

ASSER
INSTITUTE



Centre for International & European Law



T.M.C.
Asser Instituut
Annual Report 2011

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Foreword

I am pleased to present the annual report 2011 for the T.M.C. Asser Instituut.

This report covers the period January – December 2011. It demonstrates our continued commitment to our many stakeholders and clients and provides a summary of the many activities carried out and accomplishments achieved by staff at the Institute towards fulfilling our mission which is to be innovative and successful in the creation, transfer and application of new knowledge in the broad field of international law.

The year 2011 was both challenging and rewarding. In keeping with our strategy and with a keen eye on developments in our operating environment, we have initiated and responded well to changes impacting on our activities. As a largely, publicly-funded knowledge Institute, we engaged with our regional and global environment seeking dynamic and multiple interactions with our stakeholders (universities, governments, NGOs, businesses etc) to enable us to be successful in our operations.

We continued to build on our reputation for high quality research, evidence based policy and consultancy advice, innovative, interdisciplinary (executive) education programmes and dissemination activities, for a diverse international audience and in doing so created relevant and strong public value.

Throughout the year our excellent publications, training courses, public dialogues, and quality seminars on a range of topics have contributed to building capacity and the expertise of the wider legal community in The Netherlands and beyond.

Together with our partners from the Hague Institute for Global Justice, The Hague Conference on Private International Law, The Royal Netherlands Society of International Law, The Permanent Court of Arbitration, The Netherlands Ministry for Foreign Affairs, The Municipality of The Hague, The Norwegian Embassy and the Carnegie Foundation, we closed the year with a momentous conference to celebrate the centennial of Tobias Asser's receipt of the Nobel Peace Prize.

Rest to say, as this report demonstrates, we have had a successful year. When perusing the following pages, you, the reader, will be impressed by the sheer diversity of activities, coverage and reach. The report reflects the commitment to research and research support of all staff at the T.M.C. Asser Instituut and indeed our research and business associates in The Netherlands and worldwide. It also reflects the continued advice and support we have received from a constructively critical Governing Board whose members bring to bear on our work their high-level experience drawn from the academic communities. I am extremely grateful to them all.

We are proud to have finished the year with the Institute in better shape, and for having played our part in shaping a profession that is fit for its future.

Ann O' Brien
Executive Director

Introduction

T.M.C. Asser Instituut

Located in the 'international zone' of The Hague – the City of Justice, Peace and Security, The T.M.C. Asser Instituut – a distinctive, inter-university research Institute specialised in International and European law – is a unique clustering of knowledge and experience in scholarly research, education and training, knowledge management and dissemination, publishing and academic community organizing.

The Institute's international community of scholars is engaged in research, postgraduate training and dissemination of knowledge in furtherance of the purposes and principles of international law. This inter-university Institute cooperates closely with and supports the Dutch universities' activities in the relevant disciplines and is in turn vastly networked to universities and institution, governments and NGOs on a global level.

The academic fields covered by the Institute are Private International Law, Public International Law, Law of the European Union, International Commercial Arbitration, International Humanitarian Law, International Criminal Law and International Sports Law.

Partner universities: Vrije Universiteit Amsterdam, Amsterdam University, Erasmus University Rotterdam, Tilburg University, Maastricht University, Leiden University, Utrecht University,

Radboud University Nijmegen, University of Groningen and University of Twente.

Asser's strength is recognized by a diverse group (International legal institutions, researchers in international universities, publishers, ministries, Nederlandse Orde van Advocaten, European Commission) as a prestigious, high quality, flexible and dynamic entity – a mandated body and proactive centre of expertise in (niches of) international law.

Mission & Scope

Since its inception in 1965, the Institute has aspired to further legal research and scholarship, preferably on an inter-university basis, through initiating, supporting and realising innovative, scholarly research, publications, networks, and postgraduate/executive education. It also aspires to play a pivotal role in initiating and facilitating dialogue and other activities among academics and professionals which are of importance in disseminating in-depth and broad knowledge of International Law and European Law in the Netherlands and beyond, whilst contributing to the strengthening of The Hague's position as the City of Justice, Peace and Security.

The Institute has an excellent reputation at national and international level for its development, organisation and hosting of conferences

and academic meetings, demand driven post-graduate programmes and training. Its ancillary websites and data collections all contribute to a coherent and integral strategy in the area of knowledge transfer.

The Institute has its own publishing house, T.M.C. Asser Press which not only serves the publishing needs of the T.M.C. Asser Instituut, but also those of academics and practitioners worldwide in the fields of International and European Law.

Asser in a Global Perspective

Globalisation has been challenging International Law at an unprecedented level. Major legal issues and approaches transcend national boundaries and frequently require international collaboration and know-how to make further progress. It is increasingly recognised that domestic issues are better understood when addressed with a global perspective.

Asser's reputation and reach is far-ranging. From its location in the World's legal capital - The Hague - the Institute has, through the years interacted with, and hopefully played a small but significant role in advancing knowledge amongst, judiciary and practitioners, on virtually every continent, from the premise that a country's economic, political, and democratic development depends on the foundation of the rule of law.

The T.M.C. Asser Instituut is a network organisation, interacting with and benefiting its many stakeholders and relationships. It is precisely these associations and the combinations thereof that enable the Institute to be innovative and successful in its undertakings. Identifying needs and interaction and cooperation with associates on national and international levels result in overcoming the economic hurdles and challenges related to economies of scale, and steers towards satisfying collective needs.

The Institute, as founding partner of The International Centre for Counter-terrorism, The Hague (together with The Netherlands Institute of International Relations 'Clingendael' and The Centre for Terrorism and Counterterrorism, Campus The Hague/Leiden University) exemplifies this role.

Through working with and for governments, supreme courts, academia and practitioners, we have designed, developed and delivered a truly broad and comprehensive range of products and services with the financial aid of, among others, world players such as USAID, UNDP and the European Commission.

Our contribution extends not only to the participants who attend our trainings and events. It reaches a plurality of stakeholders all over the world through our network of alumni who continuously spread gained knowledge and skills in their own countries.

Our international network has again this year, increased in size, as has our global impact.





Research & Consultancy



The research department of the T.M.C. Asser Instituut encompasses four individual research clusters, each with specialised expertise in the fields of public and private international Law, EU Law and international & European sports Law. Researchers are active in carrying out academic and applied research, PhD candidate supervision, consultancy, professional training, knowledge dissemination and valorisation.

Asser's academic research programme is anchored in the inter-university research programmes of its constituent and other international universities. In 2011, the Institute's research department numbered 10 PhD candidates and 10 senior research fellows. An additional 10 visiting scholars were welcomed to the Institute to conduct their individual research on the premises.

The breadth and impact of Asser's research output ranges from books, edited volumes and scientific publications in international peer-reviewed journals to contract research which feeds into policy-making at national, European and international levels. Examples include:

- S. Blockmans, "Beyond Conferral: the role of the European External Action Service in decision-shaping", in J. Larik and M. Moraru (eds.), "Ever-Closer in Brussels, Ever-Closer in the

World? EU External Action After the Lisbon Treaty", *EUI Working Paper LAW 2011/10*;

- McDonald and H. Brollowski, "Security", "Security Zones", and "Requisition", in R. Wolfrum (ed.), *The Max Planck Encyclopedia of Public International Law*, Oxford University Press, online edition, [www.mpepil.com];
- W. Douma, "Legal aspects of the EU biofuels policy: protection or protectionism?", in *German Yearbook of International Law 2010*, vol. 53, 371-420;
- V. Lazić, "Cross-Border Insolvency and Arbitration: Which Consequences of Insolvency Proceedings Should be Given Effect in Arbitration?", in S. Kröll et al (eds.), *International Arbitration and International Commercial Law: Synergy, Convergence and Evolution, Liber Amicorum Eric Bergsten*, Kluwer Law International (2011), 337-363;
- Claudio Matera, "La coopération frontalière avec les états tiers voisins", in J.-C. Martin (ed.), *La gestion des frontières extérieures de l'Union européenne. Défis et perspectives en matière de sécurité et de sûreté*, Pedone, Paris, 2011;

- T. Takács et al (eds.), *Governmental System in Central and Eastern European States* (Warsaw, Kluwer Polska 2011).

In the sphere of academic cooperation, special mention is afforded:

- The activities and publications of the Centre for the Law of EU External Relations (www.cleer.eu) and the International Humanitarian and Criminal Law Platform;
- The inaugural lecture of Prof. Dr. R. Siekmann (“What is Sports Law? A Reappraisal of Content and Terminology”, Erasmus University Rotterdam, School of Law, 10 June 2011);
- The positive reviews from the Criminal Law Forum and from the jury of the Max van der Stoep Human Rights Award 2011 for the PhD of Dr. Christophe Paulussen (“Male captus bene detentus? Surrendering suspects to the International Criminal Court”, defended on 24 September 2010 at Tilburg University);
- The award of a Calker Scholarship to enable Steven Stuij to conduct part of his PhD research at the Swiss Institute of Comparative Law.

Apart from its academic strength, the Institute is also competent in delivering timely, evidence-based knowledge and advice to a broad stakeholder base. Its experience in capacity building and providing technical support to judiciaries and public administrations in Central and Eastern Europe, Asia and the Middle East, coupled with its extensive international networks of experts, and its know-how in undertaking policy-relevant research justifies its strong international reputation for content and quality.

The Institute’s academic standing makes consultancy a natural extension of its research work. In addition to providing expert opinions to Dutch and international law firms, courts, businesses and enterprises, legal advice is also provided to national and international governmental and non-governmental organisations, including ministries, the European Union, Council of Europe and the United Nations. The Institute’s specific expertise in the above-mentioned fields is complementary in nature to that of other specialised (commercial) entities and as such Asser research staff frequently joins forces with combinations of external parties, working together to make significant contributions to a wide ranging clientele, in the Netherlands, in Europe and further afield.

The impact of our applied research is evident from the 2011 highlights that include several studies carried out for the European Commission as follows:

- Under **DG HOME’s ISEC** programme “Prevention of and fight against crime” the Asser Institute is leading a consortium that includes the Dutch Ministry of Security & Justice and the Polish Institute for International Affairs (PIIA/PISM) to map and analyse issues on “Preventing corruption and bribery committed by legal entities for the purpose of financial and economic gain”. This study aims to reveal how and to what extent Member States of the EU have adopted national measures related to the prevention of and fight against the crimes of fraud, corruption and bribery committed by legal entities and/or their directors, including the exchange of information on disqualifications of persons entitled to legally binding those entities in order to attain the objectives mentioned in the EU and international legislation.

- For **DG Environment**, the Institute carried out a “Study of the provisions on penalties related to legislation on Industrial Installation” aimed at providing legal support to create an objective and exhaustive overview of how the EU environmental requirements for industrial installations are being implemented and enforced in practice.
- For **DG MARKT**, the Institute has partnered with Matrix Insight London in the implementation of a study on the “Services Directive: Assessment of implementation measures in Member States”.

The Institute’s academic standing makes consultancy a natural extension of its research work.

- For **DG JUST**, the Institute has again joined forces with Matrix Insight London in a three-year framework contract on “The Supply of Impact assessment, Evaluation and Evaluation Related services in the area of Justice, Fundamental Rights and Citizenship”. In 2011, this consortium has been awarded with, inter alia, the “Study for elements of the impact assessment on the Framework Decision 2005/214/JHA on the application of the principle of mutual recognition to financial penalties” and the “Impact assessment on feasibility, economic and social impact and the costs and benefits of possible EU measures on gender quotas in company boardrooms”.

The T.M.C. Asser Instituut has also carried out contract research and technical assistance projects for the Ministry of Foreign Affairs of the Netherlands, most notably under the **MATRA** programme in support of the judicial academies of Serbia (“The Right to Judicial Protection: Administration of Justice in Cross-border Disputes”) and Macedonia (“Working with jurisprudence”, in cooperation with CILC), and of the Institute for Legislation of the Verkhovna Rada (Parliament) of Ukraine (“Legal Implications of Better Regulation: European and Ukrainian Approaches”).

In these and other efforts and successes, we rely on our excellent relationships and networks with the Dutch and international universities, consultancies and national and international organisations: International Centre for Counter Terrorism, GIZ, Human Dynamics, CILC, The Hague Institute for Global Justice, Embassies, Agentschap NL, Dutch Council for the Judiciary and many more.

For a complete list of our research activities and achievements in 2011, see www.asser.nl/annualreport2011



Education & Training



"(...) I work as a criminal High Court judge and I think that the topics discussed this week were very useful to me. When I apply international law I must consider whether it is incorporated into our law"

Participant of the HFJE Course for Sri Lankan Judges, April 2011

The T.M.C. Asser Instituut is a leading and authoritative provider of executive and postgraduate education to students and professionals operating in the judicial sector. The Institute has a long-standing reputation for quality and excellence and is accomplished in recognising the unique challenges faced by today's legal practices.

Our tailor-made training programmes are designed specifically to address the unique demands of our clients. Each programme has a high degree of flexibility and competence, taking advantage of our academic integration and our extensive network of excellent and renowned speakers and teaching staff.

Working with partners from complimentary fields we are successful in creating truly unique and highly relevant programmes on a variety of subjects and levels for a diverse range of participants including among others students, judges, prosecutors, legislators, civil servants, diplomats and lawyers.

The breadth and impact of Asser's training programmes range from capacity building in developing countries judiciaries towards strengthening the rule of law to interdisciplinary knowledge development for students and professionals through providing the legal framework pillar for topics including war reporting, CRBN issues,

counterterrorism as well as providing contributions to curricula of international (USA & Lebanon) law degree programmes.

Our accomplishments in 2011 have helped further establish Asser (internationally) as a valued provider of quality expertise. A total of 16 tailor-made training programmes were developed and delivered (in The Hague and abroad).

Highlights include:

- The development and successful delivery of the **"Advanced Summer Programme in The Hague on Countering Terrorism in the Post 9/11 World"** together with our partners from the International Centre for Counter-Terrorism (www.icct.nl). This programme saw a team of (inter)national leading experts working in the field of counter-terrorism address and interact with participants (graduates and young professionals), interested in pursuing a career in counter-terrorism and related fields of work and in doing so helped provide them with a deepened understanding of issues such as the phenomena of violent radicalisation and terrorism, the contemporary methods to counter it and the applicable international legal framework.

“As a new officer in the field, the course will now serve as a guiding tool to my daily work. I do not foresee a day without referring to this know-how.”

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Participant of the Summer Training Programme on WMD and non-proliferation, September 2011

• **Good evening Lebanon! This is The Hague calling...**

Together with the Special Tribunal for Lebanon and no less than eight Lebanese universities, we are the architects of the development and the delivery, via Live streaming from The Hague to Beirut, of a 14 strong series of **bi-weekly lectures on International Criminal Law and Procedure** to some 130 advanced (law) students. This innovative and unique method of knowledge delivery, which has already been praised for its effectiveness by many distinguished speakers, enables the Lebanese students to receive first-rate tuition from prominent (international) practitioners and academics, located in the international tribunals and universities in The Hague and in the Netherlands. The the kick-off lecture on 1 November 2011 delivered by Judge Sir David Baragwanath, President of the Special Tribunal for Lebanon, was seminal in setting the level of this initiative.

• The second **Summer School on Disarmament & Non-Proliferation of Weapons of Mass Destruction in a Changing World** in cooperation with the Organisation for the Prevention of Chemical Weapons (OPCW). This unique programme attracted participants from 14 different countries.

• The development and delivery of two comprehensive **MATRA** training programmes together with both the ministries of Security and Justice and Foreign Affairs, the Council for the Judiciary and Agentschap NL: The trainings were developed for (potential) candidate and Eastern Partnership countries.

MTEC Administration of Justice - from an organizational and policy perspective (for judges, prosecutors and civil servant from national ministries of Justice and other (governmental) organisations involved in the Rule of Law). The curriculum addressed the deficiency of knowledge and practical experience among potential EU member state candidates in the area of repositioning the organisation of their judicial procedures on both the organisational and policy fronts.

MTEC Legislation – (senior civil servants, experts and policy makers) addressed the need to align national legislation with the ‘*acquis communautaire*,’ in the target countries with a view to capacity building within the respective government and government related organizations such that these units are better equipped to respond to policy and implementation issues.

The T.M.C. Asser Instituut is:

- A signatory of the Gedragscode¹ (Landelijke Commissie Hoger Onderwijs)
- An ABA² approved partner in (US) law school curriculum
- NOVA (Nederlandse Orde van Advocaten) recognised provider of education and training for the judiciary.
- Mandated Body for twinning activities.

A detailed list of all our 2011 training programmes can be found at www.asser.nl/annualreport2011



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“Interesting to have the already discussed legal theories applied to military/conflict realm”

Participant of the Advanced Summer Programme on Countering Terrorism in the Post 9/11 World, August 2011

¹ De Gedragscode internationale student in het Nederlandse hoger onderwijs (Code of Conduct) garandeert de kwaliteit van het hoger onderwijs aan buitenlandse studenten.

² ABA (American Bar Association). ABA's most important stated activities are the setting of academic standards for law schools, and the formulation of model ethical codes related to the legal profession.



Network & Events



Instrumental to facilitating and promoting academic research is the organisation of a wide range of (international) academic and other conferences and other events.

During the course of 2011, The T.M.C. Asser Instituut conceived and hosted a full programme of events designed to enhance the knowledge and networks of the community it serves in The Hague, The Netherlands and beyond. These events have been responsible for bringing together various communities (leading legal scholars, faculties, students, policy makers, practitioners and other professionals) and delivering rich content to these specific interest groups on-time and to specification, whilst providing participants with the opportunity to convene, share, discuss and explore current and new knowledge and developments relevant to their specific interest areas.

Broader networks include Asser's participation and involvement with The Hague Institute for Global Justice (THIGJ), The Hague Academic Coalition (HAC), The Netherlands Society of International Law (NVIR), The International Centre for Counter Terrorism, The Hague (ICCT), and more.

In 2011, we conceived and delivered some 50

Lectures, Conferences, Seminars and Round Tables to more than 2,000 registered attendees, often in partnership with other organisations.

Highlights include:

- The expert conference “**On the Front Line of Accountability – War Reporting and Related Contemporary Issues in International Humanitarian and Criminal Law**” as part of the launch activities of the Inter-Faculty Research Platform on International Criminal and Humanitarian Law initiated by the University of Amsterdam, the T.M.C. Asser Instituut, Leiden University and the Free University Amsterdam.

This conference examined interrelated issues pertaining to the multi-layered relationship between the media – specifically war correspondents – and the existing legal framework of international humanitarian (IHL) and international criminal law (ICL).

The conference involved participants with both practical and academic experience in the areas of international criminal law, international humanitarian law, the political and social sciences and war journalism. The Royal Netherlands Academy for Sciences (KNAW) provided financial support.



- The International Conference **“EU as a polity in International Law”** (June 2011) where leading experts convened to discuss whether the Lisbon Treaty has overcome this dilemma by constructing the EU as a democratic polity without turning the Union into a state and if so, what are the consequences for the place of the EU as a polity in international law and for its role in international relations? The conference was organised in cooperation with the Carnegie Stichting/Peace Palace Library, Euroknow and CLEER and was co-funded by the Veteranenfonds.
- the **4th Annual International Conference “Nuclear Dilemmas: Present and Future”, Peace Palace, The Hague** (August 2011) organized together with the Embassy of the Republic of Kazakhstan and the Dutch Ministry of Foreign Affairs. Keynote speakers were the Dutch Minister of Foreign Affairs, Mr. Uri Rosenthal and

Mr. Kanat Saudabayev, Secretary of State of Kazakhstan. The conference addressed Disarmament challenges in a changing world; Non-proliferation and strengthening the enforcement regime and nuclear renaissance: a need for a new safety & security pillar?

- The Commemorative Conference **“Inspiration and Innovation in International Law”** (December 2011) to mark the 100th anniversary of the receipt of the Nobel Peace Prize by the Dutch lawyer, Mr. Tobias Asser. The conference reflected on Asser’s legal and political heritage and at the same time to address the lessons to be learned from Asser in dealing with contemporary global challenges.
- The ongoing, successful weekly Supranational Criminal Law Lecture Series (SCL). The T.M.C. Asser Instituut, the Grotius Centre for International Legal Studies of Leiden University and



the Coalition for the International Criminal Court (CICC). This lecture series spotlights issues central to a coherent understanding of the judicial function in the context of international criminal justice. The series focuses on interaction and the exchange of ideas amongst participants.

A detailed list of all our 2011 networks & events activities can be found at www.asser.nl/annualreport2011.

“The conference, co-organized by Kazakhstan and the Netherlands was a symbol of the intense and close relations between the two countries, especially in such important issues as nuclear non-proliferation and disarmament”.

Uri Rosenthal, Minister of Foreign Affairs



Asser Press



ASSER PRESS

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he T.M.C. Asser Instituut's publishing unit plays a significant role in efforts to build the capability of the law profession.

T.M.C. Asser Press, together with members of the Law Faculties of Dutch and foreign universities and staff members of the international organisations in The Hague and abroad, continues to support and platform academic cooperation through the publication of journals, and books.

With its strong international distribution channels achieved through its partnership with both Cambridge University Press and Springer Verlag, the T.M.C. Asser Press journals and books enjoy broad international distribution and readership. Despite the volatile world economy and being confronted with reduced library budgets the Press performed well in 2011.

Key figures for 2011 include:

The publication of **23 new book titles and 16 journal issues.**

- An increase in the number of consortia subscribers to its Journals distributed through Cambridge Journals Online. More than **1800 libraries worldwide now have on-line access to our journals** resulting in greatly

increased visibility and usage.

- *The European Constitutional Law Review (EuConst)* saw its **impact factor rise from 0.708 to 0.740** in the important Science Citation Index (SCI) of Thomson Reuters (Philadelphia, USA).
- **First time inclusion in The Science Citation Index** for *The European Business Organizational Law Review (EBOR)*.
- *The European Constitutional Law Review, the European Business Organization Law Review and the Hague Journal on the Rule of Law* accepted in Westlaw UK, and as per March 2012 also in LexisNexis.
- **All new 2011 English titles are available in hardcopy and e-book format.**
- **The inclusion of all T.M.C. Asser Press titles in Thomson Reuters' new Book Citation Index (BCI), which was launched in October 2011.**
- The publication of a new edition of *Elementair Internationaal Recht/Elementary International Law – 2011* in collaboration with the Dutch law faculties.
- The publication of the commemorative book entitled **T.M.C. Asser [1838 – 1913] Founder of the Hague Tradition** (A. Eyffinger) in celebration of Tobias Asser receiving the Nobel Prize for Peace in 1911.

- The publication of the *Netherlands Yearbook of International Law*, Volume 41 (2010), with the special theme “Necessity across International Law”, under the General Editorship of Ige Dekker and Ellen Hey.
- The appearance of Volume 13 (2010) of the *Yearbook of International Humanitarian Law* (Michael Schmitt, General Editor).
- The successful launch of the new series *Legal Issues of Services of General Interest* (Eds. J. van de Gronden, E. Szyszczak, U. Neergaard, M. Krajewski) at the SSGI Conference in Copenhagen (May 11-12).

Once again the Press has had an active and successful year in acquiring, publishing and promoting its publications at major national major international conferences, such as the American Society of International Law (Washington, DC) and the European Society of International Law (Tallinn,

Estonia). But also through book presentations such as that held for the book entitled *Inleiding Humanitair Oorlogsrecht* (Eds.: B.R. Pieters, A. Vermeer), which was published in cooperation with the Dutch Red Cross, and that for *De Regels & het Spel: Opstellen over Recht, Filosofie, Literatuur en Geschiedenis* (Eds: J.H. Reestman, A. Schrauwen, M. van Montfrans and J.H. Jans), which was published on the occasion of EuConst’s Editor-in-Chief Tom Eijsbouts’ retirement from the University of Amsterdam.

T.M.C. Asser Press further improved its new and innovative website (www.asserpress.nl), which will service customers and authors worldwide with up-to-date information on its publications.

For a complete list of all Asser Press activities and achievements in 2011, see www.asser.nl/annualreport2011





Financial Overview



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he T.M.C. Asser Instituut is partially funded by public resources. The 1st money stream (administered by the University of Amsterdam) accounts for approximately two thirds of the Institute's income. The remaining income is earned through undertaking project based activities for national and international stakeholders including the European Commission (through tendered projects, Jean Monnet funds) and the Netherland's Ministries (through tendered projects, training and conferences). Many other national and international organisations have contributed to the total returns of the T.M.C. Asser Instituut in 2011.

The Institute's financial statements for 2011 are synthesised below and are in the process of being audited by our independent auditors, KPMG. Taken together, they present an Institute faring well in the face of economic malaise in its operating environment.

Our operating revenues are derived primarily from the 1st and third money streams. 3rd money stream = returns from contract research and consultancy, Asser Press publications, education and training programmes and events.

For the year 2011 it was estimated that both the operating revenues and operating expenses would each be in the range of € 3,500,000. We are pleased to announce that again in 2011 our operating expenses have remained in line with our operating revenues.

The Institute's annual operating revenues for the year 2011 were € 3,482,000. A modest operating loss of € 1,000 was achieved after giving effect to expenses of € 3,483,000.

The Institute's net assets totalled € 935,000 at the end of the financial year 2011, which is a decrease of 0% on 2010. Annual operations contributed negatively to the net assets.

It remains that in order for the Institute to continue to function as a vital research organisation, a steady amount of new outside financial support must be secured.

The Statement of Activities below shows operating revenues and expenses for the year 2011. These amounts are similar to the figures for each of several prior years.

STATEMENT OF ACTIVITIES 2011

Revenues	1 st money stream	€ 2,307,000
	2 nd & 3 rd money streams	€ 1,175,000 +
	Total revenues	€ 3,482,000
Expenditure		€ 3,483,000 –
Result		€ 1,000 -/-



Organisation



As a result of organisational restructuring at the University of Amsterdam (Penvoerder), the T.M.C. Asser Instituut has been repositioned to fall under the faculty of Law rather than directly under the Senate (CvB) in the University of Amsterdam. The Dean of the Law faculty is now responsible for mediating T.M.C. Asser affairs with the Senate of the University of Amsterdam. The Dean of the Law Faculty in Amsterdam (Prof. Dr. E. du Perron) is the University of Amsterdam's mandated Governor of the T.M.C. Asser Instituut.

Governance

The T.M.C. Asser Instituut is governed by its Governing Board and Executive Board.

Governing Board

The Governing Board is responsible for the governance and overall management of the T.M.C. Asser Instituut such that the Institute's strategy and policies embody its mission and objectives. It comprises an Independent Chairman and Representatives of the University of Amsterdam, the VU University of Amsterdam, the University of Groningen, the Radboud University Nijmegen, Leiden University, Maastricht University, the Erasmus University Rotterdam, Tilburg University and Utrecht University.

Executive Board

The Executive Board directs and controls the affairs of the Institute and comprises an Independent Chair, and two Board members representing the constituent universities.

During 2011, the Directorate of the T.M.C. Asser Instituut convened on a number of occasions with its Executive Board. The Institute's leadership, its positioning in relation to the Hague Institute of Global Justice, its relationship with the Dutch Universities law faculties as well as the financial position of the Institute and its development within the framework of the Covenant with its governing body, the University of Amsterdam, were relevant agenda items.

Directorate

The Directorate, responsible for the daily steering of the Institute comprise a General Director and an Executive Director.

Management Team

The Management team comprise the Directorate and the Heads of the following departments: Research, Human Resources, Operations, Education & Events, Finance & Control and T.M.C. Asser Press.

Organisation

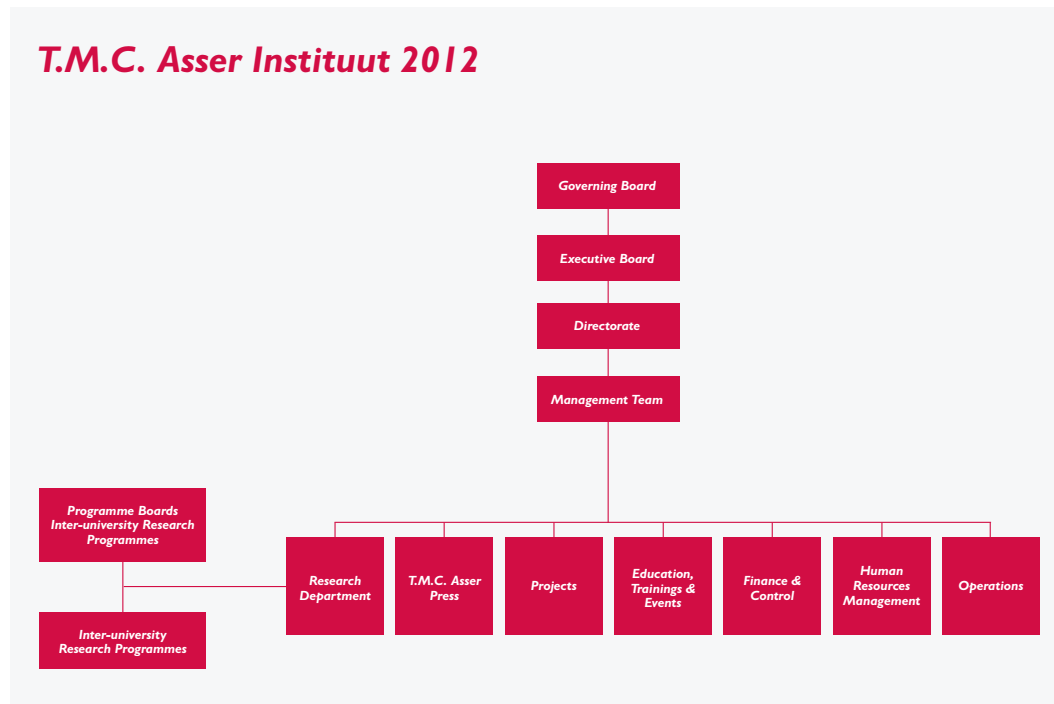
Management encourages a culture where staff development is a continuous process and is a key accountability of all managers. Staff members are encouraged to develop their knowledge and skills and to work effectively both as individuals and as team members.

Personnel

On 31 December 2011, a total of 45 persons (equivalent to 36.9 fte) were employed by the T.M.C. Asser Instituut, including temporary and project related staff.

Works Council

In November 2011 the Works Council held elections to replace those members who had completed their two-year terms of office. The required quorum of three persons presented their candidacy and were further appointed without election. The new Works Council was installed on 2 November 2011. Its members are Daan de Jongh, Lianne Janssen and Claudio Matera.



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