

RESEARCH & CONSULTANCY

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

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

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

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

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

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

Inter-university research activities

CLEER

CLEER's network is expanding. Universities from other EU member states (Bristol, UK and Copenhagen, Denmark) have joined. The 2nd Jean Monnet funded project has been wrapped up with a successful conference in Brussels. Professor Grainne De Burca, Harvard Law School was among the prestigious list of speakers.

Per 1 July 2011, the academic coordination of the Centre has been passed from Professor Steven Blockmans to Dr. Tamara Takács (formally of the University of Utrecht), our new senior researcher in EU law. Work is underway to apply for COST funding (4 years). For the first time, CLEER's expertise has been sought in a commercial context: the Czech Diplomatic Academy has invited Asser to submit a proposal for a series of training seminars. The revenue generated from projects such as these could flow back to CLEER to finance the production of working papers.

The CLEER working papers series was expanded with 6 new issues:

- CLEER Working Papers 2011/1: 'Is the EU a Human Rights Organisation?', by Allan Rosas
- CLEER Working Papers 2011/2: 'The EU as a democratic polity in international law', by Jaap Hoeksma
- CLEER Working Papers 2011/3: 'The European Union's external relations a year after Lisbon', by Panos Koutrakos (editor)
- CLEER Working Papers 2011/4: 'The EU as a global Robin Hood: Proposal for a Multilateral Convention on a Global Financial Transaction Tax', by Bart Van Vooren
- CLEER Working Papers 2011/5: 'Shaping the international order as a Union objective and the dynamic internationalisation of constitutional law', by Joris Larik
- CLEER Working Papers 2011/6: 'New conferral or old confusion? – The perils of making implied competences explicit and the example of the external competence for environmental policy', by Marcus Klamert

The final versions of the working papers were made available in electronic format to a global public via CLEER's website (<http://www.cleer.eu>), hosted by the T.M.C. Asser Instituut. In addition printed versions of the papers were produced and distributed among a growing number of 'Friends of CLEER' (leading academics and practitioners in the field of EU external relations law) and at CLEER's events. CLEER's expanding network of specialists in the field of EU external relations law is maintained through the website and a quarterly electronic newsletter, the first one of which was sent to almost 300 subscribers to CLEER's mailing list.

Platform IHCL

The T.M.C. Asser Instituut's long-standing research tradition in Public International Law combined with its location in The Hague ('City of Justice, Peace and Security' and host to a number of judicial institutions such as the ICJ, ICTY, ICTR and the ICC) makes it an ideal contributor and coordinator to offer law faculties a platform for inter-university research. It provides a natural interface with

judicial practice, especially in the fields of International Humanitarian Law (IHL) and International Criminal Law (ICL).

The Platform IHCL, an inter-university research cooperative between the University of Amsterdam, the VU University Amsterdam and Leiden University, has been successfully launched in January 2011, with an inaugural conference devoted to IHL/ICL and journalism. For the first research theme, cooperation with the Centre for Holocaust and Genocide Studies was sought. There has been a switch in academic coordinators. Dr. Christophe Paulussen (formally of the University of Tilburg) took over coordination of the Platform as of June 2011. He replaces Joe Powderly who took up a position at Leiden University. Furthermore, PhD candidates Sarah-Jane Koulen en Jessica Dorsey commenced their PhD studies at the Asser Institute in August and September respectively.

CEPIL

The inception of CEPIL has been slow to materialize. The lack of concrete results per 31 December 2011 is largely due to the slow responsiveness on the side of the universities. Nevertheless, the terms of a memorandum of understanding have been hammered out in cooperation with the universities of Groningen and Maastricht. A first 'promovendi dag' was also organized and preparatory work on a website, a newsletter, and an inaugural conference has been carried out.

In Close cooperation with the Dutch universities and Ars Aequi, the (9th edition of the student reader: "Internationaal privaatrecht – Rechtspraak" was prepared and published in January 2011.

International and European Sports Law

Academic coordinator, Karen Jones joined us in the first half of 2011. An inception meeting for the interfaculty research programme on international and European sports law took place at the Asser Institute in the fourth quarter of 2011. The aim of the research cooperative with Dutch and Belgian universities is to sign an MoU that defines the first steps of joint implementation of the programme.

PhD research

Jessica Dorsey (IHCL)

Subject: International Humanitarian Law

Provisional/Working Title: The Boundaries of the Battlefield: Exploring The Geographic and Temporal Scope of Armed Conflict

Supervisor: Prof. Dr. Terry D. Gill, University of Amsterdam

Karen Jones (Sport)

Subject: Organizational Governance - Sports Corruption

Title: Can law and governance effectively control Sports Corruption?

Supervisor: Prof. Dr. Rob Siekmann, Erasmus University Rotterdam

Sarah-Jane Koulen (IHCL)

Subject: Human Rights and International Criminal Law

Title: "International Criminal Justice and Socio-Economic Rights: Blind Spots and Biases?"

Supervisor: Prof. Dr. Carsten Stahn, Grotius Centre, Leiden University

Claudio Matera (CLEER)

Subject: European Law

Title: The European Union as an International Actor in the Area of Freedom, Security and Justice. A Legal Constitutional Analysis.

Supervisor: Prof. Dr. Ramses A. Wessel, University of Twente

Antoinette Oudshoorn (CEPIL)

Subject: Private International Law

Title: Knelpunten Internationaal Derdenbeslag

Supervisor: Prof. A.I.M. van Mierlo, Erasmus School of Law, Rotterdam

Davinia Pettengell (CEPIL)

Subject: Private International Law

Title: The Conflict of Laws Principles Applicable to the Proprietary Aspects of Carbon Emissions Trading.

Supervisor: Prof. Mr. Mathijs H. ten Wolde , University of Groningen

Steven Stuij (CEPIL)

Subject: Private International Law

Title: Vreemd recht in geding. Een studie naar de processuele behandeling van buitenlands recht

Supervisor: Prof. Dr. Filip De Ly, Erasmus University Rotterdam

Marco van der Harst (Sport)

Subject: Sports Law

Title: Regulating, organising and commercialising competitions by sport federations: is the existence of one federation per sport in accordance with EU Law?

Supervisor: Prof. Dr. Stefaan van den Bogaert, Leiden University

Steffen van der Velde (CLEER)

Subject: European Law

Title: Environmental provisions in the EU's ACP economic partnership agreements and their compatibility with WTO law and multilateral environmental agreements

Supervisor: Prof. Dr. Fabian Amtenbrink, Erasmus University Rotterdam

Hanna Brollowski (IHCL)

Subject: International Humanitarian Law

Title: Article 1 common to the 1949 Geneva Conventions and state responsibility to 'respect' and 'ensure respect'

Supervisor: Prof. dr. Terry Gill, University of Amsterdam

Visiting Researchers

In the academic year 2010-2011, the T.M.C. Asser Instituut hosted the following visiting researchers:

- Professor Arjen Meij (Netherlands), former judge at the General Court of the EU. At the T.M.C. Asser Instituut, Arjen Meij devotes his time to conducting research on the following topics: courts in a changing European and globalizing environment; legitimacy of judicial dialogues; current perspectives of the EU Courts, in particular their ability to address increasingly complex cases; and topical issues of state aid law.
- Professor Nancy Combs (USA), William and Mary Law School, Williamsburg, VA is spent her sabbatical year in the Netherlands as visiting professor at the University of Amsterdam and Asser Visiting Researcher. Nancy Combs worked on fact-finding and evidentiary foundations of international criminal convictions.
- Leendert Erkelens (Netherlands), former civil servant at the Ministry of Justice of the Netherlands and Permanent Representation of the Kingdom of the Netherlands to the European Union, carried out research under the umbrella of the Centre for the Law of EU External Relations (CLEER) on two forthcoming publications, namely 'Setting Up the European External Action Service: an act of institutional balance' (with Steven Blockmans), and 'the JHA aspects of the EU's military counter-piracy operation Atalanta'.
- Nicole Betz (Germany), research fellow at the Max Planck Institute for Comparative Public Law and International Law, Heidelberg, conducted research under the umbrella of the Centre for the Law of EU External Relations (CLEER) for her doctoral thesis on: 'Decisions of Secondary International Cooperation Law as a Legal Instrument of European Union Law: Empiricism – Typology – Rule of Identification and Legal Regime'.
- Dr. Jozef Corba (Slovakia), University of P.J. Safarik, Košice, conducted research under the umbrella of the Asser International Sports Law Centre for his studies on commercial law and sports.
- Dov Jacobs (France), PhD researcher at the European University Institute at Florence, stayed at the Institute to conduct research for his PhD thesis on: 'International Criminal Justice, Transitional Justice and the question of Amnesties'.
- Olga Juchiewicz (Poland), PhD candidate at the Jagiellonian University, Institute of International Private Law, Cracow, stayed at the Institute to conduct research for her PhD thesis on: 'Habitual residence as a connecting factor of conflict of law rules'.
- Hinca Pandjaitan (Indonesia) stayed at the Institute / the Asser International Sports Law Centre to conduct research for his doctoral thesis on 'State Intervention on Professional Football: National Law System vs. FIFA Law System'.
- Jaliya Retamozo (Peru), PhD candidate at the Scuola Superiore Sant'Anna, Pisa, Italy, stayed at the Institute / the Asser International Sports Law Centre to conduct research for her PhD studies on 'Sports and violation of fundamental rights'.
- Karolina Sondel-Maciejewska (Poland), PhD candidate at the Jagiellonian University, Institute of International Private Law, Cracow, Poland, stayed at the Institute to conduct research for her PhD thesis on: 'Ordre public exception in European international private law'.

Applied Research and Consultancy

The T.M.C. Asser Instituut has a long tradition of serving the legal community in the Netherlands and abroad. The Institute's academic standing makes consultancy a natural extension of its research work. 2011 has been no exception. In addition to providing expert advice to Dutch and international law firms, courts, businesses and enterprises, we also advised national and international governmental and non-governmental organisations, including ministries, the European Union, Council of Europe and the United Nations. The vast experience and wide network of our team of legal experts enables them to provide fast and accurate answers to both simple and complex legal issues.

In many instances, Asser research staff has joined forces with combinations of external parties, working together to make significant contributions to a wide ranging clientele, in the Netherlands, in Europe and further afield.

Projects implemented in 2011 include:

Services Directive: assessment of implementation measures in Member States

The T.M.C. Asser Instituut and lead partner Milieu Ltd were awarded the DG MARKT contract on Services Directive: Assessment of implementation measures in Member States. The contract involved conducting a study to identify and sets out comprehensive legislation implementing the Services Directive and to provide information on its practical application. The T.M.C. Asser Instituut provided 3 experts for this research project who in turn carried out the assessment on the implementation of Articles 14, 15 and 16 of the Services Directive in the national legal orders of Belgium, Italy and the Netherlands.

The study examined, in particular, the way in which the freedom to provide services clause contained in Article 16 of the Services Directive has been implemented in the 27 EU Member States and the way in which the implementing measures of this provision have been applied by national authorities when relevant. The study also provided detailed and specific information on the existence, amendment and on the possible elimination of a number of specific requirements applicable to service providers in legislation, in particular in sector-specific legislation, further to the implementation of the Services Directive by Member States. The study covered all levels of legislation at all levels of government.

Sponsor: EU Commission DG Environment

Beneficiary/client: Milieu Ltd.

Country: Multi-countries

Starting date& final date: November 2010 – June 2011

G2G : Co-operation in the field of Consumer Protection – Vietnam

This project was part of the G2G Vietnam programme, which aims at fostering bilateral relations and government-to-government co-operation in Vietnam. The main objective of this project was to improve consumer protection in Vietnam.

The Vietnamese employees of the Competition Authority, which specializes in consumer law, were trained during awareness raising conferences, and the T.M.C. Asser Instituut received a Vietnamese delegation from the Competition Authority in The Hague for one week in the spring of 2011.

Sponsor: The Royal Netherlands Embassy in Hanoi through ODA-funds

Beneficiary: Vietnam Competition Administration Department (VCAD)

Partners: Ministry of Industry and Trade of the Socialist Republic of Vietnam, the Dutch Consumer Authority

Starting date & final date: Jul 2010 – Jun 2011

Handboek Implementatie milieubeleid EU in Nederland

This project involved the updating of the Handbook Implementation EU environmental policy in the Netherlands, a Dutch language electronic resource, publicly available on the internet website (<http://www.eu-milieubeleid.nl/>). The Asser experts* covered a wide range of topics, notably climate change and hazardous substances. The update in this stage of the project concerned the subparagraphs “effects in practice” and “recent developments”.

*Wybe Douma, Steffen van der Velde, Davinia Pettengell and Karolien Pieters.

Sponsor: former VROM Ministry (Ministry for Infrastructure and the Environment)

Implemented by: Instituut voor Milieuvraagstukken (Vrije Universiteit Amsterdam)

Country: The Netherlands

Starting date & final date: November 2010 – February 2011

Research activities Centre for the Law of EU External Relations (CLEER)

The project contributed to the development of academic studies and promoted innovative solutions to practical challenges to the external dimension of the EU’s legal order.

- CLEER’s developed its research programme in structural cooperation with centres of excellence from other Member States.

- CLEER’s activities and outputs informed and brought together hitherto unconnected groups of colleagues with varying years of seniority and at different levels of their careers.

Sponsor: European Commission, The Education, Audiovisual and Culture Executive Agency (EACEA)

Funding program: Lifelong Learning Programme, Jean Monnet Programme

Beneficiary: T.M.C. Asser Instituut

Country: The Netherlands

Starting date & final date: September 2010 – August 2011

Technical Assistance related to the Precautionary Principle in EU Chemicals Regulations

Together with Milieu Ltd, the T.M.C. Asser Institute and PACE wrote a report for the European Commission (DG ENV) entitled "[Considerations on the Application of the Precautionary Principle in the Chemicals Sector](#)". It deals *inter alia* with the challenges due to the specific nature of (regulating) chemicals, and the more general nature of the precautionary principle. The Commission Communication on the precautionary principle, issued in 2000, provides general guidance, but these are not tailor-made for the application of the precautionary principle to chemicals. In the meantime, significant legal and practical developments in the field of chemicals regulation and application of the precautionary principle have occurred at the EU and national level. The report provides a framework for applying the precautionary principle in the chemicals regulatory field. The aim is to help regulators work through the process of considering whether a substance or mixture presents the combination of concern and uncertainty about possible harmful consequences such that precautionary measures of control should be taken.

After an overview of the main points covered by the 2000 Commission Communication subsequent case law from the European Court of Justice as well as lessons learned as detailed in the academic literature are presented. A review of the stages in taking regulatory decisions on chemicals, including the essential elements of risk assessment, is presented. Concrete examples of some of the practical and political issues that may arise in considering whether to apply precautionary risk management measures are also discussed. On the basis of this background, a series of logical steps for the process of considering whether a substance or mixture is a candidate for the application of a precautionary control measure is presented. The framework is intended to help the regulator work through the issues that should be considered in determining whether the information available indicates the potential for harmful effects yet at the same time cannot fully demonstrate the risks or possible consequences. The final section discusses additional issues that need to be taken into account in the process of when and how to apply the precautionary principle within the regulatory decision process. These include documentation of the scientific evaluation as well as public consultation and stakeholder involvement.

Sponsor: EU Commission DG Environment

Beneficiary/client: Milieu Ltd.

Country: Belgium

Starting date& final date: December 2010 – June 2011

Study of the provisions on penalties related to legislation on Industrial Installation

The overall aim of this project was to provide legal support to DG Environment to create an objective and exhaustive overview of the provisions on penalties related to the implementation of legislation on industrial installations in The Netherlands.

This project aimed at providing the European Commission with an overview of how the EU environmental requirements for industrial installations are being implemented and enforced in practice. In order to get operators of the installations covered by the EU's directives to comply with the EU requirements, it is crucial that the national transposing legislations provide adequate enforcement mechanisms, including penalties that are effective, proportionate and dissuasive.

Comparative information on the penalties and enforcement practices in place across the EU-27 will help the Member States to compare their performance with each other and provide impetus for improvements.

Sponsor: European Commission DG Environment

Beneficiary/client: Milieu Ltd.

Country: The Netherlands

Starting date& final date: February 2011 – June 2011

Training on legislative harmonisation with the Community Acquis - Serbian civil servants

This training session was part of a three-week tailored training course offered in the framework of the European Integration Scholarships project (EuropeAid/128558/C/SER/RS).

Sponsor: College of Europe, Brugge

Beneficiary: 30 participants -mid-level civil servants from Serbian central and local administrations.

Date: March 2011

Services Directive: Assessment of implementation measures in Member States

This project aimed at identifying comprehensively and analysing legislation in the Netherlands, Belgium and Italy implementing Articles 14, 15 and 16 of the Services Directive and provide information on its practical application. Wybe Douma, Karolien Pieters and Claudio Matera worked on this study.

Sponsor: European Commission DG Markt

Beneficiary/client: Milieu Ltd.

Country: Multi-countries

Starting date& final date: April 2011 - September 2011

DG JUST/HOME Framework contract for the supply of Impact Assessment, evaluation and evaluation related services in the area of Justice, Fundamental Rights and Citizenship (Impact Assessment EU: LOT 1)

Since April, 2011 Asser is partner in the framework contract for the Directorate-General JUSTICE on the Supply of Impact Assessment, Evaluation and Evaluation Related Services in the area of Justice, Fundamental Rights and Citizenship. Matrix Insight London is taking the lead for the next 3 years.

Sponsor: European Commission

Beneficiary: Framework partners

Country: Multi-Country (EU region)

Period: March 2011 – March 2014

Under this contract several studies have been started and/or carried out in 2011:

- **Study for elements of the impact assessment on the Framework Decision 2005/214/JHA on the application of the principle of mutual recognition to financial penalties**
- **Study on Impact Assessment on Feasibility, Economic and Social impact and the costs and benefits of possible EU measures on gender quotas in board rooms**
- **Study on Labelling Requirements of Textile and Leather Products (ongoing project)**

Further strengthening of the institutional capacities of the Academy for the Training of Judges and Prosecutors

Human Dynamics (Austria) and the T.M.C. Asser Instituut has delivered a project to strengthen the rule of law and promote sound functioning of the Judiciary in the Republic of Serbia and Macedonia by raising professional qualification of Judges and other legal judiciary personnel. The overall objective of this EU financed project was to enhance the independence, efficiency and professionalism of the judiciary. The purpose of this contract was to strengthen the institutional capacity of the Academy for the Training of Judges and Public Prosecutors (ATJP).

Sponsor: European Commission

Beneficiary/client: Hulla & Co. Human Dynamics KG

Country: Macedonia (FYR)

Starting date & final date: April 2010 – December 2011

Corporate Crime – Preventing fraud, corruption and bribery committed through legal entities for the purpose of financial and economic gain

The main objective of this project is to contribute to the prevention of and fight against economic and financial crime committed through legal entities in the public and private sector. The project activities include the conducting of a comparative study on the implementation and application of international and EU legislation related to the prevention of and fight against crimes such as fraud, corruption and bribery committed by either legal entities and /or by their directors, including the exchange of information on disqualifications of persons entitled to legally binding those legal entities; (2) establishing an inventory of best practices with respect to the prevention of such malpractices by those entities; (3) the convening of a conference in Warsaw, Poland of expert representatives from the MS, from international stakeholders such as the OECD, FATF and the NGO Transparency International and from the EU anti-corruption network, on the results of the research and the survey; (4) publishing of the comparative study with the results of the research and the conference; (5) the publishing of a manual of best practices and horizontal tools in the prevention of bribery, corruption and other economic and financial crimes committed through legal entities in

order to promote them at EU level. The project provides the following results: (i) increased knowledge among the authorities of the EU MS and international regulations related to organised crime, fraud and corruption; (ii) improved understanding of the opportunities for the circumvention of those regulations misusing legal entities; (iii) insight into the possibilities for improvement of the afore mentioned rules and regulations and enhanced awareness of available best practices. These (i), (ii) and (iii) results are achieved by respectively the following measures: (a) The Warsaw Conference; (b) The dissemination of the reader; (c) The expert meeting in The Hague for the preparation of the manual of best practices; (d) the EU wide dissemination of the manual;(e) the intensive involvement of the anti-corruption network.

Sponsor: ISEC Action Grant from the European Commission.

Co-beneficiaries: the Netherlands Ministry for Security and Justice and the Polish Institute for International Affairs (PISM)

Country: Multi-Country (EU region)

Start Date & End Date: November 2011-December 2012

The Right to Judicial Protection: Administration of Justice in Cross-border Disputes

In the light of law reforms that have recently been completed or are currently being discussed, there is need for the judiciary and legal practitioners in Serbia to be assisted in the process of implementing and subsequently applying the provisions of the new legislation. This is particularly so with regard to the newly enacted statutory regulation on the structure and organisation of the judiciary. Similarly, the act on private international law is presently being revised, so as to incorporate principles and solutions of the EC legislator in dealing with civil law matters involving international elements. The judiciary and legal practitioners in Serbia would greatly benefit from the experiences of judiciary in an EU Member State such as the Netherlands, in pursuing efforts to increase the efficiency in the administration of justice.

This project is contributing to the process of social transformation in Serbia by facilitating and assisting the judiciary in Serbia in implementing the legislative and institutional adaptations.

The training courses for the judiciary and legal practitioners in the relevant areas of law presents a valuable input in increasing the efficiency in the administration of justice. Thereby, the project is contributing to enhancing legal certainty and predictability for the citizens and legal persons and accordingly contributes to strengthening democracy and the rule of law in Serbia. This project was funded by the “Programma Maatschappelijke Transformatie (MATRA)” of the Dutch Ministry of Foreign Affairs.

Sponsor: Dutch Ministry of Foreign Affairs

Funding programme: MATRA

Beneficiary: Judiciary in the Republic of Serbia, legal practitioners, legal officials in administrative institutions

Country: Serbia

Starting date & final date: May 2010-April 2012

Screen and Analyse of the new Environmental Act (Analyse van EU regelgeving ivm Omgevingswet)

Study on the EU and international law aspects of a new Environmental Code (Omgevingswet) that is in the making, covering both spatial planning and environmental protection and aimed at simplifying Dutch law. The goal of this project was to make some recommendations on essential elements of a new Environmental Act from the point of view of EU law.

Wybe Douma worked on this study.

Sponsor: Ministry of Infrastructure and the Environment

Beneficiary: Ministry of Infrastructure and the Environment

Country: The Netherlands

Starting date& final date: October 2011 – April 2012.

MATRA-project on “Legal Implications of Better Regulation: European and Ukrainian Approaches”

In October 2011, The T.M.C. Asser Instituut delivered a training in Kiev entitled ”Legal Implications of Better Regulation: European and Ukrainian Approaches”, in support of the Legislation Institute of the Verkhovna Rada (Parliament) of Ukraine. The training is part of a larger project to be implemented in Kiev and The Hague, from September 2011 to April 2012. The Netherlands Embassy in Kiev has been instrumental in helping realize this MATRA funded project. The project is intended to promote better/smarter regulation tools. This is done in a comparative manner, by analyzing both Ukrainian and European best practices. Steven Blockmans, Wybe Douma, Tamara Takacs were involved in this project.

Sponsor: Netherlands Ministry of Foreign Affairs, MATRA

Funding program: MATRA Embassy of the Netherlands in Ukraine

Beneficiary: Legislation Institute of the Verkhovna Rada of Ukraine

Countries: Ukraine – The Netherlands

Starting date & final date: September 2011- March 2012

Support to the National Judicial Academy (JA-Serbia)

The overall objective of the project is to strengthen the rule of law and promote sound functioning of the judiciary in the Republic of Serbia, by raising the professional qualifications of Judges, Prosecutors, and other legal and judicial personnel.

A Law on the Judicial Academy, being considered by the Assembly in 2009, is expected to convert the JTC (Judicial Training Centre) into a publicly funded Judicial Academy, and assign it new responsibilities for training additional target groups. Therefore the Specific Objective of the Project is to strengthen the Judicial Academy as an institution, and improve the quality of its programmatic activities, so it is better positioned to fulfill its important role with respect to raising the professional qualifications of Judges, Prosecutors, their Assistants, and other court personnel.

More specifically, the objectives of this project are aimed at:

- Strengthening management and human resources at the Judicial Academy;

- Providing key support to the Initial Professional Formation Programme for candidate judges and prosecutors;
- Improving the oversight and information management systems.

Sponsor: European Commission

Funding programme: EC (EuropeAid/127706/C/SER/RS)

Beneficiary: government of the Republic of Serbia

Country: Republic of Serbia

Starting date & final date: 1 September 2009 – 1 September 2011

Incompany training for the Ministry of Infrastructure and the Environment (Incompany cursus verdragsrecht)

The main goal of this project was to provide training to HDJZ in respect of the main aspects of international maritime conventional law, so as to enhance HDJZ's capacity to deal with issues arising in practice. Jan Anne Vos and Wybe Douma participated in this project.

Sponsor: Ministry of Infrastructure and the Environment

Beneficiary: Ministry of Infrastructure and the Environment

Country: The Netherlands

Starting date & final date: September - November 2011

The European External Action Service One Year On: a performance appraisal - EEAS paper

Oxfam International commissioned the T.M.C. Asser Instituut to draft a briefing paper on the European External Action Service (EEAS) to demonstrate how, with the right institutional set-up and vision, the EEAS can represent a contribution, rather than a deviation from, the EU's growing efforts to represent a normative force championing poverty eradication and a rules-based international order premised on respect for human rights and humanitarian law.

Steven Blockmans worked on this paper.

Sponsor: Oxfam International

Beneficiary: Oxfam International

Country: Belgium

Starting date & final date: September – November 2011

Support for the Implementation of the EU-compliant Albanian Legislation (ongoing project 2012)

Progress has been made in approximating economic and EU single-market law to the EU acquis and in strengthening the requisite capacities for its implementation and has been recognised by the EU Commission. The project aimed at the approximation of laws to the EU acquis and is assigned to the sustainable economic development priority. It is aligned with the Albanian EU accession process, which is explicitly geared to membership in the European Union and accords top priority to reforming the national economic and legal system (relevance). The project focuses on further

approximation of legal framework to EU acquis and on a coordinated implementation of economic and EU internal market law.

Steven Blockmans has carried out this project.

Sponsor: Albanian Ministry of Economy Trade and Energy

Implemented agency: Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (GIZ)

Beneficiary: The Albanian school of Magistrates

Country: Albania – The Netherlands

Starting date & final date: September 2009 – August 2013

Study of the provisions on penalties related to legislation on Industrial Installation

This project aimed at providing the European Commission with an overview of how the EU environmental requirements for industrial installations are being implemented and enforced in practice. In order to get operators of the installations covered by the EU's directives to comply with the EU requirements, it is crucial that the national transposing legislations provide adequate enforcement mechanisms, including penalties that are effective, proportionate and dissuasive. Comparative information on the penalties and enforcement practices in place across the EU-27 will help the Member States to compare their performance with each other and provide impetus for improvements.

Sponsor: -European Commission

Beneficiary: European Commission DG Environmental

Country: The Netherlands

Partner: Milieu

Starting date & final date: February 2011 – June 2011

International Crimes Database & Web-environment

This project, requested and subsidized by the Dutch Ministry of Security and Justice, aims to disseminate comprehensive information on international crimes and their prosecution, in an efficient and accessible manner to the widest possible audience. The online database, an earlier version of which was hosted on The Hague Justice Portal, allows you to access domestic case law that deals with international criminal law from countries all over the world. The T.M.C. Asser Instituut will launch the 'International Crimes Database & Web-Environment', medio 2012.

Sponsor: Ministry of Security and Justice

Beneficiary: Ministry of Security and Justice

Country: The Netherlands

Starting date & final date: December 2011 – 2015

MATRA Project: Support to improving implementation of mediation in Macedonia

The objective of the present project is to improve the use of various out-of-court dispute settlement mechanisms, in particular, mediation in civil and commercial disputes in the Republic of Macedonia.

Vesna Lazic was involved in the start phase of this project with the drafting of a gap assessment report.

Sponsor: Netherlands Minister for Foreign Affairs

Beneficiary: Dutch Embassy in Macedonia

Implementing agency: European Policy Institute (EPI), Skopje

Country: Macedonia

Starting date& final date: December 2011 – December 2012