jurisdictions globally. These International Standards are now reviewed, updated and adjusted in particular to the situations of EU judiciaries today. The webinar will aim to discuss the advancement of this project: it will introduce the Team's first attempt at drafting standards relating to disciplinary grounds and procedures against judges as well as broader issues relating to the drafting of standards in this area.

### Speakers



**Fryderyk Zoll (Chair)**  
Project Co-Reporter

Fryderyk Zoll is Professor at the Jagiellonian University in Kraków and University of Osnabrück, doctor honoris causa at West Ukrainian National University (WUNU) Ternopil and a member of ELI Executive Committee. Zoll has been a principal investigator of grants funded eg by Deutsch-Polnische Wissenschaftsstiftung and the European Commission. He is Project Reporter of ELI-Mount Scopus European Standards of Judicial Independence. He works on approximation of the Eastern and Western Europe.

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**Milan Kristof**

Milan Kristof is a *référénaire* at the EU Court of Justice. Since 2006, he has worked for Advocates General: J Mazak, M Wathelet and E Tanchev. At the Court, Milan has worked on major cases concerning principles of EU law, independence of the judiciary, institutional law, international law, intellectual property, etc. Prior to that, Milan worked at the European Commission and in Willkie Farr LLP. He co-authored 'European Court Procedure' (Hart Publishing) and 'Bellamy & Child: EU Law of Competition' (OUP).



**Silvana Sciarra**

Silvana Sciarra is the first woman elected by Parliament as a judge at the Italian Constitutional Court. She started her mandate in November 2014, after serving as Full Professor of Labour Law and European Social Law at the University of Florence and at the European University Institute. She was Harkness Fellow and Fulbright Fellow at US Universities and Visiting Professor at several universities, including Warwick, Columbia Law School, and Cambridge. She holds Doctorate Honoris Causa in Law from the Universities of Stockholm (2006) and Hasselt (2012).



**Sophie Turenne**  
Project Co-Reporter

Sophie Turenne holds a PhD in Law from the University of Paris II Panthéon-Assas and is Lecturer in Law and Fellow in Law at the University of Cambridge, Murray Edwards College. She has authored multiple publications on judicial reform, judicial independence and accountability and has acted as an expert on judicial matters for UK and international institutions. She is an Associate Member of the International Academy of Comparative Law, and chairs the British Association of Comparative Law.



**Ksenija Turković**

Ksenija Turković is a judge and Vice-President of the European Court of Human Rights. She holds an LLM and a JSD from Yale Law School. She worked as Legal Counsel for Hunton & Williams and was an Associate in General Corporate Practice Sullivan & Cromwell (both in New York). She has been lecturing at the University of Zagreb since 1987, becoming Full Professor in 2008. She was Vice-Dean at the Zagreb Law School and Vice-Rector for International Affairs at Zagreb University.

# Detailed Programme | Day 3

## Wednesday, 8 September 2021



[Register here](#)

### Fundamental Constitutional Principles | 14:30 – 15:45 (CET)

What are and how to define the fundamental constitutional principles which form the foundations of a European liberal democratic State? Assuming that such a State is based on majority rule but is constrained by the obligation to respect the rule of law, including fundamental human rights, this ELI project covers the following principles, among others: democracy; the rule of law; the separation of powers; the right to judicial protection, including judicial independence and judicial control (eg judicial review); accountability, including ministerial responsibility; fundamental rights as a component of the liberal democratic state. The Project Team is elaborating upon a statement of Principles and an aid to the users of law, eg courts. It will contribute to the public debate on the core constitutional values of Europe and will increase the capacities of national authorities to address issues related to judicial cooperation in civil and criminal matters, among others. The purpose of the webinar is to present and discuss the developments in the project.

### Speakers



#### Lord John Thomas (Chair)

Project Assessor

Lord John Thomas served as Lord Chief Justice of England and Wales from 2013–2017 and was President of the European Networks of Councils for the Judiciary from 2008–2010. He is President of the

Qatar International Court, a practising arbitrator, Chairman of the London Financial Markets Law Committee and sits in the United Kingdom Parliament as a member of the House of Lords. He is Chancellor of Aberystwyth University and an Honorary Fellow of Trinity Hall, Cambridge. He is First Vice-President of ELI.



#### Adam Bodnar

Adam Bodnar is a professor and a lawyer specialising in constitutional law and human rights. He was the Commissioner for Human Rights of the Republic of Poland (2015–2021) and Vice-President of the Helsinki Foundation of Human Rights (2010–2015). He has been working with many NGOs, including Panoptikon Foundation, ClientEarth Poland, Professor Zbigniew Hołda Association. He is an author and co-author of numerous scientific publications. Since August 2021 he has been Dean of the Law Faculty of the SWPS University in Warsaw.



#### Takis Tridimas

Project Co-Reporter

Takis Tridimas is the Chair of European Law at the Dickson Poon School of Law, King's College London and Director of the Centre of European Law. He is also Professor at Pennsylvania State

University and a Barrister in Matrix Chambers. His interests include the constitutional law of the EU, judicial protection, banking and financial law, and comparative law. He is the author of numerous publications, including Schütze and Tridimas (Eds) 'Oxford Principles of European Union Law, Volume I: The European Union Legal Order'.



#### Elise Muir

Project Co-Reporter

Elise Muir is Professor of EU Law at KU Leuven. She has a particular interest in EU constitutional and fundamental rights' law, as illustrated by her two monographs in the field (Kluwer, 2012; OUP, 2018). She is the Principal Investigator of the RESHUFFLE project (European Research Council) which deals with the transformation of the institutional landscape for the protection of fundamental rights in Europe. She is currently finalising a handbook on an 'Introduction to the EU Legal Order' (CUP, 2022).



#### Renata Uitz

Renáta Uitz is Professor of Comparative Constitution Law at Central European University (CEU), Vienna. Her current work focuses on constitutionalism and the rule of law in the wake of illiberal political practices. At CEU's Democracy

Institute in Budapest she is about to start a new collaborative research project titled Towards Illiberal Constitutionalism in East Central Europe, funded by the Volkswagen Stiftung. Most recently she co-edited the 'Routledge Handbook of Illiberalism' (2021, forthcoming).

# Detailed Programme | Day 3

## Wednesday, 8 September 2021



[Register here](#)

### The Concept of Corporate Criminal Liability | 16:00 – 17:15 (CET)

Corporations contribute to and profit from crime. From the point of view of society, it only seems fair to hold them liable for the crimes committed to their benefit. However, the liability of corporations for crime is a complex legal question. As a legal entity is a legal fiction, its acts are performed through human beings. The question on how the conduct of human beings can be attributed to the legal entity (by a formal relationship or by a material criterion) remains open. The prospective project will look at existing legal Acts and case law in the EU and its Member States as well as comparative studies with the aim of preparing model rules on the concept of corporate criminal liability. The webinar will offer an opportunity to discuss the current state of affairs in the EU as well as the findings of the ELI feasibility study, touching upon the liability of company directors and officers, the relationship between corporate criminal liability and individual criminal liability and the effectiveness of sanctions with regard to legal persons.

### Speakers



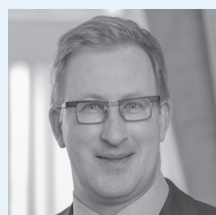
**Celina Nowak (Chair)**  
Project Proposer

Celina Nowak is the Director of the Institute of Law Studies of the Polish Academy of Sciences and a Professor at Kozminski University. Her research interests focus in particular on European, comparative and international criminal law. She has published various articles and chapters in edited books in Polish, English and French. She is the author of two monographs and editor and co-editor of ten more. She has taken part in many comparative law research and consultancy projects in Poland and abroad.



**Peter Csonka**

A specialist in international and European criminal law, Peter Csonka started his career as a prosecutor before joining the Council of Europe and later the International Monetary Fund. He now works for the European Commission as the Head of General Criminal Law in DG Justice. His main achievements include setting up the European Public Prosecutor's Office (EPPO). Csonka is a Visiting Professor at the 'Europa Institute' in Saarbrücken and lectures at the University of Luxembourg.



**Marc Engelhart**

Marc Engelhart is an Adjunct Professor of Criminal Law within the faculty of law at the Goethe University in Frankfurt am Main (Germany) and a researcher at the Max Planck Institute for the Study of Crime, Security and Law in Freiburg (Germany). He is an international expert in the area of economic and financial crimes with a focus on corporate and leadership accountability and compliance. He regularly advises national and international institutions on aspects of comparative law and EU Law.



**Willem Geelhoed**

Willem Geelhoed is Associate Professor of Criminal Law and Criminal Procedure at the University of Groningen and a judge at the Arnhem-Leeuwarden Court of Appeal (criminal division). His research focuses on the progressive development of EU criminal law, on organised and financial crime and on the functions of prosecution services from a comparative perspective. He also is a member of the Meijers Committee, a committee of experts in European immigration, refugee and criminal law.



**Fabio Nicolichia**  
Project Proposer

Dr Fabio Nicolichia is a Researcher in Criminal Procedure at the University of Ferrara. He is the author of a monograph regarding new surveillance techniques in criminal investigations and of many articles published in peer-reviewed journals. He specialised in the issue of trials against corporations, which he addressed in his doctoral thesis and for which he received a visiting scholarship at the School of Law of the University of Miami. He also practices as a criminal law expert in white-collar crimes.



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#### Hungarian Yearbook of International Law and European Law

Editors: Marcel Szabó, Laura Gyeney, and Petra Lea Lantos

The Hungarian Yearbook of International Law and European Law is a collection of articles written mostly by Hungarian authors covering developments in the field of international law and EU law, and progress in domestic implementation and application of these fields of law. The Yearbook also contains numerous articles analysing well-known Hungary-related cases and their assessment from the perspective of Hungarian legal experts. The Yearbook offers a comprehensive picture of the state of application and implementation of EU law and international law in Hungary.

Read more [here](#).

#### European Employment Law Cases

Editors: James Davies, Zef Even, Ruben Houweling, Effie Mitsopoulou et al

European Employment Law Cases (EELC) publishes mainly 'case reports' and summaries of recent relevant judgments by the Court of Justice EU. The case reports are English language summaries of recent judgments by courts all over Europe on issues that can be relevant to practitioners of employment law, with commentaries both by the author and by lawyers from other countries. Some examples of the topics covered: transfer of undertakings, discrimination (gender, age, disability, religion, etc), working hours, maternity protection, fixed-term contracts, collective redundancies, privacy, paid leave, information and consultation, temporary agency work, free movement. It can help your clients, reputation and court cases if you know what the courts in other countries are doing.

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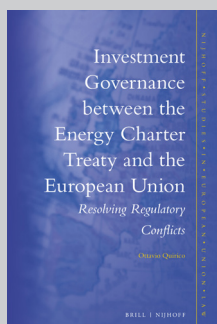


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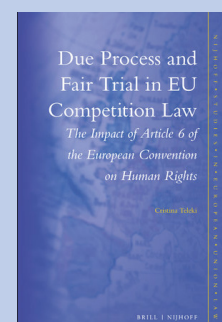
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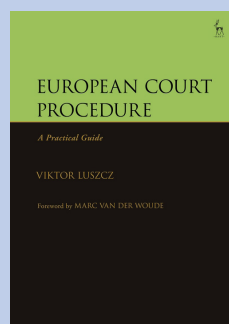
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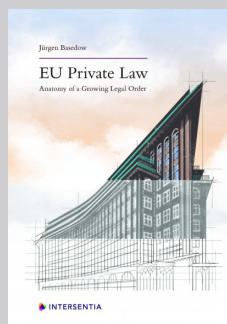
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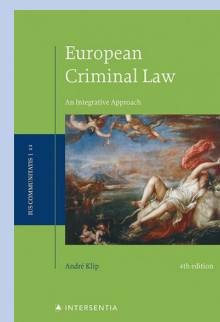
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