

Joint Statement of the European Law Institute (ELI) and the Research Network on EU Administrative Law (ReNEUAL)

ReNEUAL was set up in 2009. Its mission was to develop a set of model rules on EU administrative procedure. These model rules are meant to reinforce general principles of EU law and to codify best practices identified in existing EU legislation or national legal orders. One of the objectives of the ELI – founded in 2011 – is to strengthen the dialogue between academia and legal practitioners in order to make an informed contribution to European law-making on issues of a truly European dimension. In order for the proposed EU administrative procedural law to reach the broadest possible audience and achieve the best possible results ReNEUAL and ELI decided in 2012 to cooperate on the development of the Model Rules on EU procedure, which were drafted and developed by ReNEUAL. In 2012 ELI agreed to cooperate on the ReNEUAL project „Towards Restatements and Best Practice Guidelines on EU Administrative Procedural Law”.

For the ELI this type of cooperation was an experiment with an unconventional format. The fact that ReNEUAL had already worked for several years on developing the project, meant that it was possible for ReNEUAL to move to the final stages before the ELI could fully follow its own internal procedures to substantively review and adopt all the detailed provisions of the Model Rules.

Publication of the Model Rules therefore takes place without the Model Rules being put formally in the format of an „ELI instrument“. Nevertheless, important substantive elements of the ELI method, such as diversity and inclusion of academics and practitioners, were included.

The ELI and ReNEUAL recognize this process as mutually beneficial and enriching. The joint process meant that various bodies established by the ELI including a membership consultative committee were included in the discussion. Amongst the joint activities special mention is made of a conference organized in cooperation with the European University Institute’s Centre for Judicial Cooperation in Florence in February 2014. This enabled discussion with high-level national and European judges and contributed constructively to the development of the Model Rules.

The ReNEUAL Model Rules 2014 have greatly benefited from the ELI/ReNEUAL joint efforts. This cooperation is now the basis for further joint activities in order to improve EU administrative procedure law.

Both the ELI and ReNEUAL are convinced about the benefits of their future cooperation and collaboration.

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