

# T.M.C. ASSER INSTITUUT

## ANNUAL REPORT 2006



Stichting T.M.C. Asser Instituut - Institute for Private and Public International Law,  
International Commercial Arbitration and European Law

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**Stichting T.M.C. Asser Instituut - Institute for Private and Public International Law, International Commercial Arbitration and European Law**

Over forty years, the T.M.C. Asser Instituut has developed itself into a leading academic research institute in the field of International Law. It covers Private International Law, Public International Law, the Law of the European Union, the Law of International Commercial Arbitration and increasingly International Humanitarian Law. Academic community organizing, scientific research (fundamental and applied), in the aforementioned areas, are the principal activities of the Instituut. The Instituut is also well-known for its congresses and academic meetings, and postgraduate courses.

Its mission is to initiate, support and realize activities, preferably on an interuniversity basis, which are of importance to disseminating in-depth and broad knowledge of international law in the Netherlands and beyond.

The Institute also has its own publishing house, T.M.C. Asser Press. The Asser Press 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.

Because of its inter-university origin, the Institute cooperates with the Dutch law faculties as well as with other national and foreign institutions. Within this inter-university framework, the University of Amsterdam (UvA) holds a special position as the T.M.C. Asser Instituut's governing body. On the basis of the Asser College Europe cooperation scheme and consultancy projects, many activities focus on Central and Eastern Europe. The T.M.C. Asser Instituut, with a staff of 58 persons, is located in The Hague, The Netherlands, which, as the 'City of International Law', hosts many international organizations.

# Annual Report 2006

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## 1. FOREWORD

The year 2006 was a year of big contrasts. It started on an upbeat tone with the recollection of our celebration of the 40<sup>th</sup> anniversary of the Institute still fresh in our minds. Many of us considered this the onset of a new era for the Institute taking into account the challenges and opportunities facing the Institute as an Academic Community Organizer, and also the chances the ever growing importance of International Law is giving our Institute being situated in The Hague.

During the night of 4/5 May we experienced a small but damaging fire in the server and communications room of our Institute. This fire resulted in considerable damage to the ICT and telecommunications infra-structure and the financial administration. The entire staff had to cope with serious set-backs in their work. Only six weeks after the fire the Institute was back on track thanks to the enormous effort of personnel and partners and suppliers. However, it should not be denied that it took us some additional months to fully recover from the incident.

Although the fire had a serious impact on almost all activities of the Institute, its personnel with the help of its national and international partners and other partner organizations was able to carry out its high quality (applied) research. I would like to especially mention the advice opinion entitled 'Experiments in allowing the growing of cannabis to supply coffee shops: International and European Law issues'. Furthermore, many reports were drafted for several Dutch ministries regarding the implementation of EU directives into the Dutch legal system and the screening for compliance of the Dutch legislation with the EC-services directive. For this research statistical and academic methodologies were especially developed, which can also serve as basis for future similar research.

In addition to these research projects I would like to highlight the organization of three major conferences during the year.

On behalf of the Hague Academic Coalition (HAC) the Institute organized in April 2006 the annual two-day 'From Peace to Justice' conference entitled 'Beyond the Charter: Peace, Security and the Role of Justice'. In June 2006 the Institute, as the lead organization of an international consortium, successfully organized the three-day international 'European Arrest Warrant – The Reality of a Vision' conference. In September the Institute organized a one-day symposium at the Peace Palace, entitled: 'Forty Years of International Law', to celebrate its 40<sup>th</sup> anniversary with acclaimed international speakers, H.E. Judge R. Higgins, President of the International Court of Justice; Mr. J.H.A. van Loon, Secretary-General of the Hague Conference on Private International Law and Prof. Dr. J.W. de Zwaan, Director of the Netherlands Institute of International Relations Clingendael and Professor of European Law at Erasmus University Rotterdam and concluding with the Presentation of the T.M.C. Asser Instituut Medal of Honour by Drs. W. Deetman, Mayor of the City of The Hague to Dr. S.J. Noorda, Chairman of the Board of the University of Amsterdam. The University of Amsterdam holds a special position as the T.M.C. Asser Instituut's governing body.

As part of an ongoing effort to make the organization more effective organizational changes were implemented. The day-to-day running was entrusted to the Director, the Deputy Director and the Operations Manager. A small management team was put in place to ensure effective management and communication. With the implementation of these changes the process of organizational change was completed.

To prepare for its future the Institute conducted an evaluation of its own activities. This report was presented to the Review Committee appointed by the Board of the Institute. The high-level Committee consisted of the following members:

- Drs. R.H.T. Bleijerveld, President, former secretary and currently advisor of the Board of the University of Amsterdam,
- Prof. Dr. H.J.A. van Ginkel, Member, Rector of the United Nations University Tokyo, Japan and former Rector Magnificus of the University of Utrecht, who was represented by Prof. Dr. L. Soete during the various visits to the Institute.
- Drs. G.M. de Vries, Member, former Secretary of State of the Ministry of the Interior and Kingdom Relations, and until recently Counter-Terrorism Coordinator; Council of the European Union.

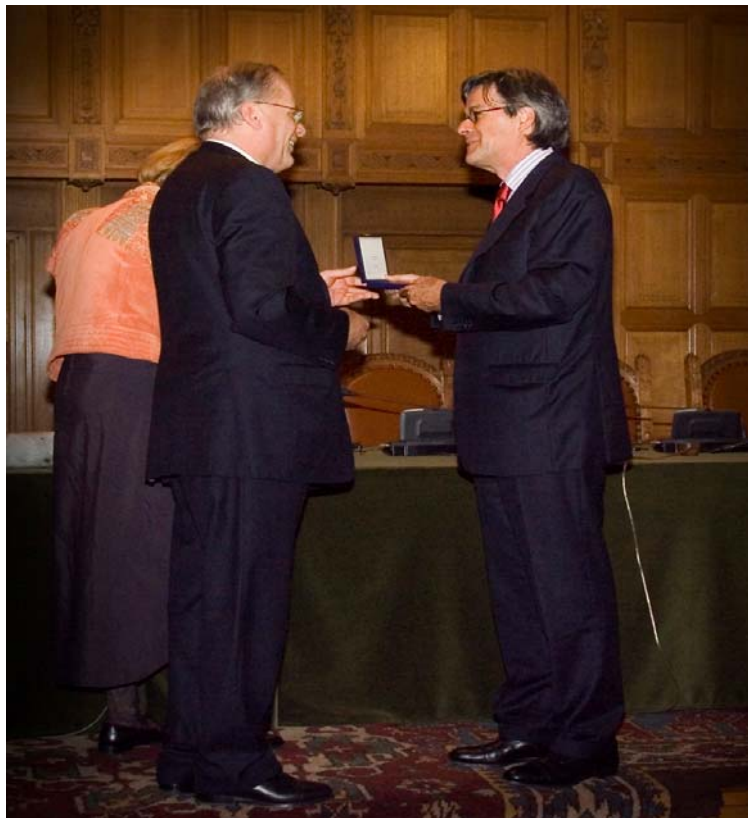
Although the findings of the Committee were not yet final at the end of the year, the preliminary results confirmed the Institute's position as 'Academic Community Organizer' and created a firm basis for a prosperous future. The fact that the Institute is situated in The Hague in the vicinity of all major international judicial bodies and the Institute's reputation abroad give rise to an optimistic perspective.



Prof. Dr. F.A. Nelissen, General Director of the T.M.C. Asser Instituut, addresses the audience at the Symposium 'Forty years of International Law' on the occasion of the 40<sup>th</sup> anniversary of the T.M.C. Asser Instituut, 28 September 2006.



H.E. Judge R. Higgins President of the International Court of Justice was the keynote speaker at the Symposium 'Forty years of International Law' on the occasion of the 40<sup>th</sup> anniversary of the T.M.C. Asser Instituut, 28 September 2006.



Dr. S.J. Noorda, former chairman of the board of governors of the University of Amsterdam, received the T.M.C. Asser Instituut Medal of Honour from the Mayor of The Hague, Mr. W.J. Deetman at the Symposium 'Forty years of International Law' on the occasion of the 40<sup>th</sup> anniversary of the T.M.C. Asser Instituut, 28 September 2006.

## **2. BACKGROUND AND MISSION STATEMENT**

Over forty years, the T.M.C. Asser Instituut has developed into a leading academic institute in the field of International Law.

Its mission is to initiate, support and realize activities, preferably on an inter-university basis, which are of importance to disseminating in-depth and broad knowledge of international law in the Netherlands and beyond. Supported by its strong belief that The Hague, as a unique global centre of international law, offers great opportunities to the Dutch universities for scholarly research, education, and dissemination (and sharing) of their knowledge, the Institute has chosen (see, Policy Plan 2003-2006) to actively promote a high-quality knowledge infra-structure in The Hague by establishing and facilitating an open and internationally acclaimed academic network where the expertise of the participating faculties and the Institute is combined and forms its foundation.

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

Academic community organizing, academic research (fundamental and applied), in the aforementioned areas, are the principal activities of the Institute. The Institute is also well-known for its conferences and academic meetings, and postgraduate courses.

Because of its inter-university background, the Institute cooperates with Dutch law faculties and other national and foreign organizations. Within this inter-university framework, the University of Amsterdam (UvA) holds a special position as the T.M.C. Asser Instituut's governing body.

As a result of its Asser College Europe and consultancy projects many activities focus on Central and Eastern Europe. As of 2005, the T.M.C. Asser Instituut is responsible, on behalf of the Hague Academic Coalition, for the Hague Forum for Judicial Expertise. It is also responsible for and hosts the Hague Justice Portal, a project of the Hague Academic Coalition.

The Institute has its own publishing house, T.M.C. Asser Press. The Asser Press 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.

The T.M.C. Asser Instituut, with a staff of 58 persons, is located in The Hague, the Netherlands, which, as the 'City of International Law', hosts many of the most important international judicial organizations.



### 3. ACADEMIC COOPERATION

The T.M.C. Asser Instituut, in all of its activities, works in close cooperation with Dutch and foreign universities, and with national and international networks of scholars and other professional experts and professional societies. It actively promotes the creation of research networks in all the domains of the Institute, both on a permanent and an *ad hoc* basis.

In 2006 the collaborations mentioned below were of particular importance to the Institute. For more information on the network activities in the specific areas of research see the various chapters.

#### 3.1. Hague Academic Coalition (HAC)

The HAC is a consortium of six academic organizations: the Carnegie Foundation (the Peace Palace), the T.M.C. Asser Instituut, the Grotius Centre for International Legal Studies (Leiden University, Campus The Hague), the Institute of Social Studies, the Clingendael Institute, and the Hague Institute for the Internationalisation of the Law (HiiL). The HAC collaborates intensively with other partners: the Dutch Council for the Judiciary, the Hague Conference on Private International Law, the law faculties of the Dutch universities, and the various international organizations in The Hague in the field of international law.

The HAC has a rotating chairmanship. Since 1 January 2005 Prof. Dr. Frans Nelissen of the T.M.C. Asser Instituut is the chairman of the HAC.

The Coalition was established to promote collaborative efforts between these six organizations. The HAC intends to promote research, education and public debate in support of the development of international policy, law, governance and international negotiation towards justice, peace and sustainable development.

Joint HAC activities in support of this mission include:

- On 5, 6 and 7 April 2006 the third conference in the 'From Peace to Justice' conference series of the Hague Academic Coalition was held at the World Forum Convention Centre in The Hague. The theme of this third conference, with more than 200 participants, was: *Beyond the Charter: Peace, Security and the Role of Justice*. A collection of the papers presented at this conference will be published in 2007.
- The *Hague Forum for Judicial Expertise* is a joint initiative of the Hague Academic Coalition and the Dutch Council for the Judiciary. This Forum offers high quality training modules on a wide range of subjects in the various fields of international law, at basic and advanced level. The modules are specifically designed for national judges and magistrates offering them the opportunity to upgrade their knowledge and expertise in international law. For more information see chapter 6: Education and Training.
- Together with the Municipality of The Hague, the T.M.C. Asser Instituut has developed *The Hague Justice Portal* > [www.haguejusticeportal.net](http://www.haguejusticeportal.net) < for the Hague Academic Coalition. The portal has been officially launched at 6 April 2006 by Her Royal Highness Princess Margriet on the occasion of the annual 'From Peace to Justice' conference of the HAC. The ambition is that the portal will become the most authoritative source for information, news, commentaries and research on the Hague organizations in the field of international peace and justice, by improving access to the Hague Courts, tribunals and organizations and encouraging academic debate. The Hague Justice Portal clearly fills a need as has been shown by the web statistics. It almost immediately attracted a wide international audience. Starting with 17.000 page views in January 2006, it attracted per month a tenfold of this number by the end of the year.

For more information see Chapter 5: Information Services and Information Technology.





Prof. Dr. Nelissen, General Director of the T.M.C. Asser Instituut, introduces the Ambassadors and other dignitaries to Her Royal Highness Princess Margriet , HAC conference From Peace to Justice on 6 April 2006.

### **3.2. Asser Participation in the School of Human Rights Research**

In 2000 the T.M.C. Asser Instituut joined the School of Human Rights Research, a network in which the universities of Leiden, Maastricht, Rotterdam, Tilburg and Utrecht participate. Dr. Olivier Ribbelink of the T.M.C. Asser Instituut is a member of the Board of the School. Every year the School of Human Rights Research, together with the Catholic University of Leuven (Belgium), and in cooperation with the T.M.C. Asser Instituut, organizes the Summer Course Human Rights.

### **3.3. The Hague Prize for International Law**

On 18 September 2002 The Hague Prize for International Law was launched by The Hague Prize Foundation, The Hague, The Netherlands.

Prof. Shabtai Rosenne was the first to receive the prestigious Hague Prize for International Law in June 2004.

The prize will be awarded every two years to individual(s) and/or organizations that have made – through publications or achievements in the practice of law - a special contribution to the development of public international law, private international law or to the advancement of the rule of law in the world. The prize consists of a special medal and a monetary award of € 50.000,-, which will be awarded for the second time now on 28 June 2007 during a special award ceremony at the Peace Palace in The Hague, The Netherlands. Prof. Dr. F.A. Nelissen, General Director of the T.M.C. Asser Instituut, is secretary of the Nominating Committee of The Hague Prize Foundation.

### **3.4. Publications**

Successful examples of academic cooperation are the periodical publications under auspices of the T.M.C. Asser Instituut and published by the Asser Press, in which members of the Law Faculties of Dutch and foreign universities and staff members of the international organizations in The Hague participate, both as authors and/or board members.

For a complete overview of the members of the editorial and advisory boards, and correspondents see Annex 7.

- The first issue of the *Netherlands International Law Review (NILR)* was published in 1953. Since 1973, NILR is published in cooperation with the T.M.C. Asser Institute, which also holds the Editorial Office. Published three times a year, the *Netherlands International Law Review (NILR)* addresses relevant topics and recent trends in private and public international law and comparative law. Articles are combined with English-language reports on topical Dutch

judicial decisions, survey of the case law on the topic of Civil Jurisdiction and Enforcement of Judgments in Europe, an update on the current developments regarding The Hague's international tribunals, an overview of the Hague Conventions on Private International Law, book reviews, and occasionally, a short commentary on case law or legislation.

The editor-in-chief is Prof. P. Vlas (Free University of Amsterdam), managing-editor Ms Dr. K. Henrard (University of Groningen). The Editorial Assistant is Mrs. Wilma van Sas of the T.M.C. Asser Instituut.

- Since 1970 the *Netherlands Yearbook of Public International Law (NYIL)* has been published under auspices of the T.M.C. Asser Instituut. Besides articles the NYIL contains a documentation section prepared by the Staff of the T.M.C. Asser Instituut. The board of editors consists of Public International Law experts from the Dutch Law Faculties. General Editors since 2005 are Prof. Dr. D. Curtin (University of Utrecht) and Prof. P.A. Nollkaemper (University of Amsterdam).

The managing-editor is Mr. Bert Barnhoorn, senior researcher in public international law of the Institute. The editorial assistant is Mrs. Karin Peters of the T.M.C. Asser Instituut.

- Since 1983 the Institute publishes *Nederlands Internationaal Privaatrecht (NIPR)* the documentation journal reporting on case law and on treaties, legislation and literature in the field of Dutch private international law. In the year 2000 a new formula of the journal combining scholarly and practical articles, case notes and book reviews with extensive documentation on the case-law of the Dutch courts and the EC Court of Justice as well as new literature, was introduced. In addition, its frequency increased from 3 to 4 issues per year.

Members of the board of editors are the staff of the private international law section of the T.M.C. Asser Instituut and Dutch experts in private international law.

The Editor-in-chief is Dr. Paul Vonken of the Radboud University of Nijmegen. The Editorial Assistant is Mrs. Wilma van Sas of the T.M.C. Asser Instituut.

- Since 1998 the *Netherlands Yearbook on International Humanitarian Law* is published by Asser Press in cooperation with the T.M.C. Asser Instituut.

The Yearbook features long, in-depth articles and shorter contributions in its Articles and Current Developments sections. All articles and current developments are peer-reviewed, and the emphasis is on contemporary developments of pressing importance in the field of international humanitarian law. The *Yearbook of International Humanitarian Law* also includes Correspondents' Reports, a detailed guide to state practice concerning International Humanitarian Law, compiled from information gathered by the Yearbook's worldwide network of correspondents.

Prof. Tim McCormack (University of Melbourne) is the general editor. Dr. Avril McDonald and Maria Nybondas of the section of International Humanitarian Law/International Criminal Law of the Institute are the Managing Editor and Assistant Managing Editor, respectively. The editorial assistant is Mrs. Karin Peters of the T.M.C. Asser Instituut.

- Since 2000 the *European Business Organization Law Review (EBOR)* is published by Asser Press in cooperation with the T.M.C. Asser Instituut. *European Business Organization Law Review* publishes articles, case-notes and book reviews, written by experts in the field critically analyzing national company laws, European Community company law and related legal topics.

The editor-in-chief is Dr. Reiner Kulms (Max Planck Institut für Ausländisches und Internationales Privat Recht, Hamburg, Germany). Dr. Vesna Lazic of the Institute is a member of Editorial Board and Dr. Olivier Ribbelink is a member of the Advisory Board. The Editorial Assistant is Mrs. Inge van Dun of the T.M.C. Asser Instituut.

Finally, as an outstanding example of academic cooperation, it is worth mentioning the *Handboek Internationaal Recht*:

- On 15 May 2007 the *Handboek Internationaal Recht* (Eds. N. Horbach, R. Lefeber en O. Ribbelink) will be officially presented. The *Handboek Internationaal Recht* (in Dutch) is the long awaited successor to J.P.A. Francois' *Grondlijnen van het Volkenrecht (1967)*, with contributions from the leading experts in Public International Law in the Netherlands. In 1995 the T.M.C. Asser Instituut had taken the initiative to produce a new Netherlands 'Handbook on Public International Law'. Dr. Olivier Ribbelink of the T.M.C. Asser Instituut coordinated the project. In 2001 an editorial committee was formed, consisting of Dr. Olivier Ribbelink, Dr. Nathalie Horbach, and Dr. Rene Lefeber. The three editors are also authors of chapters in the book.  
For an overview of the chapters and authors of the *Handboek Internationaal Recht* see Annex 8.

A complete overview of the publications of the T.M.C. Asser Instituut can be found in Chapter 8 T.M.C. Asser Press.

### **3.5. Education and Training**

The T.M.C. Asser Instituut offers postgraduate programmes in the various areas of research of the institute. These programmes are offered both at the institute in The Hague itself as elsewhere, as standard modules and by tailor-made courses on demand.

All programmes are supported by a team of international lecturers, with an academic or professional background in international law and related disciplines. They include staff from the HAC partner organizations, Dutch universities, international organizations in The Hague and experts from the region of the participating judges.

Fine examples are Asser College Europe, a programme organized since many years by the T.M.C. Asser Instituut in cooperation with academic organizations in Central and Eastern Europe and the Hague Forum for Judicial Expertise launched by the Hague Academic Coalition (HAC) and the Dutch Council for the Judiciary.

For detailed information of the programmes offered by the Institute see Chapter 6 Education and Training.

### **3.6. Conferences and lecture series**

Since its foundation over forty years ago the T.M.C. Asser Instituut has organized conferences, seminars and lectures for the academic community in the Netherlands, such as the Asser Colloquium on European Law, organized on 29 September 2006 for the 36<sup>th</sup> time; the bi-annual Hague Joint Conferences on Contemporary Issues of International Law, that will be held in June 2007 for the 8<sup>th</sup> time; the conferences for the Hague Academic Coalition mentioned under paragraph 3.1, etc.

Also worth mentioning are the Supranational Criminal Law Lecture series: a weekly lecture series (every Wednesday at 7 pm) which spotlight aspects of international criminal law of current interest, organized by the Institute's Section of International Humanitarian and Criminal Law together with the Grotius Centre (Leiden University Campus Den Haag) and the Coalition for the International Criminal Court (CICC).

For an overview of the conferences organised by the Institute, see Chapter 7 Events.

### **3.7. More network activities**

Worth mentioning as examples of close academic cooperation are the following projects:

- *European Arrest Warrant (EAW) project*  
The project which started in October 2004 was carried out by an international consortium lead by the T.M.C. Asser Instituut.  
The European Arrest Warrant project has been successful in achieving its major objective, that is, to create transparency in the application of the European Arrest Warrant by fostering academic research and cooperation between judicial authorities

involved in surrender procedures. Articles published and referred to via the website, have been actively used by authors around Europe in numerous citations and members of the targeted groups have made use of the network and its information to explore best practices.

In its November meeting the Steering Committee expressed its satisfaction that all project results had been achieved and on how the project had been conducted. It was decided also that the project and the cooperation should be continued in the coming years.

For more information regarding the European Arrest Warrant project see Chapter 5 Information Services and Information Technology, paragraph 5.4.

- *Feasibility Study for a European Research Network on Private International Law*

Together with its partners IPR Verlag and HEE Consulting Group, on request of the European Commission, the Institute has conducted a feasibility study for a European Research Network on Private International Law.

Within the framework of this project the Institute has been responsible for, in particular, the compilation of a bibliography in the field of private international law, the organization of expert meetings in 16 EU Member States and the organization of a meeting in The Hague with the national correspondents of the project and representatives of international professional associations.

For more information regarding the IPR network see Chapter 5 Information Services and Information Technology, paragraph 5.5.

## 4. RESEARCH

### 4.1. GENERAL

#### 4.1.1. Asser Dissertations Programme

The Asser Dissertations Programme (ADP), introduced in January 1996, offers young, promising researchers the opportunity to work exclusively on their doctoral thesis over a maximum period of four years, in the fields of public and private international law, international commercial arbitration and the law of the European Union. Participation is open to Dutch as well as foreign candidates.

The T.M.C. Asser Instituut only accepts new candidates when their appointment and financing is shared with another organization, preferably a law faculty.

In 2006 three researchers from Dutch universities were appointed in the ADP:

- Ms. Nynke Baarsma is a research fellow at the University of Groningen since 1 September 2005. Since March 2006 the T.M.C Asser Instituut co-finances her research project on: Grondslagen en methoden van het Europees familieconflictenrecht' (supervisor: Prof. Mr. M.H. ten Wolde, University of Groningen).
- Mr. Felix Ndahinda (Ruanda/Congo) has been appointed as research fellow at the International Victimology Institute of the University of Tilburg on 1 October 2005 and has been appointed on 1 November 2006 as a participant in the ADP. The T.M.C. Asser Instituut will co-finance his research project on: 'African Indigenous Peoples: From Victimization to Empowered Actors'. His supervisors are Prof. Dr. W.J.M. van Genugten and Ms. Dr. R.M. Letschert, Tilburg University.
- Ms. Kinga J. Tibori Szabo (Romania) has been appointed by the University of Amsterdam as an external PhD researcher starting the academic year 2006/2007. Since 1 January 2007 Ms. Tibori Szabo has been appointed as a participant in the ADP. The T.M.C. Asser Instituut will co-finance her research project on: 'Anticipatory Self-Defence'. Her supervisor is Prof. Dr. T.D. Gill, University of Amsterdam.

In 2006 Ms. Tamara Takacs (Hungary), research fellow at Utrecht University and participant in the ADP since 1 January 2004 continued with her research on: 'The Implications of EU Law for Hungarian constitutionalism' (supervisors: Prof. Dr. S. Prechal, Utrecht University and Dr. József Petrétai, University of Pécs, Hungary).

Mr. Jaap van de Velden left the Asser Dissertations Programme and resigned as research fellow at the University of Groningen and accepted a position at the British Institute for Comparative Law in London.

#### 4.1.2. Asser Research Fellowships Programme

The Asser Research Fellowships Programme started in 1997. It aims to support and stimulate academic research in one of the fields of law covered by the Institute.

Participation is open for foreign post-graduate lawyers who wish to come and stay at the T.M.C. Asser Instituut for a period of, in principle, maximum three months.

In 2006 the following researchers participated:

- *Mr. Guo Shuli*, Xiangtan University, China, received a scholarship from the Chinese government to work on his PhD on: The Plural Remedy Mechanism for Sports Disputes in International and Comparative Law Perspectives from 5 June 2005 till 30 March 2006.
- *Ms. Raluca Ana Bădilă*, Faculty of European Studies of the Babeş-Bolyai University at Cluj Napoco, Romania, received a scholarship from the Romanian government to work on her PhD on: The public international debt of Romania as a consequence of the Second World War from 3 July 2006 till 29 September 2006.

- *Mr. Kwon Jeong-hoon*, prosecutor at the Seoul Western Prosecutor's Office, South Korea, was sent by the Korean government to The Hague to study the Domestic implementation of the ICC Statute in Korea from 11 December 2006 till 2 February 2007.

#### **4.1.3. Academic lunch lectures**

In order to promote academic discussion within the Institute, nine (numbers 137-145) *academic lunch lectures* were held in 2006. The lectures offer the Institute's research staff members and guest researchers the opportunity to present their own research, or to comment on current issues in international law.

## **4.2. DEPARTMENTS OF RESEARCH**

The T.M.C. Asser Instituut has three departments of research in which six research sections have been incorporated.

The departments are: 1) European Law, headed by Dr. Wybe Douma 2) Public International Law/International Humanitarian Law/International Criminal Law, headed by Dr. Olivier Ribbelink and 3) International Private Law/International Sports Law/ International Commercial Arbitration, headed by Dr. Robert Siekmann.

The sections are work units specialized in a field of law with their own program.

### **4.2.1. DEPARTMENT OF EUROPEAN LAW**

#### **Staff**

In 2006 the European Law department consisted of the following members: Wybe Douma (Head), Wouter van Ballegooij, Steven Blockmans, Leonardo Massai (from 1 May 2006), Karolien Swinnen-Pieters, Tamara Takacs (participant in the Asser Dissertations Programme and PhD researcher at the University of Utrecht) and Asta Venckutė (from 15 September 2006), a PhD researcher whose appointment was co-financed by the T.M.C. Asser Instituut and Corvers Procurement Services B.V. Dr. Alfred Kellermann continued to play a role as editor and advisor on several occasions, in spite of his official retirement. Also, Dr. Adam Lazowski, who left the T.M.C. Asser Instituut in 2005, continued to work on two projects. Furthermore, the department received help from the following trainees and project assistants: Radka Hartmanova, Daria Ratsiborinskaya, Karel Feenstra, Bert Platell, Ruben Vermeeren, Patrick Willemsen and Sara Woods.

#### **Research**

The staff of the Department of European Law continued its research in a variety of areas, including enlargement and the European Constitution (Steven Blockmans, Wybe Douma), judicial cooperation (Wouter van Ballegooij), European competition law (Karolien Pieters) and European environmental law (Wybe Douma and Leonardo Massai).

PhD research was continued by Steven Blockmans (the role and impact of the EU in stabilizing the Western Balkans), Karolien Pieters (the integration of the Mediterranean countries in the EU internal market), Wouter van Ballegooij (judicial cooperation in criminal matters), Tamara Takacs (implications of European Law on Hungarian Constitutionalism); Leonardo Massai (EU Climate Policy) and Asta Venckutė (the incorporation of the European Union's public procurement directives into Lithuanian national law).

#### **Applied Research and other Projects**

In 2006, staff members of the department of European Law participated in the following projects:

- *Building Competence in European Law in the Estonian Judiciary (July 2004 – June 2006)*  
 The overall objective of this project is to ensure that Estonian courts have expertise to provide rulings for the implementation of EC Law and international conventions relevant for the EU membership. The project has the purpose to improve the competence of the Estonian courts to handle claims based on European law. The T.M.C. Asser Instituut provides the relevant EU law expertise as subcontractor of the Centre for International Legal Cooperation (CILC) who acts in this Phare Twinning project on behalf of the Dutch government. Experts working on this project were Steven Blockmans, Wybe Douma and Adam Lazowski.
- *Design and Delivery of a Training Program for Administrative Courts in Lithuania (January 2004 – March 2006)*  
 On behalf of the Dutch government the Centre for International Legal Cooperation (Leyden) invited European law experts (Steven Blockmans, Wybe Douma and Karolien Pieters) of the T.M.C. Asser Instituut to join forces in order to improve the professional capacity of judges and legal personnel of administrative courts of Lithuania in the field of European Community competition law, tax law, customs law, social and medical issues, environment law, transport law, pharmacy law and veterinary law. This was done by means of the design and delivery of a training program, taking place in early 2006.
- *Pilot- Monitor Influence EU regulation on Dutch legislation (September 2005-January 2007)*  
 On behalf the Dutch Ministry of Justice and the Ministry of Foreign Affairs, Wybe Douma and Karolien Pieters, with the help of Radka Hartmanova and Karel Feenstra, conducted a pilot study with the aim to develop a permanent monitor of the influence of European law on Dutch legislation. A monitor was developed to measure the quantitative influence of the European Union on Dutch legislation in the field of Environmental Protection and Education. The team provided recommendations on how to design a permanent monitor. The project is a result of an Expert meeting held in February 2005. The results of this project received a fair amount of attention in the Dutch and German media.
- *European Arrest Warrant project (October 2004 –September 2006)*  
 The institute and its consortium partners (Amsterdam Centre for International Law, European Criminal Bar Association, Centre for Information Services for MP's of the National Library of Estonia, Justice (London), Max Planck Institute (Freiburg), the Ministry of Justice Romania and the University of Lund) were awarded a grant by the European Commission's AGIS 2004 Programme. The aim of the project is to promote the uniform and transparent application of the Framework Decision on the EAW in the 25 EU member states. It fosters the free exchange of information and the promotion of practical application and applied research in the field of judicial cooperation in criminal matters by providing information on the EAW and its implementation and application on the national level, creating a platform for discussion and exchange of information and offering an environment for research. For more information, see [www.euowarrant.net](http://www.euowarrant.net). From the side of the Department of European law, Wouter van Ballegooij is involved.
- *Screening services directive (July – November 2006)*  
 The T.M.C. Asser Instituut screened the Dutch legislation for compliance with the EC services directive for the Ministry of Justice, the Ministry of Education, Culture and Science, the Ministry of Defence and the Ministry of Housing, Spatial Planning and the Environment, and made a list of recommendations. The project team consisted of Wybe Douma, Steven Blockmans, JanWillem Soek, Karolien Pieters, Radka Hartmanova, Patrick Willemsen, Marco van der Harst (Information Services & Information Technology Department), Bart Jan van het Kaar (International Private Law) and Bert Platell.



- *TNT reliability of the Turkish legal system from a comparative perspective (September – November 2006)*  
The report on the reliability of the Turkish legal system from a comparative perspective was submitted to the Legal Department of the company TNT N.V. in November 2006. The study includes the main aspects of the Turkish legal and judicial system in comparison with the Dutch system. This study assesses the independence and effectiveness of the Turkish judiciary, as well as the legal reforms introduced so far in the country. Project team: Leonardo Massai, Tamara Takacs, Radka Koch-Hartmanova, Bert Platell, Asta Venckuté.
- *'Basisnet vervoer' (November 2006 – March 2007)*  
This research project carried out for the Ministry of Transport, Public Works and Water Management revolved around EU law obstacles for the creation of corridors for the transportation of hazardous materials (rail, road, inland waterways). A study was made on the interpretation of the Sections 1.9.1 and 1.9.2 of the 'Règlement concernant le transport international ferroviaire des marchandises dangereuses' (RID). The findings were presented to the Ministry in a report written by Bert Barnhoorn (public international law) and Steven Blockmans.
- *Organizational aspects inland navigation (November 2006 – March 2007)*  
Project carried out for the Ministry of Transport, Public Works and Water Management. The main subject was: 'Limits to implied exclusive powers of EC to conclude international agreements'. The research covered the Rhine and Danube commissions, and the competencies they have. Research was carried out by Steven Blockmans and resulted in a report submitted to the Ministry at the end of March 2007.
- *'Nationale Koppen' (November 2006 – March 2007)*  
This project, carried out for the Ministry of Economic Affairs in cooperation with the Europa Instituut of Leiden University (Prof. P.J. Slot), dealt with the over-regulation and implementation of EC directives. 80 complaints sent to the Ministry by private companies in the Netherlands were analyzed on their merits. The results (incl. recommendations) were presented to the Ministry in a report submitted in March 2007. The institute's project team consisted of Steven Blockmans, Marco van der Harst, Patrick Willemsen and Bert Platell.
- *STEPPIN (October 2006 – October 2008)*  
Steppin is a consortium of 14 partners (one of them Corvers Procurement Services) from 7 EU Member States. The partners are a combination of experts in standardization, innovation and procurement with experienced users of public and private procurement processes. The project aspires to stimulate innovative business solutions by incorporating open standards in European public procurement. Asta Venckuté works on the legal component of this project and focuses her analysis (and final recommendations) on recent developments in EC public procurement law, internal market and public procurement, and jurisprudence.
- *Legal Advisory Service*  
Last but not least, a couple of contributions were made to the Legal Advice service of the Institute by the Department of European Law. They concerned compatibility of national regulations with European law.

### **Education and Training**

During the year 2006, a number of educational projects involved a substantial amount of lecturing by members of the department of European Law. It concerned the following projects:

- *Asser College Europe 2006*  
Steven Blockmans coordinated modules A and B this year. All of the European law staff members contributed to lectures in the field of EU and WTO law, and two accompanied the students on their excursion to the European organizations in Brussels and Luxembourg.

- *Building Competence in European Law in the Estonian Judiciary*  
This project is described in more detail above under Applied Research and other Projects.
- *Seminars on EU law at the European Institute in Lodz (Fourth edition)*  
Based on a Twinning Agreement between the T.M.C. Asser Instituut and the European Institute in Łódź, a series of three seminars was developed and delivered in Poland in 2005. The tailor-made seminars dealt with specialised issues, such as the practical aspects of national administration involvement in the decision-making process of the EC, public procurement and state aid in the EU and environmental impact assessment, structural funds and the protection of the environment. Among the lecturers were Adam Lazowski, Wybe Douma and Daria Ratsiborinskaya.
- *Training services for developing country diplomats based in Brussels in a Programme of Post-graduate Academic Education in WTO Law ( August 2006- August 2007)*  
This project is funded by the European Commission and it has two objectives. One of them is to contribute to the building of capacity in developing countries in the field of WTO law by training diplomats. The other one is to facilitate developing country participation in the WTO, notably in dispute settlement, with a strengthened and improved format of technical assistance through legal training.
- *See also CILC Estonia, described under the previous heading.*
- *See also CILC Lithuania, described under the previous heading.*

### **Publications**

A volume co-edited by three members of the European law department (A.E. Kellermann, Steven Blockmans and Wybe Douma) together with Jenő Czuczai and Anneli Albi, entitled ‘*The Impact of EU Accession on the Legal Orders of New EU Member States and (Pre-) Candidate Countries – Hopes and Fears*’, appeared in January 2006. The book in which the papers presented at the 35<sup>th</sup> Colloquium on European Law are published, also appeared in 2006 and was edited by two members of the European law department (Karolien Pieters and Marjan Olfers). The book ‘*The European Union and Its Neighbours: A legal appraisal of the EU’s policies of stabilisation, partnership and integration*’ was published in September 2006. It was edited by two members of the European law department (Steven Blockmans and Adam Lazowski) and contains contributions from Karolien Pieters and Wybe Douma and numerous authors from the Asser European law network.

The members of the section also published several articles and case notes (see for the publications of the individual members Annex 4 - Publications).

### **Websites**

The staff of the Department of European Law continued its work on a separate European Union Law website (<http://www.asser.nl/eurlaw>) as part of the general Asser website. Wouter van Ballegooij contributed to the website dedicated to the European Arrest Warrant project (<http://www.euowarrant.net>) and Wybe Douma continued his work as editor-in-chief of the website on European Environmental Law (<http://www.eel.nl>), a position now shared with Jens Hamer from the Academy of European Law in Trier, Germany). Trainees that helped out on the EEL website were Daria Ratsiborinskaya (who helped issuing the electronic news-service appearing twice per month) and Radka Hartmanova. Professionalization of the website was possible with the help of a grant from the Dutch Ministry of Housing, Spatial Planning and the Environment. The existing website’s network of national editors was expanded, content was improved (notably by adding numerous dossiers) and preparations for a new layout of the website were made. Furthermore, the number of subscriptions to the bi-monthly electronic news service grew as a result of a marketing campaign.

## **Conferences**

The 36<sup>th</sup> Session of the Colloquium on European Law was organised by Steven Blockmans, Wybe Douma and Prof. Dr. Sacha Prechal (Utrecht University) under the title 'Reconciling 'deepening' and 'widening' of the European Union'. Aspects of further enlargements, including the absorption capacity and the final borders of the European Union, and methods of improving the quality of the organizational and substantive reform processes were discussed with an aim to identify ways and means to ensure that the EU will be able to function politically, financially and organizationally in case it goes on enlarging and deepening Europe's integration project. The Colloquium was opened by Frans Nelissen, General Director of the T.M.C. Asser Instituut. P.H. Donner, former Minister of Justice, gave the keynote speech. Discussions between the attending practitioners and academics were of a high-level. The Colloquium took place on 29 September 2006 in the Steigenberger Kurhaus Hotel at The Hague. Collected papers will be published in 2007.

### **4.2.2. DEPARTMENT OF PUBLIC INTERNATIONAL LAW/INTERNATIONAL HUMANITARIAN LAW/INTERNATIONAL CRIMINAL LAW**

#### **4.2.2.1. Section of Public International Law**

##### **Staff**

In 2006 the section Public International Law consisted of the full-time researchers Dr. Olivier Ribbelink, Mr. Bert Barnhoorn and Mr. Jan Anne Vos, while the director of the Institute, Prof. Dr. Frans Nelissen, also participates in its activities.

##### **Research**

For articles and lectures at conferences of the members of the section see under individual members in the Annexes.

Jan Anne Vos continued to work on his PhD research on: The Function of International Law (supervisor: D.L. Bethlehem, University of Cambridge). The study is planned to be completed in 2007.

Olivier Ribbelink was a member of the Opposition Committee for the public defence of the doctoral thesis of Mr Tare Brisibe, entitled 'International law and regulations of aeronautical public correspondence by satellite', University of Leiden, the Netherlands, 28 November 2006.

Frans Nelissen is a member of the Reading Committee of the doctoral thesis of Ms. Jeanne Pia Mifsud Bonnici, entitled 'Self-Regulation in Cyberspace'.

Frans Nelissen was a member of the Reading Committee and the Promotion Committee for the public defence of the doctoral thesis of Mr. Erik Koppe, entitled 'The use of nuclear weapons and the protection of the environment during international armed conflict', University of Groningen, October 2006.

##### **Applied Research and other Projects**

In 2006 the members of the section participated in various consultancy projects:

- *European Arrest Warrant project*  
Olivier Ribbelink was involved as head of the research team in this project which aimed to set up a network of experts on the implementation of the framework decision on the European Arrest Warrant and surrender procedures in the Member States.
- *Training Course in WTO-law for developing country diplomats based in Brussels*  
Olivier Ribbelink and Jan Anne Vos are the project director and project coordinator respectively, of this post-graduate training course, organised at the request of the European Commission, DG Trade, Directorate F. The Course will last all academic year 2006/2007 and takes place in bi-weekly full-day sessions in Brussels, Belgium.

- *'Basisnet vervoer'*  
This research project carried out for the Ministry of Transport, Public Works and Water Management revolved around EU law obstacles for the creation of corridors for the transportation of hazardous materials (rail, road, inland waterways). A study was made on the interpretation of the Sections 1.9.1 and 1.9.2 of the 'Règlement concernant le transport international ferroviaire des marchandises dangereuses' (RID). The findings were presented to the Ministry in a report written by Bert Barnhoorn and Steven Blockmans.
- *'BACRI III' update*  
Jan Anne Vos participated in the BACRI III project, carried out for the Ministry of Justice of The Netherlands, which mapped the international, European and national legal framework in respect of the exchange of information regarding organized crime and the financing of terrorism.
- *Implementation nuclear energy law*  
Jan Anne Vos carried out a study commissioned by the Ministry of Housing, Spatial Planning and the Environment of The Netherlands concerning the implementation of INFCIRC 225, on the Physical Protection of Nuclear Material and Nuclear Facilities, of the IAEA in national legislation and regulation.
- *Legal Advisory Service*  
In 2006 the Section on Public International Law continued to offer its legal advisory services. The advices were in the field of diplomatic and state immunity and immunity of international organizations, international administrative law and human rights law.

### **Education and Training**

Olivier Ribbelink and Jan Anne Vos were involved in the *Training Course in WTO-law for developing country diplomats based in Brussels*. This project is described in more detail above under the heading Applied Research and other Projects.

Olivier Ribbelink was a member of the Organizing Committee of the 10<sup>th</sup> Summer Course on Human Rights, on 'Universal and Regional Systems of Human Rights Protection', that was held from 21 August - 1 September 2006, and co-organized by the T.M.C. Asser Instituut and the University of Leuven, Belgium, together with the Netherlands School for Human Rights Research.

Olivier Ribbelink is a member of the programme committee of the Hague Forum for Judicial Expertise (HFJE). Within the framework of the HFJE, Olivier Ribbelink acted as Course Director (together with Janna van der Meulen) of the Third EU-JUST LEX Senior management course for judges, police officers and prison staff from Iraq, 11 May-2 June 2006. In this course, and again in the Fourth EU-JUST LEX Course in November 2006, he supervised (again with Janna van de Meulen) two *study-exercises* per course and gave a lecture (see Annex 5).

In preparation of the HFJE-course for Chinese judges in September 2006, Olivier Ribbelink visited the National Judges College of the Supreme People's Court of China in Beijing, China, from 17-24 June 2006, to attend a preparatory course for the participants of the September course. He also gave a lecture, which he repeated in September.

The members of the section participated in *ad hoc* teaching both within and outside the Institute. Olivier Ribbelink gave several (guest) lectures, while Bert Barnhoorn and Jan Anne Vos lectured at the Training Course for Legal Information Specialists of Asser College Europe (ACE) 2006. For details see Annex 5.

Bert Barnhoorn acted as tutor for Maria Andrianova (Russia), a researcher who participated in the Post Graduate Research project of Asser College Europe.

Olivier Ribbelink acted as tutor for Hana van Ooijen (trainee European Arrest Warrant Project).

## Publications

- Olivier Ribbelink coordinated the project *Handboek Internationaal Recht*. In 1995 the T.M.C. Asser Instituut has taken the initiative to produce a Netherlands 'Handbook on Public International Law'. In 2001 an editorial committee was formed, consisting of Dr. Olivier Ribbelink, Dr. Nathalie Horbach, and Dr. Rene Lefeber. The book will be published in April 2007. Olivier Ribbelink is also the author of the chapter on Space Law in the book.

- *Netherlands Yearbook of International Law (NYIL)*

Bert Barnhoorn is the Managing Editor of the NYIL and Karin Peters the Assistant Managing Editor.

In 2006 further preparations took place for the Special Volume of the NYIL, dedicated to the theme 'Accountability in the international legal order' (Volume 36 – NYIL 2005). The two General Editors of the NYIL Deirdre Curtin (University of Utrecht) and André Nollkaemper (University of Amsterdam), who accepted a special responsibility for this Volume, organised on 24 February 2006 a seminar on the topic at the Amsterdam Centre for International Law which was attended by, inter alia, the invited authors and Editors of the NYIL. During 2006 the following seven contributions were submitted and accepted for publication in the Volume: 'Conceptualizing accountability in international and European law' (D. Curtin and A. Nollkaemper), 'International legal accountability through the lens of the law of state responsibility' (J. Brunnée), 'Responding to the undesired state responsibility, risk management and precaution' (W. Werner), 'Making sense of accountability in international institutional law. An analysis of the Final Report of the ILA Committee on Accountability of International Organizations from a conceptual legal perspective' (I. Dekker), 'Accountability of international organizations according to national law' (A. Reinisch), 'Does one size fit for all? The European Community and the responsibility of international organizations' (E. Paasivirta and P.J. Kuijper) and 'Which form of accountable government for the European Union?' (W. van Gerven). It is expected that the Special Volume will appear in May 2007.

The Editorial Board for Volume 36 consisted of Deirdre Curtin (University of Utrecht) and André Nollkaemper (University of Amsterdam) (General Editors) and Marcel Brus (University of Leiden), Ige Dekker (University of Leiden), Willem van Genugten (Tilburg University and Radboud University, Nijmegen), Ellen Hey (Erasmus University), Hanna Sevenster (Ministry of Foreign Affairs and University of Amsterdam) and Friedl Weiss (University of Amsterdam and University of Vienna).

## Website Public International Law

- *Database Dutch case law on public international law*

Bert Barnhoorn supervised the student assistants Rosanne Rootert and Maaïke Simmer of the University of Amsterdam who entered the case law of the years 2005 and 2006 into the Asser database on Dutch judicial decisions on public international law ([www.asser.nl/public\\_international\\_law/documentation](http://www.asser.nl/public_international_law/documentation)). The database now contains more than 7000 decisions dating from 1839 to the present day, and also includes a nearly complete survey of Dutch judicial decisions in which international human rights instruments are applied. The database has references to written and electronic sources.

- *Databases Treaties to which the Netherlands is a party and Dutch literature in the field of public international law*

The cumulative databases Treaties to which the Netherlands is a party and Dutch literature in the field of public international law ([www.asser.nl/public\\_international\\_law/documentation](http://www.asser.nl/public_international_law/documentation)) were updated with materials of 2004 and 2005 from the related surveys in Volumes 36 and 37 of the Netherlands Yearbook of International Law (2005 and 2006).

## **Conferences**

Olivier Ribbelink was a member of the Program Committee of the Hague Academic Coalition From Peace to Justice Conference, on: Peace, Security and the Role of Justice, that took place from 5-7 April in The Hague and a member of the Program Committee of the 2<sup>nd</sup> Hague Colloquium on Fundamental Principles of Law, on: 'Supreme Courts in an internationalized world: challenges for the trias politica and the coherence of law?', that took place from 30 June - 1 July in The Hague.

Olivier Ribbelink was also the co-organizer and moderator in a seminar, organized by the T.M.C. Asser Instituut in co-operation with the Embassy of Romania, on 30 May 2006, in the Peace Palace, the Hague, the Netherlands, on 'The Legal Nature of the Advisory Opinions of the International Court of Justice' - In memoriam Demètre Negulesco, Romanian Judge at the Permanent Court of International Justice'. Speakers at the seminar were Prof. I. Diaconu (University of Bucharest), Prof. B. Aurescu (President of the Romanian Association for International Law, and Prof. A. Pellet (France, member International Law Commission).

### **4.2.2.2. Section of International Humanitarian Law/International Criminal Law**

#### **Staff**

In May 2006, Ms Sasha Radin, LL.M., joined the existing members of the Section, namely, Dr. Avril McDonald, Maria Nybondas, LL.M and Tanya Mehra, LL.M. Sasha's tasks are to further develop and manage the website of International Humanitarian Law and to organise and coordinate the section's outreach activities.

#### **Research**

The members of the section pursued research in several areas. The main research project of the section, concerning direct participation by civilians in hostilities, continued. This joint research project (together with the ICRC) hosted the fourth of what had originally been envisaged as four expert meetings. However, it was decided during the meeting, held in Geneva in November 2006, that the work could not be finalised within this period. A final consultation shall take place during 2007. The outcome of the process will be a document entitled: Guidance for the Military on the Notion of Direct Participation in Hostilities.

Avril McDonald, the project leader for the DPH project, also continued her own research, including in the areas of outsourcing by the military and victims of war crimes. A book on Depleted Uranium, edited by McDonald and colleagues Jann Kleffner (University of Amsterdam) and Brigit Toebe (University of Aberdeen) will appear in 2007.

Maria Nybondas continued to research her PhD thesis on individual criminal and command responsibility.

#### **Education and Training**

The main activities in the area of education and training took place within the context of the Hague Forum for Judicial Expertise (Forum). Training for judges and prosecutors in international criminal law being a key activity of the forum, the IHL-ICL section is heavily involved both in organising and giving professional training to national judges in the field of international criminal law. All the courses take place in the Netherlands.

The following courses in the field of international criminal law for national judges and prosecutors were organised by the Forum, working close with the members of the IHL/ICL Section:

- Three courses for Iraqi judges, senior police officers and prison directors took place, from 12 January - 4 February, from 11 May - 2 June and from 22 November - 12 December.
- A course for Chinese judges from China was held from 11 September - 20 September.
- Finally, a course for Colombian Prosecutors was held from 28 March-7 April.

Tanya Mehra, the section's head of education and training, is the program manager of the Forum.

In addition, the regular cooperation in education and training with the Grotius Centre (Leiden University Campus The Hague) continued. The joint Asser-Grotius annual two-week Summer School was held from 26 June – 7 July 2006.

Avril McDonald also continued to teach the program in International Humanitarian Law at the University of Groningen and in Advanced International Law (International Peace and Security) at the Amsterdam School of International Relations and gave a number of ad hoc guest lectures at various academic organizations in the Netherlands (see annexes for further details).

### **Publications**

Two volumes of the Yearbook of International Humanitarian Law appeared during 2006, volumes 6 (2003) and 7 (2004). Avril McDonald and Maria Nybondas are the Managing Editor and Assistant Managing Editor, respectively.

The members of the section also published several articles (see for the publications of the individual members Annex 4 - Publications).

### **Conferences and lecture series**

#### *Supranational Criminal Law Lecture Series*

Together with its partners the Grotius Centre and the Coalition for the International Criminal Court, the Section of IHL and ICL continue to host the weekly Wednesday evening Supranational Criminal Law Lecture Series. Some extra lectures were organized in the fall since there was interest and speakers available. For a complete list of the speakers please see: [www.wihl.nl](http://www.wihl.nl).

#### *Law and Armed Conflict Lecture Series*

The Hague Initiative on Law and Armed Conflict (HILAC), established in 2005 with the Netherlands Red Cross continues to organize lectures in its occasional lecture series. The long-term plan is still to hold other activities in addition to the lecture series.

The following speakers gave presentations in 2006:

- Dr. Jean-Marie Henckaerts, Legal adviser, International Committee of the Red Cross (ICRC) on *'The Development of International Humanitarian Law and the Continued Relevance of Custom'* (2 February 2006);
- Scott Spence, Office of the Legal Adviser, Organization for the Prohibition of Chemical Weapons (OPCW) on *'Strengthening International Security Through National Implementation of the Chemical Weapons Convention'* (7 March 2006);
- Professor Michael Schmitt, Professor of International Law at the George C. Marshall European Centre for Security Studies in Garmisch-Partenkirchen, Germany, on *'Fault Lines in the Law of Targeting'* (6 April 2006);
- Judge George Aldrich, Eritrea-Ethiopia Claims Commission, former holder of the Red Cross Chair of International Humanitarian Law at the University of Leiden, *'Report on the work of the Eritrea – Ethiopia Claims Commission'* (18 May 2006);
- Mireille Hector, Head of the International Humanitarian Law Division of the Netherlands Red Cross, on *'The Third Additional Protocol to the Geneva Conventions: An Introduction to the Red Crystal'* (13 July 2006);
- Lt. Col. Ben Klappe, Judge at the Military Court in Breda, on *'Fighting Peacekeepers: UN Operations and the Applicability of International Humanitarian Law'* (7 November 2006);
- Dr. Erik Koppe, University of Groningen, on *'The Use of Nuclear Weapons and the Protection of the Environment during International Armed Conflict'* (21 November 2006);
- Professor Terry Gill, Netherlands Defence Academy, University of Utrecht and University of Amsterdam, on *'The Principle of Military Necessity'* (7 December 2006).



### *Conferences*

With its partners in The Hague Academic Coalition, the Section of IHL and ICL co-organised the third annual *From Peace to Justice Conference*, held in the World Forum Convention Centre, The Hague, was on the theme 'Beyond The Charter: Peace, Security, And The Role Of Justice'. The first day's plenary session featured, *inter alia*, keynote speaker Professor Philippe Sands, QC, Professor of Law at University College London and Director of the Centre on International Courts and Tribunals in the Faculty. During the afternoon, a high level panel of experts participated in a Question Time, in which members of the audience were able to direct questions concerning pressing issues relating to international peace and security to the panel. The second day of the conference featured the usual break out sessions at each of the academic organizations that participate in the Hague Academic Coalition.



Dr. Avril McDonald of the T.M.C. Asser Instituut addressing the audience at a Parallel session of the From Peace to Justice Conference held at the Institute

### **Website of International Humanitarian Law**

In June 2006 Sasha Radin started working for the section with the main task of managing and re-launching the website. The website is still a work in progress and still has the aims of acting as an interface between the section and the outside world. It aims to offer to a wide audience of legal professionals, members of the military and academia, students and interested members of the public, a range of products covering mainly international humanitarian law issues, yet still including relevant international criminal law matters. It will be able to become the interactive platform where members of different target groups can have a chance to meet and discuss, as envisioned, when a number of key technical changes are possible. Another key component of the website is the documentation database consisting of practice in the fields of IHL and ICL. This component can be developed further when the necessary technical changes in the structure and organization of the database occur.

#### **4.2.3. DEPARTMENT OF INTERNATIONAL PRIVATE LAW/INTERNATIONAL SPORTS LAW/ INTERNATIONAL COMMERCIAL ARBITRATION**

##### **4.2.3.1. Section of International Private Law**

###### **Staff**

In 2006 the Private International Law section consisted of three full-time researchers: Dr. Guus Schmidt, Mr Bart-Jan van het Kaar and Mr Michiel de Rooij. Mr Jaap van de Velden, PhD Candidate of the University of Groningen, who was seconded to the team on a part-time basis (20%), left the Institute and the University of Groningen in March 2006 to pursue his career with the British Institute of International and Comparative Law in London.

During 2006, ms Nynke Baarsma, research fellow with the University of Groningen was seconded to the team. Nynke Baarsma is preparing a dissertation on the foundations and principles of the European choice of law rules for family law. Ms Baarsma will be working mainly from Groningen and will be involved in projects of the institute.

###### **Research**

Guus Schmidt continued his research on the New Brussels II Regulation (2201/2003). This result was published in *Tekst & Commentaar Personen- en familierecht* [Text and Commentary: The Law of Persons and Family Law]. Further, Guus Schmidt prepared a preliminary report (*preadvies*) for discussion during the annual meeting of the Netherlands International Law Association. The *preadvies* concerned the question whether the European legislation on international family law is clear and easy to apply.

Michiel de Rooij en Bart-Jan van het Kaar continued to work on their PhDs regarding respectively, Conflicts of Law Issues of Carriage by Sea and Evidence in Private International Law. It is expected that Bart-Jan van het Kaar will finalize his PhD in the course of 2007.

###### **Applied Research and other Projects**

- *Legal advisory service*  
The team offers an information and legal advisory service to Netherlands legal practitioners who have to deal with questions of private international law or the content of foreign law. A total of 116 opinions were provided during 2006. The majority of the opinions were given to law firms in the Netherlands. Some opinions were delivered to courts, government authorities and in a few cases to private persons.
- *Feasibility study on the establishment of a European research network (March 2005- July 2006)*  
All members of the Asser Private International Law section were involved in a feasibility study for the European Commission, Directorate Home and Justice Affairs. Together with its partners IPR Verlag and HEE Consulting Group the Institute was asked by the European Commission to make an assessment of the current level of research in the Member States in the field of judicial cooperation in civil matters and to develop proposals for the structuring of a European research network and its activities. Within the framework of this project the Institute was responsible for in particular the collection of a bibliography in the field of private international law, the organization of expert meetings in the Member States and the organization of a meeting in The Hague with the national correspondents and representatives of international professional associations. The results of the study were presented to the European Commission in 2006.
- *Enforcement of family law decisions (2006 – 2007)*  
This study for the European Commission started in 2006 in cooperation with Tilburg University (Prof Paul Vlaardingerbroek) and national experts from all EU Member States. Most of the national experts were drawn from the academic community; many

are a member of the International Society on Family Law. The study is planned to be concluded in 2007.

- **Documentation**

With respect to documentation, during 2006 the members of the section (mainly Guus Schmidt) were involved in two documentation projects that were commissioned by the European Commission. These projects concerned the documentation of case law of the courts of all EU member states (with the exception of Denmark) regarding EU legislation on jurisdiction and enforcement in civil and commercial cases and in the area of marriage dissolution and parental responsibility (the two regulations presently in force are often referred to as 'Regulations Brussels 1 and Brussels 2/2bis'). The project also covers the case law of the predecessors of these regulations. The section is responsible for the selection of relevant case law from the courts in the Netherlands, which is summarised in English. Data collected within the framework of this project, which is led by the German publisher IPR-Verlag, will be fed into the 'Jure' database of the EU.

### **Education and Training**

In the area of education members of the section taught in Module D (Capita Selecta of International Trade and Business Law) of the Asser College Europe Post-Graduate Course in International Trade and Business Law. Members of the team were also tutors to researchers who participated in the Asser College Post-graduate Research project.

### **Publications**

The team contributes to the legal quarterly *Nederlands Internationaal Privaatrecht* [Netherlands Private International Law], which documents Dutch private international law and contains legal writing on this subject. The members of the section are responsible for the documentation part of the quarterly, which consists of the collection and publication of relevant case law, the indexing of relevant legal writing and the monitoring of relevant legislation and treaty law. Members of the team are also active, with others, as members of the board of editors. In particular, Guus Schmidt is closely involved in maintaining the academic standard of the quarterly as a member of the executive committee of the board of editors.

#### **4.2.3.2. Section International Sports Law/Asser International Sports Law Centre**

##### **Staff**

In 2006 the team of the ASSER International Sports law Centre consisted of Dr. Robert Siekmann, Mr Janwillem Soek, Mrs. Marjan Olfers (part-time) and Roberto Branco Martins (part-time). Roberto Branco Martins continued lecturing on Labour Law and Sport within the framework of the Masters of the Hugo Sinzheimer Institute on Labour Law, University of Amsterdam. In 2006 he was appointed general secretary of the newly established Dutch player's agents association Pro Agent, which is officially recognized by the Royal Dutch Football association (KNVB). Prof. Simon Gardiner, Leeds Metropolitan University, United Kingdom, and Prof. Ian Blackshaw, Anglia Ruskin University, Chelmsford and Cambridge, United Kingdom, and International Centre for Sports Studies, University of Neuchâtel, and a Member of the Court of Arbitration for Sport, Lausanne, Switzerland, participated as research fellows in the ASSER international Sports Law Centre.

##### **Research**

- On 3 March 2006, Janwillem Soek successfully defended his PhD on *The Strict Liability Principle and the Human Rights of Athletes in Doping Cases* at the Erasmus University Rotterdam (supervisor: Prof. Hans de Doelder, Department of Criminal Law and Procedure, and co-supervisor: Dr Robert Siekmann).

- Marjan Olfers continued and finalized her PhD research on *Sports and Competition Law: A Comparison between the United States and Europe* (supervisor: Prof. Heiko van Staveren, Free University of Amsterdam). She will defend the PhD before the summer of 2007.
- Roberto Branco Martins continued his PhD research on *Legal aspects of Social Dialogue in the European Professional Football Sector* (supervisors: Dr Richard Parrish, Edge Hill University, Ormskirk, United Kingdom, and Prof. Erik Verhulp, Hugo Sinzheimer Institute for Labour Law, University of Amsterdam).

### **Applied Research and other Projects**

In May 2006 Dr Robert Siekmann completed the study *Social Dialogue in European Professional Football* that had been commissioned at the end of 2006 by the G-14 European Football Clubs Grouping in Brussels. The study, a part of which was written by Roberto Branco Martins, appeared in *The International Sports Law Journal* (ISLJ) 2006/3-4 pp. 69-71 and 74-85: 'Study into the Possible Participation of EPFL and G-14 in a Social Dialogue in the European Professional Football Sector'.

### **Education and Training**

Participants in the International Sports Law Course of Anglia Ruskin University, Cambridge and Chelmsford, United Kingdom attended the annual intensive week at the T.M.C. Asser Instituut in The Hague in cooperation with the Institute's International Sports Law Centre from 5-10 March 2006.

The week was coordinated by course director John O'Leary of Anglia Ruskin University's Law Faculty. The main teaching team further consisted of Prof. Ian Blackshaw, honorary fellow of the ASSER International Sports Law Centre and inter alia a member of CAS and Prof. John Wolohan, Ithaca College, New York. The week's central themes were dispute resolution and sports business issues.

### **Publications**

In the course of 2006 the following books were prepared and finalized for publication by T.M.C. Asser Press in the first half of 2007:

- *The Council of Europe and Sport: Basic Documents*, edited by Robert Siekmann and Janwillem Soek, T.M.C. Asser Press, 2007, pp. 413 (Foreword by Dr Ralf-René Weingärtner, Director for Youth and Sport, Council of Europe, Strasbourg).  
The book is the second volume in the Asser series of collections of documents on international sports law, containing material on the intergovernmental (interstate) part of international sports law. The first volume was devoted to the European Union (2005). In previous publications, non-governmental materials, i.e. statutes and constitutions, doping rules and regulations and the arbitral and disciplinary rules and regulations of the international sports organizations were published.
- *European Sports Law: Collected Papers* (Foreword by Maitre Jean-Louis Dupont, Avocat, Belgium), edited by Robert Siekmann and Janwillem Soek (appr. 300 pp.).  
The book contains the collected works on the subject (1989-2006) of Stephen Weatherill, Jacques Delors Professor of European Community Law, Somerville College, University of Oxford, United Kingdom, for which he provided an up-to-date introduction. The book's editing team consisted of Robert Siekmann and Janwillem Soek.
- *Player's Agents Worldwide: Legal Aspects*, edited by Robert Siekmann, Richard Parrish, Roberto Branco Martins and Janwillem Soek (Foreword: Roger Blanpain, Professor in Labour Law, Universities of Leuven and Tilburg and Founder of the Fédération Internationale des Footballeurs Professionnels) (appr. 800 pp.).  
This book covers the legal regulations governing players' agents in forty countries around the world, representing the major football constituencies including Argentina, Brazil, Mexico and Russia as well as the 'Big Five' in Europe (England, France,

Germany, Italy, and Spain). Special attention is paid to the United States of America, the 'mother country' of the professional sports business.

- *The International Sports Law Journal* (ISLJ). In 2006 two double issues of *The International Sports Law Journal* (ISLJ) were published by the Centre (general editors: Robert Siekmann and Janwillem Soek), nos. 1-2, in May: pp. 128, and nos. 3-4 in October: pp. 144.

#### **Website**

In 2006 the ASSER International Sports Law Centre's website ([www.sportslaw.nl](http://www.sportslaw.nl)) was kept up-to-date by Robert Siekmann in cooperation with Marco van der Harst, the Webmaster of the Institute's Information Services and Information Technology Department.

In 2006, the Centre has started the initiative to regularly publish data on the activities of sports law centres and journals abroad as well as regarding national sports law associations on [www.sportslaw.nl](http://www.sportslaw.nl) and in ISLJ. This initiative is instrumental to the Centre's support of the Peace Palace Library in The Hague in its effort to maintain and improve its *Bibliography on Sports Law* which is directly linked to [www.sportslaw.nl](http://www.sportslaw.nl).

#### **Lectures, conferences, seminars**

- On 4 April 2006 the 6<sup>th</sup> Asser international sports lecture which took place in The Hague was devoted to *Nationality and Sport: Public Law v. Sports Law (the Kalou Case)*. The event was chaired by Nicole Edelenbos, consultant and former Director of Feyenoord Rotterdam Football Club. Speakers were Gerard René de Groot, Professor in comparative and private international law, University of Maastricht, Mr Jelle Kroes, Everaert Immigration Lawyers, Amsterdam, and Dr Stefaan Van den Bogaert, Lecturer in European Law, University of Maastricht.
- On 9 May 2006 the ASSER International Sports Law Centre organized, in cooperation with the Hugo Sinzheimer Institute for Labour Law, University of Amsterdam, an international sports law seminar in Amsterdam on *The Court of Arbitration for Sport and Lex Sportiva*. The event was co-chaired by Robert Siekmann and Dr Steven Jellinghaus, De Voort Hermes De Bont Lawyers & Mediators, Tilburg, and Lecturer in Sports Law, University of Tilburg. Speakers were Ian Blackshaw, Domenico Di Pietro, Mayer Brown Rowe & Maw LLP, London, Ousmane Kane, First Counsel of CAS, Roberto Branco Martins, Emile Vrijman, Scholten Lawyers, The Hague, and former Director of the Netherlands Centre for Doping Affairs (NeCeDo), and Dr Andrea Pinna, Faculty of Law, Erasmus University Rotterdam.
- On 6 June 2006 the 6<sup>th</sup> Asser/Clingendael International Sports Lecture was devoted to *The European Union and Sport: Law and Policy – Developments and Prospects*. The event was chaired by Robert Siekmann. Speakers were: Stephen Weatherill, Jacques Delors Professor of EC Law, Oxford University, United Kingdom, Maitre Jean-Louis Dupont, Hannequart & Rasir Lawyers, Liège, Belgium, Dr Emanuel Macedo de Medeiros, general manager of the Association of European Professional Football Leagues (EPFL) and Theo van Seggelen, Secretary-General of FIFPro.

#### **4.2.3.3. Section of International Commercial Arbitration**

##### **Staff**

In 2006 Dr. Vesna Lazić carried out the activities of the section International Commercial Arbitration on a half-time basis. She is also working at the University of Utrecht.

##### **Research**

Vesna Lazić presented the paper entitled 'Arbitration Law Reforms in the Netherlands: Formal and Substantive Validity of an Arbitration Agreement' at the 17<sup>th</sup> Congress of the International Academy of Comparative Law held on 16-22 July 2006 at the University of

Utrecht. The paper analyses relevant provisions relating to arbitration agreements contained in the 'Proposals for Changes to Book Four (Arbitration), Articles 1020-1076 Code on Civil Procedure' drafted by the Working Group for the reform of arbitration law. Thereby it is examined to what extent the suggested amendments would bring the regulatory framework in the Netherlands into line with modern trends and developments in comparative arbitration regulation and contemporary arbitration practice.

Vesna Lazić was invited to participate in the IV Conference on Private International Law, held on 26-27 October 2006 in Zagreb, where she presented the Report entitled 'Recent Developments in Harmonizing European Private International Law in Family Matters: Proposal for a Council Regulation Amending Regulation (EC) no 2201/2003'.

Her Report entitled 'Role of National Courts and Arbitral Institutions under the Croatian Arbitration Act' was presented at the 14th Croatian Arbitration Days held on 30 November and 1 December 2006 in Zagreb.

At the International Conference on Private International Law, organised by the Indian Society of International, the Hague Conference for Private International Law and the T.M.C. Asser Instituut, held on 2-3 December 2006 in New Delhi, Vesna Lazić presented the paper entitled '2005 Hague Convention on Choice of Court Agreements of 2005: Scope of Application and Main Rules'. In her presentation she analyzed relevant provisions of this Convention, whereby the approaches taken were compared with those followed in the 1958 New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards.

### **Education and Training**

A course on International Commercial Arbitration is given within the framework of the Asser College Europe Course on International Trade Law (1 February until 30 June 2006), where various aspects of international commercial arbitration as a dispute settlement mechanism are studied in considerable depth.

Vesna Lazić drafted the Programme, coordinated the Module on International Commercial Arbitration and the Module on International Commercial Transactions and participated as a lecturer. Also a number of leading arbitration specialists, with different legal backgrounds, lectured on the course, including Prof. Dr. K.P. Berger (University of Cologne), Prof. M. Hunter (Essex Court Chambers), Dr. J. Schaefer (Sherman & Sterling, Frankfurt am Main), Dr. J. van Haersolte-van Hof (Freshfields, Bruckhaus Deringer, Amsterdam), Mr. G. Meijer (De Brauw Blackstone Westbroek, The Hague), G. Nichols (Freshfields, London).

### **Publications**

Dr Vesna Lazić is a member of the Editorial Board of the *European Business Organization Law Review* and the *Croatian Arbitration Yearbook*.

For the papers and articles published by Dr. Lazić see Annex 4 – Publications.

#### 4.3. PROJECTS – A survey of Contract Research and Consultancies in 2006

In 2006, some major projects have either been launched or continued. For detailed information see the previous Paragraph 4.2.: Departments of Research under the heading Applied Research and other Projects.

##### **Belgium**

- *Training services for developing country diplomats based in Brussels in a Programme of Post-graduate Academic Education in WTO Law (August 2006- August 2007)*

This project is funded by the European Commission and it has two objectives. One of them is to contribute to the building of capacity in developing countries in the field of WTO law by training diplomats from developing countries. The other is to facilitate developing country participation in the WTO, notably dispute settlement, with a strengthened and improved format of technical assistance through legal training.

##### **Bosnia- Herzegovina**

- *USAID BiH study tour for judges*

For the project 'Managing the introduction of CMS and other reforms in courts of BiH', funded by USAID, the T.M.C. Asser Instituut provided a training for judges and court staff from Bosnia and Herzegovina. The goal of the training was to observe how courts in the Netherlands have prepared for and implemented case management systems. The project ran from 25 June until the 1 July 2006.

##### **Bulgaria**

- *Establishing a European Union Law Documentation Centre for the Judiciary (April 2006- April 2008)*

This project aims to contribute to the accession of Bulgaria to the EU. It covers areas of assistance, transfer of knowledge and exchange of information such as the establishment of the EU Law documentation centre, the development of a web enabled inter- and intranet infrastructure and training of the various target groups on the use of the established technology and facilities.

The project is being carried out by the Nederlands Helsinki Comité, taking care of the overall management. The T.M.C. Asser Instituut provides most of the project's key experts.

- *Strengthening of the Bulgarian Judiciary; Training of Magistrates and Administrative Staff (March 2006- November 2007)*

The project is a twinning between the Bulgarian and Spanish governmental organizations. The experts of the T.M.C. Asser Instituut are involved in several training activities such as seminars and workshops on EU law held in 2006 and 2007.

##### **Estonia**

- *Building Competence in European Law in the Estonian Judiciary (July 2004 – June 2006)*

The overall objective of the project was to ensure that Estonian courts have expertise to provide rulings for the implementation of EC Law and international conventions relevant for the EU membership. The project had the purpose to improve the competence of the Estonian courts to handle claims based on European law. The T.M.C. Asser Instituut provided the relevant EU law expertise as a subcontractor of the Centre for International Legal Cooperation (CILC) who acted in this Phare Twinning project on behalf of the Dutch government. The project was concluded with a final report in August 2006.



## **Lithuania**

- *Design and Delivery of a Training Program for Administrative Courts*  
On behalf of the Dutch government the Centre for International Legal Cooperation (Leyden) invited experts of the T.M.C. Asser Instituut to join forces in order to improve the professional capacity of judges and legal personnel of administrative courts of Lithuania in the field of European Community competition law, tax law, customs law, social and medical issues, environment law, transport law, pharmacy law and veterinary law. This was done by means of the design and delivery of a training program, taking place from July 2005 until June 2006. The project ended with a final evaluation in November 2006.

## **Mediterranean Partners**

- *Euromed Justice Program*  
This project started in December 2004. The objective of this project is to build an inter professional community of magistrates, lawyers and registrars serving an open and modern justice, reinforcing the rule of law and the effective enforcement of Human Rights. The T.M.C. Asser Instituut provided speakers for several seminars. This project is funded by the MEDA Programme of the European Commission. The project will end in 2007.

## **Multi Country**

- *Bacri III Update*  
This project was set up by the Dutch ministry of justice to formulate a set of common organizational and procedural measures for a better international exchange of information that would be acceptable to all EU Member States. The T.M.C. Asser Instituut updated old nation reports and wrote 12 new nation reports through desk research and questionnaires. A final report was handed in on the 31 December 2006.
- *EC competition law for national judges*  
For this project, T.M.C. Asser Instituut provides training in European Competition law for national judges from Estonia and the Netherlands. The project has started in December 2006 and will run until April 2007. The project is funded by the European Commission.
- *European Arrest Warrant project (October 2004 – September 2006)*  
The institute and its consortium partners (Amsterdam Centre for International Law, European Criminal Bar Association, Centre for Information Services for MP's of the National Library of Estonia, Justice (London), Max Planck Institute (Freiburg), the Ministry of Justice Romania and the University of Lund) were awarded a grant by the European Commission's AGIS 2004 Programme. The aim of the project was to promote the uniform and transparent application of the Framework Decision on the EAW in the 25 EU member states. It fostered the free exchange of information and the promotion of practical application and applied research in the field of judicial cooperation in criminal matters by providing information on the EAW and its implementation and application on the national level, creating a platform for discussion and exchange of information and offering an environment for research. For more information, see [www.eurowarrant.net](http://www.eurowarrant.net)
- *Framework Contract LOT 11 Macro Economy, Public Finances and Regulatory Aspects (September 2005-September 2007)*  
The T.M.C. Asser Instituut will provide technical assistance upon request of the European Union during this project.
- *IPR Network: Feasibility study on the creation of a European research network (March 2005- July 2006)*  
The project, awarded to a consortium of IPR Verlag GmbH (Germany) and T.M.C. Asser Instituut by the European Commission, is aimed at assessing the current level of research in the member states in the field of judicial cooperation in civil matters and

developing proposals for the structuring of a European research network in the field of private international law. In all EU Member States, experts meetings are organised in order to actively involve the relevant stakeholders in the matter. A final report was finished in July 2006.

- *Participation of the G-14 in the Social Dialogue in the European Professional Football Sector*

The aim of this project, commissioned by the European Commission, is 'to produce a study that sets out both brief descriptions of the way that social dialogue functions in the countries concerned and descriptions of the various workers' and employers' organizations involved in social dialogue at sector level'. The T.M.C. Asser Instituut did a study on the representativeness of the social partner organizations in the professional football sector. This project was concluded with an evaluation on 8 November 2006.

### **The Netherlands**

- *TNT Turkish legal system*

For the leading postal service provider in the Netherlands, TNT, T.M.C. Asser Instituut formed a legal opinion on the reliability of the Turkish Legal system. This was done by a study of the judicial and legal system in Turkey. A final report was submitted in November 2006.

### **Contract Research**

- *Data-input services relating to the Brussels I database (February 2004 - December 2007)*

During this project, the T.M.C. Asser Instituut is determining and electronically collecting the texts of the already existing and new judgements, or the relevant excerpts, and proofreading them. Furthermore, a summary of each judgement in the language of the judgement is being provided. The project is funded by the European Commission.

- *Implementation nuclear energy law*

The T.M.C. Asser Instituut carried out a study commissioned by Meurs Juristen for the Dutch Ministry of Housing, Regional Development and the Environment concerning the implementation of INFCIRC 225, on the Physical Protection of Nuclear Material and Nuclear Facilities, of the IAEA in national legislation and regulation. The project started in July 2006 and lasted for 6 weeks.

- *Ministry of Economic Affairs - Nationale koppen op Europese wetgeving (December 2006 – January 2007)*

As requested by the ministry of Economic Affairs, the T.M.C. Asser Instituut, together with the University of Leiden, will research complaints from different organizations in The Netherlands that have endured problems with regard to strict rules from the Dutch government on top of EU directives. Sometimes, comparative research is necessary.

- *The Hague Platform for International Environmental Law Project (May 2006 – April 2007)*

As subcontractor of the Institute for Environmental Security, the T.M.C. Asser Instituut is in charge of carrying out the desk research, drafting the questionnaire and carrying out interviews in a project which aims at identifying and promoting The Hague as Legal Capital of the world, as centre for peace and security and as a location of international organizations in the field of the environment and environment-related subjects. The project is funded by the Dutch Ministry of Housing, regional development and the Environment and the Ministry of Foreign Affairs as well as the municipality of The Hague.

- *Comparative study on enforcement procedures in Member States of the EU regarding family rights, practical difficulties faced in the area of justice in civil matters, and the options available for resolving these problems and facilitating citizens' lives (December 2005 - December 2006)*

The study consists of three parts: a description and analysis of the national rules of the 25 Member States; an empirical analysis of the current situation in the Member States;

drafting of a synthesis report on the results of the legal and empirical study. A team of national experts from all member States were involved in drawing up national reports which will form the basis of the synthesis report. This report was handed to the European Commission in February 2007.

- *Ministry of Transport, Public Works and Water Management - Onderzoek institutionele aspecten binnenvaart*

The T.M.C. Asser Instituut has investigated the possibilities of an international organ that has authority over inland navigation for the Dutch Ministry of Transport, Public Works and water Management. Two researchers from the T.M.C. Asser Instituut studied the feasibility of such a body. The results of this study will be handed to the Ministry in January 2007.

- *Pilot - Monitor Influence EU regulation on Dutch legislation (September 2005 - March 2006)*

On behalf of the Dutch Ministry of Justice and the Ministry of Foreign Affairs the institute conducted a pilot study which aimed to develop a permanent monitor of the influence of EU regulation on Dutch legislation. This pilot study measures the quantitative influence of EU regulation on Environment and Education and will provide recommendations on how to design the permanent monitor. This project was finished in July 2006 with the submission of the final report.

- *Screening of national legislation on the conformity with the EC directive on services for the ministry of Defence*

For this project, T.M.C. Asser screened the general binding regulations and policy rules for which the Ministry of Defence is responsible. The project ended in October 2006.

- *Screening of national legislation on the conformity with the EC directive on services for the ministry of Justice*

The T.M.C. Asser Instituut screened the general binding regulations and policy rules for which the Ministry of Justice is responsible and made a list of recommendations. The final evaluation was completed in November 2006.

- *Screening of national legislation on the conformity with the EC directive on services for the ministry of Education, Culture and Science*

A first screening of the general binding regulations and policy rules from the OCW was carried out by the T.M.C. Asser Instituut. The project ended in August 2006.

- *Screening of national legislation on the conformity with the EC directive on services for the ministry of Housing, Spatial Planning and the Environment*

T.M.C. Asser Instituut screened the law for soil protection and the corresponding regulations for the Dutch ministry of housing, regional development and environment. The project lasted 1 month.

- *Ministry of Transport, Public Works and Water Management - Basisnet vervoer*

This project from the T.M.C. Asser Instituut is a study about the present rules for transportation of hazardous materials for the Dutch ministry of Transport, Public Works and Water Management. It also consists of an additional study for the legal possibilities for prohibition of transport of chlorine bulk goods in the Netherlands, which will be completed by the end of 2007.

### **Legal Advisory Service**

In 2006, the T.M.C. Asser Instituut continued offering its legal advisory services to law firms, courts, companies and ministries.

The legal advices provided in 2006 totalled 126. Most advices related to the field of private international law, and covered topics ranging from protection of children and inheritance to building contracts.

## **5. INFORMATION SERVICES AND INFORMATION TECHNOLOGY (I&I)**

### **5.1. Introduction**

In the reporting period a number of major events have dominated the work of the department, i.e. the fire in the server room and the management of a number of major projects, such as the European Arrest Warrant project, the Hague Justice Portal and the Feasibility Study on a Research Network on Private International Law.

### **5.2. Fire in the server room**

In the night of May 4<sup>th</sup> a small but intense fire in the air-conditioner of the Institute's server and communications room caused considerable damage to the network and the servers. Because of the heat the backbone of the network cables melted down completely. No communication was possible any more; neither by telephone nor by internet. Furthermore, the servers and other equipment, including the backup tape-unit, seriously suffered from soot. During the next weeks the complete cabling infrastructure had to be replaced (approx. 30 km) as well as two of the servers, network switches, routers, the central telephone switchboard, fibre optic connections to internet, etc. In fact the complete server room had to be cleaned and renovated. Server racks, power switchboards and the air-conditioning were replaced and a second server room was created in the library annex to the main building, inter alia, to locate the back-up unit in a separate room from the servers.

In the first weeks after the fire priority was given to reinstalling basic computer and communication services, such as telephone and provisional network facilities, and to bringing the websites in the air as soon as possible. The recovery process was hampered by the damage to a considerable number of hard disks and an incomplete and damaged back-up. All back-up tapes proved to be irrecoverable. Fortunately, all user and project files and documentation systems had, since February, been copied daily to a recently installed mass storage unit, which survived the fire undamaged. This additional backup procedure did not yet include procedures for copying all data of all servers on a day-to-day basis. The most recent incremental backup available proved to be the one of the end of January. Because the financial administration was stored on one of the damaged servers, the financial administration covering the period of February to May was lost. Also, some other data were lost or had to be repaired, such as the lending registration in the library and some internet sites.

Thanks to the assistance provided by our suppliers and in particular the assistance provided by the Informatiseringscentrum of the University of Amsterdam it was possible to return to normal services by mid-June / early July. Throughout August a new system manager of OGD, together with the staff of the department of I&I, worked very hard behind the scenes to solve the remaining problems and to reinstate services on a professional level. After an external audit by independent experts of Syllis services could be resumed on normal service levels at the end of the year.

### **5.3. European Arrest Warrant project**

The international conference in Noordwijkerhout in June and the successful completion of the European Arrest Warrant project in September were the two major milestones in this project.

At the international conference of the project on the *European Arrest Warrant: the reality of a Vision*, June 15-17, 2006 at the international conference centre NH De Leeuwenhorst in Noordwijkerhout, the results of the project were presented. In view of the various target groups, a functional approach was chosen in designing the conference programme in order to assure an active participation of all the attendees.

After a pre-conference with all correspondents and the members of the Research Council and the Steering Committee in the afternoon of 15 June, the conference was officially

opened by Judge R. Blekxtoon. With the delivery of his keynote address Judge Nial Fennelly of the Supreme Court of the Republic of Ireland initiated the discussions on the implementation of the Framework Decision. During the morning sessions of the first day, an overview of the various problems encountered in the implementation of the European Arrest Warrant (EAW) was presented by a variety of experts.

In the afternoon a 'case analysis set-up', based on two hypothetical cases, was organized in order to involve all the participants of the conference. Practitioners, academics, judges, prosecutors, police officials and policy makers participated in a lively debate. Ms E. Angiolini, the Scottish Solicitor General, concluded the first day delivering an energising and inspiring speech during the conference dinner.

The second day focussed on the future. Speakers from the EU, Canada and USA presented their views on the EAW and future developments in the area of criminal cooperation. The conference was concluded with a session on the issue of human rights and fundamental liberties.

The results of the conference, speeches and a retrospective report by Prof. Nico Keijzer on the case analysis have been published on the website [www.eurowarrant.net](http://www.eurowarrant.net).

Based on the research plan as defined by the project's Research Council much effort has been put in forming an active international network of experts and national correspondents. Under supervision of senior researchers an enthusiastic team of researchers and young professionals has succeeded in collecting the solicited information from almost all EU Member States, the non-EU Schengen states and the candidate countries on the basis of a questionnaire and country reports. In addition to the national reports on the implementation of the Framework Decision, case reports and articles on national surrender decisions were received from many Member States as well as decisions of the various constitutional courts and tribunals. Under the active coordination of the managing editor the national reports have been reviewed by experts of the Research Council, before being published on the project's website. Furthermore, a team of EU documentation experts of the T.M.C. Asser Instituut has assisted in collecting the documentation of the European Union and other relevant sources. As a consequence the website is by many regarded as the most comprehensive and authoritative source on the European Arrest Warrant, containing a wealth of peer-reviewed commentaries, documentation and information of the European Union on the EAW and its implementation in the Member States, national case law and articles based on (comparative) research.

Researchers in the project have participated actively in various conferences, seminars, lectures etc. of the partners and others.

#### **Research Council EAW-project:**

- Judge R. Blekxtoon, T.M.C. Asser Instituut (Editor-in-Chief), Netherlands
- Dr O. Ribbelink, T.M.C. Asser Instituut, Netherlands
- Mr S.K. de Groot, Ministry of Justice, Netherlands
- Prof. P. de Hert, University of Bruxelles, Belgium
- N. Keijzer, Retired Justice of the Supreme Court of the Netherlands, Netherlands
- Prof. J.A.E. Vervaele, G.J. Wiarda Instituut, University of Utrecht, Netherlands
- Prof. H.G. van der Wilt, Amsterdam Centre for International Law, Netherlands
- Prof. J.W. de Zwaan, Erasmus University / Instituut Clingendael, Netherlands
- Prof. D. Krapac, University of Zagreb, Croatia
- Ms M. Leaf, Justice, United Kingdom
- Prof. O. Lagodny, University of Salzburg, Austria
- Dr J.M. Simon, Max Planck Institute for Foreign and International Law, Germany
- Prof. J. Vogel, University of Tübingen, Germany
- Prof. T. Spronken, European Criminal Bar Association, United Kingdom

- Prof. Dr C. Wong, University of Lund, Sweden
- Prof. S. Cimamonti, Fernand Boulan, France
- Prof. J. Spencer, Cambridge University, United Kingdom

Mr Philip van Tongeren, T.M.C. Asser Press and Mr. Wouter van Ballegooij (managing editor) participated to the meetings of the Research Council

**Research team:**

- Wouter van Ballegooij (managing editor), T.M.C. Asser Instituut, Netherlands
- Martine Boerlage, Amsterdam Centre for International Law, Netherlands
- Maik Martin, Justice, United Kingdom
- Peggy Pfuetzner, Max Planck Institute for Foreign and International Criminal Law, Germany

Parallel to the research and documentation activities, a team of ICT-experts has developed the systems necessary to support the building and maintenance of the project's website: [www.eurowarrant.net](http://www.eurowarrant.net). The system development included the enhancement of the Asser Content Management System with, inter alia, management tools for tasks like managing the navigational structure of the site, work-flow management and peer-reviewing, decentralised and remote updating and functions for registering users, forum discussions and the submission of articles. Furthermore, a current awareness service based on interest profiles was developed as well as systems to support comparative research including a tool for comparing language versions of the Framework Decision and the 32 offences. The system development activities were successfully concluded in September with the launch of a Customer Relations Management system.

The project which started in October 2004 was carried out by a consortium including the Amsterdam Centre for International Law (University of Amsterdam), the Centre of Information Services for MPs of the National Library of Estonia, the European Criminal Bar Association (ECBA), the Faculty of Law of the University of Lund (Sweden), JUSTICE (London), the Max Planck Institute (Freiburg) and the Ministry of Justice of Romania. The T.M.C. Asser Instituut operated as leader of the consortium. During the project's two-year period other organizations have expressed willingness to support the project's aims and goals, such as Eurojust, The International Association of Prosecutors (IAP), European Judicial Network, The Hague (EJN), Faculty of Law of the University of Maastricht (UNIVMAAS), Association Internationale de Droit Pénal, Vienna (AIDP), Centre of Research in Criminal Sciences Fernand Boulan, Marseille (Fernand Boulan).

**Steering Committee EAW-project:**

- Prof. F.A. Nelissen, T.M.C. Asser Instituut (General Director)
- Prof. U. Sieber, Max Planck Institute for Foreign and International Criminal Law, Germany
- Mr R. Smith, Justice, United Kingdom
- Mr V.C. Ivan-Cucu, Ministry of Justice, Romania
- Mr H. Jahae, European Criminal Bar Association, United Kingdom
- Prof. P.A. Nollkaemper, Amsterdam Centre for International Law, Netherlands
- Judge R. Blekxtoon, T.M.C. Asser Instituut (Editor-in-Chief), Netherlands
- Mr P. Zeman, Eurojust, Netherlands
- Mr H. Marquart-Scholtz, International Association of Prosecutors, Netherlands
- Mrs M. Bonn, Ministry of Justice, Netherlands
- Prof. Dr C. Wong, University of Lund, Sweden

Mr J.S. de Jongh (project manager) and Julien Simon (Assistant Project manager) participated in the Steering Committee meetings.

It may be concluded that by October 2006 the European Arrest Warrant project has been successful in achieving its major objective, that is, to create transparency in the application of the European Arrest Warrant by fostering academic research and cooperation between judicial authorities involved in surrender procedures. It is fair to say that the publications of the researchers of the consortium have had and have, a significant impact on the way in which the Framework Decision on the European Arrest Warrant is studied and practised in the European Union. The articles published and referred to via the website, have been actively used by authors around Europe in numerous citations. This has led to a more sophisticated debate on the measures taken to develop judicial cooperation in criminal matters, the European Arrest Warrant in particular. Judges have made use of the network and its information to explore best practices in other Member States. Moreover, critical comments made by several researchers involved in the project have been picked up by judges, government officials and politicians.<sup>1</sup>

In its November meeting the Steering Committee expressed its satisfaction that all project results had been achieved and on how the project had been conducted. It was decided also that the project and the cooperation should be continued in the coming years. The Committee recommended not to widen the scope and coverage of the EAW project but rather to stimulate in-depth research and the creation of specialised knowledge on the EAW.



Opening speech by Prof. Nelissen, General Director of the T.M.C. Asser Instituut, at the European Arrest Warrant Conference: 'The Reality of a Vision', 15 June 2006.

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<sup>1</sup> See, e.g. the comments made by professor Keijzer on the abolition of the double criminality requirement for the 32 categories of offences mentioned in Article 2(2) Framework Decision on the European Arrest Warrant, the oral hearings leading up to the Bundesverfassungsgericht judgement on the European Arrest Warrant of 18 July 2005 and the conclusion of Advocate-General Colomer in ECJ Case C-303/05, *Advocaten voor de Wereld v. Leden van de Ministerraad*.

#### **5.4. The Hague Justice Portal**

The Hague Justice Portal was officially launched at 6 April 2006 by Her Royal Highness Princess Margriet on the occasion of the annual conference of the Hague Academic Coalition 'From Peace to Justice'. The portal has been developed for the Hague Academic Coalition by the Institute together with and supported by the Municipality of The Hague in 2005, with the ambition to become the most authoritative source for information, news, commentaries and research on the Hague organizations in the field of international peace and justice.

The Hague Justice Portal clearly fills a need as can be shown by the web statistics (see below). It almost immediately attracted a wide international audience. Starting with 17.000 page views in January 2006 and after an interruption caused by the fire in the server room, it attracted a tenfold of this number by the end of the year.

During the reporting year the editorial team of the portal headed by the Editor-in-Chief, Prof.Dr. H. Post of the University of Modena & Reggio Emilia, has successfully worked on making this ambition true. Much effort has been put in creating a stable environment and a back office organization necessary to keep the contents of the multi-lingual portal (French and English) up-to-date and to widen its scope and content. Two major initiatives have been instrumental in this respect, viz. the so-called PCA-project and the launch of the Hague Justice Journal – Journal Judiciaire de la Haye (HJJ-JJH).

##### *Hague Justice Journal – Journal Judiciaire de la Haye*

The first volume of the new bi-lingual Hague Justice Journal – Journal Judiciaire de la Haye (HJJ-JJH) was published on the Hague Justice Portal at the end of 2006. The HJJ-JJH is a peer-reviewed electronic journal featuring academic articles, commentaries and reviews of decisions in English and French relevant to international justice and overviews of recent documents. The HJJ-JJH already provides analyses of distinguished authors on a wide range of topics, from ICTY decisions to the role of international justice in the twenty-first century.

Although closely linked to the Hague Justice Portal the journal has its own and independent editorial board. General Editor is Professor Harry Post (University of Modena & Reggio Emilia). Members of the board are Professor Malgosia Fitzmaurice (Queen Mary, University of London), Professor Paul Tavernier (University of Paris XI), Professor Gabriella Venturini (University of Milan), Professor Rob Walker (University of Victoria) and Professor Wouter Werner (Free University of Amsterdam).

##### *Decisions of the Permanent Court of Arbitration*

In close cooperation with the Permanent Court of Arbitration the Hague Justice Portal has started to digitalise the historic awards of the PCA and makes these awards electronically available on the portal. The first stage of this ambitious project began early in 2006. It aims to fully digitalise the awards rendered since 1899, including related documents.

A steadily growing number of PCA awards from the early 20th century, together with additional documents relating to those arbitrations, are now available online at the Hague Justice Portal in both searchable PDF and HTML formats in French and English.

On the basis of an analysis of the portal's web statistics it may already be concluded that the publication of the PCA awards clearly fills a need and attracts lot of interest.



*Historic PCA Awards available on the Hague Portal:*

- Arrest and Restoration of Savarkar (France v. Great Britain, 1911)
- Deserters of Casablanca (Germany v. France, 1909)
- Muscat Dhows Case (France v. Great Britain, 1905)
- Japanese House Tax (Germany, France and Great Britain v. Japan, 1905)
- The Grisbådarna Case (Norway v. Sweden, 1909)
- The North Atlantic Coast Fisheries Case (Great Britain v. U.S.A., 1910)
- The Orinoco Steamship Company Case (U.S.A. v. Venezuela, 1910)
- The 'Carthage' Case (France v. Italy, 1913)
- Boundaries in the Island of Timor (The Netherlands v. Portugal, 1914)
- Norwegian Shipowners' Claims (Norway v. U.S.A., 1922)
- The Island of Palmas Case (or Miangas) (The Netherlands v. U.S.A., 1928)

### **5.5. Feasibility Study for a European Research Network on Private International Law**

Together with its partners IPR Verlag and HEE the Institute has conducted on request of the European Commission, a feasibility study for a European Research Network on Private International Law. For this purpose an assessment has been made of the current level of research in the Member States in the field of private international law. Within the framework of this project the Institute has been responsible for, in particular, the compilation of a bibliography in the field of private international law, the organization of expert meetings in 16 EU Member States and the organization of a meeting in The Hague with the national correspondents of the project and representatives of international professional associations. The results of the study have been presented to the EC in November 2006, including proposals for the structuring of a European research network in the form of an association and the activities the association should undertake. The results of the study will be published by the EC on its website. The bibliography, reports on expert meetings and a who is who can be found on the project's website [www.european-research-network.org](http://www.european-research-network.org)

### **5.6. Library and information services**

Apart from the information services to members of staff and other individual customers of the library, information services have been provided on a regular basis to:

- *Corvers Commercial & Legal Affairs*  
EU legislation, policy documents and case law of the Court of Justice of the EC on procurement measures of the EU as well as Dutch case law on procurement issues has been delivered to Corvers Commercial and Legal Affairs monthly.
- *Kluwer*  
For the purpose of publication in *International Transport Treaties, including Transport News* by Kluwer Law International, the status of international transport treaties is being regularly updated by Marco van der Harst (assistant editor).
- *SDU*  
The cooperation with the SDU in the delivery of information on the implementation of EC directives and JHA framework decisions by the Netherlands and the case law of the Court of Justice of the EC for the purpose of the two CD-ROM publications *CD-JURIS Europa* and *Register Officiële Publicaties* and the online information system *Europmaat* was continued.
- *SEW*  
S.F. Blockmans, W.Th. Douma and M.A. van der Harst prepared the annual overview of EU legislation 2005 (EU-wetgevingskroniek 2005, in: SEW Tijdschrift voor Europees en economisch recht, nr. 12/2006, pp. 467-476).

The librarian was active as coordinator for the working group of Dutch European Documentation Centres (EDC). The activities included, *inter alia*, the organization of the annual national meeting, representing the group to the European Commission in Brussels and answering various information requests from other EDCs.

#### **5.7. Information systems and databases**

The following information systems/databases are regularly updated with documentation and information collected by the research teams and the department of I&I:

- Decisions of the Court of Justice of the EC and the Court of First Instance of the EC and the EFTA Court
- EU cases on European environmental law
- EC directives and JHA framework decisions: implementation by the Netherlands
- EU enlargement agreements
- Proposals for EC-directives and JHA framework decisions
- EU literature
- Dutch case law on private international law
- Dutch literature on private international law
- Dutch legislation on private international law
- Treaties on private international law
- Legal practice on private international law
- Treaties on public international law
- Dutch state practice
- Dutch case law on public international law
- Dutch literature on public international law
- Terminology public international law
- International humanitarian law documents
- International transport treaties
- EU doping rules
- Comparative database on the framework decision on the European Arrest Warrant

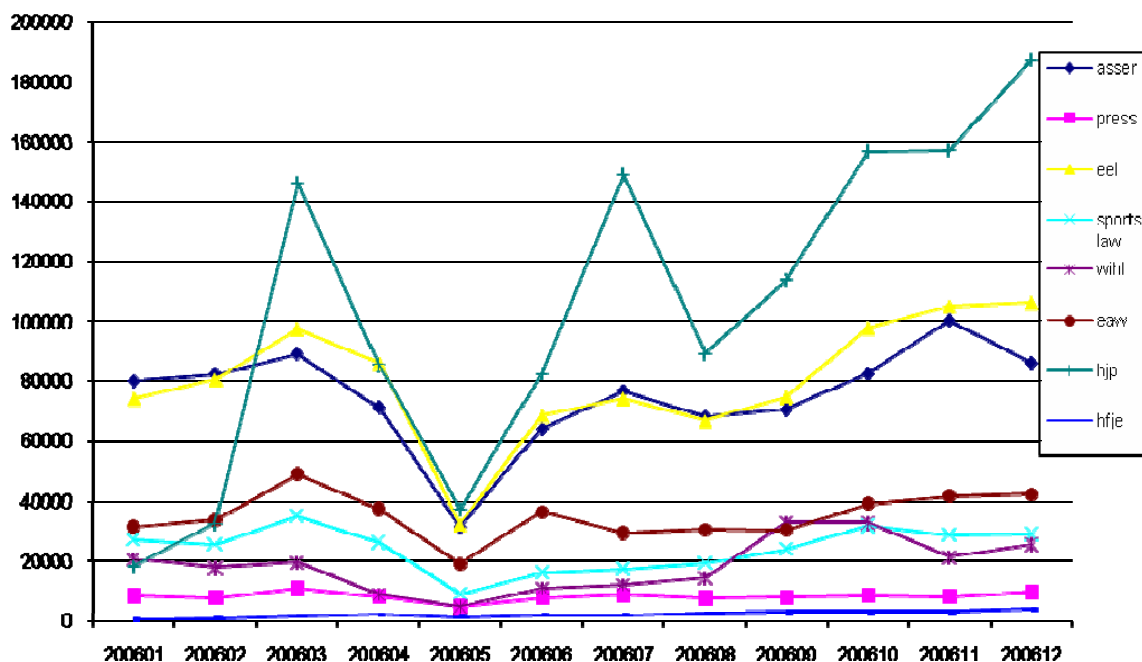
The information systems are being made available on CD-ROM (SDU: Register officiële Publicaties and CD-JURIS Europa), on the SDU online information system Europmaat and/or on the Intranet and Internet sites of the Institute.

#### **5.8. Websites**

The Institute hosted in 2006 the following portals and websites:

- Asser Portal [www.asser.nl](http://www.asser.nl) and its sub-sites:
  - T.M.C. Asser Instituut
  - T.M.C. Asser Press ([www.asserpress.nl](http://www.asserpress.nl))
  - Hague Joint Conference
  - Hague Forum for Judicial Expertise
  - Private International Law
  - International Commercial Arbitration
  - Public International Law
  - International Humanitarian Law / International Criminal Law ([www.wihl.nl](http://www.wihl.nl))
  - European Law
  - European Environmental Law ([www.eel.nl](http://www.eel.nl))
  - Asser International Sports Law Centre ([www.sportslaw.nl](http://www.sportslaw.nl))
  - European Arrest Warrant Project ([www.euowarrant.net](http://www.euowarrant.net))
- Website NVIR ([www.nvir.org](http://www.nvir.org))
- The Hague Justice Portal ([www.haguejusticeportal.net](http://www.haguejusticeportal.net))

The websites Hague Legal Capital ([www.haguelegalcapital.nl](http://www.haguelegalcapital.nl)) and From Peace to Justice ([www.frompeacetojustice.nl](http://www.frompeacetojustice.nl)) have been incorporated in the new Hague Justice Portal. Users are automatically redirected to [www.haguejusticeportal.net](http://www.haguejusticeportal.net).



Average number of page views for all Asser-sites showed

In the year 2006 the total number of page views of the Asser Portal showed an increase from 2.296.330 page views in 2005 to 2.893.000 page views in 2006. The new Hague Justice Portal attracts a rapidly widening audience. The number of page views increased from 18.000 in January to 180.000 in December.

The statistics show very clearly the dramatic impact of the fire in May and the slow return of visitors afterwards. Although the websites were back in the air in June, it was not until September that the number of page views was back to normal levels.

### 5.9. Student readers

In consultation with the Dutch universities a new and upgraded edition of the student reader of Dutch case law on Private international law was prepared for publication by Ars Aequi.

### 5.10. Other

In addition to the projects mentioned above, which have been or are being carried out under the responsibility of the department of I&I, members of the department have been involved in several projects and activities in different capacities:

- Asser College Europe: Training Course for Legal Information Specialists 2006;
- Establishing a EU documentation Centre at the National Institute of Justice in Sofia, Bulgaria (MATRA);
- EU-monitor: pilot-project for measuring the influence of the EU on Dutch legal instruments (Ministry of Foreign Affairs);

- Brussels I: European database with decisions of national courts (original language with summaries in English, French and German) (DG JHA);
- Advice on establishing a monitoring system of EU court practices for the Supreme Administrative Court, Vilnius, Lithuania (Phare twinning);
- Study tour in Court and Case Management for members of the Bosnian Judiciary, (USAID);
- Research project on the formulation of a set of common organizational and procedural measures for a better international exchange of information that would be acceptable to all EU Member States (BACRI III);
- Research on the implementation of the Services Directive on request of several ministries (Ministry of Justice, VROM and Defence);
- Research on the legal instruments applicable to transport of dangerous substances (Ministry V&W).

## 6. EDUCATION AND TRAINING

### 6.1. ASSER COLLEGE EUROPE (ACE)

Asser College Europe is the result of a cooperation scheme between the Institute and academic organizations in Central and Eastern Europe.

#### **Participating Institutions in 2006**

- Belarussian State University, International Law Department, Minsk, Republic of Belarus, (Dr. U.A. Astapenka)
- Central European University, Legal Studies Department, Budapest, Hungary, (Prof. Dr. T. Varady)
- University of Bucharest, Faculty of Law Bucharest, Romania (Prof. Dr. I.A. Motoc)
- Eötvös Loránd University, School of Law, Civil Law Department, Budapest, Hungary, (Prof. Dr. L. Vékás)
- T.M.C. Asser Instituut, The Hague, The Netherlands, (Prof. Dr. F.A. Nelissen)
- Mickiewicz University, Faculty of Law, Poznan, Poland, (Prof. Dr. M. Kepinski)
- University of Sofia, Faculty of Law, Sofia, Bulgaria (Prof. Dr. R. Tashev)
- University of West Bohemia, Law Faculty, Pilzen, Czech Republic, (Prof. Dr. V. Balas)
- University of Zagreb, Institute for International and Comparative Law, Zagreb, Croatia, (Prof. Dr. K. Sajko)

The scheme is aimed at improving education, research and access to information in the field of International Trade and Business Law, including the Law of the European Union, the Law of the World Trade Organization and International Commercial Arbitration. It further seeks to achieve conditions for the favourable development of international legal science and education in the organizations of the countries involved as well as in international legal practice. The Asser College Europe Project is financially supported by the Social Transition Programme Central and Eastern Europe (Matra) of the Netherlands Ministry of Foreign Affairs (in short: Matra Programme, Netherlands Ministry of Foreign Affairs) for the period of three years: 2004-2006.

The 2006 Programme consisted of the following projects:

- The postgraduate course in International Trade and Business Law, including the Law of the European Union, the Law of the World Trade Organization and International Commercial Arbitration
- The postgraduate research project
- Hennie Blackford Fellowship
- The training course for legal information specialists
- Alumni Day

#### **6.1.1. The postgraduate course in International Trade and Business Law, including the Law of the European Union, the Law of the World Trade Organization and International Commercial Arbitration**

The postgraduate course of five months' duration (February - June) was divided into three modules. They consisted of lectures, projects, assignments, working groups and excursions to relevant organizations and institutions in the Netherlands and in Brussels/Luxembourg.

- Module A/B (10 weeks) dealt with new directions in International Economic Law: the European Union and its interface with the World Trade Organization. The following

topics were covered: EU legal order and judicial protection in the EU, common market, competition law and state aid, PJCC, CCP, WTO, the EC as member of the WTO, capita selecta.

- Module C (5 weeks) dealt with International Commercial Arbitration. The following topics were covered in this module: the Procedural Framework and Sources, the Washington Convention, German Arbitration Law, Applicable Law, Arbitration Agreement, Establishment and Organization the Arbitral Tribunal, Powers, Duties and Jurisdiction of Arbitrators, Challenges to the Arbitral Award, Alternative Dispute Resolution, Recognition and Enforcement of Arbitral Awards.
- Module D (6 weeks) dealt with Capita Selecta of International Trade and Business Law. Attention was paid to International Business Contracts, Company Law, Contract Drafting, Conflicts of Law for Contracts, Insolvency, International Civil Procedure.

### Teaching staff

Lecturers from the T.M.C. Asser Instituut, academic organizations, ministries, private enterprises etc. taught the courses. In 2006 the lecturers not only came from the law faculties of several Dutch universities (Amsterdam, Groningen, Maastricht, Rotterdam, Tilburg and Utrecht) but also from universities abroad (Cologne, Humboldt and King's College).

Furthermore, legal practitioners from a wide range of Dutch and foreign organizations and law firms (several ministries, A.D.R. Institute, Allen & Overy, Baker & McKenzie, De Brauw Blackstone Westbroek, Essex Court Chambers, Faasen & partners, Freshfields Bruckhaus Deringer, Legal English Services Company, Nauta Dutilh, Shearman & Sterling and Strategic Business Consultant Elephas Consulting B.V.) participated in the teaching activities.

### Participants

- |                                |                                |
|--------------------------------|--------------------------------|
| • Ilya Adamov, Belarus         | • Bojana Janković, Serbia      |
| • Aleksandar Angelov, Bulgaria | • Krzysztof Koch, Poland       |
| • Zehra Badak, Turkey          | • Irina Nedyalkova, Bulgaria   |
| • Julia Balázs, Hungary        | • Vyacheslav Ovechkin, Ukraine |
| • Jelena Bezarević, Serbia     | • Nadya Shakel, Belarus        |
| • Ciprian Brinzoi, Romania     | • Ivana Sverak, Croatia        |
| • Petr Dobiáš, Czech Republic  | • Tin Težak, Croatia           |
| • Olena Dobyko, Ukraine        | • Gergana Toromanova, Bulgaria |



Participants of the postgraduate course in International Trade and Business Law and the staff of the T.M.C. Asser Instituut at dinner after graduation.

### 6.1.2. The postgraduate research project

The postgraduate research project provides grants for individual research in the fields of law covered by the ACE scheme at the T.M.C. Asser Instituut in The Hague. The maximum length of stay is three months. In exceptional cases this period may be limited to a period of a minimum of two months. The T.M.C. Asser Instituut provides all the necessary facilities, including academic consultation and monitoring. Candidates for the research project should have a few years of professional experience and must submit a detailed research proposal together with their application. Researchers are required to present a written contribution at the end of their stay at the Institute. Researchers were allocated a personal tutor during their stay at the T.M.C. Asser Instituut.

During the year 2006 eight researchers stayed at the Institute:

| <b>Participants</b>   |   |
|---|---|
| <ul style="list-style-type: none"><li>• Lina Aleknaite (Lithuania), period: September 1<sup>st</sup> – November 30<sup>th</sup>, 2006; personal tutor: Bart-Jan van het Kaar; subject: ‘Regulation of asset securitization in several jurisdictions’.</li><li>• Boris Kolev (Bulgaria), period: April 1<sup>st</sup> – June 30<sup>th</sup>, 2006; personal tutor: Rob Siekmann; subject: ‘Comparative study on the legal status of the Dutch and Bulgarian football players’.</li><li>• Pavel Kulikov (Russia), period: October 1<sup>st</sup> – December 31<sup>st</sup>, 2006; personal tutor: Wybe Douma; subject: ‘Energy market liberalization both in EC and Russia’.</li><li>• Vladimir Marjanski (Serbia), period: September 1<sup>st</sup> – November 30<sup>th</sup>, 2006; personal tutor: Michiel de Rooij; subject: ‘Harmonization of Company Law’.</li></ul> | <ul style="list-style-type: none"><li>• Galina Nelaeva (Russia), period: April 1<sup>st</sup> – June 30<sup>th</sup>, 2006; personal tutor: Avril McDonald and Maria Nybondas; subject: ‘Prosecution of rape and sexual assaults as international crimes’.</li><li>• Saša Nikšić (Croatia), period: January 1<sup>st</sup> – March 31<sup>st</sup>, 2006; personal tutor: Bart-Jan van het Kaar; subject: ‘Health service (care) contract – Legal relation between patient and health service provider’.</li><li>• Olgierd Pankiewicz (Poland), period: September 20<sup>th</sup> – December 20<sup>th</sup>, 2006; personal tutor: Karolien Pieters; subject: ‘Information society regulations and their relationship to the principle of freedom of contract’.</li><li>• Gergana Toromanova (Bulgaria), period: July 1<sup>st</sup> – September 30<sup>th</sup>, 2006; personal tutor: Wybe Douma; subject: ‘The European Climate Change Policy: the lessons Bulgaria can learn’.</li></ul> |

### 6.1.3. HB Fellowship

In memory of Hennie Blackford, who for many years was the person responsible for Asser College Europe and who in 2003 passed away, the Hennie Blackford Fellowship was established with support from family, friends, alumni of ACE and staff of the T.M.C. Asser Instituut, as well as a grant of the Matra Programme. This allows Asser College Europe to provide for at least the three next years each year one fellowship for a student of the Central European University in Budapest to attend the 5 months Postgraduate Course as well as a the three months postgraduate research project, leading to a masters degree at the CEU. In 2006, the Hennie Blackford Fellow was Gergana Toromanova from Bulgaria, who did her research project in the period July 1<sup>st</sup> – September 30<sup>th</sup>, 2006, with as personal tutor: Wybe Douma, and as subject: ‘The European Climate Change Policy: the lessons Bulgaria can learn’.

#### 6.1.4. Training Course for Legal Information Specialists

The three-week training course in October was intended for law librarians and legal documentalists from the participating and other academic organizations, from various specialized information centres on European Union law and from the Special Court for Sierra Leone. The purposes of the course were:

- improving the participants' knowledge of European Union law, policies and documentation;
- improving their skills in using international legal materials in general; and
- improving their skills and knowledge of disseminating information to various target groups and in various ways.

To these ends, the curriculum included lectures, demonstrations, hands-on sessions and practice-oriented exercises on European law, policies and documentation, introductions to other international organizations and their documentation, the use of databases and search engines, information management, content management and knowledge transfer.

Excursions to selected organizations were an integral part of the course: the Peace Palace library, the Dutch representations of the European Commission and the European Parliament in Brussels and, in Luxembourg, the Publications Office and the Court of Justice.

An integral part of the course was the group assignment (four groups of three or four students): writing a tender for a fictitious project 'Establishing a European Law documentation centre for the judiciary', and presenting it to an audience.

The participant from Sierra Leone was offered a slightly different programme with (among other things) visits to the ICTY and the ICC. This participant was also awarded a Hennie Blackford Fellowship.

The course was taught by the staff of the I&I department and by researchers of the T.M.C. Asser Instituut. Guest lectures were given by Ms Birsen Erdogan and Ms Saskia Bal (both from the Netherlands Institute of Human Rights), and other contributions were given by the hosts at the visited organizations.

#### Participants

- |                                  |                                   |
|----------------------------------|-----------------------------------|
| • Edita Bačić, Croatia           | • Ivana Kireta Krkalić, Croatia   |
| • Helena Bendová, Czech Republic | • Ingrida Linkeviciute, Lithuania |
| • Toshka Borisova, Bulgaria      | • Tiia Melts, Estonia             |
| • Antoanetta Detcheva, Bulgaria  | • Viktoriya Pencheva, Bulgaria    |
| • Banu Elci, Turkey              | • Saidu Sesay, Sierra Leone       |
| • Dejana Glamočić, Croatia       | • Svetla Todorova, Bulgaria       |
| • Ralitsa Ivanova, Bulgaria      |                                   |

#### 6.1.5. ACE Alumni Day

On 28-30 September 2006 ACE organized the fourth ACE Alumni Day in the Netherlands. By way of our database of alumni, the participants in the three different ACE programmes over the past years have been invited to take part in this event. A total of 72 alumni and guests took part in the two day programme.

The Alumni Day was combined with the following two events:

- the symposium 'Forty Years of International Law', organized at the occasion of the Asser Dies (40 years) which took place on 28 September;



- the 36<sup>th</sup> Session of the Asser Instituut Colloquium on European Law ‘Reconciling ‘deepening’ and ‘widening’ of the European Union’, which took place at the Steigenberger Kurhaus Hotel in The Hague on 29 September.

On Saturday 30 September the social program started with coffee at the T.M.C. Asser Instituut. From there the group went by coach to the Biesbosch to go sailing and canoeing. The Alumni Day ended with a barbecue on the beach in Scheveningen.

#### **6.1.6. Future of ACE**

2006 was the last year of the Asser College Europe under the present Matra funding. For 2007 there is no funding available from Matra for the activities under ACE. It is intended to apply for funding for at least the postgraduate course within the context of a Master Degree programme from 2008 onward.

For 2007, the ACE members have been asked to help look for other sources of funding for a reduced number of activities in 2007: a 2-months postgraduate course, a shorter course for legal information specialists and an alumni day in Bulgaria. The Russian university MGIMO has in principle agreed with the T.M.C. Asser Instituut to send 8-12 students to the two months postgraduate course, April-May 2007.

## **6.2. HAGUE FORUM FOR JUDICIAL EXPERTISE**

### **6.2.1. GENERAL INFORMATION**

In 2004 the Hague Academic Coalition (HAC) launched the *Hague Forum for Judicial Expertise*. The Hague Forum is a training facility allowing judges and magistrates in the world to upgrade their knowledge and expertise in international law. The Modules organized by the Hague Forum provide national judges a firm grounding in international law and an insight in the interaction between international and national law.

Seed funding has been provided by the Dutch Council for the Judiciary to establish the Forum and to organize Modules on international law in its initial three years, 2005-2007. The Dutch Ministry of Foreign Affairs also provided funds for the realization of three Modules in the area of international criminal law.

The T.M.C. Asser Instituut, in the framework of an agreement with the HAC, is responsible for the implementation and organization of the Forum.

#### **Target group**

The Forum offers Modules to national judges who are increasingly confronted with aspects of international law in their daily work, be it at the level of a Supreme Court or that of lower courts. In some cases the target group can be expanded to other professionals, such as prosecutors and defence lawyers who are confronted with international law.

#### **The Modules**

The *Hague Forum for Judicial Expertise* organizes Modules covering various fields of international law, such as international criminal law and private international law.

The Modules have a theoretical and practical focus. The theoretical part, in the form of lectures, offers judges a solid background in international law. Case studies present an insight into and practical tools for the application of international law at the national level. The Modules are developed in such a way that discussion among the participating judges is promoted on issues of mutual interest and the problems they encounter. The duration of the Modules is between seven to ten working days.

As part of the module, visits are organized to international organizations in The Hague such as the International Court of Justice and the International Criminal Court. During these visits participants learn more about the functioning of international courts and have the opportunity to exchange views with professionals in the field.

In most of the Modules at least one study exercise is included. This synthesizing exercise encourages the participants to discuss and reflect on how their national system functions in comparison to and in interaction with international law.

The Forum designs and conducts tailor-made courses. The content of these Modules depends to a large extent on the needs and demands of the participants and sponsors.

### **Lecturers**

The Modules are supported by a team of international lecturers, with an academic or professional background in international law and related disciplines. By inviting lecturers from different backgrounds the Forum combines theory and practice in one course.

The academic lecturers include staff from the HAC institutes, Dutch universities and other academic organizations in the Netherlands and abroad. If possible, the Forum also tries to invite experts from the region of the participating judges as lecturers to the course.

The practitioners taking part in the course are judges, prosecutors and defence counsels who work at international tribunals in The Hague or at Dutch courts and Public Prosecutors Office. By inviting different practitioners to the course the participants have the unique opportunity to learn from the different perspectives on the subject-matter.

### **6.2.2. ACTIVITIES IN 2006**

The *Hague Forum for Judicial Expertise* in 2006 has organized six Modules in different branches of international law.

- *A course for judges, senior police officers and prison directors from Iraq, 11 January – 3 February 2006*  
Senior Management Course  
Partner organization: Dutch Police Academy  
Financed by the European Union and the Ministry of Foreign Affairs
- *A course for prosecutors from Colombia, 28 March – 7 April 2006*  
International Criminal Law  
Financed from the seed money of the Ministry of Foreign Affairs
- *A course for judges, senior police officers and prison directors from Iraq, 11 May – 2 June 2006*  
Senior Management Course  
Partner organization: Dutch Police Academy  
Financed by the European Union and the Ministry of Foreign Affairs
- *Seminar for judges from Southern and Eastern Africa, 3-6 September 2006*  
The role of the Hague Child Protection Conventions in the Practical Implementation of the UN Convention on the rights of the child and the African Charter on the Rights and Welfare of the Child  
Partner organization: Hague Conference on Private International Law (HCCH)  
Financed from the seed money of the Dutch Council for the Judiciary
- *A Course for Judges from China, 11-20 September 2006*  
International Criminal Law  
In cooperation with the Supreme People's Court of China.  
Financed from the seed money of the Dutch Council for the Judiciary, travel costs and hotel costs by the Chinese government
- *A course for judges, senior police officers and prison directors from Iraq, 22 November – 13 December 2006*  
BENELUX Senior Management Course  
Financed by the European Union and the Ministries of Foreign Affairs of the three BENELUX countries



International Criminal Law  
a course for Chinese judges  
11 September - 20 September 2006

### 6.2.3. ORGANIZATION

#### **Board of the Hague Forum for Judicial Expertise**

The Board of the *Hague Forum for Judicial Expertise* is that of the *Hague Academic Coalition*. The composition in 2006 was as follows: Prof. Dr. F.A. Nelissen, T.M.C. Asser Instituut (Chair); Mr. S. van Hoogstraten, Carnegie Stichting; Prof. Dr. J. de Swaan, Netherlands Institute of International Relations Clingendael; Prof. Dr L. de la Rive Box, Institute of Social Studies; Dr M. Boot, Grotius Centre for International Legal Studies; Mr. S. Muller, Hague Institute for the Internationalisation of the Law; Mr. A.H. van Delden, Dutch Council for the Judiciary.

#### **Programme Committee of the Hague Forum for Judicial Expertise**

The Forum has a Programme Committee consisting of leading experts from the organizations of the Hague Academic Coalition, the Dutch Ministry of Foreign Affairs and the Dutch Council for Judiciary. The Programme Committee evaluates the individual course Modules but also provides the Forum with guidance with respect to new course Modules. The independent feedback the Forum receives from the Programme Committee is an important tool to maintain the quality of the course Modules.

In 2006 the Committee was composed of the following experts: Dr. O. Ribbelink, T.M.C. Asser Instituut; Dr. M. Boot, Grotius Centre for International Legal Studies, Leiden University, Campus The Hague; Drs. S. Eijssink, Netherlands Institute of International Relations Clingendael; Dr. K. Arts, Institute of Social Studies; Mr J. Vervliet, Peace Palace Library; Mr R. van Rossum, Vice president of the District Court in the Hague; Prof. M J. Lammers, Ministry of Foreign Affairs.

#### **Staff**

Dr. Hans de Wit, General Director; Tanya Mehra, LL.M, Programme Manager; Janna van der Meulen LL.M, Programme Manager; Ms. Sabine Terheijden, Office Manager.

### 6.3. OTHER COURSES

- On 9, 10 and 11 February 2006 the T.M.C. Asser Instituut and the Grotius Centre for International Legal Studies (Leiden University) organized for the fourth time a Training Program for Diplomats and Embassy Staff on ‘The International Criminal Court from States’ Perspective’. The course was jointly developed by Dr. Avril McDonald (T.M.C. Asser Instituut) and Dr. Roelof Haveman (Grotius Centre). It was held at the Grotius Centre in The Hague.
- From 5-10 March 2006 participants in the International Sports Law Course of Anglia Ruskin University, Cambridge and Chelmsford, United Kingdom attended the annual intensive week at the T.M.C. Asser Instituut in The Hague in cooperation with the Institute’s International Sports Law Centre.  
The week was coordinated by course director John O’Leary of Anglia Ruskin University’s Law Faculty. The main teaching team further consisted of Prof. Ian Blackshaw, honorary fellow of the ASSER International Sports Law Centre and inter alia a member of CAS and Prof. John Wolohan, Ithaca College, New York. The week’s central themes were dispute resolution and sports business issues.
- From 26 June 26 - 7July 2006 the 4th Summer School on International Criminal Law was organised by the Grotius Centre for International Legal Studies (Campus The Hague University of Leyden) and the T.M.C. Asser Instituut, Professionals from various international legal organizations, such as the International Criminal Court (ICC), the International Crimes Tribunal for the former Yugoslavia (ICTY) and influential scholars contribute to this course.
- From 20 – 25 August 2006 the School of Human Rights Research of the University of Utrecht, in which the T.M.C. Asser Instituut participates, together with the Catholic University of Leuven (Belgium) organized the Summer Course Human Rights.  
The first week of this course was organized in co-operation with the T.M.C. Asser Instituut (Dr. Olivier Ribbelink and operational support by the Education & Events department). It included lectures at the T.M.C. Asser Instituut and visits to international organizations in The Hague. The second week of the course was held in Leuven with visits to Strasbourg and Brussels. There were 30 participants.
- Olivier Ribbelink and Jan Anne Vos are the project director and project coordinator respectively, of the Training Course in WTO-law for developing country diplomats based in Brussels. This post-graduate training course, has been organised at the request of the European Commission, DG Trade, Directorate F. The Course will last all academic year 2006/2007 and takes place in bi-weekly full-day sessions in Brussels, Belgium.
- In 2006 the T.M.C. Asser Instituut signed an agreement with the Washington College of Law of the American University in Washington D.C. by which as of 2007, the War Crime Research Office of the Washington College of Law will, together with the Asser Instituut, organise a one month Summer School in The Hague.

## 7. EVENTS: CONFERENCES, SEMINARS AND ACADEMIC MEETINGS

- *Philip C. Jessup International Law Moot Court Competition 2006*  
In the year 2006, five Dutch teams, representing the Universities of Amsterdam, Maastricht, Tilburg, Rotterdam and Utrecht, entered this yearly competition. The national rounds were held on February, 18<sup>th</sup> 2006 at the Palace of Justice in The Hague. The organization of the national rounds is in the hands of the T.M.C. Asser Instituut in co-operation with the Jessup Organizing Committee.  
The prize for the Best Memorial went to the Erasmus University Rotterdam. The award for Best Oralist was given to Jantine de Goei (Maastricht University) and Ben Basely Walker (University of Amsterdam).  
The team of the University of Amsterdam represented The Netherlands on 27 March – 1 April 2006 at the International Rounds in Washington, D.C., USA. The results of the Jessup 2006 Competition are available on: [www.ilsa.org](http://www.ilsa.org).
- On 4 April 2006 the 6<sup>th</sup> Asser international sports lecture was organized. The topic was *Nationality and Sport*. Speakers were Professor René de Groot (Maastricht University), Mr Jelle Kroes (Everaert Immigration Lawyers), and Dr. Stefaan van den Boogaart (Maastricht University). Ms. Nicole Edelenbos chaired the meeting. There were 44 participants.
- On 5, 6 and 7 April 2006 the third conference in the 'From Peace to Justice' conference series of the Hague Academic Coalition was held at the World Forum Convention Centre in The Hague. Subject of this third conference was *Beyond the Charter: Peace, Security and the Role of Justice*. There were over 200 participants. A written impression of this third conference by the Hague Academic Coalition will be published in 2007.
- On 9 May 2006 an international sports law seminar was organized about *The Court of Arbitration for Sport and Lex Sportiva* at the University of Amsterdam. Speakers were Professor Blackshaw (University of Neuchâtel, Switzerland), Mr Di Pietro (Mayer Brown Rowe & Maw LLP, UK), Mr Kane (Court of Arbitration), Mr Branco Martins (T.M.C. Asser Instituut), Mr Vrijman (Scholten Lawyers) and Mr Pinna (Erasmus University). There were 100 participants.
- On 30 May 2006 a Symposium was organized together with the Embassy of Romania in the Peace Palace. Topic of the symposium was 'Demètre Negulesco, Romanian Judge at the Permanent Court of Arbitration'. Speakers were H.E. Mr. Buga (Ambassador of Romania to the Netherlands), Prof. I. Diaconu (University of Bucharest), Prof. B. Aurescu (President of the Romanian Association for International Law, Prof. A. Pellet (France, member International Law Commission) and Prof. Dr. F.A. Nelissen. Moderator was Dr. Ribbelink (T.M.C. Asser Instituut). There were 45 participants.



Symposium with the embassy of Romania; from left to right: Dr. Olivier Ribbelink of the T.M.C Asser Instituut, H.E. Mr. Buga, Ambassador of Romania and Prof. Dr. Frans Nelissen of the T.M.C. Asser Instituut.

- On 6 June 2006 the sixth Asser-Clingendael International Sports Lecture was organized. Topic was *The European Union and Sport: Law and Policy Developments and Prospects*. Speakers were Professor Weatherill (Oxford University, UK), Mr Dupont (ELEGIS Law Firm, Belgium), Dr. Macedo de Medeiros (Association of European Professional Football Leagues, Switzerland), Mr. Van Seggelen (Fédération Internationale des Footballeurs Professionnels) and Mr. Manders (European Parliament).
- On 8 June 2006 a seminar *Effectieve Implementatie van Europese Richtlijnen in Nederland* [Effective Implementation of EU directives] was organized together with Meurs Juristen. Speakers were Mr. Nijenhuis (Ministry of Housing, Spatial Planning and the Environment), Professor Rood (Clingendael European Studies Programme), Professor Steunenberg (Leiden University), Mr. Van Dun (Corgwell Legal), Mr. Woldendorp (Ministry of Housing, Spatial Planning and the Environment) and Mr. Van den Berghe (Ministry of Economic Affairs). There were 32 participants.
- On 15, 16 and 17 June the conference on the European Arrest Warrant was organized in Congress Centre De Leeuwenhorst, Noordwijkerhout. Topic was *The European Arrest Warrant: The reality of a Vision*. Keynote speaker was Judge Fennelly (Supreme Court of Ireland); speakers were Prof. Dr. F.A. Nelissen and Dr. Ribbelink (T.M.C. Asser Instituut), Professor Sieber (Max Planck Institut für Internationales Strafrecht), Ms. Pfützner (Max Planck Institut), Mr. Van Ballegooij (T.M.C. Asser Instituut), Mr. Jahae, Ms. Attinger (both European Criminal Bar Association), Ms. Boerlage (University of Amsterdam, Amsterdam Center for International Law), Mr. Martin (Justice UK), Professor Keijzer (Retired Justice of the Supreme Court of the Netherlands), Professor van der Wilt (University of Amsterdam), Professor Wong (University of Lund), Professor de Hert (Free University Brussels), Ms. Angiolini (Solicitor General of Scotland), Ms Krivel (Canadian Mission to the EU), Mr. Ashley (Department of Justice of the USA, US Embassy in Italy), Ms. Morgan (European Commission), Mr. Smith (Justice UK), Ms. Buitenweg (Greens/EFA, NL, European Parliament), Professor Cape (University of West England), Professor Spronken (University of Maastricht). There were 110 participants.
- On 30 June and 1 July 2006 the second Hague Colloquium on Fundamental Principles of Law of the Hague Institute for the Internationalization of Law was held at the Council of State, The Hague. 55 participants attended the Colloquium about *Supreme courts in an internationalized world: challenges for the trias politica and the coherency of law?* Speakers were H.E. Judge Davids (Supreme Court, the Netherlands), H.E. Judge Dutheillet de Lamothe (Council of State, France), H.E. Judge Thomassen (Supreme Court, the Netherlands), H.E. Judge Hirsch Ballinn (Council of State, Netherlands and Tilburg University), Dr. Schuetze (Durham University, UK), H.E. Skrk (Constitutional Court, Republic of Slovenia), H.E. Judge Beinisch (Supreme Court, Israel), Professor Hol (Utrecht University), H.E. Judge Koskelo (Supreme Court, Finland), H.E. Grimm, H.E. Judge Usacka (International Criminal Court), Dr. Lollini (University of Bologna, Italy), Professor Ruiz Miguel (Santiago de Compostela University, Spain) and H.E. Judge Canivet (Court of Cassation, France).
- On 28 September 2006 the 40<sup>th</sup> anniversary of the T.M.C. Asser Instituut was celebrated with a Symposium in the Great Hall of Justice in the Peace Palace. Subject of the symposium was *Forty Years of International Law*. Keynote speaker was H.E. Judge Rosalyn Higgins of the International Court of Justice. Other speakers were Prof. Dr. J. de Zwaan (Clingendael Institute/Erasmus University) and Mr Van Loon (the Hague Conference on Private International Law) and Prof. Dr. M.Scheltema and Prof. Dr. F.A. Nelissen (Chair resp. Director T.M.C. Asser Instituut) . Dr. Noorda, former chairman of the board of governors of the University of Amsterdam, received the T.M.C. Asser Instituut Medal of Honour from the Mayor of The Hague, Mr. Deetman. Afterwards there was a reception. Over 200 people participated in the symposium.

- On 29 September 2006 the 36<sup>th</sup> Asser Colloquium on European Law was held at the Steigenberger Kurhaus hotel in The Hague. Topic of the colloquium was *Reconciling 'deepening' and 'widening' of the European Union*. Keynote speaker was Mr Donner (former Minister of Justice); speakers were Professor Bordaš (University of Novi Sad), Professor Den Boer (Free University Amsterdam, Police Academy), Professor Reich (Bremen University), Mr Blockmans (T.M.C. Asser Instituut), Dr. Douma (T.M.C. Asser Instituut), Professor Amtenbrink (Erasmus University), Dr. Ott (Maastricht University), Professor Hillion (Leiden University) and Dr. Lazowski (University of Westminster). Comments were given by Professor Várady (Central European University), Professor Sajko (University of Zagreb), Professor Bordaš (University of Novi Sad), Professor Astapenka (Belarusian State University Minsk), Professor De Zwaan (Clingendael Institute/Erasmus University) and Professor Fărcaș (US-GUAM Program). Chair was Professor Prechal (Utrecht University). There were 110 participants.
- On 27 and 28 November Dr Avril McDonald of the T.M.C. Asser Instituut organized together with Niels Melzer of the International Committee of the Red Cross, an expert meeting on: 'The Notion of Direct Participation in Hostilities under International Humanitarian Law'. 50 participants attended this meeting which was held in Geneva, Switzerland.
- In 2006 the International Humanitarian Law/International Criminal Law section of the T.M.C. Asser Instituut together with the Grotius Centre for International Legal Studies (Leiden University) and the Coalition for an International Criminal Court continued to organize the weekly the Supranational Criminal Law Lecture series. Three series took place throughout the year (winter, spring and autumn) and were held, alternatively, in the Grotius Centre and the T.M.C. Asser Instituut. An average of 40 people attended the lectures. For speakers and topics see Chapter 3 Research.

## 8. T.M.C. ASSER PRESS

### 8.1. General

In 2006 T.M.C. Asser Press published 20 new book titles and 12 journal issues. In addition, 4 backlist titles were reprinted. Our partner Cambridge University Press continued with its strong worldwide marketing and sales campaigns.

Through Cambridge Journals Online (CJO) our English language periodicals have received also strong exposure by having them electronically available at more than 1050 libraries worldwide through Cambridge's consortia deals.

The journal *European Constitutional Law Review (EuConst)* successfully completed its second volume, not only doubling its subscriber base, but also being accepted after its first year of publication in the prestigious index services of Thomson Scientific (Social Sciences Citation Index, Social Scisearch, Current Contents/Social and Behavioural Sciences). To be included so quickly by these services is a major achievement.

The *Information Technology and Law* series (*IT&Law*), co-published with the Netherlands Organization for Scientific Research (NWO), continued to grow strongly with the publication of Volumes 9-12. It is now a well recognized series with a continuously growing readership worldwide.

The Hague Academic Press (HAP) – T.M.C. Asser Press's imprint for the publications of the Hague Academic Coalition (HAC) and the Hague Institute for the Internationalisation of Law (HiIL) – published in 2006 the HAC book *International Accountability and the Rights of Children* (K. Arts and V. Popovski, eds.)

On behalf of the Ministry of Defence, T.M.C. Asser Press produced the liber amicorum *Grondig Recht: opstellen voor Dr. Seerp Ybema*, to commemorate his farewell and distinguished career as Director, Legal Affairs, Ministry of Defence.

For a complete overview of the 2006 publications, please see the list below. The following titles deserve special mention:

- *Freedom, Security and Justice in the European Union – Implementation of the Hague Programme*, edited by Jaap de Zwaan en Flora Goudappel. The book deals with the development of strategies to secure 'Freedom, Security and Justice' to the European Union and its citizens, thus making Europe safer.
- *The United Nations and the European Union: An ever stronger partnership*, edited by Jan Wouters, Frank Hoffmeister and Tom Ruys. This book provides valuable insights into EU-UN cooperation, identifying the role of the various actors involved in the decision-making process and its influence on areas such as human rights protection, crisis management, the promotion of sustainable development, public health and cultural matters.
- *The European Union and its Neighbours – A legal appraisal of the EU's policies of stabilization, partnership and integration*, edited by Steven Blockmans and Adam Łazowski. It provides the first legal appraisal of relations between the European Union and all the countries on its geographical borders. It looks at the European Union as it transforms its existing neighbourhood policies towards all its geographical neighbours.
- *The Impact of EU Accession on the Legal Orders of the New Member States and (Pre-)Candidate Countries – Hopes and Fears*, edited by Alfred Kellermann, Steven Blockmans, Jenő Czuczai, Anelli Albi and Wybe Douma. A comparative study in fifteen countries of the impact of accession on the organization of their national governments, parliaments and judiciaries, as well as on their national constitutions.
- *The Strict Liability Principle and the Human Rights of Athletes in Doping Cases*, by Janwillem Soek. This book deals with the legal position of the athlete in doping cases under the law of the regulations of national and international sports federations and how this legal position can be reinforced. It puts forward arguments in favour of the application of the rights of the defence as laid down in the ECHR, in disciplinary doping proceedings.



- *Cybercrime and Jurisdiction – A global survey*, Volume 11 in the IT & Law Series, and edited by Bert-Jaap Koops and Susan Brenner. This book surveys how cybercrime and jurisdiction issues are dealt with in the United States, Japan, Korea, India, Brazil, Chile, Australia, New Zealand, Italy, Germany, Belgium, Denmark, and the United Kingdom. It assesses how well the laws of these countries and the Cyber crime Convention deal with transnational cybercrime, and how jurisdiction conflicts should be resolved.



A presentation of the latest publications by T.M.C. Asser Press

## 8.2. Preview 2007

In 2007 the *Yearbook of International Humanitarian Law (YIHL)* will publish Volume 7 (2005) and Volume 8 (2006). The *Netherlands Yearbook of International Law (NYIL)* is scheduled to publish its Volumes 36 (2005) and 37 (2006). Also two new volumes are scheduled for the *Permanent Court of Arbitration Awards Series: The Bank for International Settlements Arbitration* and *The Iron Rhine ('IJzeren Rijn') Arbitration Award (Belgium-Netherlands) of 2005*, several volumes in the IT&Law series, and the first volume of the new *Europeanization of Public International Law Series*, which volume is edited by A. Nollkaemper, E. de Wet and J. Wouters); *International Migration Law: Developing Paradigms and Key Challenges* (Eds.: R. Cholewinski, R. Perruchoud and E. Macdonald) and *Compendium of International Migration Instruments* (Eds.: R. Perruchoud and K. Tömölová), in collaboration with the International Organization for Migration (IOM). Several International Sports Law titles, such as *The Council of Europe and Sport*: (R. Siekmann and J.W. Soek), *European Sports Law* (Weatherill) and *Players' Agents* (Robert Siekmann, Richard Parrish, Roberto Branco Martins and Janwillem Soek (editors)).

T.M.C. Asser Press will co-publish with Bruylant (Brussels) the French edition of Rosenne's *The Hague Peace Conferences of 1899 and 1907 and International Arbitration* to commemorate the centennial celebration of the 1907 conference.

A Chinese translation is in preparation of Werle's *Principles of International Criminal Law*. 2007 will mark the appearance of the *Handboek Internationaal Recht* (Eds. N. Horbach, R. Lefeber en O. Ribbelink), the long awaited successor to Francois' *Grondlijnen van het Volkenrecht*, with contributions from the leading Dutch and Belgian international law experts.

The journal *Nederlands Internationaal Privaatrecht (NIPR)* will mark its 25<sup>th</sup> year of publication. Also worth mentioning is that in 2007 the developments will start to make

NIPR also available on-line. It is anticipated to have this on-line functionality fully operational in 2008.

Under the Hague Academic Press imprint several titles are scheduled: *Self-defence in National and International Law* (S. Rosenne et al.) for the Hague Institute for the Internationalisation of Law (HiiL); and *Beyond the Charter: Peace, Security and the Role of Justice*, a volume in the 'From Peace to Justice' series of the Hague Academic Coalition.

Two new editions of the well known T.M.C. Asser Instituut student readers will appear: *Elementair Internationaal Recht (2007)* and *Arresten Institutioneel Recht (2007)*.

It is worthwhile mentioning that, at least, seven backlist titles will be reprinted. More information about the T.M.C Asser Press publications can be found on its website [www.asserpress.nl](http://www.asserpress.nl).

### 8.3. Publications and other productions T.M.C. Asser Press

- *Netherlands International Law Review - Volume LIII - 2006*  
Editor-in-Chief: P. Vlas  
ISSN 0165-070X; 3 issues p.a.  
Online ISSN 1741-6191  
A publication in co-operation with the T.M.C. Asser Instituut
- *European Business Organization Law Review (EBOR) – Volume 7 – 2006*  
*Issues 1 and 2*  
Editor-in-Chief: R. Kulms  
ISSN 1566-7529; 4 issues p.a.  
Online ISSN 1741-6205  
A publication in co-operation with the T.M.C. Asser Instituut
- *European Constitutional Law Review – EuConst – Volume 2 – 2006*  
Eds.: W.T. Eijsbouts et al.  
ISSN 1574-0196; 3 issues p.a.  
Online ISSN 1744-5515  
A publication in co-operation with the G.K. VAN HOGENDORPcentre for European Constitutional Studies, University of Amsterdam
- *Nederlands Internationaal Privaatrecht - NIPR - Volume 24 - 2006*  
Eds.: A.P.M.J. Vonken et al.  
ISSN 0167-7594; 4 issues p.a.  
A publication in co-operation with the T.M.C. Asser Instituut
- *International Institutional Reform*  
*2005 Hague Joint Conference on Contemporary Issues of International Law*  
Ed.: A. Fijalkowski  
ISBN 90-6704-222-6; 354 pages, paperback
- *Complementary Views on Complementarity*  
*Proceedings of the International Roundtable on the Complementary Nature of the ICC*  
Eds.: J.K. Kleffner and G. Kor  
ISBN 90-6704-218-8; 181 pages, hardcover
- *Freedom, Security and Justice in the European Union – Implementation of the Hague Programme*  
Eds.: J.W. de Zwaan and F.A.N.J. Goudappel  
ISBN 90-6704-225-0; 292 pages, hardcover
- *The Impact of EU Accession on the Legal Orders of the New EU Member States and (Pre-) Candidate Countries – Hopes and Fears*  
Eds.: A.E. Kellermann e.a.  
ISBN 90-6704-217-X; 465 pages, hardcover
- *Joint Investigation Teams in the European Union – From theory to practice*  
Eds.: C. Rijken & G. Vermeulen

- ISBN 90-6704-215-3, 229 pages, hardcover
- *Sexual Orientation Discrimination in the European Union – National laws and the Employment Equality Directive*  
C. Waaldijk and M. Bonini-Baraldi  
ISBN 90-6704-213-7, 256 pages, hardcover
- *The European Union and Its Neighbours – A legal appraisal of the EU's policies of stabilization, partnership and integration*  
Eds.: S. Blockmans & A. Łazowski  
ISBN 90-6704-201-3, 653 pages, hardcover
- *The Principality of Monaco – State, international status, institutions*  
G. Grinda  
ISBN 90-6704-219-6, 208 pages, hardcover
- *The United Nations and the European Union: An ever stronger partnership*  
Eds.: J. Wouters e.a.  
ISBN 90-6704-231-5, 434 pages, hardcover
- *Language and Translation in International Commercial Arbitration – From the constitution of the arbitral tribunal through recognition and enforcement proceedings*  
T. Várady  
ISBN 90-6704-233-1, 308 pages, hardcover
- *International Criminal Accountability and the Rights of Children*  
Eds.: K. Arts and V. Popovski  
ISBN 90-6704-227-7, 191 pages, hardcover  
Published under the Hague Academic Press imprint.
- *The Strict Liability Principle and the Human Rights of Athletes in Doping Cases*  
J.W. Soek  
ISBN 90-6704-226-9, 455 pages, hardcover

#### INFORMATION TECHNOLOGY AND LAW SERIES

- *Starting Points for ICT Regulation – Deconstructing prevalent policy one-liners*  
*IT & Law Series - Volume 9*  
Eds.: B.J. Koops e.a.  
ISBN 90-6704-216-1; 293 pages, hardcover
- *Regulating Spam – A European perspective after the adoption of the e-privacy directive*  
*IT & Law Serie - Volume 10*  
L.F. Asscher en S.A. Hoogcarspel  
ISBN 90-6704-220-X; 153 pages; hardcover
- *Cybercrime and Jurisdiction – A global survey*  
*IT & Law Serie - Volume 11*  
Eds.: B.J. Koops and S.W. Brenner  
ISBN 90-6704-221-8; 355 pages; hardcover
- *Coding Regulation – Essays on the normative role of information technology*  
*IT & Law Serie - Volume 12*  
Eds.: E. Dommering and L.F. Asscher  
ISBN 90-6704-229-3; 300 pages; hardcover

#### DUTCH LANGUAGE TITLES

- *Actualiteiten in het Europese mededingingsrecht*  
*35e Zitting van het Asser Instituut Colloquium Europees Recht, gehouden november 2005*  
ISBN 90-6704-212-9; 135 pagina's; paperback  
Een uitave onder redactie en auspiciën van het T.M.C. Asser Instituut
- *Europees internationaal familierecht – Preadviezen*  
Mededelingen van de Nederlandse Vereniging voor Internationaal Recht Nr. 133  
J. Meeusen en G.E. Schmidt

ISBN 90-6704-211-0, 112 pagina's, paperback

- *Verslag van de Algemene Ledenvergadering, 4 november 2005*  
Mededelingen van de Nederlandse Vereniging voor Internationaal Recht Nr. 132  
No ISBN, 34 pagina's, paperback  
Exclusively produced for the NVIR

MISCELLANEOUS

- *Grondig Recht – Opstellen voor Dr. Seerp B. Ybema*  
Liber amicorum  
Exclusively produced for the Netherlands Ministry of Defence

REPRINTS WERE PRODUCED OF THE FOLLOWING TITLES:

- *Arresten Institutioneel Recht 2005*  
Collegemateriaal Europees Recht  
ISBN 90-6704-209-9, 444 pages, paperback
- *Sports Image Rights in Europe*  
Eds.: I.S. Blackshaw and R.C.R. Siekmann  
ISBN 90-6704-195-5; 419 pages
- *The Hague: Legal Capital of the World*  
Eds.: P.J. van Krieken and D. McKay  
ISBN 90-6704-185-8, 570 pages, hardcover
- *An Introduction to Financial Accounting*  
Exclusively produced for Clifford Chance, The Academy [first produced in 2001]

## 9. STAFF

At 31 December 2006, a total of 58 persons were employed by the T.M.C. Asser Instituut, including temporary employees. On project contracts, there were 6 persons involved in The Hague Academic Coalition and 1 person in The Hague Forum for Judicial Expertise.

The total Full-Time Equivalent (FTE) in 2006 was 45.94.

In 2006 in the academic staff were appointed: L. Massai, S.E. Radin and A. Venckuté. In the supporting and controlling staff were appointed: J.T. Mooren-Hooijmans, A. Riem, M. Delbot, D.W.J.J. Vriesendorp and N.J. Walbridge.

In 2006 U.M. Gärtner left the Academic Staff, J.M.W. de Man-Slijpen, A.J. Nijssen, N. van der Hoek, M. Delbot, A.A.E.C. Insinger and D.W.J.J. Vriesendorp left the Supporting and Administrative Staff.

The relevant facts and figures concerning personnel have been included in Annex 1.

## 10. GOVERNING BOARD, SCIENTIFIC COUNCIL AND SCIENTIFIC COMMISSIONS

### Governing Board

Chairman: Prof. Mr. M. Scheltema

#### University of Amsterdam

Prof. Dr. C.E. du Perron

#### VU University Amsterdam

Prof. Mr. Dr. P. Vlas

#### University of Groningen

Prof. Mr. L.C.A. Verstappen

#### Leiden University

Prof. Dr. C.J.J.M. Stolker

#### Maastricht University

Prof. Dr. A.W. Heringa

#### Radboud University of Nijmegen

Prof. Dr. Y. Buruma

#### Erasmus University Rotterdam

Prof. Dr. M. Loth

#### Tilburg University

Prof. Dr. Ph. Eijlander

#### Utrecht University

Prof. Dr. A.F.M. Dorresteyn

### **Composition of the Scientific Council**

Chairman: Prof. Dr. N.J. Schrijver (**Leiden University**)

#### **University of Amsterdam**

Prof. Dr. P.A. Nollkaemper  
Prof. Dr. J.H. Jans, Deputy Member

#### **Erasmus University Rotterdam**

Prof. Dr. F.J.M. De Ly  
Dr. J.M.P.H. Noortmann, Deputy Member

#### **University of Groningen**

Prof. Dr. W.D. Verwey  
Prof. Dr. L.W. Gormley, Deputy Member

#### **Tilburg University**

Prof. Dr. W.J.M. van Genugten  
Dr. L.Th.L.G. Pellis, Deputy Member

#### **Leiden University**

Prof. Dr. P.J. Slot  
Prof. Dr. M.V. Polak, Deputy Member

#### **Utrecht University**

Prof. Dr. A.H.A. Soons  
Mrs. Prof. Dr. D.M. Curtin, Deputy Member

#### **Maastricht University**

Prof. Mr. M. Kamminga  
Prof. Mr. R. de Groot, Deputy Member

#### **Council of State**

Mr. R.J. Hoekstra

#### **Radboud University Nijmegen**

Prof. Dr. K.C. Wellens

#### **T.M.C. Asser Instituut**

Prof. Dr. F.A. Nelissen  
Dr. O.M. Ribbelink

### **Composition of the Scientific Commissions**

#### **Commission on European Law**

Chairman:  
Prof. Dr. J.H. Jans  
University of Amsterdam

Vice-Chairman:  
Mrs. Prof. Dr. S. Prechal  
Tilburg University

Secretary:  
Mrs. K. Swinnen-Pieters LL.M  
T.M.C. Asser Instituut

Members: 30

#### **Commission on Private International Law**

Chairman:  
Prof. Mr. Dr. P. Vlas  
VU University Amsterdam

Vice-Chairman:  
Prof. Dr. M.H. ten Wolde  
University of Groningen

Secretary:  
Mr. B.J. van het Kaar  
T.M.C. Asser Instituut

Members: 31

#### **Commission on Public International Law**

Chairman:  
Prof. Dr. W.J.M. van Genugten,  
Tilburg University

Vice-Chairman:  
Prof. Dr. C. Flinterman,  
Utrecht University

Secretary:  
Dr. O.M. Ribbelink,  
T.M.C. Asser Instituut

Members: 25

## ANNEXES

### Annex 1 Staff - Facts and Figures

#### Management and executives

|  |                 |
|--|-----------------|
| General Director   | F.A. Nelissen   |
| Deputy Director a.i. (till 1 October)  | A.J. Nijssen    |
| Head of Research   | O.M. Ribbelink  |
| Head of Projects   | W.Th. Douma     |
| Senior Advisor Research  | R.C.R. Siekmann |
| Head of Education, Training and Events/<br>Director Hague Forum for Judicial Expertise | J.W.M. de Wit   |
| Head of Information Services and Information<br>Technology                             | J.S. de Jongh   |
| Operations Manager   | J.J.M. Simon    |

#### Academic Staff (WP) (alphabetical order)

|                                      |  | FTE * |
|--------------------------------------|--|-------|
| W.F.W. van Ballegooij                | European Law   | 1     |
| L.A.N.M. Barnhoorn                   | Public International Law                                   | 1     |
| S.F. Blockmans                       | European Law   | 1     |
| R.C. Branco Martins                  | International Sports Law                                   | 0.8   |
| W.Th. Douma                          | European Law   | 1     |
| U.M. Gärtner (resigned 1 April)      | International Humanitarian Law                             | 0.8   |
| M. Harinck-Olfers                    | International Sports Law                                   | 0.2   |
| B.J. van het Kaar                    | Private International Law                                  | 1     |
| V. Lazic                             | International Commercial Arbitration                       | 0.5   |
| L. Massai (appointed 1 May)          | European Law   | 0.667 |
| A. J. M. McDonald                    | International Humanitarian Law                             | 1     |
| T. Mehra                             | International Humanitarian Law/Public<br>International Law | 1     |
| F.A. Nelissen                        | Public International Law                                   | 1     |
| M.L. Nybondas                        | International Humanitarian Law/Public<br>International Law | 1     |
| S.E. Radin (appointed 1 June)        | International Humanitarian Law                             | 0.467 |
| O.M. Ribbelink                       | Public International Law                                   | 1     |
| M.J. de Rooij                        | Private International Law                                  | 1     |
| G.E. Schmidt                         | Private International Law                                  | 1     |
| R.C.R. Siekmann                      | International Sports Law/ Public<br>International Law      | 1     |
| J.W. Soek                            | International Sports Law                                   | 1     |
| K.F.H. Swinnen-Pieters               | European Law   | 1     |
| A. Venckuté (appointed 15 September) | European Law   | 0.33  |
| J.A. Vos                             | Public International Law                                   | 1     |

#### Projects Office

|                  |                 |      |
|------------------|-----------------|------|
| I. van Amerongen | Manager         | 0.84 |
| T.N.J. Kok-Maan  | Project Manager | 0.8  |

#### Education, Training and Events

|                         |  |      |
|-------------------------|--|------|
| M.D. Barendrecht-Deelen | Project Manager Education and Events   | 0.6  |
| J.G. Ouwerkerk          | Project Manager Education and Events   | 0.6  |
| S.J. Terheijden         | Project Manager Education and Events   | 0.8  |
| L. de Vries             | Project Manager Education and Events   | 1    |
| J.W.M. de Wit           | Head of Education, Training and Events | 0.84 |

**Information Services and Information Technology**

|                    |   |     |
|--------------------|---|-----|
| D.G. Blom          | Library assistant                                       | 1   |
| E. Gorkovoi        | Librarian   | 0.8 |
| M.A. van der Harst | Webmaster   | 1   |
| J.S. de Jongh      | Head Information Services<br>and Information Technology | 1   |
| V.P. Verkruijsen   | Information Specialist                                  | 1   |

**Publications**

|                          |                     |       |
|--------------------------|---------------------|-------|
| I. van Dun-van den Bosch | Editorial Assistant | 0.263 |
| K. Peters-Moes           | Editorial Assistant | 0.5   |
| W.G.M. van Sas-Wildeman  | Editorial Assistant | 0.8   |

**Supporting and Administrative Staff (OBP)**

|   |                                     |       |
|---|-------------------------------------|-------|
| A. Assoufi                                    | Janitor                             | 1     |
| P. Bakker                                     | Head of Administration              | 0.8   |
| A.M. Bolweg                                   | Office Support Assistant            | 0.6   |
| D. de Jongh                                   | Administrator                       | 1     |
| A.A.M. van Kersbergen                         | Management Assistant Research       | 0.75  |
| J.M.W. de Man-Slijpen (resigned 1 August)     | Manager Human Resources             | 0.3   |
| J.T. Mooren-Hooijmans (appointed 1 September) | Assistant Human Resources           | 0.083 |
| A.J. Nijssen (resigned 1 October)             | Deputy Director a.i.                | 0.4   |
| T.J.M. Olsthoorn                              | Advisor Human Resources             | 0.6   |
| A. de la Parra                                | Administrator                       | 0.8   |
| M.H.A. Piekaar                                | Executive Secretary                 | 0.66  |
| J.J.M. Simon                                  | Operations Manager                  | 1     |
| A.L.D. Smit                                   | Receptionist                        | 1     |
| A.A.J. Straman                                | Printing and reproduction assistant | 0.6   |

**T.M.C. Asser Press**

|                                     |                                 |       |
|-------------------------------------|---------------------------------|-------|
| M.H. Bastiaans                      | Assistant Publisher Asser Press | 1     |
| N. van der Hoek (resigned 1 August) | Management Assistant            | 0.5   |
| A. Riem (appointed 1 September)     | Management Assistant            | 0.167 |
| Ph.E. van Tongeren                  | Publisher T.M.C. Asser Press    | 1     |
| A.H.C. Wessels-Voorbij              | Marketing Coordinator           | 0.6   |

**The Hague Academic Coalition (Project employees)**

|   |                                    |       |
|---|------------------------------------|-------|
| M. Delbot (appointed 1 April- resigned 31 December)             | Project Assistant Hague Portal     | 0.75  |
| A.A.E.C. Insinger (resigned 1 November)                         | Project Assistant Hague Portal     | 0.5   |
| P. Otten  | Managing Editor Hague Portal       | 1     |
| H.H.G. Post   | Project leader Hague Portal        | 0.47  |
| D.W.J.J. Vriesendorp (appointed 1 May -<br>resigned 1 November) | Secretary Coordinator Hague Portal | 0.2   |
| N. J. Walbridge (appointed 1 September)                         | Project Assistant Hague Portal     | 0.167 |

**The Hague Forum for Judicial Expertise (Project employee)**

|                     |                       |     |
|---------------------|-----------------------|-----|
| J.L. van der Meulen | Programme coordinator | 0.3 |
|---------------------|-----------------------|-----|

\* Full-time equivalent



## Participants in the Asser Dissertations Programme – ADP

| <b>Name:</b>          | <b>Supervisor(s)</b>   |
|-----------------------|--|
| Nynke Baarsma         | Prof. Dr. M.H. ten Wolde, University of Groningen  |
| Felix Ndahinda        | Prof. Dr. W.J.M. van Genugten and Ms. Dr. R.M. Letschert, Tilburg University                     |
| Tamara Takacs         | Prof. Dr. S. Prechal, University of Utrecht and Dr. József Pétrétei, University of Pécs, Hungary |
| Kinga J. Tibori Szabo | Prof. Dr. T.D. Gill, University of Amsterdam   |

## Participants in the Asser Research Fellowships Programme – ARFP

| <b>Name:</b>   | <b>Period</b>                         |
|--|---------------------------------------|
| Quo Shuli (Xiangtan University, China)                           | 5 June 2005 till 30 March 2006        |
| Raluca Ana Bădilă (Babeş-Bolyai University, Romania)             | 3 July 2006 till 29 September 2006    |
| Kwon Jeong-hoon (Seoul Western Prosecutor's Office, South-Korea) | 11 December 2006 till 2 February 2007 |

## Student Assistants and Trainees

| <b>Name</b>         | <b>Period</b>                       | <b>Tutor(s)</b>    |
|---------------------|-------------------------------------|--------------------|
| E.C. Aantjes        | 1 October 2005 – 3 February 2006    | W.Th. Douma        |
| N.N. van den Berge  | 7 November 2005 – 28 February 2006  | L.A.N.M. Barnhoorn |
| S.T. Bhaboeti       | 1 April 2006 – 30 June 2006         | J.S. de Jongh      |
| L. Boundouhi        | 24 November 2006 – 23 February 2007 | V.P. Verkuissen    |
| S.W. Couwenberg     | 20 February 2006 – 9 July 2006      | R.C.R. Siekmann    |
| L. van Essen        | 16 August 2005 – 31 January 2006    | J.W.M. de Wit      |
| N.E. Gabay          | 1 October 2006 – 31 March 2007      | S.E. Radin         |
| R. Hartmanova       | 14 September 2005 – 30 June 2006    | W.Th. Douma        |
| W.C. Madarie        | 13 November 2006 – 31 March 2007    | J.S. de Jongh      |
| A.C.M. Mulder       | 1 January 2005 – 31 January 2006    | L.A.N.M. Barnhoorn |
| H.M.A.E. van Ooijen | 15 February 2006 – 14 April 2006    | O.M. Ribbelink     |
| B.M. Platell        | 18 July 2006 – 31 March 2006        | S.F. Blockmans     |
| V.P. Pouliot        | 1 November 2006 – 31 January 2007   | J.S. de Jongh      |
| D. Ratsiborinskaya  | 1 May 2005 – 30 April 2006          | W.Th. Douma        |
| R. Rootert          | 1 December 2005 – 31 March 2006     | L.A.N.M. Barnhoorn |
| P.G. Salvadori      | 19 October 2005 - 31 May 2006       | R.C.R. Siekmann    |
| A. Salileh          | 1 October 2005 – 28 February 2006   | J.W.M. de Wit      |
| A.E. Schouwerwou    | 24 July 2006 – 23 August 2006       | W.Th. Douma        |
| M. Simmer           | 19 June 2006 – 18 August 2006       | L.A.N.M. Barnhoorn |
| E.P. Sklarczyk      | 1 July – 15 August 2006             | A.J.M. McDonald    |
| S.W. van Sluis      | 1 December 2005 – 31 March 2006     | A.J.M. McDonald    |
| R. Vermeeren        | 16 November 2006 – 15 May 2007      | J.S. de Jongh      |
| N.J. Walbridge      | 28 November 2005 – 31 August 2006   | J.S. de Jongh      |
| R.O. Wijngaarde     | 1 May 2006 – 30 September 2006      | J.S. de Jongh      |
| P. Willemsen        | 1 October 2006 – 31 January 2007    | R.C.R. Siekmann    |
| H.R. Windig         | 30 January 2006 – 31 July 2006      | W.Th. Douma        |
| S.K. Woods          | 5 December 2006 – 4 June 2007       | L. Massai          |

## **Annex 2 Staff – Advisory and Board Functions**

M.H. Bastiaans

- Member of the Board (Secretary) of the ‘Stichting Juridisch Woordenboek Spaans’ (The Spanish Legal Dictionary Foundation).

W.Th. Douma

- Redactieraad Sdu Mail RO, Milieu en Natuur (Editorial board member for an electronic newsletter on spatial planning, environment and nature).
- Evaluation committee Dutch General Administrative Law Act (Awb).
- Organising committee Asser conference ‘Tackling Climate Change: An Appraisal of the Kyoto Protocol and options for the future’.

B.J. van het Kaar

- Secretary of the Scientific Commission on International Private Law of the T.M.C. Asser Instituut.

A.E. Kellermann

- Senior Policy and Legal Advisor of the T.M.C. Asser Instituut.

A.A.M. van Kersbergen

- Chairman of the Works-Council (Ondernemingsraad) of the T.M.C. Asser Instituut.

F.A. Nelissen

- Part-time Professor in International Environmental Law, University of Groningen, the Netherlands.
- Member of the Governing Board of the Centre for International Legal Co-operation, Leiden, The Netherlands.
- Member of the Board, Nederlandse Vereniging voor Internationaal Recht (NVIR), The Hague, The Netherlands.
- Member International Council of Environmental Law.
- Member International Law Association (ILA) study group on Responsibility in International Organizations.
- Member of the Board of Directors, ‘Stichting The Hague Joint Conferences’, The Hague, The Netherlands.
- Secretary of the Nomination Committee ‘The Hague Prize for International Law’.
- Chair Steering Committee European Arrest Warrant Project.
- Member Steering Committee European Research Network Study on Private International Law
- Chairman of the Board of the Hague Academic Coalition (a co-operation between The Carnegie Foundation, The Clingendael Institute, T.M.C. Asser Instituut, Institute of Social Studies and the Grotius Centre for International Legal Studies of Leiden University).
- Member of the Legal Heritage Working Group, The Hague (archives from international law institutions in The Hague).
- Member of the Expert group City Marketing and Events.
- Member of the Board of Panorama Haaglanden.
- Member of the Board of the Haganum Festival, The Hague.
- Member of the ‘Expert Groep Algemene Justitiële Strategie’ (Expert group on General Judicial Strategy) of the Dutch Ministry of Justice
- Member Supervisory Board Foundation for International Justice Development Systems (Instituut IJSD)

M.L. Nybondas

- Member of the Editorial Board of the Newsletter of the School of Human Rights Research.

M. Olfers

- Deputy Member of the Disciplinary Commission (Doping/International Aspects), Netherlands Institute for Litigation in Sport [Stichting Instituut Sportrechtspraak].

J.G. Ouwkerk

- National Administrator and Member of the Organising Commission for the Dutch National Round of the Philip C. Jessup International Law Moot Court Competition.

O.M. Ribbelink

- Secretary-General, Association of Attenders and Alumni of The Hague Academy of International Law (AAA).
- Member, Board of the School of Human Rights Research.
- Member, Scientific Council of the T.M.C. Asser Instituut.
- Secretary, Scientific Commission on Public International Law of the T.M.C. Asser Instituut.
- Member, Committee on the Law of State Succession of the International Law Association (ILA).

- Member, Committee on Space Law of the International Law Association (ILA).
- Member, Advisory Board, European Business Organization Law Review.
- Member, Advisory Board, 'Stichting Democratie en Media'.
- Member of the Interdepartmental Consultation Group on space law-related issues.
- Chairman, Netherlands National Round Organizing Committee, Telders International Law Moot Court Competition.
- Member, Program Committee, Hague Forum for Judicial Expertise (HFJE), of the Hague Academic Coalition (HAC).
- Member, Working Group on the Law of International Organizations, Netherlands Society for International Law, (NVIR).
- Member, Organizing Committee, Summer Course on Human Rights', 20 - 25 August 2006, The Hague & Leuven, Belgium.
- Head, research council European Arrest Warrant project.
- Member, Program Committee, Hague Academic Coalition, From Peace to Justice Conference, on: Peace, Security and the Role of Justice, 5-7 April 2006, The Hague.
- Member, Program Committee/Working Party, 2<sup>nd</sup> Hague Colloquium on Fundamental Principles of Law, on: 'Supreme Courts in an internationalized world: challenges for the *trias politica* and the coherence of law?', 30 June – 1 July 2006, The Hague.
- Member, Program Committee, International Conference on Private International Law, co-organized by the Indian Society for International Law, The Hague Conference on Private International Law, and the T.M.C. Asser Institute, New Delhi, India, 2-3 December 2006, The Hague.

#### M.J. de Rooij

- Deputy-Member of the Board of Appeal (Doping), Netherlands Institute for Litigation in Sport [Stichting Instituut Sportrechtspraak].

#### R.C.R. Siekmann

- Member of the Board of Appeal (Doping), Netherlands Institute for Litigation in Sport [Stichting Instituut Sportrechtspraak].

#### J.W. Soek

- Member of the Disciplinary Commission (Doping/International Aspects), Netherlands Institute for Litigation in Sport [Stichting Instituut Sportrechtspraak].

#### K. Swinnen-Pieters

- Secretary of the Scientific Commission on European Law of the T.M.C. Asser Instituut.

#### Ph. Van Tongeren

- Member, European Society of International Law.
- Member, European Union Publishers Forum.
- Manager (Network, Marketing, Conference) European Arrest Warrant Project.

#### J.W.M. de Wit

- Member of the Bologna Task Force of NAFSA, Association for International Educators, Washington D.C., USA.
- Miembro del Consejo Académico Honorario del Programa de Posgrados en Políticas y Administración de la Educación, Universidad Nacional Tres de Febrero, Buenos Aires, Argentina.
- Fulbright Scholar in the New Century Scholarship program Higher Education in the 21<sup>st</sup> Century.
- Member of the Alfa team 'EULAC Partnerships for Internationalisation of Higher Education', Rosario University.
- Miembro del Consejo Asesor de la Agencia Nacional de Evaluación de la Calidad y Acreditación (ANECA), Spain.
- Member of the advisory team of the JPSP Grant-in-Aid for Scientific Research Project 'Developing Evaluation Criteria to assess the Internationalization of Universities', Osaka University.
- Member of the Consejo Editorial of 'Global Educación', Asociación Mexicana para la Educación Internacional, Mexico.
- Chair of the Board of the 'Amsterdam School of International Relations' (ASIR).
- Vice Chairman of the Board of Trustees, 'World Education Services' Inc. (WES), New York (member of the board since 1996).

### **Annex 3 Staff – Editorial Functions**

W.F.W. van Ballegooij

- Managing editor European Arrest Warrant project.

L.A.N.M. Barnhoorn

- Managing Editor, *Netherlands Yearbook of International Law*.

S.F. Blockmans

- Co-editor for A.E. Kellermann, J. Czuczai, S. Blockmans, A. Albi, W.Th. Douma (eds.), *The Impact of EU Accession on the Legal Orders of New EU Member States and (Pre-)Candidate Countries – Hopes and Fears* (The Hague, T.M.C. Asser Press 2006), 465 pages.
- Co-editor for S. Blockmans and A. Łazowski (eds.), *The European Union and Its Neighbours: A Legal Appraisal of the EU's Policies of Stabilisation, Partnership and Integration* (The Hague, T.M.C. Asser Press 2006), 653 pages.

W.Th. Douma

- Editor-in-Chief, *European Environmental Law Homepage* (an internet website: <http://www.eel.nl>) and EEL News service (a bimonthly electronic newsletter).
- Editor, *Jurisprudentie milieurecht* (Dutch journal on environmental case law).
- Editor, *Milieu en Recht* (Dutch journal on environmental law).

B.J. van het Kaar

- Member of the Board of Editors, *Nederlands Internationaal Privaatrecht – NIPR* (Netherlands Private International Law- NIPR).
- Member of the Editorial Board, *Internationale aspecten motorrijtuigen verzekering en schadebehandeling (NIBESVV)*.

V. Lazic

- Member of the Editorial Board, *Croatian Arbitration Yearbook*.
- Member of the Editorial Board, *European Business Organization Law Review*.

A.J.M. McDonald

- Managing Editor, *Yearbook of International Humanitarian Law*.
- Corresponding Editor, *Humanitäres Völkerrecht*.

M.L. Nybondas

- Assistant Managing Editor, *Yearbook of International Humanitarian Law*.

S.E. Radin

- Editor, *International Humanitarian Law website*.

O.M. Ribbelink

- Editor, *Manual on Public International Law* (with N. Horbach and R. Lefeber).

M.J. de Rooij

- Member of the Board of Editors, *Nederlands Internationaal Privaatrecht – NIPR* (Netherlands Private International Law- NIPR).

G.E. Schmidt

- Member of the Board of Editors, *Nederlands Internationaal Privaatrecht (NIPR)* (Netherlands Private International Law- NIPR).
- Correspondent, *Tijdschrift voor Familie-en Jeugdrecht (FJR)*.

R.C.R. Siekmann

- General Editor, *International Sports Law Journal*.
- General Manager, [www.sportslaw.nl](http://www.sportslaw.nl) (website of ASSER International Sports Law Centre).

J.W. Soek

- Deputy General Editor, *International Sports Law Journal*.

P. van Tongeren

- Publishing Editor, *Information Technology & Law Series (IT&Law)*.

J.W.M. de Wit

- Editor of the Journal of Studies in International Education, Association of Studies in International Education/SAGE Publications, California, USA.

## **Annex 4 - Staff – Publications**

### **A. Books**

S.F. Blockmans

- A.E. Kellermann, J. Czuczai, S. Blockmans, A. Albi, W.Th. Douma (eds.), *The Impact of EU Accession on the Legal Orders of New EU Member States and (Pre-)Candidate Countries – Hopes and Fears* (The Hague, T.M.C. Asser Press 2006), 465 pages.
- S. Blockmans and A. Łazowski (eds.), *The European Union and Its Neighbours: A Legal Appraisal of the EU's Policies of Stabilisation, Partnership and Integration* (The Hague, T.M.C. Asser Press 2006), 653 pages.

B.J. van het Kaar

- *Internationaal privaatrecht. Rechtspraak 2006* (7<sup>e</sup> herziene. Editie.), Nijmegen: Ars Aequi 2006.

A.E. Kellermann

- A.E. Kellermann, J. Czuczai, S. Blockmans, A. Albi, W.Th. Douma (eds.), *The Impact of EU Accession on the Legal Orders of New EU Member States and (Pre-)Candidate Countries – Hopes and Fears* (The Hague, T.M.C. Asser Press 2006), 465 pages.

M. Olfers

- Co-editor for M. Olfers and K. Pieters, *Actualiteiten in het Europese Mededingingsrecht* (The Hague, T.M.C. Asser Press 2006), 135 pages.

G.E. Schmidt

- Contributions to *Tekst & Commentaar Personen- en familierecht* (Text and Commentary on the Law of Persons and Family Law), 4th ed., 2006.

K. Swinnen-Pieters

- Co-editor for M. Olfers and K. Pieters, *Actualiteiten in het Europese Mededingingsrecht* (The Hague, T.M.C. Asser Press 2006), 135 pages.

J.W.M. de Wit

- Barbara Kehm and Hans de Wit (Eds.), *European Responses to the Global Perspective*. EAIE/EAIR, (2006) Amsterdam.
- Hans de Wit, *Challenges and Opportunities for Higher Education in Europe: the Bologna Process and the Lisbon Strategy*. 2006 Columbia on Line. New York.
- Hans de Wit, Isabel Cristina Jaramillo, Jocelyne Gacel Avila, Jane Knight. (Eds.). (2006). French Edition: *L'Enseignement Supérieur en Amérique Latine, La Dimension Internationale*. OECD, Paris.

### **B. Articles**

S.F. Blockmans

- 'Impact of EU Accession on the Role of (Potential) Candidate Countries' Executives', in A.E. Kellermann, J. Czuczai, S. Blockmans, A. Albi, W.Th. Douma (eds.), *The Impact of EU Accession on the Legal Orders of New EU Member States and (Pre-)Candidate Countries – Hopes and Fears* (The Hague, T.M.C. Asser Press 2006), pp. 291-300.
- 'The European Union and its Neighbours: Questioning Identity and Relationships', in S. Blockmans & A. Łazowski (eds.), *The European Union and Its Neighbours: A Legal Appraisal of the EU's Policies of Stabilisation, Partnership and Integration* (The Hague, TMC Asser Press 2006), pp. 3-18.
- 'Conclusions: Squaring the Ring of Friends', in S. Blockmans & A. Łazowski (eds.), *The European Union and Its Neighbours: A Legal Appraisal of the EU's Policies of Stabilisation, Partnership and Integration* (The Hague, TMC Asser Press 2006), pp. 613-639.
- 'Western Balkans', in S. Blockmans & A. Łazowski (eds.), *The European Union and Its Neighbours: A Legal Appraisal of the EU's Policies of Stabilisation, Partnership and Integration* (The Hague, TMC Asser Press 2006), pp. 315-355.
- 'Role and Impact of the EU's Common Foreign and Security Policy towards the Western Balkans (2001-2006)', *2 Croatian Yearbook of European Law and Policy* (2006), pp. 209-264.

- 'Europos Sąjungos Tarptautinė Transporto Teisė', in C. Blok, A.-M. Heemskerk & V. Valančius (eds.), *Europos Sąjungos Teisė* (Vilnius, Teisinės Informacijos Centras 2006), pp. 609-688.

#### W.Th. Douma

- 'Israel and the Palestian Authority', in: S.F. Blockmans and A. Lazowski (eds.), *The European Union and its Neighbours*, The Hague, 2006, pp. 433-461.
- 'The European Union, Russia and the Kyoto Protocol', in: M. Peeters and K. Deketelaere (eds.), *EU Climate Change Policy. The Challenge of New Regulatory Initiatives*, Cheltenham, 2006, pp. 51-66.

#### M.A. van der Harst

- 'Treaties and other International Agreements to which the Kingdom of The Netherlands is a Party – Conclusions and Developments 2004', *Netherlands Yearbook of International Law (NYIL)*, Vol. XXXVI 2005.
- 'Treaties and other International Agreements to which the Kingdom of The Netherlands is a Party – Conclusions and Developments 2005', *Netherlands Yearbook of International Law (NYIL)*, Vol. XXXVII 2006.

#### B.J. van het Kaar

- 'Het voorlopige getuigenverhoor en het EEX', in *NIPR* 2006, pp. 383-387.
- 'Het voorlopige getuigenverhoor onder het EEX', *NTHR* 2006, pp. 221-223.

#### A.E. Kellermann

- 'EU legislation and experiences with transparency the right of access and combating fraud and corruption', in: *Pravo and Politika*, Moscow, November 2006.
- 'L'experience de l'Union europeenne concernant la transparence decisionnelle, de droit d'accès et la lutte contre la fraude et corruption', in: *Revista Romana de Drept Comunitar*, October 2006, pp. 11-28.
- 'The Impact of EU Accession on the development of Administrative capacities in the States in Central and Eastern Europe', in: *Romanian Journal of European Affairs*, vol. 6, no. 3, 2006.
- 'The Cresson case', *All Russia*, together with Profs. Abramov and Entin, 3<sup>rd</sup> issue 2006.

#### V. Lazic

- 'Enforcement of an arbitral award annulled in the country of origin', *Croatian Arbitration Yearbook*, Vol. 13, (2006), pp. 179-204.
- 'The Hague Convention on Choice of Court Agreements of 2005: Scope of Application and Main Rules', G. Knežević/V. Pavić (eds.), *Zbornik radova III konferencije o medjunarodnom privatnom pravu*, 2006, pp. 1-18.
- 'Arbitration Law Reforms in the Netherlands: Formal and Substantive Validity of an Arbitration Agreement', in: J.H.M. van Erp/L.P.W. van Vliet (eds.), *Netherlands Reports to the Seventeenth International Congress of Comparative law*, Utrecht 2006, Intersentia, Antwerpen-Oxford (2006) pp. 125-147.

#### L. Massai

- 'Aviation and climate change' (in Italian), review on environmental issues *Qualenergia*, 6 October 2006.
- 'EU enlargement and climate policy', in P. Harris (ed.), *Europe and global climate change: politics, foreign policy and regional cooperation*, Cheltenham, UK: Edward Elgar Publishing (forthcoming).
- 'Legal aspects of European climate policy', in L. Massai and M. Montini (eds.), *The Kyoto Protocol and beyond: a legal perspective*, Groningen: Europa Law Publishing (forthcoming).
- 'The Linking Directive', in *Proceedings of the Summer Academy 'Energy and the Environment'*, Greifswald, 17-28 July 2006 (forthcoming).
- 'Exploring International and European Emissions Trading Regimes', in *Proceedings of the Conference 'Linking Schemes: Potential Impacts of Linking the EU-ETS with Emerging Carbon Markets in Other Countries'*, Fondation Universitaire, Brussels, 30 May 2006.
- 'Joint Implementation in an enlarged EU: Recent development and outstanding legal issues', in Freestone, D. and Streck, C. (eds.), *Environmental Liability Special Edition The Kyoto Protocol: recent developments in carbon finance*, Law text Publishing, forthcoming.

#### A.J.M. McDonald

- 'The Year in Review', 6 *Yearbook of International Humanitarian Law* (2003) (The Hague, TMC Asser Press 2006), pp. 239-291.
- 'The Emergence of a Victim-Centred Approach to International Criminal Justice', in John Carey, William Dunlap and John Pritchard, eds. *International Humanitarian Law, Prospects* (New York, Transnational 2006).
- 'The Year in Review', 7 *Yearbook of International Humanitarian Law* (2004) (The Hague, TMC Asser Press 2006).

#### M.L. Nybondas

- 'International criminal courts round-up', together with Olivia Swaak-Goldman in Volume 7 *Yearbook of International Humanitarian Law* (2004).

O.M. Ribbelink

- 'Financing Space Activities: the UNIDROIT Draft Space Assets Protocol;', in: *Proceedings of the 15<sup>th</sup> European Centre for Space Law (ECSL)*, Summer Course in Space Law and Policy, ESTEC (Erasmus Centre), Noordwijk, the Netherlands, 4-15 September 2006.

G.E. Schmidt

- 'Duidelijkheid en hanteerbaarheid van de Europese wetgeving op het terrein van het internationale familierecht; (Is the European legislation on international family law clear and easy to apply?)' in: *Mededelingen van de Nederlandsche Vereeniging voor Internationaal Recht*; (2006), afl. 133, pp. 71 - 112.

R.C.R. Siekmann

- Study into the Possible Participation of EPFL and G-14 in a Social Dialogue in the European Professional Football Sector (with a contribution by Roberto Branco Martins), *The International Sports Law Journal (ISLJ)* 2006/3-4 pp. 69-71 and 74-85.
- The Right to Information and of Short Reporting/Short Extracts with regard to Sport, *The International Sports Law Journal (ISLJ)* 2006/3-4 pp. 87-91.

K. Swinnen-Pieters

- 'The EU and the Mediterranean countries (Morocco, Algeria, Tunisia, Libya, Egypt, Jordan, Syria and Lebanon)' in: S. Blockmans and A. Lazowski (eds.) *The European Union and its Neighbours: A legal appraisal of the EU's policies of Stabilisation, Partnership and Integration* (The Hague, T.M.C. Asser Press 2006), pp. 391-432.

J.W.M. de Wit

- 'Changing dynamics in the internationalisation of higher education', in Roshen Kishun (Ed.), *The Internationalisation of higher education in South Africa*. p. 29-40. International Education Association South Africa, Durban. Also published in a slightly revised version in *Educacion Global*, Volumen 10, 2006, pp. 65-76, Asociacion Maxicana para la Educacion Internactional, Mexico.
- 'International Mobility, European Trends and Perspectives', in *European Responses to the Global Perspective*, Barbara Kehm and Hans de Wit (Eds.), pp. 134-153. EAIE/EAIR, 2006 Amsterdam.
- 'European Integration in Higher Education: The Bologna Process Towards a European Higher Education Area'. in James Forest and Philip Altbach (eds.). *International Handbook of Higher Education*, Volume II, pp. 461-482. 2006, Kluwer, The Netherlands.

## **C. Others**

L.A.N.M. Barnhoorn

- Netherlands Judicial Decisions Involving Questions of Public International law, 2003- 2004, 36 NYIL (2005) pp. 427-514.

S.F. Blockmans

- EU-wetgevingskroniek 2005 [EU Law Chronicle 2005], in *12 SEW (2006)*, with M.A. van der Harst & W.Th. Douma.

W.Th. Douma

- EU-wetgevingskroniek 2005 [EU Law Chronicle 2005], in *12 SEW (2006)*, with S.F. Blockmans & M.A. van der Harst.
- Annotation to the Joined cases T-366/03 en T-235/04, Land Oberösterreich and Republic Austria v. Commission (GMO-ban), Court of First Instance, 5 October 2005, JM 2006/33, pp. 195-205.
- Annotation to Case C-191/05, Commission v. Portugal (downsizing Special Protection Areas), European Court of Justice, JM 2006/85, pp. 526-529.

M.A. van der Harst

- EU-wetgevingskroniek 2005 [EU Law Chronicle 2005], in *12 SEW (2006)*, with S.F. Blockmans & W.Th. Douma.
- Treaties and other International Agreements to which the Kingdom of The Netherlands is a Party - Conclusions And Developments 2004', *Netherlands Yearbook of International Law (NYIL)* 2005 - Vol. XXXVI, pp. xxx-xxx.
- Treaties and other International Agreements to which the Kingdom of The Netherlands is a Party - Conclusions And Developments 2005', *Netherlands Yearbook of International Law (NYIL)* 2006 - Vol. XXXVII, pp. xxx-xxx.

V. Lazic

- Book Review: R. Goode/H. Kanda/K. Kreuzer, 'Hague Securities Convention – Explanatory Report' 4 *European Review of Private law* (2006) pp. 627-630.

L. Massai

- Case C-244/05, Conservation of natural habitats of wild fauna.

G.E. Schmidt

- Literatuuroverzicht IPR [Survey of literature on private international law], in: *Tijdschrift voor Familie- en Jeugdrecht (FJR)* 2006, pp. 328 - 330.
- B34, Commentary to Regulation 2201/2003 (Brussels 2A, concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility (in Dutch).
- B46, Commentary to the Hague Convention of 5 October 1961 concerning the powers of authorities and the law applicable in respect of the protection of minors (in Dutch).
- Updates of previously published commentaries on the private international law regarding maintenance obligations.



## *Annex 5 Staff – Lectures, Presentations and Sessions*

### L.A.N.M. Barnhoorn

- Lecture in the Training Course for Legal Information Specialists of Asser College Europe (ACE) 2006 on the law of international organizations and especially the United Nations.

### S.F. Blockmans

- 31<sup>st</sup> Annual Conference, British International Studies Association, University College Cork, Ireland, 'Can 'widening' the EU with the Western Balkans save its 'deepening'?' 19 December 2006,
- 10<sup>th</sup> Anniversary Conference, MGIMO University, Moscow, 'EU financial conditionality vis-à-vis Russia: the new European Neighbourhood and Partnership Instrument', 15 December 2006,
- MTEC course, Ministry of the Interior, The Hague, 'Human rights (conditionality) in the external relations of the EU', 22 November 2006,
- Lectures for Committee of European Integration, Parliament of the Republic of Bulgaria, 'EU legal terminology: practical aspects', 'Control & sanction mechanisms under EC law', 23-24 October 2006.
- 1<sup>st</sup> International Conference on EU Law, Salçutan and partners, Hilton Athenee Bucharest, 'Technical barriers to trade between the EU and third states: importance for Romania', 21 October 2006.
- 36<sup>th</sup> Asser Colloquium on European Law, Kurhaus Hotel Scheveningen, 'The enlargement Agenda for South Eastern Europe: Consolidated?' 29 September 2006.
- Summer Course on EU Constitutional and Institutional Law, Europäische Rechtsakademie, Trier, 'Fundamental principles of the internal market', 20 June 2006.
- Estonian Law Centre Foundation, Hotel Reval Central, Tallinn, 'Effective remedies under EC law: recent developments', 9 June 2006.

### W.Th. Douma

- European Environmental Law, for the Lithuanian judiciary, Vilnius, Lithuania, 16/17 January 2006.
- Migration in the EU, at 'Een kijkje in de keuken van het Europees Migratie Netwerk', Utrecht, The Netherlands, 19 January 2006.
- Free movement of goods, Case study internal market, GATT 1994 and other multilateral agreements on trade in goods, SPS/ TBT Disputes involving the EC, ACE 2006, The Hague, 15 and 16 February 2006, 7 and 13 March 2006.
- REACH and the precautionary principle, REACH conference, ERA, 3-4 February 2006.
- Criminal Law under the First Pillar, Expertisecentrum Europees Recht (ECER), Ministry of Economic Affairs, The Hague, 9 March 2006.
- Transposition of Directives, EU Policy Workshop for MA students, University of Leiden, Faculty of Law, 19 April 2006.
- Directive on waste electrical and electronic equipment (WEEE) and Environmental protection through criminal law, at: European Environmental Law seminar, Stockholm, Sweden, 19 and 20 June 2006.
- Introduction to European Legal Order (for civil servants of the Dutch Ministry of Agriculture, Nature Conservation and Fisheries), Clingendael, The Hague, 6 September 2006.
- The Kyoto Protocol and Beyond: a Legal Perspective, University of Siena, Siena, 9/10 June 2006.
- Free movement of services, for the staff of the Bulgarian Parliament, Sofia, Bulgaria, 18 September 2006.
- The final frontier and beyond: Ukraine, Moldova, Belarus, ENP, Russia, at the 36th Colloquium on European Law, Reconciling 'deepening' and 'widening' of the European Union, The Hague, 29 September 2006.
- Integrated permitting under the IPPC directive and Latest developments on EC waste law, Luxemburg, European Investment Bank, 27 September 2006.
- Free movement of goods, for Romanian lawyers, Bukarest, Romania, 21 October 2006.
- The importance of European Law for new Member States, for students from Romania and Bulgaria, The Hague, 3 November 2007.
- Introduction to European Law, Study visit, High School of Justice Georgia, European Programme for Human Rights Education for Legal Professionals, The Hague, 16 November 2006.
- Reform of the legal order as a pre-accession conditionality: role of the judiciary, at MTEC course on Administration of Justice, The Hague, 22 November 2006.

### V. Lazic

- '2005 Hague Convention on Choice of Court Agreements', The Indian Society of International Law, International Conference on Private International Law, New Delhi, 2-3 December 2006,.
- 'Role of National Courts and Arbitral Institutions under the Croatian Arbitration Act', 14 Croatian Arbitration days, Zagreb 30 November -1 December 2006,.
- 'Recent Developments in Harmonizing 'European Private International Law' in Family Matters: Proposal for a Council Regulation amending Regulation (EC) no 2201/2003', IV Conference on Private International Law, Zagreb 26-27 October 2006,.
- 'Arbitration Law Reforms in the Netherlands: Formal and Substantive Validity of an Arbitration Agreement', XVII Congress of Comparative Law, Utrecht, 16-22 July 2006.

- Utrecht University – Washburn University Summer School, 24 July- 9 August 2006, Course on 'International Commercial Arbitration', co-teaching with Prof. A. Khan.

#### L. Massai

- Lectures on EU Law and European Environmental Law, University of Siena, Academic year 2005-2006.
- 'History and institutions of the EU', ACE Training Course for Legal Information Specialists, TMC Asser Instituut, 10 October 2006.
- 'International environmental law: the role of the international climate regime', University of Groningen, 6 October 2006.
- 'The Linking Directive: a problem oriented perspective', Summer Academy 'Energy and the Environment', University of Greifswald, 19 July 2006.
- 'Linking the Kyoto Protocol flexible mechanisms: legislative issues', workshop 'Energy and Climate Policy interactions', Energy Convention, Groningen, 22 November 2006.
- 'The Climate Change Regime: Outstanding Issues', Conference 'The Kyoto Protocol and Beyond: a Legal Perspective', University of Siena, 9 June 2006.
- 'Exploring International and European Emissions Trading Regimes', Conference 'Linking Schemes: Potential Impacts of Linking the EU-ETS with Emerging Carbon Markets in Other Countries', Fondation Universitaire, Brussels, 30 May 2006.

#### F.A. Nelissen

- Opening speech European Arrest Warrant Conference: 'The Reality of a Vision', 15 June 2006.
- Speech Symposium 'Forty years of International Law' on the occasion of the 40<sup>th</sup> anniversary of the T.M.C. Asser Instituut, 28 September 2006.
- Opening speech 36<sup>th</sup> European Law Colloquium 'Reconciling 'deepening' and 'widening' of the European Union'. 29 September 2006.

#### M.L. Nybondas

- Lecture on Individual and Superior Criminal Responsibility, Training for Colombian Prosecutors, Hague Forum for Judicial Expertise, 3 April 2006.
- Lecture on Command Responsibility versus Individual Responsibility, Grotius-Asser Summer School on Supranational Criminal Law, 30 June 2006.

#### S.E. Radin

- Lecture in the Training course for Legal Information Specialists of Asser College Europe (ACE) 2006 on the law of the ICTY and ICC.
- Lecture for visiting Polish law students 2006 on the law of the ICTY and ICC.

#### O.M. Ribbelink

- Workshop 'Rule of Law & International Negotiations', OSCE Academy, Bishkek, Kyrgyzstan, 17-21 April 2006, with Dr. Paul Meerts (Instituut Clingendael).
- 'The European Arrest Warrant Project: 'A short overview of the Project', JAI/2004/AGIS/043, European Arrest Warrant Final Conference, 15-18 June 2006, Noordwijkerhout, The Netherlands.
- 'Introduction to International Law' and "Apologie du Terrorisme", incitement to Terrorism and Freedom of Expression', Summer School on 'War on Terror and Human Rights', Mykolas Romeris University, Vilnius, Lithuania, 13-14 July 2006.
- 'Introduction to the Principles of Public International Law'; National Judges College of the Supreme People's Court of China in Beijing, China, 23 June 2006 and Hague Forum for Judicial Expertise for Chinese judges, 11 September 2006.
- 'Financing Space Activities: the UNIDROIT Draft Space Assets Protocol', in 15<sup>th</sup> European Centre for Space Law (ECSL) Summer Course on Space Law and Policy, ESTEC (Erasmus Centre), Noordwijk, The Netherlands, 13 September 2006.
- GMES and the Charter for Space and Major Disasters: Another Responsibility to Protect? Colloquium of the International Institute of Space Law, International Astronautical Federation, Valencia, Spain, 3-6 October 2006.
- 'International and Regional Approaches to Terrorism, with special emphasis on the League of Arab States' in the Fourth Hague Forum for Judicial Expertise /EU-JUST LEX Senior management course for judges, police officers and prison staff from Iraq, 29 November 2006.
- Judge, Finals National Round, Jessup Moot Court Competition, 18 February 2006.
- Judge, Semi Finals Telders International Law Moot Court Competition, 17-18 April 2006.
- Judge, Semi Finals, Manfred Lachs International Space Law Moot Court Competition, Colloquium of the International Institute of Space Law, Valencia, Spain, 3-6 October 2006.
- Comments on international legal developments for various radio stations and newspapers.

#### G.E. Schmidt

- Participation in forum discussion in Bonn, Germany, 'Europäischer Tag der Ziviljustiz' (European Day of Civil Justice), Organised by the German Justizministerium des Landes Nordrhein-Westfalen (Ministry of Justice of the Land Nordrhein-Westfalen); topic: Civil Cooperation in Europe, especially the application of the 1980 Hague Convention on the Civil Aspects of International Child Abduction, on 19 October 2006.

#### R.C.R. Siekmann

- Co-chairman of the international sports law seminar on *The Court of Arbitration for Sport and Lex Sportiva*, organized by the ASSER International Sports Law Centre in cooperation with the Hugo Sinzheimer Institute for labour law of the University of Amsterdam, Amsterdam, 9 May 2006.
- Chairman of the 6<sup>th</sup> Asser/Clingendael International Sports Lecture on *The European Union and Sport: Law and Policy – Developments and Prospects*, The Hague, 6 June 2006.
- Paper on 'The Right to Information and Short Reporting/Short Extracts with regard to Sport', presented at the Conference on *Regulating the New Media Landscape: A Directive on Audiovisual Media without Frontiers*, organized by the Academy of European Law (ERA) Trier and the Institute of European Media Law (EMR) Saarbrücken (Germany), 7-8 June 2006.
- Lecture on 'Promoting a Social Dialogue in European Professional Football' at international sports law conference on *Promoting Dialogue in Maltese and European Football*, organized by Deguara Farrugia Advocates in cooperation with the ASSER International Sports Law Centre, Malta, 9 September 2006.
- Lecture on 'Sport in EU Law and Policy' at international sports law conference on *The Implications of Poland's Membership of the European Union for Polish Sport*, organized by The Polish Institute of International Affairs in cooperation with the Polish Ministry of Sport, Warsaw, 28-29 September 2006.
- Lecture on 'Study into the Possible Participation of EPFL and G-14 in a Social Dialogue in European Professional Football' at the 12<sup>th</sup> Annual IASL (International Association of Sport Law) Congress on *Legal Aspects of Professional Sport*, Ljubljana (Slovenia), 23-25 November 2006.

#### K. Swinnen-Pieters

- Lecture on 'Article 81 and 82 EC-Treaty', with Judge Marc Fierstra, Lithuania, 18-20 January 2006.
- Reporter of the first session of the annual Asser European Law Colloquium 'Reconciling deepening and widening of the European Union', 26 September 2006, The Hague.

#### J.W.M. de Wit

- Higher education and internationalisation in Latin America – emerging identity or backyard of the US and Europe? Opening address at the seminar: Cooperation in higher education between Europe and other world regions: Latin America. Academic Cooperation Association (ACA), Brussels, October 13, 2006.
- Universities in the International Arena, Looking Forward. Keynote address at the HUMANE Seminar 'Universities as International Players: the Internationalisation of Higher Education', Trieste, Italy, 15-16 September, 2006.
- Quality and Internationalization. Presentation at Session 'Effective Institutional Review and Performance Indicators for Assessment of Internationalization', NAFSA, Montreal, May 25, 2006.
- La Internacionalización de la Educación Superior dentro del Contexto de la Globalización: Riesgos y Oportunidades para las Universidades. Presentación en el Seminario 'Gestión Efectiva en las Instituciones de Educación Superior, Ministerio de Educación Nacional de Colombia/Universidad de Pamplona, Pamplona, Colombia, 28 de Abril, 2006.
- Guest Lecture on Dutch Higher Education in the European Context. School of Education, Boston College, April 10, 2006.
- Guest Lecture on the Bologna Process and other reforms in European higher education. School of Education, Boston College, February 20, 2006.
- Quality Assurance of Internationalization. Address at the International Symposium 'Indicators for Assessing Internationalization of Universities: Reviews and Recommendations. Osaka University, 14 January 2006.

### **Annex 6 Staff – Awards**

#### J.W.M. de Wit

- Honorary Medal of the University of Amsterdam, 10 March 2006.
- Recognition 10 years of the Journal of Studies in International Education, NAFSA, Montreal, 26 May 2006.
- Award of the Association of International Education Administrators (AIEA) for outstanding leadership and contributions as Editor of the Journal of Studies in International Education from its infancy to the happy occasion of its tenth anniversary, San Diego, CA, USA, February 2006.
- Award for Outstanding Service to the Field of International Education in recognition of ten years of contributions as the Founding Editor of the journal of Studies in International Education, CIEE, 8 November 2006, Sevilla, Spain.

## **Annex 7**

### *Editorial and advisory boards and correspondents of the periodical publications of the T.M.C. Asser Instituut in 2006*

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#### **Netherlands International Law Review (NILR)**

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## Annex 8

### *Chapters and authors of the Handboek Internationaal Recht*

- 1 Internationaal recht in ontwikkeling / International Law in Development  
Prof. Dr. R.A. Wessel, University of Twente
- 2 Internationale rechtssubjecten / Subjects of International Law  
Mr I.F. Dekker, Utrecht University; Prof. Dr. N.J. Schrijver, Leiden University
- 3 Internationaal recht en nationaal recht / International Law and National Law  
Prof. Dr. L.F.M. Besselink, Utrecht University
- 4 Bronnen van het internationaal recht / Sources of International Law  
Prof. Dr. J. Wouters, Catholic University Leuven, Belgium
- 5 Verdragenrecht / Law of Treaties  
Prof. Dr. J. Klabbers, University of Helsinki, Finland
- 6 De Staat / The State  
Prof. Dr. W.G. Werner, Free University, Amsterdam
- 7 Jurisdictie / Jurisdiction  
Dr. A.J.J. de Hoogh, University of Groningen; Dr. G. Molier, University of Groningen (in 2007: Leiden University)
- 8 Staatsimmunititeit / State Immunity  
Dr. R. van Alebeek, University of Amsterdam
- 9 Diplomatiek en consulaire recht / Diplomatic and Consular Law  
Dr. M.Y.A. Zieck, University of Amsterdam
- 10 Staatsaansprakelijkheid / State Responsibility  
Dr. N.L.J.T. Horbach, University of Dundee; Dr. R. Lefeber, Ministry of Foreign Affairs
- 11 Vreedzame geschillenbeslechting / Peaceful Settlement of Disputes  
Dr. A. Eyffinger, formerly librarian of the International Court of Justice; Prof. Emeritus dr. P.H. Kooijmans, *inter alia* former Judge International Court of Justice
- 12 Internationale rechtshandhaving / International Law Enforcement  
Prof. Dr. W.J.M. van Genugten, Tilburg University; Prof. Dr. F. Grünfeld, Utrecht University, Maastricht University
- 13 Recht van internationale organisaties / Law of International Organizations  
Prof. Dr. N.M. Blokker, Leiden University, Ministry of Foreign Affairs
- 14 Rechten van de mens / Human Rights Law  
Dr. A.P.M. Coomans, Maastricht University; Prof. Dr. M.T. Kamminga, Maastricht University
- 15 Internationaal strafrecht / International Criminal Law  
Prof. Dr. H.G. van der Wilt, University of Amsterdam
- 16 Internationaal humanitair recht / International Humanitarian Law  
Dr. E. Lijnzaad, Ministry of Foreign Affairs; Dr. M.C. Zwanenburg, Ministry of Defence
- 17 Wapenbeheersingsrecht / Law of Arms Control  
Dr. D.R. den Dekker, De Brauw Blackstone Westbroek, The Hague; Dr. E.P.J. Myjer, Utrecht University
- 18 Internationaal economisch recht / International Economic law  
Prof. Dr. P.L.H. Van den Bossche, Maastricht University; Dr. H.M.G. Denters, Free University, Amsterdam
- 19 Internationaal milieurecht / International Environmental Law  
Mr. M. Goote, Ministry of Housing, Spatial Planning and Environment; Prof. Dr. E. Hey, Erasmus University Rotterdam
- 20 Recht van de zee / Law of the Sea  
Dr. A.G. Oude Elferink, Utrecht University; Prof. Dr. A.H.A. Soons, Utrecht University
- 21 Recht van internationale waterlopen / Law of International Watercourses  
Prof. Dr. P.A. Nollkaemper, University of Amsterdam; Mr. C.H.V. de Villeneuve, Ministry of Transport, Public Works and Water Management
- 22 Luchtrecht / Air Law  
Dr. P.M.J. Mendes de Leon, Leiden University
- 23 Ruimterecht / Law of Outer Space  
Dr. O.M. Ribbelink, T.M.C. Asser Instituut, The Hague