



T.M.C. ASSER INSTITUUT
INTER-UNIVERSITY INSTITUTE
FOR PUBLIC AND PRIVATE INTERNATIONAL
AND EUROPEAN LAW

Annual Report 2010
Forging ahead

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International Commercial Arbitration and European Law

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Foreword

We are pleased to present the annual report 2010 for the T.M.C. Asser Instituut.

This report covers the period January – December 2010. It provides a summary of the many activities carried out and accomplishments achieved by members of the Institute. It describes our contribution to academia, students, practitioners, policy makers, the legal community and others active in the broad field of international law.

This last year has been a tumultuous one globally. The knock on effect of the banking crisis and resultant recession provided the backdrop for our endeavours. 2010 was both a challenging and rewarding time. In keeping with our strategy and with a keen eye on developments in our operating environment, we have initiated and responded to changes impacting on our activities. As an organisation, we continued to maintain the highest possible levels of research, consultancy and training support for our many clients and stakeholders.

At the start of the year we set ourselves some clear objectives. We are pleased to report that we have been successful in streamlining our research department into an efficient and cohesive unit with a new Head of Research. Priority has been given to putting in place the mechanisms to operate balanced and flexible inter-university research programmes resulting in measurable success. CLEER has been awarded a second grant by the European Commission under its Jean Monnet Lifelong Learning Programme to support its activities and the IHL/ICL and the International Sports Law interuniversity research programmes were formalised, ready for launch.

New appointments to bolster our research capacity and output have been achieved and whilst we bade farewell to some long standing colleagues through retirement, we are confident that we will commence the year 2011 with a capable and energetic workforce.

We are proud to have within our midst, two new Chairs, through the appointment of Robert Siekmann as Professor of International and European Sports Law at the Erasmus University, Rotterdam and Steven Blockmans, as Special Visiting Professor at the University of Leuven, Belgium.

We continued to contribute to international capacity building, working with local and global partners to support Rule of Law. We demonstrated our efficiency and expertise in delivering top quality seminars and conferences and we are proud to be awarded no less than three KNAW grants to ensure their delivery.

Our excellent publications, training courses, public dialogues, and invitation-only gatherings on a range of topics have contributed to building the expertise of the wider legal

community. 2010 Education and Training highlights included the provision of judicial training in The Hague as well as in South Sudan, Serbia and Croatia.

As well as delivering on legal research and dissemination, a number of important strategic issues were advanced.

We forged new relationships and were instrumental in the establishment of contemporary initiatives such as the founding of the International Centre for Counter-Terrorism in The Hague with our fellow institutes – the Netherlands Institute of International Relations Clingendael and the Centre for Terrorism and Counterterrorism, Leiden University.

We negotiated an exciting new distribution deal for our T.M.C. Asser Press book programme with Springer Verlag.

Work was completed on the renovation of the Institute’s library wing to provide contemporary conference facilities and training space for the Institute.

Having invested much time in contributing, with our (Hague Academic Coalition) partners in The Hague, to delineating the framework for the establishment of the Hague Institute for Global Justice, we are excited to see that this new organization will be launched in 2011.

We believe that the T.M.C. Asser Instituut is successful through the good will and personal contributions made by its members. Asser’s team of professionals is knowledgeable and flexible in its approach. Ready for a challenge, quick with devising a solution and steadfast in ensuring that promises are delivered.

Rest to say, as this report demonstrates, we have had a successful year, a year filled with challenge, opportunity, and accomplishment. We would like to express our appreciation to the many other organisations that have collaborated with and supported us in 2010.

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

As we enter 2011, the centennial of the receipt of our namesake, Tobias Asser, of the Nobel Peace Prize, we are confident and optimistic that this year will indeed bring us success in our efforts to forge ahead.

Directorate
T.M.C. Asser Instituut

Frans Nelissen
General Director

Ann O’ Brien
Deputy Director

March 2011

T.M.C. Asser Instituut

Located in the ‘international zone’ of The Hague – the City of Justice, Peace and Security, The T.M.C. Asser Instituut is a leading, inter-university research institute operating in the broad field of international law. The Institute’s international community of scholars is engaged in research, postgraduate training and dissemination of knowledge in furtherance of the purposes and principles of international law. This inter-university institute cooperates closely with and supports the Dutch universities’ activities in the relevant disciplines. The academic fields covered by the Institute are Private International Law, Public International Law, Law of the European Union, International Commercial Arbitration, International Humanitarian Law, International Criminal Law and International Sports Law.



Mission & Scope

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

The Institute has an excellent reputation at national and international level for its development, organisation and hosting of conferences and academic meetings, demand driven postgraduate programmes and training. Its ancillary websites and data collections all contribute to a coherent and integral strategy in the area of knowledge transfer.

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

Power of Association

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

Asser in a Global Perspective

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

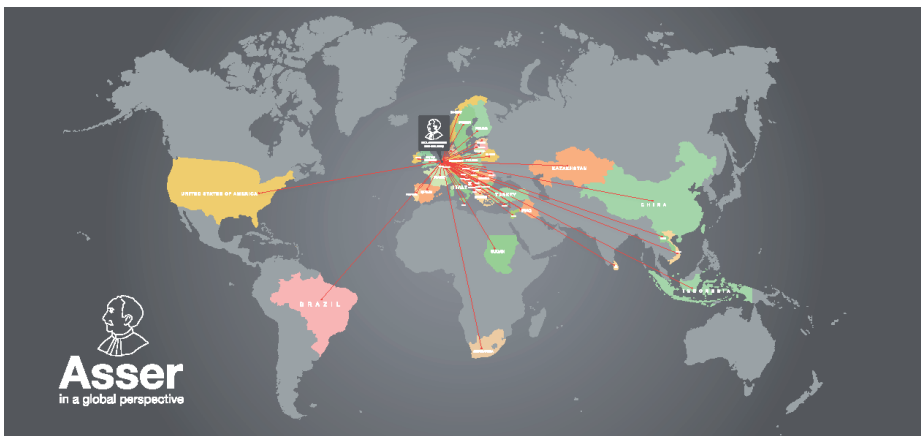
Asser's reputation and reach is far-ranging. From its location in the International Zone of the World's legal capital - The Hague - the T.M.C. Asser Instituut has, through the years (2010 being no exception) interacted with, and hopefully played a small but significant role in advancing knowledge amongst, judiciary and practitioners, on virtually every continent, from the premise that a country's economic, political, and democratic development depends on the foundation of the rule of law.

Collaborative cooperation, publications and seminars with researchers and consortia across the globe has contributed to advancing legal (academic) knowledge.

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

We have delivered training and advice, workshops and events to partners and participants in Europe, Asia, Africa the Middle East and the USA. We have welcomed to our many events in The Hague, international participants from the widest 'corners of the world'.

Our international network has, as a result, increased in size, as has our global impact.



Highlights of Activities in 2010

Research / Inter-University Knowledge Development

Inter-university research programmes

In 2010 The T.M.C. Asser Instituut continued to maximise its qualities by building forth on and continuing to improve and strengthen its inter-university research programmes which constitute the basis of Asser's research activities.

Law of the European Union (with a focus on the external dimension thereof)



The Centre for the Law of EU External Relations (CLEER) is firmly established and is going from strength to strength.

2010 Highlights include:

The CLEER hosted a conference on the implementation of the external dimension of the Stockholm Programme, the EU's new multi-annual programme in the Area of Freedom, Security and Justice (5 February, 2010) with the keynote speech delivered by Dr. E.M.H. Ballin (then Dutch Minister of Justice). Four other conferences were organised by CLEER during 2010.

CLEER's working papers series was expanded with 7 new issues.

The first book carrying the CLEER label was published in cooperation with the Leuven Centre for Global Governance Studies.

S. Blockmans, J. Wouters & T. Ruys (eds.), *The European Union and Peacebuilding: Policy and Legal Aspects* (The Hague, T.M.C. Asser Press 2010).

The innovative 'CLEER Legal Brief on The Lisbon Treaty stipulations on Development Cooperation and the Council Decision of 25 March 2010 (Draft) establishing the organisation and functioning of the European External Action Service' was published (May, 2010).

CLEER was awarded a second grant by the European Commission (DG Education and Culture), under its Jean Monnet Lifelong Learning programme.



First visiting fellows: Dr. Iavor Rangelov (Centre for the Study of Global Governance, LSE) and Nicole Betz (Research Fellow at the Max Planck Institute, Heidelberg) were welcomed to CLEER.

CLEER launched its News Service – a weekly comprehensive overview of official events and documents, as well as publications and conferences in the area of EU external relations.

Private International Law

2010 Highlights include:



The Centre for European Private International Law (CEPIL) saw its official launch in April 2010 during a one day conference. With the arrival of a new Coordinator for CEPIL – recruited with the assistance of Prof. Mr. H. ten Wolde, University of Groningen – in the last quarter of 2010, the cooperation was strengthened. Further appointments contribute to all involved having high hopes that this inter-university cooperation will be consolidated in the first quarter of 2011, with a view to realising the first academic output, in terms of publications, events and tenders, in the second half of 2011. The envisaged partners in this Centre are Groningen University, Maastricht University and possibly also Erasmus University Rotterdam.

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

Public International Law

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 and International Criminal Law.

2010 Highlights include:

The signing of a **Memorandum of Understanding** on cooperation in the fields of IHL and ICL with the Amsterdam Centre of International Law (ACIL) of the University of Amsterdam, Leiden University and the Vrije Universiteit. Indirectly, Utrecht University, through Prof. Dr. T.D. Gill, is also represented in this research network.



The first research themes have been determined as IHL/ICL and media and IHL/ICL and business. For the first research theme, cooperation with the Centre for Holocaust and Genocide Studies was sought.

Launch of new inter-university research programme

Preparations during 2010 and the concerted efforts of the UVA (Terry Gill), The VU (Elies van Sliedrecht) and Leiden University (Carsten Stahn) with Programme Coordinator Joe Powderly (Asser) paved the way for convening a cross-disciplinary expert conference “On the Front Line of Accountability – War Reporting and Related Contemporary Issues in International Humanitarian and Criminal Law”, including journalists, which served as a launching event on 21 January 2011.

KNAW award received

The Royal Netherlands Academy for Sciences (KNAW) has awarded a grant towards the organization of this launch conference.



International Sports Law



The ASSER International Sports Law Centre provides high quality research, services and products to the sporting world at large (sports ministries, international and intergovernmental organisations, sports associations and federations, the professional sports industry, etc.) on both a national and an international basis. The Centre has a worldwide network of academics and practitioners and cooperation agreements with various sports law institutes and centres in Europe and beyond, including Asia, South Africa and North and South America. Whereas in previous years, much attention was paid to EU-supported advice and assistance to the new EU Member States and candidate countries in Eastern Europe, in 2010 the Centre focused on cooperation with the rapidly “sports law” developing Asian region (in particular, China, India, and Indonesia).

2010 Highlights include:

Start of new **Hague International Sports Law Academy** (HISLA) the purpose of which is the organisation of academic conferences and workshops of international excellence which will be held in various parts of the world.

The establishment of the “Stichting Internationaal en Europees sportrecht” during the summer of 2010 and the subsequent appointment of Robert Siekmann as Professor at the Erasmus University Rotterdam. With a four-year subsidy from the municipalities of both The Hague and Rotterdam, the Stichting and Erasmus University have created a sponsored PhD position in the area of research.

Preparations made for the establishment, in the first half of 2011, of **inter-university research cooperation** with:

Erasmus University Rotterdam (Prof. Dr. R. Siekmann), University of Amsterdam (Mr.

R. Branco-Martins), Tilburg University and University of Leuven (Prof. Dr. Frank Hendrickx, Dr. Steven Jellinghaus), Free University Amsterdam (Dr. M. Olfers), Leiden University (Prof. Dr. S. van den Bogaert, also visiting Prof. at Free University Brussels), University of Leuven (Prof. Dr. R. Blanpain).

Two double issues of The International Sports Law Journal (ISLJ) were published in 2010 (spring and autumn).

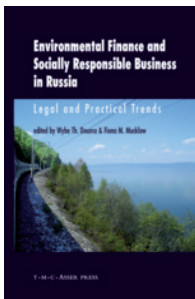
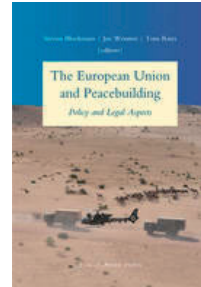
For more details see Appendix 1.

Research Output – Publications 2010

The primary outlets for our research are publications (mostly books, journal articles, and book chapters).

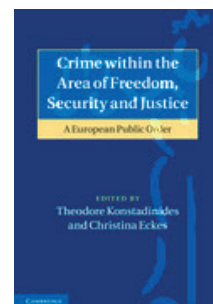
In 2010, Asser research staff authored 3 books, delivered 29 contributions to multi-authored books including working papers and contributed 10 annotations including:

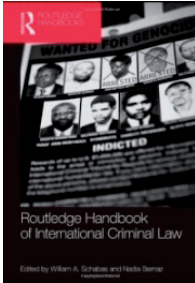
The European Union and Peacebuilding: Policy and Legal Aspects, The Hague, T.M.C. Asser Press 2010, 516 pp. S. Blockmans, J. Wouters and T. Ruys (eds.)



Environmental Finance and Socially Responsible Business in Russia: Legal and Practical Trends. W. Th. Douma, F. Mucklow (eds.), The Hague, T.M.C. Asser Press.

Crime within the Area of Freedom, Security and Justice: A European public order, Cambridge University Press, 2011. C. Matera, R.A. Wessel and L. Marin).





The Trials of Eichmann, Barbie and Finta, chapter in Schabas and Bernaz (eds) *The Routledge Handbook of International Criminal Law*, Routledge, November 2010. J. Powderly

'Models of Sport Governance in the European Union: The Relationship between State and Sport Authorities' in *The International Sports Law Journal (ISLJ)* 2011/3-4 pp. 93-95, 98-102. R.C.R. Siekmann and J. W. Soek.

For a complete list, see Appendix 1

PhD research

Together with the participating law faculties, The T.M.C. Asser Instituut focuses on supporting doctoral and other students' research, bringing new ideas and perspectives to international legal studies.

The following PhD candidates continued their research work at the Institute during 2010:



Claudio Matera CLEER / (European Law)

The European Union as an International Actor in the Area of Freedom, Security and Justice. A Legal Constitutional Analysis.
Supervisor: Prof. Dr. R.A. Wessel, University of Twente

Davinia Pettengell (CEPIL / Private International Law)

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

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



Arjen Vermeer (International Humanitarian Law/International Criminal Law)

The Right to Humanitarian Assistance in the Event of Natural Disasters.
Supervisors: Prof. Dr. F.A. Nelissen and Prof. Dr. M.M.T.A. Brus, University of Groningen

Joseph Powderly (International Humanitarian Law/International Criminal Law)

Judicial Interpretation and the Development of International Criminal and Humanitarian Law.

Supervisor: Prof. William Schabas, Director of the Irish Centre for Human Rights, NUI Galway



Hannah Brollowski (International Humanitarian Law/International Criminal Law)

Common Article 1 of the 1949 Geneva Conventions

Supervisor: Dr. T.D. Gill, University of Amsterdam

Antoinette Oudshoorn (CEPIL / Private International Law)

Knelpunten Internationaal Derdenbeslag (International dimension: attachment on bank accounts)

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



Steven Stuij CEPIL / (Private International Law)

European Choice of Law

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

PhD defence

During 2010 we were pleased to see the following colleagues successfully defended their Doctoral dissertations.

Leonardo Massai (European Law)

The Compliance of the European Community and the Member States with the Obligations of the Kyoto Protocol.

Supervisors: Prof. Dr. M. Bothe and Prof. Dr. E. Rehlinger, Johann Wolfgang Goethe University, Frankfurt am Main, Germany



Jan Anne Vos (Public International Law)

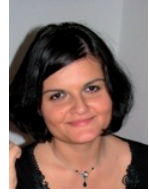
The Function of International Law

Supervisor: Prof. Dr. W. Werner, VU University Amsterdam

Kinga Tibori Szabo (International Humanitarian Law/International Criminal Law)

Anticipatory Self- Defence

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



Nynke Baarsma

Grondslagen en Methoden van het Europees Familieconflictenrecht

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

Associate Researchers

Our research staff is further complemented by a distinguished panel of associate and guest researchers who represent various aspects of international law and contribute to the insight of the T.M.C. Asser Instituut.

Asser Visiting Researchers Programme

Under the Asser Visiting Researchers Programme the T.M.C. Asser Instituut continuously hosts foreign scholars and visiting fellows for varied periods of time, providing all the facilities and services necessary, including academic counsel. Under special arrangements, scholars benefit from access to libraries and services of international organizations located in the vicinity of the Institute. The most prominent example is the world-renowned library of the Peace Palace.

For more detailed information, see Appendix 1.

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. 2010 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.

Examples of new (research) projects launched in 2010 include:

The updating of the **Handbook Implementation European Environmental Policy** (2010) together with the Institute for Environmental Studies, Amsterdam.

The strengthening of the rule of law to promote sound functioning of the **Judiciary in Macedonia**, by raising professional qualification of Judges and prosecutors and other legal judicial personnel.

Research into **the future of the second pillar of the Common Agricultural Policy** together with the LEI Wageningen, where the possibilities of a different legal form for the Common Agricultural Policy were explored.

A study on **the equal treatment of non-nationals in individual sports competitions**, consisting of an analysis on the issue of access to sports competitions, specifically individual competitions, by non-nationals, together with exhaustive knowledge of the discriminatory provisions adopted by sports federations in the Member states vis-à-vis Community nationals, while recognizing the extreme complexity of these issues.

Research into issues regarding the **International Civil Aviation Organisation (ICAO) rules** on behalf of The Dutch Ministry of Housing, Spatial Planning and the Environment (formally VROM, now the Ministry of Infrastructure and the Environment), addressing questions which are relevant for the airport spatial planning decision (LIB) Schiphol.

A study on the **Lisbon Treaty and EU Sports Policy** where the principle objective was to provide a panorama of the possibilities of EU Sports Policy, in particular to assess, from a legal point of view, the potential of the Lisbon Treaty to enable the EU to attain the objectives of greater fairness and openness in sporting competitions and greater protection of the moral and physical integrity of sports practitioners whilst taking account of the specific nature of sport.

Research into the systems of measures and sanctions – **Driving License Sanction Policy** – regarding the driving license in several European countries on behalf of the Dutch Ministry of Transport and Water Management.

Social Dialogue in Professional Basketball with the purpose of ensuring that stakeholders, focused on employers, become conscious of their ability to contribute to shaping employment relations / working conditions in an active and participatory way and to raise awareness of developments and good practices in adjoining sectors.

Evaluation Dutch 'Rule of Law' Balkan policy 2004 – 2008 for the independent Evaluation Department of the Dutch Ministry of Foreign Affairs.

Identifying and assessing national competition rules and/or other rules that diverge significantly from Article 102 TFEU, for the **College of Europe**, such that that firms

engaging in cross-border trade may face differing treatments in different Member States.

Technical assistance related to the precautionary principle in chemicals regulations with Milieu Ltd.

For a comprehensive overview of the projects undertaken in 2010, see Appendix 2.

Academic Community Organiser

During the course of 2010, The T.M.C. Asser Instituut provided a full programme of events designed to enhance the knowledge and networks of the community it serves in The Hague, The Netherlands and beyond. These events have been responsible for bringing together various communities (leading legal scholars, faculties, students, policy makers, practitioners and other professionals) and delivering rich content to these specific interest groups on-time and to specification, whilst providing participants with the opportunity to convene, share, discuss and explore current and new knowledge and developments relevant to their specific interest areas.

Our Events Department staff worked efficiently and effectively to provide the planning, logistics and services to enhance the ideas and proposals of Asser academic staff and its network and deliver professional, innovative and topical events to the broader legal profession, the general public and other organisations.

In 2010, we conceived and delivered some **70 Lecture, Conferences, Seminars and Round Tables** to more than 2,000 registered attendees, often in partnership with other organisations.

Highlights include:



**Winning Team 2010
University of Amsterdam**

The 33rd Dutch National Round of the **Philip C. Jessup International law Moot Court Competition** (6 February, 2010) which saw five teams pitch their best efforts in an exciting final. The winning team was from the University of Amsterdam. Team coaches were Mr. J. Temperman and Mr. C. Ahlborn. This Moot court was made possible by the financial contributions received from the Municipality of the Hague, Province Zuid-Holland, M.A.O.C. Gravin van Bylandt Stichting, Röling Foundation, T.M.C. Asser Press, BarentsKrans and Brill | Martinus Nijhoff Publishers.

The **3rd Hague Prize Colloquium on Fundamental Principles of Law** (3 December, 2010) in partnership with the Hague Institution for the Internationalisation of the Law (Hiil). The colloquium was held in honour of Dame Rosalyn Higgins, the recipient of the 2009 Hague Prize for International Law. The topic was “*Temporal Issues in International Law*”. The event was sponsored by Hiil, The City of The Hague, The Dutch ministry of Foreign Affairs, The Dutch ministry of Justice, and the Royal Dutch Academy of Sciences (KNAW).



Dame Rosalyn Higgins



The ongoing success of the weekly **Supranational Criminal Law Lecture Series (SCL)**. Together with the Grotius Centre (Leiden University Campus Den Haag) and the Coalition for the International Criminal Court (CICC), the Section of International Humanitarian Law and International Criminal Law of the T.M.C. Asser Institute organises the weekly Supranational Criminal Law Lecture Series which spotlights aspects of international criminal law of current interest. The series runs for three seasons each year (Autumn, Winter and Spring). A full season’s lectures are held, alternatively, at either the TMC Asser Institute or the Grotius Centre in The Hague.

The spring 2010 series started with a lecture on ‘Policies and prosecutorial strategy of the Office of the Prosecutor of the ICC’ by Mr. Luis Moreno Ocampo, Prosecutor at the International Criminal Court.

On 13 October, 2010, the special guest speaker was **Ambassador Christian Wenaweser, President of the Assembly of State Parties of the ICC**.



Joe Powderly and Ambassador Christian Wenaweser



Frans Nelissen, Rob Visser, Ernst Hirsch Ballin

The **Asser Round Table on the EU area of Freedom, Security and Justice in the wider world: Implementing the external dimension of The Stockholm Programme** (5 February, 2010) drew some 60 participants. The keynote speech, delivered by the Dutch Minister of Justice Dr. Hirsch Ballin, was preceded by

an introductory speech delivered by the Director General of the Ministry of justice, Dr. Rob Visser.

The event was financed with a subsidy from the Jean Monnet Fund and Dutch Ministry of Justice.

Lecture Series: ‘Europa in het dagelijks leven’ [‘Europe day-to-day’].

During the course of this Europafonds sponsored project, Asser researchers delivered a total of 24 lectures to the general public in libraries and town halls in 12 Dutch cities. Commissioned by the Dutch Ministry of Foreign Affairs the objective of this project was to inform the Dutch citizens of the role the European Union plays in terms of policy and decision-making and its impact on their day to day lives, and to ensure that citizens base their opinions on independent facts and sound knowledge of the European Union.

Furthermore, Staff of the T.M.C. Asser Instituut, contributed to the International Law Association’s bi-annual conference “*De Iure Humanitatis Peace, Justice and International Law*”, hosted by the NVIR in the Hague (15 – 20 August, 2010) and chaired a Water panel session entitled ‘The Millennium Development Goals and Fresh Water Shortage: exploring pathways to solutions’.



Hague Initiative for Law and Armed Conflict Lecture Series

HILAC

Hague Initiative for Law and Armed Conflict

The Law and Armed Conflict Lecture Series is an occasional evening lecture series on the subject of law and armed conflict. The series is an initiative of the Netherlands Red Cross, the T.M.C. Asser Instituut and the Amsterdam Center for International Law of the University of Amsterdam. Its goal is to bring all actors in the field of International Humanitarian Law in the Netherlands together, and to disseminate International Humanitarian Law through different activities. The focus group comprises academics, students, practitioners from international organisations in The Hague, employees of embassies and Ministries.



Het Nederlandse  Rode Kruis

T.M.C. ASSER INSTITUUT


Amsterdam Center for International Law

In 2010 two lectures were held at the T.M.C. Asser Instituut.

29 June, 2010: **The relationship between IHL and ICL: A coherent body of law or separate disciplines?** Dr. Robert Heinsch, Grotius Centre for International Legal Studies of Leiden University.

19 October, 2010: **The Military Ethics of Asymmetrical Warfare: Moral Ambiguities underlying International Humanitarian Law.** Ted van Baarda, Netherlands Defence Academy.

Both lectures each drew an average of 100 attendees.

Hague Academic Coalition

The T.M.C. Asser Instituut is a member of the Hague Academic Coalition (HAC).



THE HAGUE ACADEMIC COALITION

Established in 2004 HAC promotes collaborative efforts in research, education and public debate in support of the enhancement of international law, governance and international policies and negotiations towards justice, peace and sustainable development.

Joint HAC activities, carried out by the T.M.C. Asser Instituut, in support of collaboration include:

The Hague Forum for Judicial Expertise www.hfje.nl

The Hague Justice Portal, the virtual gateway to information, news, and research activities in, and related to, The Hague www.haguejusticeportal.net

Staff of the T.M.C. Asser Instituut, contributed to the Hague Academic Coalition's Annual Conference "From Peace to Justice: Understanding Insecurity" (28 – 29 October, 2010) with a workshop entitled "Insecurity and Aggression".

Partners: Leiden University – Campus The Hague and the International Centre for Counter Terrorism, The Hague.

For details of all events undertaken in 2010, see Appendix 3

School of Human Rights Research, The Netherlands

www.schoolofhumanrights.org

The T.M.C. Asser Instituut is a participating institution in this Human Rights Research network. Partners include the law faculties of the universities of Leiden, Maastricht, Rotterdam, Tilburg and Utrecht.

Research Forum on the Law of Armed Conflict and Peace Operations

Staff working in the area of International Humanitarian Law and International Criminal Law of the T.M.C. Asser Instituut, the Amsterdam Centre for International Law (ACIL) at the University of Amsterdam and the Netherlands Defence Academy form the Research Forum on the Law of Armed Conflict and Peace Operations (LACPO).

The Forum is designed as a meeting place and platform to explore topics of current and fundamental interest, develop research proposals and projects, such as joint publications, conferences and symposia, and provide a framework for peer review of ongoing and completed research papers and draft publications.

International Crimes Database

With the continued support of “het College van Procureurs Generaal” and “het Gerechtshof, Den Haag”, The T.M.C. Asser Instituut continues the development of the International Crimes Database and Web Platform Project, which is published on the Hague Justice Portal under the name of ‘DomClic project’. By the end of 2010, the database included almost 500 national cases with a multitude of relevant, up-to-date supplementary documents.

The Hague Prize for International Law

The T.M.C. Asser Instituut hosts the Secretariat for The Hague Prize for International Law. The T.M.C. Asser Instituut in partnership with the Hague Institute for the Internationalization of Law (HiIL) co-organise the bi-annual colloquium in honour of the laureate. On 3 December 2010, the third ‘The Hague Prize Colloquium for International Law’ was held in honour of Dame Rosalyn Higgins, former President of the International Court of Justice.

Nederlandse Orde van Advocaten



In 2010, The T.M.C. Asser Instituut was again recognised by The Netherlands Order for Lawyers and as a certified training institute. The CEPIL Seminar: “New

Conflict of Laws Rules for Contractual Obligations in Europe: Trends and Perspectives” (23 April, 2010) represented 5 Nova points and the “Sport seminar Bernard Case” (The Hague, 28 May, 2010) received 2 Nova points.

Knowledge Transfer

Education and professional development

The T.M.C. Asser Instituut recognises the unique challenges faced by today’s legal practices and is in a position to offer an extensive range of information and resources to support individuals and organisations. Tailor-made training programme development and delivery, in close collaboration with the commissioning parties, is a particular strength. Our specialist training programmes are designed specifically around the unique demands of our clients and focus on the main issues affecting legal practitioners. Such judicial training programmes allow practitioners to enhance their legal expertise and shape the direction of their career while meeting and discussing professional issues with their peers.

The start of 2010 saw cutbacks in government funding of programmes such as MTEC and MATRA. Fortunately, our long-standing reputation for quality, efficiency and an in-depth understanding of our field resulted in our success in acquiring new clients, commissions and partners.

2010 saw an increase in the number of education and professional training courses delivered by the Institute in cooperation with external experts. A total of **14 (tailor-made) training programmes were developed and delivered (in The Hague and abroad) to a diverse population of participants ranging from students to supreme court Judges.**

Highlights include:



The 1st Summer School on Disarmament & Non-Proliferation of Weapons of Mass Destruction in a Changing World (August, 2010), in cooperation with the Organisation for the Prevention of Chemical Weapons (OPCW) was delivered in August 2010. This unique programme attracted some 28 participants from 14 countries. It received sponsorship in the form of student stipends from the Dutch Ministry of Foreign Affairs.

The 4th Annual Summer Law Program in The Hague (June, 2010). This ABA accredited, 4 week long summer programme ran in collaboration with the War Crimes Research Office of the American University's Washington College of Law and the participants were LL.M and J.D. students from a number of top American universities.



Training programme on Arbitral Awards in International Commerce (October, 2010).

In cooperation with the US based Chemonics International, an international development consulting firm, and with sponsorship from USAID, we developed and delivered this week long programme to judges of the Supreme Court of Kazakhstan.

We contributed to the **EUROMED Justice II** project by providing Judicial training to judges and policy advisers from the Mediterranean countries on the **Organisation and functioning of the European cooperation networks in criminal matters and functioning of Eurojust in cooperation** (November, 2010). Partners in this venture were EIPA, the Spanish General Council of the Judiciary and the Dutch Ministry for Justice.



The Right to Judicial Protection: Administration of Justice in Cross-border disputes, Belgrade, Serbia

We were also successful in winning one of the last MATRA tenders and delivered the first of three planned training programmes to members of the Serbian Judiciary in Novisad.

THE HAGUE FORUM FOR JUDICIAL EXPERTISE



On behalf of the Hague Academic Coalition we continued in 2010 to develop and deliver training programmes on international law for the Judiciary. In March we welcomed judges from Laos for a course on **“International Criminal Law”**.

In June, a group composed of 19 investigative judges and police officers came to The Hague from Iraq to participate in a training programme on **“Management of Investigation”**. The purpose of this training was to enhance the knowledge and skills of the Iraqi criminal justice system in the respective areas of responsibility of the participants and to promote closer collaboration between the different actors in the criminal justice system. It was also aimed at raising awareness and practical application of the fair trial standards in criminal proceedings in full respect for the rule of law and human rights which should contribute to the effectiveness.

A training entitled **“International Law Course – Introduction to Selected Topics”** was delivered to a group of 18 Judges in Juba, Southern Sudan (15 – 20 November, 2010).

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Asser staff members lecturing at universities and elsewhere

In 2010 members of the Asser Research staff have once again facilitated university needs by contribution to both undergraduate and graduate LLM degree programmes as well as delivering single lectures in the following Universities and institutions: University of Groningen, University of Utrecht, University of Leuven, University of Amsterdam, University of Twente, Hague University of Applied Science, Wuhan University China and Lex Sportiva Instituta, Jakarta, Indonesia.

For details of all our 2010 training programmes, see Appendix 4.

The T.M.C. Asser Library

Pursuant to earlier decisions taken by the Management Team, the library staff continued throughout 2010 to transform the “paper collection” into a proper electronic library. In addition to facilitate access to more e-journals and to facilitate the reading of ebooks, the Institute also purchased some e-readers.

Current awareness services were set up based on new acquisitions of the Peace Palace Library and other databases. This service was also made available for the various inter-university research networks.

Asser Websites

The following sites are part of the Asser Portal (www.asser.nl):

- T.M.C. Asser Instituut
- T.M.C. Asser Press (www.asserpress.nl)
- Nederlands Internationaal Privaatrecht On-line (www.nipr-online.eu)
- Private International Law
- International Commercial Arbitration
- Public International Law
- International Humanitarian Law / International Criminal Law (www.wihl.nl)
- European Law
- European Environmental Law (www.eel.nl)
- Asser International Sports Law Centre (www.sportslaw.nl)
- European Arrest Warrant Project (www.eurowarrant.net)
- Centre for the Law of EU External Relations (www.cleer.eu)
- Centre for European Private International Law (www.cepil.eu)
- Asser E-learning environment (asserversity.nl)

Information systems and databases

The following information systems/databases are regularly updated with the documentation and information collected by information and documentation specialists and trainees of the Institute.

- Decisions of the Court of Justice of the EU and the Court of First Instance of the EU and the EFTA Court
- EU-cases on European Environmental law
- EC-directives and framework decisions: implementation by the Netherlands
- Proposals for EC-directives and framework decisions
- EU-enlargement agreements
- 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 / Europmaat) and/or the intranet and Internet of the institute.

Information projects and services

On a contractual basis information services have been provided to:

- Corvers Procurement Services
 1. EU legislation, policy documents and case law of the Court of Justice of the EC on procurement measures of the EU are delivered monthly to Corvers Procurement Services.
 2. Dutch case law on procurement issues is delivered weekly to Corvers Procurement Services.

- SDU

The cooperation with the SDU in the delivery of information on the implementation of EC-directives 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.

Hosting services

The Institute continued to host the following sites:

- Hague Justice Portal (www.haguejusticeportal.net)
- Hague Forum for Judicial Expertise (www.hfje.nl)
- Judicap (www.judicap.nl)
- NVIR (www.nvir.org)

International Centre for Counter-Terrorism, The Hague

The unique partnership of The T.M.C. Asser Instituut, The Netherlands Institute of International Relations 'Clingendael' and The Centre for Terrorism & Counterterrorism, Campus The Hague / Leiden University, has founded The International Centre for Counter-Terrorism (ICCT) – The Hague (www.ict.nl). The ICCT is an independent knowledge centre that focuses on information creation, collation and dissemination pertaining to the preventative and international legal aspects of counter-terrorism.

The core of ICCT's work centres on such themes as de- and counter-radicalisation, human rights, impunity, the rule of law and communication in relation to counter-terrorism.

Functioning as a nucleus within the international counter-terrorism network, ICCT – The Hague endeavours to connect academics, policymakers and practitioners by providing a platform for productive collaboration, practical research, and exchange of expertise and analysis of relevant scholarly findings. By connecting the knowledge of experts to the issues that policymakers are confronted with, ICCT – The Hague contributes to the strengthening of both research and policy. Consequently, avenues to new and innovative solutions are identified, which will reinforce both human rights and security.

The centre is a result of an initiative originating in the Dutch parliament and will, in its nascent years, receive financial support from the Ministry of Foreign Affairs.

Highlights include:

Official Opening ICCT – The Hague.



Mr. Maxime Verhagen

During a conference in the Peace Palace on the 31 May, ICCT – The Hague was officially opened by Dutch Minister for Foreign Affairs Mr. Maxime Verhagen in the presence of approximately 200 distinguished guests. Ms. Michèle Coninx (EUROJUST), Mr. Richard Barrett (UN Al Qaeda Taliban Monitoring team), Mr. Gilles de Kerchove (EU Counter-Terrorism Coordinator) and Professor Michael Buback presented on contemporary issues and challenges in the field of counter-terrorism from different

perspectives, welcoming the new Centre and underlying the great opportunities and challenges that lie ahead.

International Launch: ICCT – The Hague held its International Launch Conference entitled **'Ten Years after 9/11: Evaluating a Decade of Intensified Counter-Terrorism'** From 12 - 13 December over 200 high-level international experts from various governments, academic institutions and NGOs gathered to discuss the status of counter-terrorism as the year 2011 drew near, in which it will be 10 years since the devastating attacks on the United States.



For details of ICCT's activities in 2010, see Appendix 5.

T.M.C. Asser Press /Publications



T.M.C. ASSER PRESS

www.asserpress.nl

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

Despite an uncertain world economy, reduced library budgets, and a weak British pound and US dollar, the T.M.C. Asser Press journals were able to hold their position in the market place during 2010.

Key figures for 2010 show that T.M.C. Asser Press published 19 new book titles, 10 series, 1 reprint from the backlist and 6 journals issues. T.M.C. Asser Press currently has 194 titles in stock.

2010 highlights include:

The signing of a **long-term contract with Springer-Verlag** for the production, marketing, sales, and distribution of its English language book programme. The marketing and sales of the T.M.C. Asser Press journals remain with the journal division of Cambridge University Press. Springer is currently the world's largest academic book publisher and also the leading e-book publisher with more than 40,000 e-book titles. With offices in more than 20 countries around the world, Springer's extensive network also has the added benefit that Asser Press books will also be distributed as e-books.

Increase in the number of consortia subscribers through Cambridge Journals Online with now more than 1500 libraries worldwide having access to Asser Press journals electronically. The Cambridge Journals Digital Archive with the back volumes (prior to 2004) of our English language journals and yearbooks is performing well and has resulted in increased usage and visibility of our periodicals.

Higher ranking and impact factor for The European Constitutional Law Review (Eu-Const) in the important Science Citation Index (SCI) of Thomson Reuters (Philadelphia, USA). It is now ranked 64 out of 115 journals with an impact factor of 0.708. In the previous SCI report it was ranked 73 out of 104 journals with an impact factor of 0.524.

Three Law journals were accepted by Westlaw UK for coverage in its important online legal research service, namely: The European Constitutional Law Review, the European Business Organization Law Review and the Hague Journal on the Rule of Law.

The portfolio of student readers continues to do well, and 2010 saw the development of the **new student reader Inleiding Humanitair Oorlogsrecht** (B. Pieters and A. Vermeer), in cooperation with the Dutch Red Cross.

Academic Cooperation

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

In 2010, the following publications appeared:

The Netherlands Yearbook of International Law, Volume 40 (2009).

The Yearbook of International Humanitarian Law Volumes 11 and 12.

The publication of Volume 11 marked the last volume under the General Editorship of Tim McCormack (University of Melbourne, Australia) who was succeeded by Michael Schmitt (Durham University Law School, UK).

Hague Academic Press

Under T.M.C. Asser Press's Hague Academic Press imprint several titles appeared, including:

- Jihad and its Challenges to International and Domestic Law (Eds.: M. Cherif Bassiouni and A. Guellali) in its **Hague Colloquium on the Fundamental Principles of Law Series**
- The Dynamics of Constitutionalism in the Age of Globalization (Eds.: Morly Frishman and Sam Muller) in the **From Peace to Justice Series**
- Highest Courts and Globalization (Eds.: Sam Muller and Sydney Richards) in the **Law of the Future Series**.

For details of 2010 publications and a preview of expected 2011 publication, see Appendix 6.

For details on T.M.C. Asser Instituut's Inter-university publications/Periodical publications, see Appendix 7.

For a complete overview of the members of the editorial and advisory boards, and correspondents, see Appendix 8.

Financial Overview

This past year was challenging for the T.M. C. Asser Instituut, as we, like all other organisations dependent on public funding, coped with the effects of the recession.

The Institute's financial statements for 2010 are synthesised below and are in the process of being audited by our independent auditors, KPMG. Taken together, they present an Institute much strengthened financially over 2010 with the prospect of a positive book balance.

In addition to our regular activities, our ambitious plans at the start of the year to realise a modern conference facility on the premises have been realised.

For the year 2010 it was estimated that both the operating revenues and operating expenses would each be in the range of €3,500,000. We are pleased to announce that our operating expenses have not exceeded our operating revenues.

The Institute's annual operating revenues for the year 2010 were €3,600,000. A modest operating surplus of €8,000 was achieved after giving effect to expenses of € 3,600,000.

The Institute's net assets totalled €936,000 at the end of the financial year 2010, which is an increase of 1% on 2009. Annual operations contributed positively to the net assets.

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

The Statement of Activities below shows operating revenues and expenses for the year 2010.

These amounts are slightly, but not significantly, more than the figures for each of several prior years. Our operating revenues are derived primarily from the 1st and third money streams. 3rd money stream = returns from contract research and consultancy, Asser Press publications, Education, training and events.

Statement of Activities 2010		
Revenues	1 st money stream	€ 2,321,000
	2 nd & 3 rd money streams	<u>€ 1,311,000</u> +
	Total revenues	€ 3,632,000
Expenditure		<u>€ 3,624,000</u> -
Result		€ 8,000

Organisation

Governance

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

Governing Board

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

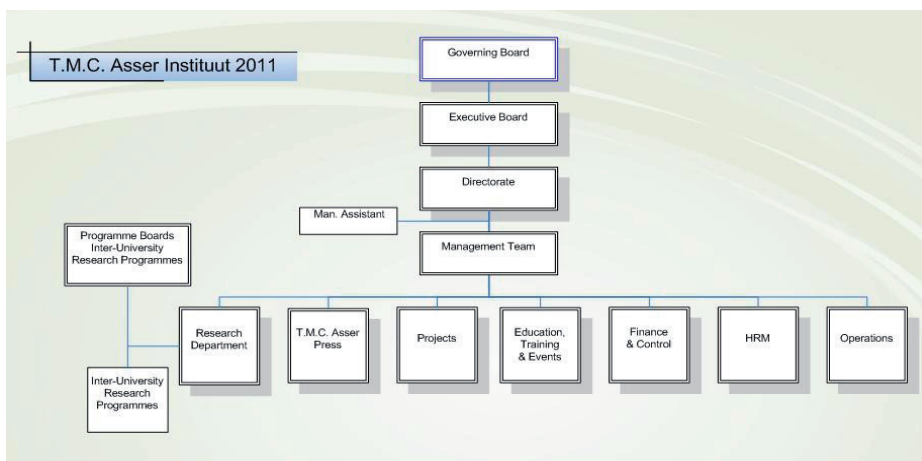
Executive Board

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

During 2010, the Directorate of the T.M.C. Asser Instituut convened on two occasions with its Executive Board. The Institute's positioning in relation to the Hague Institute of Global Justice, the Institute's inter-university research programmes, as well as the financial position of the Institute and its development within the framework of the Covenant with its governing body, the University of Amsterdam, were relevant agenda items.

Directorate

The Directorate, responsible for the daily steering of the institute comprises a General Director and a Business Director.



Management Team

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

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

Staff

On 31 December 2010, a total of 46 persons (equivalent to 38 fte) were employed by the T.M.C. Asser Instituut, including temporary and project related staff. The latter category concerns, amongst others, personnel involved in projects of The Hague Academic Coalition such as The Hague Justice Portal and The Hague Forum for Judicial Expertise.

In 2010, J. Powderly, H. Brollowski, D. Pettengell, A. Oudshoorn, S. Stuij and N. Meijer joined the staff of the T.M.C. Asser Instituut.

In 2010 B.J. van het Kaar, D. Taylor, L. Massai, K. Swinnen-Pieters, J. Odermatt and H. Lammers left the Institute. Bert Barnhoorn left the Institute at the end of 2010 to go on retirement after having worked for the Institute for more than 41 years.

Works Council

In October 2010 the Works Council held elections to replace those members who had completed their two-year terms of office. The required quorum of three persons presented their candidacy and were further appointed without election. The new Works Council was installed on 2 November 2009 and consists of: Claudio Matera, Sabine Terheijden and Victorine Verkruijsen.

The former Works Council consisted of: Steven Blockmans, Bart-Jan van het Kaar and Victorine Verkruijsen (secretary).

For facts and figures concerning personnel and organization, see Appendix 9.

Appendix 1: Research / Inter-university Knowledge Development

Inter-university research programmes

During the course of 2010 further progress was made with respect to the establishment and consolidation of the inter-university research programmes.

- Public International Law, with a particular focus on International Humanitarian Law (IHL) and International Criminal Law (ICL)
- Law of the European Union, with a focus on the external dimension thereof
- Private International Law, with a focus on the Europeanisation thereof
- International and European sports law.

All programmes are (to be) hosted and coordinated by the T.M.C. Asser Instituut in The Hague. Prof. Dr. Steven Blockmans, Head of the Research Department of the T.M.C. Asser Instituut, is the overall coordinator of these research programmes.

Law of the European Union - Centre for the Law of EU External Relations (CLEER)

<http://www.cleer.eu>



Hosted by the T.M.C. Asser Instituut, the Centre for the Law of EU External Relations, established in 2008, is a forum for debate and an authoritative research interface between academia and practice dealing with the legal aspects of the role of the EU in the world. CLEER's ambition is to stimulate excellence in research, reflection and teaching in EU external relations studies in higher education institutions in and outside the Union and to promote innovative solutions to practical challenges to the external dimension of the EU's legal order. CLEER's in-house research capacity is complemented by a growing network of partner institutions.

CLEER's research programme centres on the analysis of (i) the reception of international law in the EU's legal order, (ii) the projection of EU law on the international plane and (iii) policy and institutional issues of coherence and consistency in EU external policy-making and implementation. Thematic research is focused on (i) the external dimension of the EU's Justice and Home Affairs; (ii) the protection and promotion of economic and financial interests; (iii) the protection of the environment, climate and energy; and (iv) the ability to provide military security.

The board of CLEER is composed of professorial representatives of a number of Dutch universities:

- Maastricht University (Dr. A. Ott)
- Leiden University (Prof. Dr. C. Hillion)
- University of Twente (Prof. Dr. R.A. Wessel)
- Erasmus University (Prof. F. Amtenbrink)
- T.M.C. Asser Instituut (Prof. Dr. S. Blockmans & Dr. W. Douma)

At the end of 2009, the existing management structures were widened to include representatives (EU external relations law experts) of Dutch law faculties which hitherto did not participate in CLEER:

- University of Amsterdam (Dr. C. Eckes)
- Utrecht University (Dr. T. Takacs)
- University of Groningen (Dr. D. Kochenov & J.W. van Rossem)
- Tilburg University (Dr. N. Skoutaris)
- Radboud University Nijmegen (Dr. H. de Waele)
- Free University Amsterdam (Dr. K. Herlin-Karnell)

CLEER activities 2010

5 February 2010. The T.M.C. Asser Instituut hosted a conference organised by CLEER on the implementation of the external dimension of the Stockholm Programme, the EU's new multi-annual programme in the Area of Freedom, Security and Justice. The debate revolved around three topics: (1) basic principles of mutual legal assistance and extradition agreements of the EU with third countries; (2) combating illegal immigration; and (3) data exchange and data protection. Dr. E.M.H. Ballin (Dutch Minister of Justice) delivered the keynote speech. Among other issues, the Minister called the participants to pay attention to the need for coherence between the internal policies in the AFSJ and the consistency of the EU's external actions. He stated the necessity of ensuring coherence between the institutions based in Brussels and agencies like Frontex, Europol and Eurojust. He also questioned the future role of COSI and the parameters for inter-institutional cooperation as set out by the Council. The three main topics were discussed by speakers from academia and from the world of policymaking, under the Chatham House Rule. The closing panel was chaired by Juan Antonio Martin Burgos, representing the Spanish Presidency. The event was financially supported by the Dutch Ministry of Justice and the European Commission.

9 July, 2010. CLEER, in co-organisation with the Leuven Centre for Global Governance Studies and the Swedish Institute for European Policy Studies, held a conference at the University Foundation in Brussels on the recent changes in the external action and representation of the European Union. The conference could not be timelier, as only one day earlier the European Parliament had approved the package agreed to in the so-called 'Madrid quadrilogue', thereby ending –by and large– the political wrangling. The topical nature of the conference was reflected in the high level of attendance and the debates triggered by the insightful comments of a remarkable line-up of speakers representing the legal services of the Council, Commission and EP, as well as several Member States' ministries of foreign affairs, including that of the EU Presidency. Renowned academic experts offered their analysis and constructive criticism on the two structural reforms brought about by the Treaty of Lisbon with regard to the external policy of the EU: (i) the rapprochement of the pre-Lisbon structures driving the previously called 'Community model' and the 'intergovernmental model', most tangibly embodied by Catherine Ashton, High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the Commission; and (ii) the creation of a European External Action Service (EEAS). The inclusion of the latter in Article 27(3) TEU and mention that it should comprise officials from 'relevant departments' of the Commission and the General Secretariat of the Council, as well as diplomats from the Member States, carried the obvious implication that the organisation and structures

for external relations of EU institutions and Member States alike would be influenced by the emergence of the EEAS. In particular, the future disappearance of most of the Commission's DG Relex meant that many questions pertaining to the management, programming and implementation of external action and representation would be on the table. Indeed, what will effectively be the policy realm of the EEAS? Will the EEAS become a genuine diplomatic service of the Union? Will it allow the EU to assert itself in a more efficient, coherent an effective manner on the international stage? Will the creation of the EEAS upset the Union's so-called 'institutional balance'? These and many more questions were discussed at length at the CLEER-GGS-SIEPS conference on 9 July under the Chatham House Rule. The closing speech was delivered by Dr Luuk van Middelaar, member of the cabinet of the President of the European Council. The event was financially supported by the European Commission.

5 November, 2010. The T.M.C. Asser Instituut hosted a conference on 'The Influence of International Organizations on the European Union: The EU as an autonomous legal order?', organized by CLEER. The European Union is traditionally seen as a new, and partly separate, legal order within the global legal system. At the same time, more recent developments have revealed the EU as an important player in the global governance network. The strong and explicit link between the EU and a large number of other international organisations raises questions concerning the impact of decisions taken by other international organisations and of international agreements concluded by the EU and/or its Member States with those organisations on the autonomy of the EU legal order. The conference addressed the relationship between the EU and other international organisations by looking at the impact of norms enacted by international organisations on the shaping of EU law. Distinguished academics outlined the normative impact of decisions of international organisations and agreements concluded between the EU and international organisations. Representatives of international organisations (CoE, WTO, IMF, WIPO, FAO) and EU institutions (Commission and Council legal services) and agencies (Europol, Eurojust, Ombudsman) revealed how international organisations view and interact with the EU and how the EU perceives the influence of (other) international organisations, respectively. The conference papers will be collected in an edited volume and published by T.M.C. Asser Press.

CLEER Publications

In 2010, the first book carrying the CLEER label appeared:

- S. Blockmans, J. Wouters & T. Ruys (eds.), *The European Union and Peacebuilding: Policy and Legal Aspects* (The Hague, T.M.C. Asser Press 2010), 516 pp., in cooperation with the Leuven Centre for Global Governance Studies

An innovative type of publication also saw the light in 2010:

- CLEER Legal Brief, published, on 4 May 2010, 'The Lisbon Treaty stipulations on Development Cooperation and the Council Decision of 25 March 2010 (Draft) establishing the organisation and functioning of the European External Action Service', by Simon Duke and Steven Blockmans

The CLEER working papers series was expanded with 7 new issues:

- CLEER Working Papers 2010/1: 'The European Union and transitional justice', by Thomas Unger
- CLEER Working Papers 2010/2: 'Free movement of persons between Turkey and the EU: hidden potential of Article 41(1) of the Additional Protocol', by Narin Tezcan/Ildriz and Piet Jan Slot
- CLEER Working Papers 2010/3: 'Europe and the revival of international trusteeship: lessons from the Balkans', by Tonny Brems Knudsen and Christian Axboe Nielsen
- CLEER Working Papers 2010/4: 'Trade remedies under Turkish law', by Müslüm Yılmaz
- CLEER Working Papers 2010/5: 'EULEX Kosovo – Mandate, structure and implementation: essential clarifications for an unprecedented EU mission', by Martina Spornbauer
- CLEER Working Papers 2010/6: 'International law as law of the EU: the role of the Court of Justice' by Christina Eckes
- CLEER Working Papers 2010/7: 'A legal-institutional perspective on the European External Action Service' by Bart Van Vooren

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.

Finally, CLEER launched a News Service to keep subscribers up to date with current developments on the EU's role in the world. CLEER's News Service provides a weekly comprehensive overview of official events and documents, as well as publications and conferences in the area of EU external relations. The News Service features handy weblinks to press releases, secondary legislation, preparatory documents, EP reports and case law, as well as lists of recently published academic articles, books and policy briefs. The News service documents are sent around via email to subscribers and published on the website.

Private International Law – Centre for European Private International Law (CEPIL)

<http://www.cepil.eu>



Representatives of Dutch universities are already cooperating with the T.M.C. Asser Instituut in the framework of the editorial board of one of the most prominent journals in the field of private international law, NIPR

(Nederlands Internationaal Privaatrecht):

- Erasmus University Rotterdam (Dr. X.E. Kramer)
- University of Amsterdam (Prof. Mr. J.A. Pontier and Prof. Mr. A. van Hoek)
- Utrecht University (Dr. I. Curry-Sumner)
- Radboud University Nijmegen (Dr. P. Vonken)
- Groningen University (Prof. Mr. M.H. ten Wolde)

In the Dutch universities, most of the private international law departments are small in size and increasingly autonomous in their operations. In the second half of 2009, Groningen University (Prof. Mr. M.H. ten Wolde) and Maastricht University (Prof. Mr. G.R. de Groot and Dr. S. Rutten) expressed their willingness to cooperate in a more inclusive research initiative coordinated by the Asser Institute. In 2010, they provided feedback on a conceptual framework for research cooperation under the flag of the Centre for European Private International Law. Due to a change of guard within the Asser Institute's cluster of private international law, further developments have been slow. With the arrival of new researchers – recruited with the assistance of Prof. Mr. M.H. ten Wolde in the last quarter of 2010, hopes are high to consolidate this new inter-faculty cooperation in the first quarter of 2011 and to produce the first academic output, in terms of publications, events and tenders, in the second half of 2011. Cooperation with the other universities (e.g. Erasmus University Rotterdam (Prof. Mr. T. van Mierlo, Dr. X. Kramer)) is envisaged.

International Sports Law - ASSER International Sports Law Centre (AISLC)

<http://www.sportslaw.nl>



The T.M.C. Asser Instituut's research in international sports law is of an interdisciplinary as well as comparative law character, covering all fields of law in which the institute specialises, i.e., private international law, public international law including the law of international organisations, international commercial arbitration and the law of the European Union. The ASSER International Sports Law Centre (established in 2002, <http://www.sportslaw.nl>) emerged from the projects carried out up until then by Asser researchers.

The mission of the ASSER International Sports Law Centre is to provide a centre of excellence in particular by providing high quality research, services and products to the sporting world at large (sports ministries, international and intergovernmental organisations, sports associations and federations, the professional sports industry, etc.) on both a national and an international basis. The Centre has a worldwide network of academics and practitioners and cooperation agreements with various sports law institutes and centres in Europe and beyond, including Asia, South Africa and North and South America. Whereas in previous years, much attention was paid to EU-supported advice and assistance to the new EU Member States and candidate countries in Eastern Europe, the Centre focused in 2010 on cooperation with the rapidly "sports law developing" Asian region (in particular, China, India, Indonesia).

The Centre edits and publishes The International Sports Law Journal (ISLJ) (spring and autumn) and the Asser International Sports Law Series of books. It is also the organiser of a range of seminars, conferences and events, both in The Netherlands and abroad.

Hague International Sports Law Academy

The Centre is the co-founder and coordinator of the newly established Hague International Sports Law Academy (HISLA) the purpose of which is the organization of academic confer-

ences and workshops of international excellence which are held in various parts of the world.

In 2010, the seeds were sown for the establishment, in the first half of 2011, of an inter-university research cooperation with:

- Erasmus University Rotterdam (Prof. Dr. R. Siekmann)
- University of Amsterdam (Mr. R. Branco-Martins)
- Tilburg University and University of Leuven (Prof. Dr. Frank Hendrickx, Dr. Steven Jellinghaus)
- Free University Amsterdam (Dr. M. Olfers)
- Leiden University (Prof. Dr. S. van den Bogaert, also visiting prof. at Free University Brussels)
- University of Leuven (Prof. Dr. R. Blanpain)

Recruitment procedure for the appointment of an academic coordinator was initiated in the last quarter of 2010. This person will be tasked with the actual development of this new inter-university research programme.

Public International Law

Thanks to its long-standing research tradition in Public International Law and its seat 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, the T.M.C. Asser Instituut is well-placed to offer law faculties a platform for inter-university research and an interface with judicial practice, especially in the fields of International Humanitarian Law and International Criminal Law.

In the autumn of 2010, the T.M.C. Asser Instituut has signed a Memorandum of Understanding (MoU) on Cooperation in the fields of IHL and ICL with:

- Amsterdam Centre of International Law (ACIL) of the University of Amsterdam (Prof. Dr. T.D. Gill, Prof. Dr. H. van der Wilt)
- Leiden University (Prof. Dr. C. Stahn, Dr. R. Heinsch)
- Vrije Universiteit (Prof. Mr. E. van Sliedregt)

Indirectly, Utrecht University, through Prof. Dr. T.D. Gill, is also represented in this research network.

With the MoU, the above-mentioned institutions have expressed the desire to cooperate for the next four years, through an inter-university 'platform' coordinated by the T.M.C. Asser Instituut, in fields which lie at the crossroads of their own research programmes. Concrete research themes and projects will be determined by the inter-university 'forum'. The first research projects are IHL / ICL and media and IHL / ICL and business. For the first research theme, cooperation with the Centre for Holocaust and Genocide Studies was sought. A cross-disciplinary expert conference "On the Front Line of Accountability – War Reporting and Related Contemporary Issues in International Humanitarian and Criminal Law", including journalists, served as a launch event on 21 January 2011. The Royal Netherlands Academy for Sciences (KNAW) was awarded a grant for the organisation of this conference.

It is the intention to develop a second research theme once the first is up and running.

Asser Guest/Visiting Researchers

A distinguished panel of guest researchers who represent various aspects of international law also contribute to the insight of the T.M.C. Asser Instituut. In 2010 they included Mr. Leendert Erkelens, Dr. Flora Goudappel, Dr. Maria Nybondas and Dr. Fiona Mucklow.

The late Dr. Avril McDonald

On 14 April 2010 we received the sad news that our much valued former colleague, Dr. Avril McDonald, had passed away.

Avril worked as a Researcher and as Head of the Section IHL/ICL for the T.M.C. Asser Instituut from 1997 until 2007. Thereafter, she continued her association with our organisation as “Associate Researcher”. She was involved in the initiation and development of the Yearbook of International Humanitarian Law and the website of International Humanitarian Law.

Avril was holder of the Rosalind Franklin Chair in International Law and Contemporary Conflict at the University of Groningen.

Asser Visiting Researchers Programme

Under the Asser Visiting Researchers Programme (AVRP) the T.M.C. Asser Instituut continuously hosts foreign scholars and visiting fellows for varying periods of time, providing all the facilities and services necessary, including academic counsel. Under special arrangements, scholars benefit from access to libraries and services of international organisations located in the vicinity of the Institute. The most prominent example is the world-renowned library of the Peace Palace.

In 2010 the Institute hosted the following guest researchers:

- Nicole Betz (Germany), research fellow at the Max Planck Institute for Comparative Public Law and International Law, Heidelberg, Germany, stayed at the Institute / the Centre for the Law of EU External Relations (CLEER) to conduct research 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’ from 15 March to 16 July 2010. On 22 June she gave a lunch lecture for the staff of the Institute about her research project.
- Professor Nancy Combs (USA), William and Mary Law School, Williamsburg, VA, USA, is spending her sabbatical year (August 2010 – summer 2011) in the Netherlands as visiting professor at the University of Amsterdam, and works regularly at the Asser Institute.
- Dr. Jozef Čorba (Slovakia), University of P.J. Safarik, Košice, Slovakia, stayed at the Institute / the Asser International Sports Law Centre to conduct research for his studies on commercial law and sports from 8 to 19 November 2010.
- Dov Jacobs (France), PhD researcher at the European University Institute at Florence, Italy, stayed at the Institute to conduct research for his PhD thesis on: ‘International Criminal Justice, Transitional Justice and the question of Amnesties’ from 15 July 2009 to 30 August 2011.

- Olga Juchiewicz (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: 'Habitual residence as a connecting factor of conflict of law rules', from 5 to 27 August 2010.
- Hınca 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*', from 8 to 10 April 2010.
- 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' from 1 July till to September 2010.
- 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' from 5 to 27 August 2010.

Research Output - Publications 2010

Books

K. Pieters

- *The Integration of the Mediterranean Neighbours into the EU Internal Market*, The Hague, T.M.C. Asser Press.

M. Nybondas

- *Responsibility and its Application to Civilian Superiors*, The Hague, T.M.C. Asser Press

S. Blockmans

- *The European Union and Peacebuilding: Policy and Legal Aspects*, The Hague, T.M.C. Press 2010 (with J. Wouters and T. Ruys (eds.))

W.Th. Douma

- *Environmental Finance and Socially Responsible Business in Russia: Legal and Practical Trends* (editor together with F. Mucklow), The Hague, T.M.C. Asser Press.

Articles, book contributions and working papers

S. Blockmans

- 'Making Peace Last. The EU's Contribution to Peacebuilding' in: S. Blockmans, J. Wouters and T. Ruys (eds.), *The European Union and Peacebuilding: Policy and Legal Aspects* (The Hague, T.M.C. Press 2010), 1-11 (with J. Wouters and T. Ruys)
- 'EU Enlargement as a Peacebuilding Tool' in: S. Blockmans, J. Wouters and T. Ruys (eds.), *The European Union and Peacebuilding: Policy and Legal Aspects* (The Hague, T.M.C. Press 2010), 77-103

- ‘Participation of Turkey in European Security and Defence Policy: kingmaker or Trojan horse?’, GGS Working Papers 4/2010, 27 pp., available at <http://www.ggs.kuleuven.be>
- ‘The Lisbon Treaty stipulations on Development Cooperation and the Council Decision of 25 March 2010 (Draft) establishing the organisation and functioning of the European External Action Service’, CLEER Legal Brief, 4 May 2010, available at <http://www.cleer.eu> (with S. Duke)
- ‘Strict But Fair: The Dutch Approach to EU Enlargement’ in: F. Karanfilova-Panovska and A. Stojkovski, *Action for Europe* (Skopje, Foundation Open Society Institute 2010), 29-32
- ‘La nouvelle vague: the introduction of a more significant Ost-politik in the EU’s Security Policies’ in: A. Łazowski (ed.), *The Application of EU Law in the New Member States: Brave New World* (The Hague, T.M.C. Asser Press 2010), 31-64
- ‘EU-wetgevingskroniek 2009’ in: SEW (2010), 348-361 (with W.Th. Douma, M. Van der Harst and S. van der Velde)
- ‘Implementing the Stabilisation and Association Agreement in Albania: avoiding discriminatory practices in the free movement of goods’ in: *XI European Journal for Law Reform* (2010), 511-530 (with F. Caka)

W.Th. Douma

- ‘The EBRD and Russia: stimulating European Principles for the Environment’ in: W.Th. Douma and F. Mucklow (eds.), *Environmental Finance and Socially Responsible Business in Russia: Legal and Practical Trends*, The Hague, T.M.C. Asser Press
- ‘Environmental finance and socially responsible business in Russia – an introduction’ (together with F. Mucklow), in: W.Th. Douma and F. Mucklow (eds.), *Environmental Finance and Socially Responsible Business in Russia: Legal and Practical Trends*, The Hague, T.M.C. Asser Press
- ‘Het Verdrag van Lissabon en het Europees milieubeleid’ (The Treaty of Lisbon and European environmental policy), together with H.H.B. Vedder in: R.H. van Ooik and R.A. Wessel (eds.), *De Europese Unie na het Verdrag van Lissabon*, Deventer
- ‘EU-Wetgevingskroniek 2009’ (EU legislation chronicle 2009, together with S. Blockmans, M. van der Harst and S. van der Velde), SEW, nr. 9, , p. 348-361
- ‘European Environmental Law after Lisbon: an Introduction’, dossier at EEL website, www.eel.nl

M. van der Harst

- ‘EU-wetgevingskroniek 2009’, S. Blockmans, W.Th. Douma, M. van der Harst en S. van der Velde, SEW vol. 9, p. 348-361.

C. Matera

- ‘The External Dimension of the EU’s Area of Freedom Security and Justice’, in C. Eckes and Th. Konstadinides (eds.), *Crime within the Area of Freedom, Security and Justice: A European public order*, Cambridge University Press, 2011 (with R.A. Wessel and L. Marin)

F.A. Nelissen

- ‘Australia attempts to harpoon Japanese whaling program’, an electronic publication on www.haguejusticeportal.net with S. van der Velde, June 2010
- Paper prepared for ILA study group meeting in August 2010, dealing with two questions:

Question a) Do members of an international organization that are not responsible for an internationally wrongful act of that organization have an obligation to provide compensation to the injured party, should the organization not be in a position to do so?

Question b) According to article 41, paragraph 1, on Responsibility of States for internationally wrongful acts, when a State commits a serious breach of an obligation under a peremptory norm of general international law, the other States are under an obligation to cooperate to bring the breach to an end through lawful means. Should an international organization commit a similar breach; are States and also other international organizations under an obligation to bring the breach to an end?

with S. van der Velde, August 2010, The Hague, 16 pp.

V. Lazic

- What is Old and what is New in the Rome I Regulation', Paper presented at the conference on 'New Developments in European Private International Law for Contractual Obligations', held on 23 April 2010, The Hague.

A. Oudshoorn

- Law Journal: Editorial board *Vermogensrechtelijke Analyses*: continuation of editorial activities.

J. Powderly

- *The Trials of Eichmann, Barbie and Finta*, chapter in Schabas and Bernaz (eds) *The Routledge Handbook of International Criminal Law*, Routledge, November 2010.
- *Challenging Admissibility at the ICC: On Whom Does the Burden Lie? in The ICC and Complementarity: From Theory to Practice*, CUP, 2011. (with Dr. Megan Fairlie, Florida International University)
- Publication of edited collection: *Judicial Creativity at the International Criminal Tribunals* (OUP, December 2010)
- Publication of investigative report – *Crimes Against Humanity in Western Burma: The Case of the Rohingya* – by Irish Department of Foreign Affairs in June 2010. Since cited in UN Reports and by the House of Lords.

O.M. Ribbelink

- 'Female Judges bring new perspective to ICJ', Radio Netherlands Worldwide International Justice Newsletter (electronic), September 2010.
- 'Perspectives on International Humanitarian Law between Universalism and Cultural Legitimacy', Report (editor), 2nd Conference in The Hague on Islam, politics and law, 27 November, 2009, The Hague, Peace Palace, organized by the T.M.C. Asser Instituut and the Hague Institute for the Internationalisation of Law

R.C.R. Siekmann

- 'Models of Sport Governance in the European Union: the Relationship between State and Sport Authorities' in: *The international Sports Law Journal (ISLJ)* 2011/3-4 pp. 93-95, 98-102. (with J. W. Soek)

Kinga Tibori Szabo

- 'Self-defense arguments in the Jihad discourse and their parallel counterpart in international law' in C. M. Bassiouni and A. Guellali, eds., *Jihad: Challenges to International and Domestic Law*, TMC Asser Press, 2010.
- 'The Application of EU Law in Romania' in *Lazowski, A., ed., The Application of EU Law in the New Member States*, The Hague, TMC Asser Press, 2010.

Annotations

W. Th. Douma

- Council of State of the Netherlands 19 August 2009, 200901192/1/M2, SULO Süd-West GmbH & Co. KG v. Minister of Housing, Spatial Planning and the Environment (import of green or amber waste), MenR 2010/23, p. 186-188
- District Court Dordrecht 16 February 2010, 11/992622-08, criminal proceedings v. legal entity (import of hazardous waste), MenR 2010/32, p. 240-242
- District Court Dordrecht 16 February 2010, 11/992623-08, criminal proceedings v. director of legal entity (import of hazardous waste), MenR 2010/33, p. 242-246
- Council of State of the Netherlands 10 March 2010, appellant v. Minister of Housing, Spatial Planning and the Environment (publication of information on companies involved in waste export), case 200904466/1/H3, MenR 2010/55, p. 401-404
- Council of State of the Netherlands 14 April 2010, appellant v. Minister of Housing, Spatial Planning and the Environment (export of high density slurry: waste or fuel), MenR 2010/66, p. 463-465
- International Court of Justice 20 April 2010, Argentina v Uruguay (paper mills), JM 2010/65
- Supreme Court of the Netherlands 6 July 2010 (prosecution of Trafigura director in Probo Koala case), MenR 2010/72, p. 528-530
- European Court of Justice 8 July 2010, C-343/09, Afton Chemical Ltd, JM 2010/90, p. 676-686
- District Court Amsterdam 23 July 2010, case 13/846003-06, criminal proceedings against Trafigura (Probo Koala case), MenR 2010/86, p. 589-600
- District Court Amsterdam 23 July 2010, case 13/846006-08, criminal proceedings against Amsterdam Port Services B.V. (Probo Koala case), MenR 2010/87, p. 600-606

Other

W.Th. Douma

- Regular updates of the European Environmental Law (EEL) Website and EEL News Service (19 issues of the EEL News Service were published in 2010).

Staff – Lectures, Presentations and Sessions

S. Blockmans

- 23 January 2010, 'EU trade policy post-Lisbon', GTZ Open Regional Fund, Regional Masters in EU Business Law, University of Belgrade.

- 26 January 2010, 'Tough Love: relations between the EU and the Western Balkans', External Relations Policy Training Seminars, European Commission (DG RELEX), Brussels.
- 23 April 2010, 'The EU's push for normative multilateralism in its neighbourhood: energy, transport and environment', GARNET Conference, 'The EU in International Affairs II', Brussels.
- 30 April 2010, 'Human rights protection in the external relations of the EU', MA course External Relations of the EU, University of Leuven.
- 18 May 2010, 'Tough Love: relations between the EU and the Western Balkans', External Relations Policy Training Seminars, European Commission (DG RELEX), Brussels.
- 14 June 2010 'International Cooperation and Enforcement in the Fight Against Terrorism and Terrorist-related Acts', Guest lecture, American University, Washington College of Law, 3rd Annual Summer School in The Hague on 'International Legal Approaches to Terrorism in the 21st Century'.
- 25 June 2010, 'Participation of Turkey in European Security and Defence Policy: kingmaker or Trojan horse?', 2nd IEL conference, 'After Lisbon: the Future of European Law and Policy', Institute for European Studies, University of Birmingham.
- 9 July 2010, 'External action and representation of the European Union: implementing the Lisbon Treaty', welcome address at CLEER-GGS-SIEPS conference on the European External Action Service, University Foundation, Brussels.
- 15 September 2010, 'Tough Love: relations between the EU and the Western Balkans', External Relations Policy Training Seminars, European Commission (DG RELEX), Brussels.
- 29 September – 23 December 2010, 'Law of International Organizations', MA course, University of Leuven (together with Prof. Cedric Ryngaert).
- 9 November 2010, 'Tough Love: relations between the EU and the Western Balkans', External Relations Policy Training Seminars, European Commission (DG RELEX), Brussels.
- 12 November 2010, 'The importance of jurisprudence for the development of a modern legal system', keynote address at opening conference of the 'Macedonia Jurisprudence Project', Academy for the Training of Judges and Prosecutors, Hotel Aleksander Palace, Skopje.
- 18 November 2010, 'Policy scope of the European External Action Service: a competence review', DSEU Conference, Maastricht University.
- 23 November 2010, 'Consumer protection in the law of the European Union', Vietnamese Competition Authority, Hanoi.
- 14-17 December 2010, 'EU institutional law' and 'Human rights and EU law', initial training courses, Judicial Academy of Serbia, Belgrade.

H. Brollowski

- June 2010, Presentation on 'Common Article 1 of the 1949 Geneva Conventions and obligations of Third State' at the ESC research Conference on the Responsibility to Protect in Linköping, Sweden, The accompanying article will be published in a book in 2011 under the editorship of Prof Nollkaemper, UvA.
- Presentation on Child Soldiers for the Peace and Justice Project on Children's Rights organised by the Montessori School The Hague.

W. Th. Douma

- Sept. – Nov. 2010, a series of lectures / debates in The Hague, Breda, Utrecht and Amsterdam on the topics: 1) The future of the European Union, and 2) The European Union, environment, climate and energy within the Europa fonds project.
- 21 October 2010, 'International environmental law', course for 3rd year students at The Hague University.
- 'The EU and reform of the legal order in third states: role of the judiciary', for Kazakhstan officials, The Hague.
- March 2010, 'European and Dutch environmental law and the role of courts', at the conference "The Status of Environmental Law and Measures of Environmental Protection" (Administrative Court of Thailand and Konrad Adenauer Stiftung), Bangkok, Thailand,
- 17 June 2010, 'Reform of the EU ETS', at the conference "European Environmental Law - Energy, Climate Change and other Recent Developments", European Law Academy, Trier.

V. Lazic

- 5 October – 19 November 2010, MATRA: The Right to Judicial Protection: Administration of Justice in Cross-border Disputes, Belgrade - Lectures on 'Rome I Regulation' and 'Instances of Court Intervention in International Commercial Arbitration'
- November 2010, Course for the Judges in Kazakhstan on 'Arbitral Awards in International Commerce' – Lecture on 'Role of the Courts in Enforcing Arbitration Agreements', The Hague.
- 15 October 2010, Pathway to Europe: Training course for judges from Kazakhstan, The Hague, lecture on 'Introduction to International Dispute Resolution'
- October 2010, Guest lecture on the 'EC Brussels Jurisdiction Regulation' and 'Resolution of International Commercial Disputes', Course on 'International Commercial Law' Utrecht University.
- 23 April 2010, Conference presentation: 'What is Old and what is New in the Rome I Regulation', Paper presented at the conference on 'New Developments in European Private International Law for Contractual Obligations', The Hague.

C. Matera

- May 2010, Opening Speech: Training course Europol & Eurojust: Their role in EU Police and Judicial Cooperation, T.M.C. Asser Instituut.
- Spring term: Lecturer of European Legal Integration at the University of Twente, The Netherlands.
- November: presentation « La coopération frontalière avec les Etats tiers voisins » in the framework of a conference organised by the University of Nizza, France, on « La gestion des frontières extérieures de l'Union européenne : défis et perspectives en matière de sécurité et de sûreté ».
- December : Presentation on the operational cooperation among the Member States of the EU within the framework of FRONTEX's competences to safeguard the external border of the Union at the Max Planck Institute for Public, Comparative and International law, Heidelberg.

J. Powderly

- October 2010, project leader Pathway to Europe: Training course for judges from Kazakhstan, The Hague.
- December 2010, HFJE ID mission to Sri Lanka.

O.M. Ribbelink

- 6 February 2010, Judge, Jessup International Law Moot Court Competition, National Round Netherlands, The Hague.
- Expert/Discussion Meeting, 'And Justice For All', De Balie, Amsterdam
- 12 February 2010, Lunch Debate with Prof. Philippe van Parijs, Residence Ambassador Belgium, The Hague
- Judge, Jessup International Law Moot Court Competition, National Round Belgium, , The Hague
- 28 February 2010, Judge, Telders International Law Moot Court Competition, International Semi-Finals, 22-23 April, The Hague
- February-April 2010, Lecturer, Faculty of Law, Utrecht University
- 29 April 2010, Expert Meeting on Kyrgystan, CILC, The Hague
- 17 June 2010, 'VS-landendag', , Ministry of Foreign Affairs, The Hague
- 22 October 2010, Short-Term Research Stay, Institute for International legal Studies (ISGI-CNR), with Fellowship CNR, 11-, Roma, Italia
- 18 October 2010, Informal Consultations Meeting Governments & Industry, Unidroit Space Assets Protocol (observer), , UNIDROIT, Roma, Italy
- 14-21 November 2010, Lectures on 'Legal Aspects of State Succession for Southern Sudan', Course Hague Forum for Judicial Expertise, Juba, Southern Sudan
- Opposition Committee, PhD Defence, Jan Anne Vos, 'The Function of International Law', Vrije Universiteit, Amsterdam
- Comments for (inter-) national radio-stations and newspapers

R.C.R. Siekmann

- 17 February 2010, Opening Lecture on EU, Sport, Law and Policy at the workshop on 'The Impact of the EU Acquis on Sport', organized by the General Directorate of Youth and Sport of Turkey within the framework of the European Commission's TAIEX instrument , Ankara, Turkey.
- 17 September 2010, Presentation of the final report on the study regarding 'The Implementation of the WADA Code in the European Union', Belgium.
- 22 September 2010, Conference on 'The Concept of Lex Sportiva Revisited', Jakarta.
- 6 October 2010, The ninth Asser/Clingendael International Sports Lecture 'The Lisbon Treaty and EU Sports Policy: New Possibilities for EU Action?', The Hague.
- 1-17 November 2010, Lectures on 'International and European Sports Law' in the People's Republic of China - at the Research Center of Sports Law, China University of Political Science and Law (CUPL) in Beijing; the Law School of Beijing Normal University; the Sports Law Center of Shandong University and the Law School of Shandong Economic University in Jinan; the Law Schools of Wuhan and Xiangtan Universities.

J.A. Vos

- 3 December 2010, The Hague Prize Colloquium in honor of Dame Rosalyn Higgins on Temporal Issues in International Law.
- 12 November 2010, presented a paper at a seminar on world legislation, organized by Professor Wouter Werner and Doctor Bert-Jan Wolthuis of the Free University of Amsterdam.

Staff – Advisory, Board and editorial Functions

M.H. Bastiaans

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

S. Blockmans

- Advisor to the Dutch Scientific Research organization NWO for pre-selection of proposals in the legal field
- Member of the Board, Centre for the Law of EU External Relations (CLEER)
- Member, Board of Editors, Human Rights Review (Justice Academy Turkey)
- Member, Board of Editors, Serbian Review of European Law
- Member, Board of Editors, Croatian Yearbook of European Law and Policy

W.Th. Douma

- Member of the Board of the Centre for the Law of EU External Relations (CLEER)
- Jurisprudence editor of the Dutch journals “Milieu en Recht” and “Jurisprudentie milieurecht”
- Editor-in-chief of the website European Environmental Law (www.eel.nl) and EEL News Service

V. Lazic

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

C. Matera

- 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
- (Interim) Member of the Board of The Hague Institute for Global Justice
- Member of the Board of The Hague Academic Coalition
- 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, ‘Stichting The Hague Joint Conferences’, The Hague, the Netherlands
- Member of the Jury and Secretary ‘The Hague Prize for International Law’
- Member of the Jury of the AGV Waterschapsprijs voor Waterkwaliteit en Waterveiligheid
- Member of the Groningen Centre of Energy Law
- Member of the Council of the Center for International Legal Co-operation (CILC), Leiden, the Netherlands
- Member of the Board of Panorama Haaglanden
- Member of the Board Stichting Nederlandse Bouwpluim

O.M. Ribbelink

- Member, Board of the Netherlands 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 'Space Law' of the International Law Association (ILA)
- Member, Committee on 'Recognition and Non-Recognition in International Law' of the International Law Association (ILA)
- Member, Advisory Board, European Business Organization Law Review
- Member, Advisory Board, 'Stichting Democratie en Media'
- Member, Interdepartmental Consultation Group on space law-related issues
- 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, Editorial Board Netherlands Research School of Human Rights Series, Intersentia Publishers
- Interim Editor in Chief, Hague Justice Portal
- Research Fellow, International Centre Counter-Terrorism – The Hague (ICCT),
- Associate Professor International Law, Faculty of Law, Utrecht University

R.C.R. Siekmann

- Co-founder and coordinator of the Hague International Sports Law Academy (HISLA)
- Member of the Board of Appeal of the Netherlands Institute for Sport Arbitration (Nederlands Instituut Sportrechtspraak)
- General editor The International Sports Law Journal (ISLJ)
- General editor Asser International Sports Law Series

S. Terheijden

- Secretary of the Works Council (Ondernemingsraad) of the T.M.C. Asser Instituut since 1 November.
- Secretary of the Programme Board of the Hague forum for Judicial Expertise.

V. Verkruijssen

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

Appendix 2: Applied research and consultancy

Projects launched in 2010

Handbook Implementation European Environmental Policy

(November 2010 – February 2011)



Ministry of Infrastructure and the Environment

Together with the lead company IVM (Institute for Environmental Studies, Amsterdam) Asser

has worked on updating 25 topics of the Handbook Implementation European Environmental Policy. The handbook is available at www.vrom.nl/milieuhandboek

Lead partner: Institute for Environmental Studies (IVM)

Sponsor: Dutch Ministry of Infrastructure and the Environment

Macedonia: IPA – further strengthening of the institutional capacities of the Academy for the Training of Judges and Prosecutors (April 2010 – December 2011)



The overall objective of this project is to strengthening the rule of law and to promote sound functioning of the Judiciary in Macedonia, by raising professional qualification of Judges and other legal judicial personnel.

Contractor: Hulla & Co. Human Dynamics KG

Sponsor: European Commission

Support to the National Judicial Academy, Republic of Serbia

(September 2009 – September 2011)



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.

Lead Partner: Hulla & co., Human Dynamics KG (Austria)

Sponsor: European Commission

The future of the second pillar of the Common Agricultural Policy (February 2010-July 2010)



Together with the lead company LEI Wageningen UR, Asser has carried out a research project on

“the future of the second pillar of the Common Agricultural Policy” in which the possibilities of a different legal form for the Common Agricultural Policy were explored.

Lead partner: LEI Wageningen UR

Sponsor: The Dutch Ministry of Economic Affairs, Agriculture and Innovation

The Right to Judicial Protection: Administration of Justice in Cross-border disputes, Serbia (May 2010 – May 2012)



Ministry of Foreign Affairs

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. The training courses for the judiciary and legal practitioners in the relevant areas of law will present a valuable input in increasing the efficiency in the administration of justice. Thereby, the project will contribute to enhancing legal certainty and predictability for the citizens and legal persons and accordingly will contribute to strengthening democracy and the rule of law in Serbia.

Partners: University of Novi Sad + Serbian Judicial Training Centre

Sponsor: Dutch Ministry of Foreign Affairs

Funding Programme: Programma Maatschappelijke Transformatie (Matra)

The equal treatment of non-nationals in individual sports competitions (January 2010 – November 2010)



Universiteit Leiden



Edge Hill University



The study consisted of an analysis on the issue of access to sports competitions, specifically individual competitions, by non-nationals, together with exhaustive knowledge of the discriminatory provisions adopted by sports federations in the Member states vis-à-vis Community nationals, while recognising the extreme complexity of these issues. The study has put forward suggestions for possible alternative solutions that comply with Community law and provide an appropriate response to the problems posed by the discriminatory measures identified.

Partners: University of Leiden, Edge Hill University, Leeds Metropolitan University
Sponsor: European Commission, Directorate-General for Education and Culture, Youth, Sport and Citizenship Directorate, Sport Unit
Funding Programme: White Paper on Sport

The Lisbon Treaty and EU Sports Policy (May 2010 - October 2010)



Universiteit Leiden



Edge Hill University



The main objective of this study was to provide a panorama of the possibilities of EU Sports Policy, in particular to assess, from a legal point of view, the potential of the Lisbon Treaty to enable the EU to attain the objectives of greater fairness and openness in sporting competitions and greater protection of the moral and physical integrity of sports practitioners whilst taking account of the specific nature of sport.

The study made use of existing literature and ECJ case law on the topics concerned, notably recent jurisprudence dating from after the entry into force of the Lisbon Treaty. It also took into account the relevant European Parliament (EP) resolutions. Given the forward-looking nature of the brief, the literature and legal review will constitute a starting point to be complemented by direct information-gathering and discussion with parties interested in the development of EU Sports Policy, including sports associations or clubs at both professional and amateur level, pan-European umbrella organisations representing sport, national and EU civil servants, the private sector and academics.

Partners: University of Leiden, Edge Hill University, Leeds Metropolitan University
Sponsor: European Parliament

Social Dialogue in Professional Basketball (May 2010 – March 2011)



EUROLEAGUE
BASKETBALL



The purpose of the project is that stakeholders, focused on employers, become conscious of their ability to contribute to shaping employment relations / working conditions in an active and participatory way, via the EU Social Dialogue (SD). Also, they will be made aware about developments and good practices in adjoining sectors.

The project promotes and creates awareness about the SD in accordance with article 158 of the TFEU. It identifies the actions that the employers need to take in order to realise SD. Part of this project is the identification of the conditions of employment in basketball of the MS and of the CC; to assess representativeness of the stakeholders; to assess what SD structure is best suitable for EU Basketball; a chart of concrete issues of common concern to stakeholders: there will be an analysis of the use of labour contracts, mobility and migration, youth employment, health and safety, work and family life, anti-discrimination, responses to economic crisis, interrelation between labour laws and regulations of sports

governing bodies. This project is the second SD initiative in basketball following a project from the United EU Basketball players (UBE), it therefore involves both sides of the industry as well as all relevant stakeholders.

Partner: Euroleague Basketball

Sponsor: European Commission, DG Employment, Social Affairs, Industrial Relations and Social Dialogue

Rules of the International Civil Aviation Organisation (ICAO) (July – December 2010)



Ministry of Infrastructure and the Environment



The Dutch Ministry of Infrastructure and the Environment requested the T.M.C. Asser Instituut to research questions regarding the Interna-

tional Civil Aviation Organisation (ICAO) rules which are relevant for the airport spatial planning decision (LIB) Schiphol, such as build height restrictions, keeping away birds and wind. The central approaches in this study were the liberties and possibilities of consideration The Netherlands has in the frame of the ICAO-rules.

Sponsor: The Dutch Ministry of Infrastructure and the Environment

Driving License Sanction Policy (August – Sept 2010)



Ministry of Infrastructure and the Environment

The T.M.C. Asser Instituut carried out research into the systems of measures and sanctions regarding the driving license in several European countries for the Dutch Ministry of Infrastructure and the Environment.

In past years, the Dutch government has taken several road safety measures which affect the status of the driving license. For example, denial of driving authority, null declaration of driving license and many other public/administrative behavioral measures. These measures are consistent internally but make an inconsistent system with problems in the implementation. One of these problems is the public/administrative measures overlapping the criminal measures. This is why the Dutch Ministry of Transport and Water management wanted to screen the system of measures and sanctions. To place this screening in its context, an overview was made of the public/administrative- and criminal systems and “best practices” of other European countries.

Sponsor: The Dutch Ministry of Infrastructure and the Environment

Evaluation Dutch ‘Rule of Law’ Balkan policy 2004 – 2008 (September 2010 – December 2010)



Ministry of Foreign Affairs

For the independent Evaluation Department of the Dutch Ministry of Foreign Affairs, the T.M.C. Asser Instituut performed an evaluation of the Dutch Balkan policy related to ‘rule of law’, as

executed between 2004 and 2008. The 'Inspectie Ontwikkelingssamenwerking en Beleidsevaluatie' (IOB) of the Dutch Ministry of Foreign Affairs will use the Asser-study in its final Report, which will include other policy areas such as Private Sector Development, Environment, and Return of refugees.

Sponsor: Dutch Ministry of Foreign Affairs

Cooperation in the field of Consumer Protection (July 2010- June 2011)



Netherlands Consumer Authority
Ministry of Economic Affairs, Agriculture and
Innovation



Agentschap NL
Ministerie van Economische Zaken



Kingdom of the Netherlands

This project is 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 is to improve consumer protection in Vietnam.

The Vietnamese employees of the Competition Authority, which specializes in consumer law, will be trained during a three-day workshop: *Improving skills to deal with Consumer Protection Cases*. Training and awareness raising conferences will also be organized in 2011, and the T.M.C. Asser Instituut will receive a Vietnamese delegation from the Competition Authority in The Hague for one week in the spring of 2011.

Lead Partner: Dutch Ministry of Economic Affairs

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

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

Macedonia Jurisprudence Project (Sept 2010 – Aug 2013)



Ministry of Foreign Affairs

The goal of this 3-year project is to strengthen the rule of law in Macedonia by focusing on the role and use of jurisprudence in the Macedonian judicial system. The main objectives of this project are increasing awareness among legal professionals about the role of jurisprudence, improving access to domestic and international case law for legal professionals and civil society, and enhancing the use of jurisprudence by legal professionals and Macedonian civil society.

The role of the T.M.C. Asser Instituut is to complete 4 days of training on methodology, techniques and materials, in Skopje, Macedonia.

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Lead Partners: Centre for International Legal Cooperation for the Dutch Ministry of Foreign Affairs (CILC) + Academy for Training of Judges and Prosecutors FYROM

Sponsor: Dutch Ministry of Foreign Affairs

Funding Programme: Programma Maatschappelijke Transformatie (Matra)

Support to the Albanian Ministry of European Integration/ SMEI II (Jan 2010 – June 2010)



The overall objective of this project is to support and strengthen Albania's administrative capacity to implement the Stabilisation and Association and Association Agreement (SAA) and prepare for EU accession.

Role of The T.M.C. Asser Instituut:

- Training of civil servants and support to the inter-ministerial working groups.
- Legal and administrative gap analysis
- Advice on updating the National Plan for the Implementation of the Stabilisation and Association Agreement

Lead partner: Deutsche Gesellschaft für Internationale Zusammenarbeit (GTZ) (Germany) for the Ministry of European Integration

Sponsor: EU (IPA 2008) + German Government (BMZ)

The impact of national rules on unilateral conduct that diverge from Article 102 of the Treaty on the Functioning of the European Union (TFEU): Legal expert European Competition Law (August 2010)



This project aimed at identifying and assessing national competition rules and/or other rules that diverge significantly from Article 102 TFEU, such that that firms engaging in cross-border

trade may face differing treatments in different Member States.

The T.M.C. Asser Instituut provided a legal expert who was responsible for providing an exhaustive overview of the legislation (including pending legislative proposals) and case law related to the object of the study which emanated from The Netherlands.

Lead partner: College of Europe

Sponsor: European Commission, DG Competition

Technical assistance related to the precautionary principle in chemicals regulations (December 2010 – June 2011)



Providing advice as to how the precautionary principle should/may be applied in the context of the different regulatory decisions of EU chemicals legislation, like substance evaluations, authorisations and restrictions.

Partner: Milieu Ltd.

Sponsor: EU Commission, DG Environment

Ongoing and/or completed projects in 2010

Secondment members Asser staff at the Ministry of Housing, Spatial Planning and the Environment (April 2009 – April 2010)

The T.M.C. Asser Instituut signed an agreement with the Dutch Ministry of Housing, Spatial Planning and the Environment for the secondment of Wybe Douma (European Law), Karolien Pieters (European Law) and Jan Anne Vos (Public International Law) as legal advisors to the Ministry.

Studies on Safety of Life at Sea Treaty (SOLAS) project (October 2009 – February 2010)



Ministry of Infrastructure and the Environment

In February 2009 an advice was presented to BBZ (Vereniging voor Beroepschartervaart) regarding the applicability of the conditions

of the Safety of Life at Sea Treaty (SOLAS) for professional sailing ships at sea. A quick scan has been made to investigate the validity of the opinion that SOLAS was never meant for the ships of BBZ. In 2009 a follow-up study was commissioned to the T.M.C. Asser Instituut by the Ministry of Transport, Public Works and Water Management to find conclusive legal proof that historic sailing ships are exempted from the SOLAS convention.

Lead partner: BBZ (Vereniging voor Beroepschartervaart)

Sponsor: Ministry of Transport, Public Works and Water Management

Study on the implementation of the World Anti-Doping Code in the EU

(December 2009 – July 2010)



In December 2009, the Minister of Sport of the Flemish Government commissioned a research project on the implementation of the World Anti-Doping Code in the 27 EU Member States to the T.M.C. Asser Instituut. The aim of the study was to make an inventory on how the

World Anti-Doping Code is implemented, both at governmental and non-governmental level, in the 27 EU Member States of the European Union. The main topic of investigation was to what extent the effort of the World Anti-Doping Agency (WADA) for a harmonised approach to the fight against doping has been realised in the European Union.

At the start of the Belgian EU Presidency in July 2010, the results of the study were presented to the other Member States and the European Commission, and additionally to the Council of Europe, UNESCO and the World Anti-Doping Agency (WADA) as a starting point for further consideration and discussion within the framework of the fight against doping in sport.

Lead Partner: The Minister of Sport of the Flemish Government

Sponsor: European Commission

Appendix 3: Academic Community Organiser

Events organised in 2010

Asser Round Table On The EU area of Freedom, Security and Justice in the wider world: Implementing the external dimension of The Stockholm Programme – A CLEER Expert workshop (5 February, 2010)



The T.M.C. Asser Instituut hosted a conference organised by CLEER on the implementation of the external dimension of the Stockholm Programme, the EU's new multi-annual programme in

the Area of Freedom, Security and Justice. The debate revolved around three topics: (1) basic principles of mutual legal assistance and extradition agreements of the EU with third countries; (2) combating illegal immigration; and (3) data exchange and data protection. Dr. E.M.H. Ballin (Dutch Minister of Justice) delivered the keynote speech. The three main topics were discussed by speakers from academia and from the world of policymaking, under the Chatham House Rule. The closing panel was chaired by Juan Antonio Martin Burgos, representing the Spanish Presidency.

Sponsors: The Dutch Ministry of Justice and the European Commission under the Jean Monnet Life Long Learning Programme Grant.

Dutch rounds Philip C. Jessup International Law Moot Court Competition 2010

(The Hague, 6 February, 2010)



The T.M.C. Asser Instituut is the national coordinator of the Philip C. Jessup international law Moot Court Competition. The Jessup is an international law moot competition which involves more than 600 students from 100 countries. In this role, the institute provides assistance and support to the various university teams participating such that the actual moot competition is successfully run, administered and documented.

Four Participating teams:

- | | |
|--------------------------------|--------------------------------------|
| 1. Universiteit van Amsterdam | Teamcoach: J. Temperman & C. Ahlborn |
| 2. Universiteit Leiden | Teamcoach: F. Baetens |
| 3. Universiteit Utrecht | Teamcoach: G. den Dekker |
| 4. Universiteit van Maastricht | Teamcoach: P. Livaha |



The 33rd Dutch round of this famous Law Moot Court Competition took place in the Palace of Justice, The Hague. In an exciting final round the University of Amsterdam team won against the University of Leiden and went on to compete for a place in the International Rounds (21 – 27 March 2010) in Washington D.C. Here they ranked 29th out of 104 teams.

Sponsors: The Municipality of The Hague, Province Zuid-Holland, M.A.O.C. Gravin van Bylandt Stichting, Röling Foundation, T.M.C. Asser Press, BarentsKrans, Brill | Martinus Nijhoff Publishers.

Climate seminar: Reflections on COP 15 Climate Change Conference and Beyond (The Hague, 11 March 2010)
44 participants

This seminar was aimed at shedding some light on the results of the Copenhagen Climate Change conference of December 2009. To this end, considerations about the history and development of the negotiations, the legal aspects and effects of the Copenhagen Accord, as well as the future of the UNFCCC process were provided by two leading experts in the field: Sanne Kaasjager, Ministry of Foreign Affairs and Deputy Head Dutch delegation UNFCCC and Leonardo Massai, PNG delegation UNFCCC. The seminar was attended by stakeholders, representatives of Embassies, oil and energy companies, academics and consultants involved in the field. In particular, the following was discussed in the seminar:

- considerations about the history and development of the negotiations in one of the longest year ever for climate change negotiations;
- the legal aspects, the main points and effects of the Copenhagen Accord;
- the future of the UNFCCC process and the international fight against climate change after Copenhagen.

CEPIL Seminar: New Conflict of Laws Rules for Contractual Obligations in Europe: Trends and Perspectives (23 April, 2010) 5 Nova points
51 participants



The topics of this seminar were focused on the Regulation (EC) No 593/2008 of the European Parliament and

of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I) which applies to contracts concluded on or after 17 December 2009 in all EU Member States except Denmark. Also, the relevance of the Common Frame of Reference was addressed during this one-day conference.

Sport seminar Bernard Case (The Hague, 28 May, 2010), 2 Nova points
37 participants



The central theme of this seminar was the recent ruling of the Court of Justice of the European Union in the case against Olympique Lyonnais and Newcastle United Olivier Bernard. The subject was discussed from different points of sports law experts by name.

Lunch Lecture by Nicole Betz (Max Planck Institute) on: EU international Cooperation Bodies: Law-making Activities and Judicial Review (The Hague, 22 June, 2010)

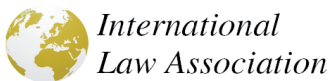


The lunch lecture presented the EU international cooperation law from an empirical point of view and gave examples of such bodies and the law enacted in order to emphasise the

practical relevance of the trend. Further, the influence of such law on domestic law and the internalisation of jurisprudence of the European Court of Justice as well as the judicial review of the legislation of EU international cooperation bodies which is situated in a multi-level system consisting of the international, European and national level were outlined.

Nicole Betz is a research fellow at the Max Planck Institute for Comparative Public Law and International Law in Heidelberg, and worked as guest researcher at the T.M.C. Asser Instituut to conduct research for her PhD thesis on: 'Decisions of Secondary International Cooperation Law as a Legal Instrument of European Union Law: Empiricism – Typology – Rule of Identification and Legal Regime'. Her supervisor is Prof. Von Bogdandy (Heidelberg).

The International Law Association Conference (ILA) "De Iure Humanitatis Peace, Justice and International Law" (The Hague, 15-20 August, 2010)



Frans Nelissen of the T.M.C. Asser Instituut, chaired a Water panel session entitled 'The Millennium Development Goals and Fresh Water Shortage: exploring pathways to solutions'. Solutions for better water availability by e.g. enhancing water system efficiency and effectiveness, water quality control and capacity building, were at the heart of this panel.

The new ILA Committee on Recognition/Non-Recognition in International Law, of which a T.M.C. Asser Instituut researcher is a member, held its very first meeting during the ILA Conference.

Organisers: De Nederlandse Vereniging voor Internationaal Recht (NVIR) and The International Law Association.

‘Europa in het dagelijks leven’ [‘Europe day-to-day’] (April 2009 – January 2011)



Ministry of Foreign Affairs

The objective of the project was to inform the Dutch citizens of the role the European Union plays in terms of policy and decision-making and its impact on their day to day lives, and to ensure that citizens base their opinions on independent facts and sound knowledge of the European Union.

The project received a grant from the ‘Europafonds’ from the Dutch Ministry of Foreign Affairs. The Europafonds aims to support projects that contribute to the public awareness and sharing of information about the European Union in the Netherlands carried out by organisations based in our country.

This project entails 24 lectures in public areas (libraries and town halls) of 12 Dutch cities. Including: Almere, Amersfoort, Arnhem, Assen, Eindhoven, Groningen, Haarlem, Leeuwarden, Maastricht, Middelburg, Rotterdam and Zwolle.

Sponsor: Dutch Ministry of Foreign Affairs

Funding Programme: Europafonds

Social Dialogue in European Professional Basketball (Barcelona, Spain 7 July, 2010)



For the Social Dialogue in European Professional Basketball project the T.M.C. Asser Instituut organised two events in Barcelona together with Euroleague Basketball. Purpose of the events was the introduction of the Social Dialogue in European Professional Basketball. In total 60 participants took part in these events.

Partner: Euroleague Basketball

Sponsor: European Commission, DG Employment, Social Affairs, Industrial Relations and Social Dialogue

CLEER Conference: External Action and Representation of the European Union: Implementing the Lisbon Treaty (Brussels, 9 July 2010)



CLEER, in co-organisation with the Leuven Centre for Global Governance Studies and the Swedish Institute for European Policy Studies, held a conference at the University Foundation in Brussels on the recent changes in the external action and representation of the European Union. The topical nature of the conference was reflected in the high level of attendance (97 participants) and the debates were fuelled by the insightful comments of a remarkable line-up of speakers representing the legal services of the Council, Commission and EP, as well as several Member States’ ministries of foreign affairs, including that of the

EU Presidency. Renowned academic experts offered their analysis and constructive criticism on the two structural reforms brought about by the Treaty of Lisbon with regard to the external policy of the EU: (i) the rapprochement of the pre-Lisbon structures driving the previously called 'Community model' and the 'intergovernmental model', most tangibly embodied by Catherine Ashton, High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the Commission; and (ii) the creation of a European External Action Service (EEAS). The closing speech was delivered by Dr Luuk van Middelaar, member of the cabinet of the President of the European Council.

Partners: Swedish Institute for European Policy Studies (SIEPS) and Leuven Centre for Global Governance Studies

Sponsor: European Commission under the Jean Monnet Life Long Learning Programme Grant

Seminar entitled 'The Concept of Lex Sportiva revisited' delivered at the Indonesia Lex Sportiva Instituta (Jakarta, Indonesia 22 September 2010)



This conference was organized by Pelita Harapan University (UPH) in cooperation with the Indonesia Lex Sportiva Institute and with the support of the Office of the Minister of Youth and Sport of the Republic of Indonesia, the National Olympic Committee of Indonesia, the T.M.C. Asser Instituut and the Indonesian League of professional football.

At the conclusion of the Conference the "Jakarta Declaration on Lex Sportiva" was adopted and signed by the HISLA members present.

At the conclusion of the Conference the "Jakarta Declaration on Lex Sportiva" was adopted and signed by the HISLA members present.

Organisers: Pelita Harapan University + Indonesia Lex Sportiva Institute

The 9th Asser-Clingendael International Sports Lecture 'The Lisbon Treaty and EU Sports Policy: New Possibilities for EU Action?' (The Hague, 6 October 2010)



The ninth lecture in the series dealt with "The Lisbon Treaty and EU Sports Policy: New Possibilities for EU Action?". Presentations on the subject were given by Prof. Dr Stephen Weatherill, Richard Parrish, Borja Garcia Garcia, and Mr Toine Manders and Members of the European Parliament. The following representatives of stakeholders' organisations then gave their opinion on what the EU's priorities for sport should be: Jacob Schouenborg (International Sport and Culture Association (ISCA Europe)), Anna-Mari Hämäläinen (European Non-Governmental Sports Organization (ENGSO)/EOC EU Office), Walter Palmer (European Elite Athletes Association), Dave Boyle (Supporters Direct Europe), René Haantjes (European Athlete as Student Network (EAS)), Julien Zylberstein (UEFA), and David Frommer (European Club Association (ECA)).

Partner: Netherlands Institute of International Relations Clingendael

Workshop/Round Table Social Dialogue in European Professional Basketball
(Barcelona, 15 October 2010)



Basketball is the second sport in the EU and in the Candidate Countries. It is characterized by its international labour market; flexibility / mobility of workers; big differences between national laws and a lack of a European instrument to tackle labour issues of common concern, to improve employment relations and to reduce disputes.

The T.M.C. Asser Instituut carried out a project to promote discussion and create awareness about the European social dialogue as an instrument to tackle labour issues of common concern to all stakeholders involved in European professional basketball. This entailed researching the legal environment in the labour market of professional basketball from an umbrella and individual perspective; identifying the envisaged social partners in professional basketball with a focus on the role of the employers in a European Social Dialogue; organising high standard conferences and workshops / round table sessions with the stakeholders; identifying the most suitable method for establishing a social dialogue by taking into consideration the specificity of sport and best practices in adjacent sectors and in comparable existing sectoral social dialogue committees.

Partner: Euroleague Basketball

Sponsor: European Commission, DG Employment, Social Affairs and Equal Opportunities

Hague Academic Coalition 6th Annual Conference ‘From Peace to Justice: Understanding Insecurity’ (The Hague, 28 – 29 October, 2010)



Universiteit Leiden

The aim of this conference was to increase the interdisciplinary interaction between academics, policy makers and the judiciary.

The following parallel workshops were held, prepared by the participating institutes:

- Understanding Insecurity in the Changing Global Landscape (Clingendael)
- Insecurity and Aggression (T.M.C. Asser Instituut, Leiden University – Campus The Hague, International Centre for Counter Terrorism)
- Insecurity and Civil-Military Cooperation in Afghanistan (JASON, Clingendael)

CLEER Conference: The Influence of International Organizations on the European Union: The EU as an Autonomous Legal Order? (The Hague, 5 November, 2010)



Lifelong Learning Programme

The T.M.C. Asser Instituut hosted this conference organised by CLEER (73 participants). The conference addressed the relationship between the EU and other

international organizations by looking at the impact of norms enacted by international organisations on the shaping of EU law. Distinguished academics outlined the normative impact of decisions of international organisations and agreements concluded between the EU and international organisations. Representatives of international organisations (CoE, WTO, IMF, WIPO, FAO) and EU institutions (Commission and Council legal services) and agencies (Europol, Eurojust, Ombudsman) revealed how international organisations view and interact with the EU and how the EU perceives the influence of (other) international organisations, respectively. The conference papers will be collected in an edited volume and published by T.M.C. Asser Press.

Sponsor: European Commission under the Jean Monnet Life Long Learning Programme Grant

3rd Hague Prize Colloquium on Fundamental Principles of Law: Temporal Issues in International Law (The Hague, 3 December, 2010)

54 participants



The third Hague Prize Colloquium, in Honour of Dame Rosalyn Higgins, revisited the theme of Time and the Law, previously addressed by Dame Rosalyn in her 1996 F. A. Mann Lecture. Temporal issues were explored from the following seven perspectives: (i) Jurisdiction (Alain Pellet); Arbitration (Michael Reisman); (iii) Applicable Law (Vaughan Lowe); (iv) Treaty Law (Peter Kooijmans); (v) International Criminal Law (Philippa Webb); (vi) Human Rights Law (Lord Roger of Earlsferry) and (vii) State Responsibility and Defaults of the Past (Miguel Galvão Teles). The extensive discussions brought out how temporal issues are intricately related to fundamental principles of law.

Partner: Hague Institute for the Internationalization of Law (HiIL)

Sponsors: The Municipality of The Hague, The Dutch ministry of Foreign Affairs, The Dutch ministry of Justice, The Dutch Royal Academy of Sciences (KNAW).

Supranational Criminal Law lecture series 2010



Since 2003, the T.M.C. Asser Instituut together with the Grotius Centre for International Legal Studies (Leiden University, Campus The Hague), and the NGO Coalition for the International

Criminal Court (CICC) the lecture series has been organising the Supranational Criminal Law Lecture series. This weekly lecture series which spotlights aspects of international criminal law of current interests are intended for for graduate students, academics, diplomats, international lawyers, and others working in the international legal sphere in The Hague. The lectures in the spring 2010 were organized and held at the Grotius Centre of International Legal Studies. The autumn series (19 lectures) were organised by and held at the T.M.C. Asser Instituut.

- Dr. Luis Moreno-Ocampo: Policies and prosecutorial strategy of the Office of the Prosecutor of the ICC
- 17 March: Sonia Robla: The role of effective communications in fulfilling the ICC's mandate.
- 24 March: Dov Jacobs: Bridging the gap between the fight against terrorism and international justice: The impossible task of the Special Tribunal for Lebanon?
- 7 April: Helena Vranov-Schoorl and Yaiza Alvarez Reyes: Victims and witnesses protection and support at the ICTY: past, present and future
- 21 April: Prof. Dr. Hector Olásolo: How to promote demobilisation while ensuring criminal responsibility? The case of Colombia.
- 12 May: Prof. Dr. Jan Wouters: The EU and the International Criminal Court: Global criminal governance
- 19 May: Dr. Chantal Joubert and Just Wiarda: The ICC Review conference – What is at stake in Kampala?
- 2 June: Dr. Mia Swart: The internationalization of the reparations debate in South Africa: is ATCA an appropriate mechanism for obtaining apartheid reparations?
- 23 June: Prof. Tim McCormack: Peace v. Justice and the Role of War Crimes Trials
- 29 September: Maria Nybondas, Booklaunch and lecture: The purpose of command responsibility under international criminal law
- 6 October: Nancy Combs on Fact finding in international criminal law
- 13 October: President Wenaweser on Some reflections on the Kampala Review Conference
- 20 October: Micheal Kearney on Palestine and Article 12 of the Rome Statute – The Broader Context of the Debate in International Law
- 27 October: Richard Harvey on How Can You Defend Such People? The Rights of Defence in International Criminal Tribunals
- 3 November: Steven Kay on Bangladesh War Crimes Tribunal— A wolf in sheep's clothing'
- 10 November: Katherine Orlovsky on The significance of the Bemba case for prosecuting gender based crimes at the ICC'
- 17 November: Brenda Hollis on Challenges of Prosecuting a Former Head of State
- 24 November: Yasmin Naqvi; Book launch and lecture on Impediments to exercising jurisdiction over international crimes
- 1 December: Tom Zwart on Relieving the tensions between the AU and the ICC: How to prevent them from ending up like the frog and the scorpion

During the autumn series, there were 2 books launched by the Asser Press.

Maria Nybondas on *“Command Responsibility”* and Yasmin Naqvi on *“Impediments to Exercising Jurisdiction over International Crimes”*.

Appendix 4: Knowledge Transfer

Education and Training Programmes delivered in 2010

Regional Seminar on Cross–Frontier Child Protection in the Southern and Eastern African Region (Pretoria, South Africa, 22 -25 February, 2010)



This course was a follow-up seminar that took place in 2006 in The Hague on the role of the Hague Children’s Conventions.

The seminar examined the role of the Hague Children’s Conventions and addressed the practicalities and challenges of implementing the Hague Children’s Conventions. Subjects discussed were amongst others: cross-border child support, international child abduction, child trafficking, protection of unaccompanied minors, refugee and displaced children.

Participants included senior officials from Ministries from member states of the Southern African Development Community (SADC) with responsibility for the development of child protection policy and the implementation of international instruments concerning children. International and regional organisations such as the African Union, SADC Tribunal, the UN committee on the rights of the child, UNICEF as well as professionals and judges.

Partner: The Hague Conference on Private International Law

International criminal law for Judges from Laos (The Hague, 15-23 March, 2010)



The aim of this training course was to contribute to the effective and efficient administration of justice in Laos and to strengthen the rule of law by familiarizing the participants with international law.

The course focused on international law, international human rights law, international humanitarian law and international criminal law.

Europol & Eurojust: Their Role in EU Police and Judicial Cooperation

(The Hague, May 17 – 18, 2010)



Aimed at fostering knowledge on the legal instruments of the EU in the fields of police and judicial cooperation in criminal matters as well as increasing knowledge on the role of the European institutions in the field of criminal justice, this course also served to promote cooperation between national judicial and police authorities with Eurojust and Europol in the fight against transnational crime.

Co-developed with the principle organisations Europol and Eurojust, it convened a body of key experts in the field to deliver the programme.

Emerging specific issues such as the fight against illegal immigration and the role of **FRON-TEX** and other topics such as the protection of the financial interests of the EU and the cooperation of national authorities with **OLAF**, the anti-fraud office of the EU, were dealt with.

The course was intended for members of the police forces and the judicial authorities of the member States of the European Union.

Partners: Europol + Eurojust

Fourth Summer Law Program in The Hague (The Hague, May 31 – June 26, 2010)



The Summer Law Program provides participants the opportunity to study some of the most important legal issues today in the heart of the international justice community. The ABA-approved, six-credit summer program includes two three-credit courses:

- International Criminal Law - In Search of Accountability provided an introduction to international criminal law and explored the various ways in which national, internationalized and international courts and tribunals have attempted to enforce criminal responsibility for serious violations of human rights and humanitarian law.
- International Legal Approaches to Terrorism in the 21st Century examined counter-terrorism measures from an international and comparative law perspective and considered the interrelation between these measures and the obligations of states under international human rights and humanitarian law.

The program was attended by J.D. and LL.M. students from Washington College of Law and other prominent US universities.

Partner: The War Crimes Research Office of American University's Washington College of Law.

EuJust Lex/Benelux Management of Investigation Course

(The Hague and Luxembourg 31 May -18 June, 2010)



THE HAGUE ACADEMIC COALITION



EUJUST LEX is designed to address the urgent needs in the Iraqi criminal justice system through providing training in the fields of management and criminal investigation to be given to senior officials and executive staff from the judiciary, the police and the penitentiary. From 1 June until 18 June 2010 EUJUST LEX and the Benelux countries jointly organized a Management of Investigation Course for 19 investigative judges and police officers from

Iraq. This was the eighth suchlike training programme for Iraq. The training took place in The Hague, Luxembourg, and Brussels, Belgium.

The purpose of this training was to enhance the knowledge and skills of the Iraqi criminal justice system in the respective areas of responsibility of the participants and to promote closer collaboration between the different actors in the criminal justice system. It was also aimed at raising awareness and practical application of the fair trial standards in criminal proceedings in full respect for the rule of law and human rights which should contribute to the effectiveness

Partners: The Hague Academic Coalition, The European Centre for Judges and Lawyers (EIPA), Federal Police (Directorate of International police co-operation, Directorate of training, Directorate of Administrative Police Operations and the Investigation School), Belgium, the Egmont Institute.

Support to the Albanian Ministry of European Integration

(Tirana, Albania 24 – 28 May, 2010)



Training of civil servants to support to the inter-ministerial working groups responsible for dealing with issues on Transport Policy and External Relations. The overall objective of this project is to support and strengthen

Albania's administrative capacity to implement the Stabilisation and Association Agreement (SAA) and prepare for EU accession.

Lead Partner: Deutsche Gesellschaft für Internationale Zusammenarbeit (GTZ) (Germany) for the Ministry of European Integration

Sponsor: EU (IPA 2008) + German Government (BMZ)

First annual Hague Summer Programme on Disarmament & Non-Proliferation of Weapons of Mass Destruction in a Changing World (The Hague, August 30 – September 3, 2010)



This summer programme aimed at advancing knowledge sharing and capacity building in the (developing) world and raising interest among the younger generation of professionals and advanced graduate students in pursuing careers in disarmament and non-proliferation as part of the larger process of enhancing stability and security in the world.

The programme was successful in striking a balance between the legal, scientific, diplomatic and military issues relating to the broad spectrum of WMD's in a contemporary world. It linked the disarmament and non-proliferation efforts and at the same time distinguished the challenges each subcategory of weapons currently face.

Contributors to the programme:

- CTBTO Prep Com: Preparatory Commission for the comprehensive nuclear test-ban treaty organization
- BWC-ISU: Biological Weapons Convention Implementation Support Unit
- IAEA: International Atomic Energy Agency
- UN ODA: United Nations Office of Disarmament Affairs

Partner: The Organisation for the Prohibitions of Chemical Weapons, OPCW

Pathway to Europe (The Hague, October 11 -22, 2010)



Ministry of Foreign Affairs

Two-week tailor-made training programme for Public Prosecutors and senior civil servants from the Supreme Court of Kazakhstan, the Prosecutor General’s Office and Officials of the Ministry for Justice of the Republic of Kazakhstan. This programme was geared

to aid legislative reform in Kazakhstan along international guidelines through the provision of training to both judges and senior civil servants in the framework of the Kazakhstan ‘Path to Europe’ programme. Participants were provided with knowledge and insight into the application of international law and agreements in the field of human rights compliance, the Dutch legal system, with an emphasis on the Judicial system, developing and building their own judicial procedures and systems, law-making procedures and seeking out relevant (international) legal information as well as how to facilitate the administration of justice with new technologies.

The programme structure embodied balance and Interconnectivity between the three components, theory, Practical skills training and Study visits. The Dutch and EU situation was the focal point.

Sponsor: Dutch Ministry for Foreign Affairs

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

(Belgrade, Serbia 18 – 22 October, 2010)



Ministry of Foreign Affairs

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 one week training was part of an ongoing MATRA project providing support to contribute to the process of social transformation in Serbia by facilitating and assisting the Serbian Judiciary in implementing the legislative and institutional adaptations. The aim is to increase the efficiency in the administration of justice. The project will contribute to enhancing legal certainty and predictability for the citizens and legal persons and accordingly will contribute to strengthening democracy and the rule of law in Serbia.

Beneficiaries are the Judiciary in the Republic of Serbia, legal practitioners and legal officials in administrative institutions.

The training programmes will be repeated in 2011 and 2012. Thereby, the project will contribute to enhancing legal certainty and predictability for the citizens and legal persons and accordingly will contribute to strengthening democracy and the rule of law in Serbia.

Partners: University of Novi Sad and Serbian Judicial Training Centre

Sponsor: Dutch Ministry of Foreign Affairs.

Funding Programme: Programma Maatschappelijke Transformatie (MATRA)

Seminar on International Dispute Resolution & Regional Seminar on Choice of Court Agreements (Rio de Janeiro, Brazil, 5 and 8 November, 2010)



Two regional Seminars/ Courses for judges and government officials, who have experience in international legal cooperation.

The starting point for these Seminars was the parallelism between the 1994 Buenos Aires Protocol on International Jurisdiction in Contractual Matters - in force since 6 June 1996 - and the Hague Convention of 30 June 2005 on Choice of Court Agreements (the Choice of Court Convention), whose entry into force awaits a second ratification and is currently under examination of some MERCOSUR States. At respectively the regional and global level, both instruments are designed to reduce the time and expense courts and businesses face when dealing with international jurisdictional issues and enforcement of foreign court decisions.

Partner: the Hague Conference on Private International Law

Euromed Justice II Project: Organisation and functioning of the European cooperation networks in criminal matters and functioning of Eurojust

(The Hague, November 8 – 12, 2010)



Ministry of Security and Justice



One week training programme (18 participants) for judges and policy advisers. The broad based programme included issues relating to combating international crime, such as cyber-crime, human trafficking, financial crime, etc.

Participants were from the 9 Mediterranean countries: Algeria, Egypt, Israel, Jordan, Lebanon, Morocco the Palestinian Authority, Syria and Tunisia.

This training was developed as part of the European Commission's regional project in the field of justice in the Euro-Mediterranean area. This project is implemented by a consortium lead by the European Institute of Public Administration (EIPA) and composed of the Inter-

national and Ibero-American Foundation of Administration and Public Policies (FIIAPP) and of the Spanish General Council of the Judiciary (CGPJ).

The overall objective is to contribute to the development of a Euro-Mediterranean area of cooperation on justice. The modernisation of the judicial system underpinning the principles of judges' independence and the consolidation of Mediterranean Partners, are priority areas. Another objective of the project is to develop networks.

Sponsors: Dutch Ministry of Justice and the European Centre for the Regions (ECR), Antenna of the European Institute of Public Administration (EIPA) in Barcelona.

Macedonia Jurisprudence Training (Skopje, Macedonia, 11-13 November, 2010)



Ministry of Foreign Affairs

4 day Training on methodology, techniques, materials. This training was part of the Matra Macedonia Jurisprudence Project and focused on increasing awareness among legal professionals about the role of jurisprudence, improving access to domestic and international case law for legal professionals and civil society, and enhancing the use of jurisprudence by legal professionals and Macedonian civil society.

Lead Partner: Centre for International Legal Cooperation for the Dutch Ministry of Foreign Affairs (CILC) + Academy for Training of Judges and Prosecutors FYROM

Sponsor: Dutch Ministry of Foreign Affairs

Funding Program: Programma Maatschappelijke Transformatie (Matra)

Course on the International Legal Consequences of a possible independence of Southern Sudan (Juba Southern Sudan 15 -20 November, 2010)



Ministry of Foreign Affairs

A tailor made training for 20 government civil servants from Southern Sudan on the international legal consequences of a possible independence of Southern Sudan".

The aim of the training was to improve the knowledge and skills of the civil servants of Southern Sudan preparing them for the international legal consequences of independence. The participants gained a sound understanding of the underlying notions of international law; an awareness of the international legal consequences of an eventual independence and the practical skills and know-how to cope with the international legal consequences.

Partners: The Hague Academic Coalition, Ministry of Legal Affairs and Constitutional Development of Southern Sudan.

Sponsor: Dutch Ministry of Foreign Affairs/ Royal Netherlands Embassy in Khartoum

Arbitral Awards in International Commerce (The Hague, The Netherlands 22-26 November, 2010)



One week training programme for 11 participants (judges from the Supreme Court of Kazakhstan and staff).

This tailor-made programme was designed in response to the requirement for assistance in aiding efforts to increase the capacity of judges within the Supreme Court of the Republic of Kazakhstan along international guidelines. The aim of the training was to equip participants with knowledge and practical skills that will enable them to enhance their effectiveness in resolving commercial disputes in accordance with international standards and to provide support to arbitration in a manner that meets the needs of international commerce and contribute in preparing for ascension to the World Trade Organization (WTO). Also, to create understanding among the participants of the European judicial authorities and their roles, knowledge and abilities and to stimulate and strengthen the bilateral judicial cooperation between Kazakhstan and EU member states.

The programme structure embodied balance and interconnectivity between the three components: theory, practical skills training and study visits, with Arbitral Awards rendered in cases involving international commercial transactions being the focal point.

Lead Partner: Chemonics

Sponsor: USAID

Investigation Skills on Consumer Protection and Unfair Competition “Co-operation in the field of Consumer Protection”. (Hanoi, Vietnam 23 – 25 November, 2010)



Agentschap NL
Ministerie van Economische Zaken

A 3-day Training programme was held for employees of the Vietnamese Competition Authority (44 participants) specialising in consumer law. The programme dealt with major areas of consumer protection legislation but was primarily devoted to improving the participants’ skills in dealing with Consumer Protection Cases. This training is part of a Government to Government (G2G) programme aimed at establishing sustainable (working) relationships between governmental institutions in The Netherlands and in Vietnam, supporting the strengthening of an enabling environment for entrepreneurship in Vietnam and supporting ‘good governance’.

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

Sponsor: Dutch Ministry of Economic Affairs

The T.M.C. Asser Instituut, in the framework of an agreement with the Hague Academic Coalition (www.haguejusticeportal.net), is responsible for the implementation and organisation of the Hague Forum for Judicial Expertise (www.hfje.nl).

The mission of the *Hague Forum* is to provide judges, prosecutors and other professionals working in the justice sector a firm grounding in international law and improve the application of international law in domestic courts.

Principle activities involve the development and delivery, (in The Hague and on location) of tailor-made courses specifically designed to meet the needs of the participants and to address the issues that are relevant to the political and legal context of their country. The courses usually comprise a mix of theoretical knowledge of international law, practical tools to apply international law in the domestic courts, essential skills to contribute to the development of international law, useful study visits to international tribunals.

Appendix 5: Institute for Counterterrorism - The Hague

Institute for Counterterrorism (ICCT) Activities 2010  International Centre for Counter-Terrorism - The Hague

Official Opening ICCT – The Hague www.icct.nl

31 May, 2010. During a conference in the Peace Palace on the 31st of May 2010, ICCT – The Hague was officially opened by Dutch Minister for Foreign Affairs Mr. Maxime Verhagen, in the presence of approximately 200 distinguished guests. Ms. Michèle Coninx (EUROJUST), Mr. Richard Barrett (UN Al Qaeda Taliban Monitoring team), Mr. Gilles de Kerchove (EU Counter-Terrorism Coordinator) and Professor Michael Buback presented on contemporary issues and challenges in the field of counter-terrorism from different perspectives, welcoming the new Centre and underlying the great opportunities and challenges that lie ahead.

Seminar ‘Counter-Terrorism, Communication and Non-State Actors’

3 November, 2010. ICCT – The Hague organised a closed-session seminar on the topic of ‘Counter-Terrorism, Communication and Non-State Actors’, prior to the 3rd CVE Workshop hosted by the Netherlands Ministry of Foreign Affairs. The presentations by Dr. Beatrice de Graaf (ICCT – The Hague), Mr. Sadik Harchaoui (FORUM), Ms. Janny Groen (de Volkskrant) and Mr. Shiraz Maher (International Centre for the Study of Radicalisation, London) led to a vibrant debate on responses to terrorism and the added value of cooperation with non-governmental actors. Approximately 35 participants from various governments participated in this seminar.

Expert Meeting and Paper ‘Lone Wolves: How to Prevent This Phenomenon?’

5 November, 2010. Leading experts discussed the rise of the Lone Wolf terrorists and analysed the challenges governments, police and intelligence agencies face in dealing with this threat. Professor Mark Hamm (Indiana State University), Professor Christopher Hewitt (University of Maryland) and Dr. Leena Mallkki (University of Helsinki) discussed best practices for policing, intelligence and policymakers in identifying and capturing lone wolves, as well as how to respond and develop the right counter-narrative. NCTb and KLPD experts concluded the meeting with a brief analysis of their institutional experience in dealing with this issue. Following the expert meeting, ICCT has published a paper on the phenomenon of Lone Wolf terrorism discussing the causes and characteristic of these terrorists, as well formulating policy recommendations on how to deal with this threat. The paper has been authored by Dr. Edwin Bakker and Dr. Beatrice de Graaf.

Seminar ‘Where Are We Going? Counter-Terrorism and Human Rights’

7 December, 2010. ICCT – The Hague and the Centre for Terrorism and Counter-terrorism (CTC) of Leiden University/Campus The Hague hosted a seminar on the nexus of counter-terrorism measures and human rights, entitled: ‘Where are we going? Is the double helix of human rights and counter-terrorism moving upwards or downwards?’ Keynote speaker Professor Amos Guiora (University of Utah) analysed the American experience and ICCT – The Hague Research Fellow Dr. Quirine Eijkman looked at the current situation in Europe

and the Netherlands in particular. Approximately 30 participants engaged in a lively debate on the need for developing a long-term counter-terrorism strategy with full respect for human rights.

ICCT – The Hague International Launch Conference

12 - 13 December, 2010. ICCT – The Hague held its International Launch Conference entitled ‘Ten Years after 9/11: Evaluating a Decade of Intensified Counter-Terrorism’. Over 200 high-level international experts from various governments, academic institutions and NGOs gathered to discuss the status of counter-terrorism as the year 2011 drew near, in which it will be 10 years since the devastating attacks on the United States. The conference commenced with a welcome dinner accompanied a speech by Mr. Dan Gardner (Canadian Journalist and Author) on 12 December. Following the Conference’s formal opening on December 13 by Professor Jaap de Hoop Scheffer, the plenary morning session started with two keynote speakers, Mr. Michael E. Rolince (former Special Agent in Charge of the FBI Washington Field Office Counterterrorism Division) and Mr. Imtiaz Gul (Journalist and Director of the Center for Research and Security Studies, Islamabad), who gave the audience a bird’s eye overview of a decade of counter-terrorism from two very different geographical and institutional perspectives. During the subsequent plenary panel discussion, Prof. Dr. Martha Crenshaw (Stanford University) and Mr. Richard Barrett (Coordinator UN Al-Qaida / Taliban Monitoring Team) commented on the earlier presentations and presented their own analyses of implemented counter-terrorism policies and measures over the last ten years. The afternoon segment of the conference consisted of four Panel Workshops, each looking into the progress that has been made over the last decade in a specific area of counter-terrorism. At the end of the workshop sessions, each Chair reported back various policy recommendations and areas of future research in relation to the workshop’s theme.

ICCT Publications

Conference Report ‘Ten Years After 9/11’

A detailed report on the ICCT International Launch Conference proceedings, including a summary of the various presentations by the speakers and panellists has been published on the ICCT website early February 2011. This report also includes a range of policy and research recommendations that resulted from the panel workshops.

Research Paper ‘Why Communication and Performance are Key in Countering Terrorism’

In this research paper, Research Fellow Dr. Beatrice de Graaf emphasises the importance of effective communication and performance in the fight against terrorism and the fear it aims to induce. Essentially, terrorists and states are conducting ‘influence warfare’, a battle to convince and persuade the different target audiences to rally behind them. In this battle of perceptions, the different government agencies need to be aware of the often implicit and unwittingly produced ‘stories’ they tell to counter those narrated by the terrorists.

Study ‘Discriminatory Side Effects of Preventive Counter-Terrorism Measures’

Late March 2010, ICCT – The Hague published a study conducted by Dr. Quirine Eijkman on discriminatory side effects of preventive counter-terrorism measures. This study examined the prevent-strand of the counter-terrorism strategy in the Netherlands and the United Kingdom and the (potential) negative – specifically discriminatory – side effects of these

measures. The study made a number of recommendations on best practices and areas of improvement.

ICCT Commentaries

Approximately once per month, ICCT – The Hague publishes a commentary by one of its staff members on the website, dealing with current affairs or the dissemination of research findings related to (counter-)terrorism. These commentaries have covered a range of topics such as the analysis of the legal measures taken in the fight against terrorism, the need for strengthening resilience to counter the fear terrorists aim to spread and the reason why the revolts in Egypt prove the bankruptcy of Al Qaeda's tactics.

Seminar 'Negotiating with Terrorist Organisations'

On 10 March 2010, ICCT – The Hague hosted a seminar entitled 'Negotiating with Terrorist Organisations'. During the seminar, Dr. Isabelle Duyvesteyn (Utrecht University) elaborated on the role that negotiations can play within a broader counter-terrorism context. Subsequently, Dr. Olivier Bangerter (International Committee of the Red Cross' Advisor for Dialogue with Armed Groups) offered his insights on the subject from a practitioner's perspective.

Impunity Study

Dr. Peter van Krieken, seconded to ICCT – The Hague by the Dutch Ministry of Security and Justice, is exploring the issue of (alleged) impunity of terrorists and examines whether current legal instruments are sufficiently capable to hold terrorists accountable for their actions. This research will cumulate in a comprehensive study in the first half of ICCT's second year.

Contributions to OSCE meetings in Kazakhstan, Uzbekistan and Bosnia and Herzegovina

Director Peter Knoope and Research Fellow Dr. Edwin Bakker were invited to participate in three OSCE conferences on terrorism. Peter Knoope gave two presentations: In Kazakhstan, on 14 October 2010, he delivered a keynote speech on successful strategies, effective policies and best practices to prevent terrorism. In Uzbekistan on 10 December 2010 he presented on the topic of violent extremism in Europe. Edwin Bakker presented on factors conducive to the spread of terrorism and at-risk communities during an OSCE Workshop on 'Public Private Partnerships to Suppress Terrorist Financing and Counter Violent Extremism and Radicalisation that Lead to Terrorism' in Sarajevo on 10 December 2010.

Informal Closed-Session Meetings

Throughout the first year, ICCT has organised a number of ad-hoc, informal closed-session meetings on a number of current affairs. For example, several meetings were held on the consequences of the 2010 Pakistan floods and the subsequent humanitarian relief efforts on the socio-political and security situation in that country. During these meetings, several representatives of NGOs and Humanitarian Aid Agencies and policymakers from various departments with a focus on humanitarian aid and security discussed their views on the impact of the unfolding situation and the societal and security context in which it took place. Another example is the closed-session organised at the Clingendael Institute on the effects the recent uprisings throughout Northern Africa and the Middle East, during which the effects and likely future scenarios of these developments were discussed in relation to Dutch/European (security) interests in that region.

Appendix 6: T·M·C·ASSER PRESS



In 2010 T.M.C. Asser Press published 19 new book titles and 16 journal issues, and one reprint of its backlist. It has now a backlist of more than 194 titles. Despite the uncertain world economy, reduced library budgets, and a weak British pound and US dollar the Press performed reasonably well.

T.M.C. Asser Press signed a long-term contract with Springer-Verlag for the production, marketing, sales, and distribution of its English language book programme. This new collaboration will not only have a positive impact on the marketing and sales efforts of the Asser Press books worldwide through Springer's extensive network with offices in more than 20 countries around the world, but also the added benefit that our books will also be distributed as e-books. Springer is not only the largest academic book publisher, but also the leading e-book publisher with more than 40,000 e-book titles. The Press will also be less vulnerable to foreign exchange fluctuations. The effects of this transition will be visible and measurable for Asser in 2011.

The marketing and sales of the Asser Press journals will continue with the journal division of Cambridge University Press. The journals were able to hold their position in the market place. The number of consortia subscribers grew steadily through Cambridge Journals Online. There are now more than 1500 libraries worldwide having access to our journals electronically. The Cambridge Journals Digital Archive with the back volumes (prior to 2004) of our English language journals and yearbooks is performing well and has resulted in increased usage and visibility of our periodicals.

The book *Principles of International Criminal Law* (Prof. Gerhard Werle (Humboldt Universitaet, Berlin) is now published in English, German, Chinese, Italian and Spanish. There are further plans for Russian and French editions.

The T.M.C. Asser Instituut continued its support for its important yearbooks, which resulted in the publication of the *Netherlands Yearbook of International Law*, Volume 40 (2009) under the General Editorship of Ige Dekker and Ellen Hey and the appearance of the Volumes 11 and 12 of the *Yearbook of International Humanitarian Law*. The publication of Volume 11 marked the last volume under the General Editorship of Tim McCormack, who was succeeded by Michael Schmitt.

The *European Constitutional Law Review (EuConst)* improved its ranking and impact factor in the important Science Citation Index (SCI) of Thomson Reuters (Philadelphia, USA). It is now ranked 64 out of 115 journals with an impact factor of 0.708. In the previous SCI report it was ranked 73 out of 104 journals with an impact factor of 0.524.

Westlaw UK has accepted the *European Constitutional Law Review*, the *European Business Organization Law Review* and the *Hague Journal on the Rule of Law* for coverage in its important online legal research service, which will enhance the usage and visibility of these three journals.

Under T.M.C. Asser Press's Hague Academic Press imprint several titles appeared, such as *Jihad and its Challenges to International and Domestic Law* (Eds.: M. Cherif Bassiouni and A. Guellali) in its Hague Colloquium on the Fundamental Principles of Law Series; the *Dynamics of Constitutionalism in the Age of Globalization* (Eds.: Morly Frishman and Sam Muller) in the From Peace to Justice Series; and *Highest Courts and Globalization* (Eds.: Sam Muller and Sydney Richards) in the Law of the Future Series.

T.M.C. Asser Press successfully launched its new and innovative website (www.asserpress.nl), which will service customers and authors worldwide with up-to-date information on its publications. At a special conference at the Dutch Ministry of Foreign Affairs, Mr. Koenders (Minister for Development Cooperation) was presented with the first copy of *The 1998 – 2000 War between Eritrea and Ethiopia: An International Perspective* (Eds.: A. de Guttery, H. Post, G. Venturini). T.M.C. Asser Press promoted its publications not only at a great number of local conferences, but also at major international conferences such as the American Society of International Law (Washington, DC), the European Society of International Law (Cambridge, UK), and the International Law Association (The Hague). Additionally, special book launches were organised at the Grotius Centre (The Hague) for *Future Perspectives in International Criminal Justice* (Eds.: Carsten Stahn and Larissa van den Herik) and *The Notion of Progress in International Law Discourse* (Thomas Skouteris); at the T.M.C. Asser Instituut for *Command Responsibility and its Application to Civilian Superiors* (Maria Nybondas) and *Impediments to Exercising Jurisdiction over International Crimes* (Yasmin Naqvi); and at the United Nations House (UNDP, Moscow, Russia) for *Environmental Finance and Socially Responsible Business in Russia: Legal and Practical Trends* (Eds.: W.Th. Douma and Fiona M. Mucklow)

The following 2010 titles deserve special mention:

Netherlands International Law Review - Volume 57 – 2010 (Editor-in-Chief: P. Vlas)

Its first issue published the translation of Chapter 8 of the Report of the Dutch Committee of Inquiry of the War in Iraq: the Basis in International Law for the Military Intervention in Iraq. Its second issue was devoted to "One Hundred Years of the Netherlands Society of International Law (1910 -2010)".

Nederlands Internationaal Privaatrecht - NIPR - Volume 28 - 2010

Eds.: X.E. Kramer et al.

This bilingual journal (Dutch and English) devoted its third issue to the Dutch Proposal on Private International Law (Book 10 of the Dutch Civil Code).

The European Union and Peace building: Policy and Legal Aspects

Eds.: S. Blockmans, J. Wouters and T. Ruys

Like conflict prevention and crisis management, 'peacebuilding' forms an integral part of the European Union's external policy efforts to break the cycle of conflict, insecurity and poverty. A concept developed in the context of the United Nations, the EU's Lisbon Treaty mentions 'post-conflict stabilisation' among the tasks which the EU is set to perform in the implementation of the Common Security and Defence Policy. The proliferation of the EU's institutional and operational mechanisms to build peace in post-conflict environments has led to a whole series of new policy and legal questions, which are addressed by leading practitioners and academics in this unique book. The contributions take into account the

final text of the Lisbon Treaty and the lessons learned from more than twenty military and civilian operations. It outlines the parameters for future decision-making and capacity-building. Thematic contributions are combined with concrete case studies, at the same time offering insights into how the EU's peacebuilding tools are implemented in practice

Environmental Finance and Socially Responsible Business in Russia: Legal and Practical Trends

Eds.: W.Th. Douma and F.M. Mucklow

This book focuses on the legal and practical aspects of environmental finance and socially responsible business practices in Russia since the 1990s. While in the past most books gave a rather one-sided and negative picture, here a more positive and balanced outlook is given by Russian and non-Russian experts with broad local experience. The final result is a valuable introductory insight into the progress of environmental and socially responsible business practices in Russia.

The Effects of EU Citizenship: Economic, Social and Political Rights in a Time of Constitutional Change

F. Goudappel

This book explores the influence of the EU on citizenship rights, especially in view of the fight against terrorism and the constitutional changes negotiated in the last decade.

The Application of EU Law in the New Member States: Brave New World

Ed.: A. Łazowski

A unique book, which provides readers with an in-depth analysis of EU-related legal developments in the twelve new Member States of the European Union. One should not think of those countries as children of a lesser God, but rather a Brave New World negotiating its way in the contemporary Europe.

The Constitutional Integrity of the European Union

Eds.: F. Amtenbrink and P.A.J. van den Berg

ISBN 9789067043342

This book explores the consequences of European constitutionalisation for the integrative function of national constitutions, and examines in what way national constitutional orders contribute to the constitutional integrity of the European Union. It is highly relevant to the ongoing debate about constitutionalism in the context of the European Union, since many of the substantive ideas of the failed Constitution for Europe, shorn of its symbols and overtones, are being resurrected in the Treaty of Lisbon.

The Integration of the Mediterranean Neighbours into the EU Internal Market

K. Pieters

With a Foreword by Herman Van Rompuy, President of the European Council

This book offers the first comprehensive overview and analysis of policies and instruments employed to integrate the Mediterranean countries in the EU internal market. It examines the Euro-Med Partnership, the European Neighbourhood Policy, the 'Barcelona Process: the Union for the Mediterranean', the Euro-Med Association Agreements, and the ENP Action Plans, in combination with a thorough analysis of the most relevant case law of the European Court of Justice.

Command Responsibility in International Criminal Law

Ch. Meloni

This book offers an in depth study of the *command responsibility* doctrine, pursuant to which military commanders and civilian leaders can be held responsible for the crimes committed by their subordinates that they failed to prevent or punish. It provides a systematic analysis of command responsibility, outlining its different forms and finding it a proper role within the complex net of responsibilities that connotes the commission of international crimes.

Command Responsibility and its Application to Civilian Superiors

M.L. Nybondas

Article 28 of the Rome Statute explicitly provides that the command responsibility doctrine may be applied to both ‘commanders and other superiors’, and sets out separate criteria for the two categories of superiors. The question arises how the doctrine should be applied by the International Criminal Court and by other international courts and tribunals. The author examines the applicability of the command responsibility doctrine to civilian superiors, taking as a point of departure the origin of the doctrine and the unique position of the commander.

The Genocide Convention Sixty Years after its Adoption

Eds.: Ch. Safferling and E. Conze

This volume examines the Genocide Convention from historic, legal and social science perspectives. Contemporary witnesses also report on their experiences of the Nuremberg, the Eichmann and the Auschwitz trials. Their contributions offer a range of insights on the practical problems and academic discussion surrounding the prosecution of genocide. It is an important contribution to the worldwide debate on and prosecution of genocide.

International Criminal Procedure: A Clash of Legal Cultures

Chr. Schuon

This book provides brief depictions of procedural elements, allowing readers to acquaint themselves quickly with the civil law and common law systems’ procedures; a summary of the analysis in a nutshell, making the book accessible for readers with little time at their disposal.

Permanent Court of Arbitration – Summaries of Awards 1999-2009

Eds.: B. Macmahon and F.C. Smith

This volume contains detailed, concise summaries of thirty-one awards, and a critical analysis of the PCA’s contribution to international law and international dispute resolution by Professor J.G. Merrills, Professor of International Law at the University of Sheffield, United Kingdom.

The State of Interdependence: Globalization, Internet and Constitutional Governance

IT & Law Series Volume 19

R.W. Rijgersberg

The State of Interdependence explores the implications of globalization for constitutional governance. The study examines how globalization, viewed as a process increasing the level of transnational interdependence between actors, is shaping modern governance in the public interest. It uses the Internet’s interdependency-imposing nature as starting point for

the inquiry since the Internet is the most important and inclusive manifestation of the globalization phenomenon in terms of transnational interdependence. The interdependent context has far-reaching implications for today's democratic constitutional governance and ultimately calls for a re-examination of our philosophical understanding of decision-making in the public interest in terms of legitimacy, accountability and representation.

List of Publications - 2010

Periodicals and Yearbooks

Netherlands International Law Review - Volume LVII - 2010

Editor-in-Chief: P. Vlas

ISSN 0165-070X; 3 issues p.a.

Online ISSN 1741-6191

European Business Organization Law Review (EBOR) – Volume 11 – 2010

Editor-in-Chief: R. Kulms

ISSN 1566-7529; 4 issues p.a..

Online ISSN 1741-6205

European Constitutional Law Review – EuConst – Volume 6 – 2010

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 HOGENDORP centre for European Constitutional Studies, University of Amsterdam

Hague Journal on the Rule of Law – Volume 2 – 2010

Editors-in-Chief: J. Faundez and R. Peerenboom

Print ISSN 1876-4045; 2 issues p.a.

Online ISSN 1876-4053

A publication in co-operation with the Hague Institute for the Internationalisation of Law.

Nederlands Internationaal Privaatrecht - NIPR - Volume 28 - 2010

Eds.: X.E. Kramer et al.

ISSN 0167-7594; 4 issues p.a.

Yearbook of International Humanitarian Law (YIHL) - Volume 11 – 2008

General Editor: T.L.H. McCormack

ISBN 9789067043144 / ISSN 1389-1359

Yearbook of International Humanitarian Law (YIHL) - Volume 12 – 2009

General Editor: T.L.H. McCormack

ISBN 9789067043359 / ISSN 1389-1359

Netherlands Yearbook of International Law (NYIL) - Volume XL – 2009

General Editors: I.F. Dekker and E. Heij

ISBN 9789067043106 / ISSN 0167-6768

Monographs and Edited Volumes

Environmental Finance and Socially Responsible Business in Russia: Legal and Practical Trends

Eds.: W.Th. Douma and F.M. Mucklow

ISBN 9789067043304

The Genocide Convention Sixty Years after its Adoption

Eds.: Ch. Safferling and E. Conze

ISBN 9789067043151

The Principality of Monaco: State, International Status, Institutions, 2nd Edition

G. Grinda

ISBN 9789067043328

The Effects of EU Citizenship: Economic, Social and Political Rights in a Time of Constitutional Change

F. Goudappel

ISBN 9789067042789

The Application of EU Law in the New Member States: Brave New World

Ed.: A. Łazowski

ISBN 9789067042741

The European Union and Peace building: Policy and Legal Aspects

Eds.: S. Blockmans, J. Wouters and T. Ruys

ISBN 9789067043298

The Constitutional Integrity of the European Union

Eds.: F. Amtenbrink and P.A.J. van den Berg

ISBN 9789067043342

Permanent Court of Arbitration – Summaries of Awards 1999-2009

Eds.: B. Macmahon and F.C. Smith

ISBN 9789067043199

International Criminal Procedure: A Clash of Legal Cultures

Chr. Schuon

ISBN 9789067043007

The Integration of the Mediterranean Neighbours into the EU Internal Market

K. Pieters

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Command Responsibility in International Criminal Law

Ch. Meloni

ISBN 9789067043243

Command Responsibility and its Application to Civilian Superiors
M.L. Nybondas
ISBN 9789067043274
Law of the Future Series
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Highest Courts and Globalisation
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ISBN 9789067043281

Hague Colloquium on Fundamental Principles of Law
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Jihad and its Challenges to International and Domestic Law
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Student readers

From Peace to Justice Series
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ISBN 9789067043021

Information Technology and Law Series

The State of Interdependence: Globalization, Internet and Constitutional Governance
IT & Law Series Volume 19
R.W. Rijgersberg
ISBN 9789067043311

Reprint

Terrorism and the Military: International legal Implications
W.P. Heere
ISBN 9789067041610

Preview of Publications for the year 2011

T.M.C. Asser Press faces a challenging year in 2011 with approximately 30 new books and 16 journal issues to be published. In 2011 all new English language books, in collaboration with Springer-Verlag, will be produced, marketed, sold, and distributed, both in hardcopy and e-book format.

The *Yearbook of International Humanitarian Law (YIHL)* will publish its Volume 13 (2010) under the editorship of M. Schmitt. The *Netherlands Yearbook of International Law* (Eds.: I. Dekker and E. Hey) is scheduled to publish its Volume 41 (2010), which carries the theme *Necessity Across International Law*.

The *European Business Organization Law Review*, the *European Constitutional Law Review*, and the *Hague Journal on the Rule of Law* will be included in Westlaw UK, which will enhance their visibility and acceptability worldwide.

T.M.C. Asser Press will publish several student readers:

- As inter-university institute T.M.C. Asser Instituut will collaborate with the Dutch Law Faculties on the new edition of its well-known student reader *Elementair Internationaal Recht – Elementary International Law - 2011*;
- *The Area of Freedom, Security and Justice after the Lisbon and Stockholm* (F. Goudappel, J. de Zwaan en S. Wolff);
- In cooperation with the Dutch Red Cross the new student reader *Inleiding Humanitair Oorlogsrecht* (B. Pieters, A. Vermeer);

The new series *Legal Services of General Interest* (Eds. J. Van de Gronden, E. Szycszak, U. Neergaard, M. Krajewski) will be launched with the publication of:

- *Health Care and EU Law* (J. van de Gronden, E. Szycszak, U. Neergaard, M. Krajewski);
- *Developments in Services of General Interest* (Eds.: Erika Szycszak, Jim Davies, Mads Adenaes, Tarjei Bekkedal)

The well-established *IT & Law Series* will add several new volumes to its list, among them: *Innovating Government: Normative, Policy and Technological Dimensions of Modern Government* (Volume 20, Eds.: M. Groothuis and S. van der Hof) and *Financial Identity Theft: Challenges and Countermeasures* (Volume 21, N.S. van der Meulen)

Several titles will be published in the *Asser International Sports Law Series*, such as:

- *Sports Betting: Law and Policy* (P. Anderson, I. Blackshaw, R. Siekmann);
- *The Court of Arbitration of Sport and Football: Landmark Decisions* (A. Wild and R. Siekmann);
- *Sports Marketing Agreements* (I. Blackshaw).
- *European Sports Law - Collected Papers, 2nd Edition* (S. Weatherhill)

In the *Law of the Future Series* (The Hague Institute for the Internationalisation of Law) *Globalisation: The Nation, The State and Private Actors* (Eds.: D. Raic, K. Kryczka) will be published under the Hague Academic Press imprint

Many other titles are planned, including:

- *Essays on Law and War at the Fault Lines* (M. Schmitt);
- *International Criminal Justice, Harmonisation and Fragmentation* (Eds.: L. van den Herik and C. Stahn);

- Implementation of the Services Directive of the European Union (Eds.: U. Stelkens and W. Weiss);
- EU External Relations Law and Policy in the Post-Lisbon Era (Ed.: P.J. Cardwell)
- Kyoto Protocol and the EU (L. Massai)
- The Human Right to a Viable Environment (S. Oemrawsingh)
- Civil Litigation in a Globalizing World (Eds.: X. Kramer and R. van Rhee)

T.M.C. Asser Press will continue expanding its publishing programme, with special emphasis on books and e-books in the areas of international law, European law, international criminal and humanitarian law, information technology law, and international sports law. Hence, the Press is actively seeking new publishing proposals and would welcome to discuss these with potential authors.

More information about the T.M.C Asser Press and the Hague Academic Press publications can be found on the website www.asserpress.nl.

Appendix 7: T.M.C. Asser Instituut Inter-university publications

Periodical publications

www.asserpress.nl

Netherlands International Law Review

Editor-in-chief : Prof. P. Vlas (VU University of Amsterdam)

Managing Editor: Dr. Erik Koppe (Leiden University).

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 Instituut, which also hosts the Editorial Office.

Published three times a year, the NILR addresses relevant topics and recent trends in Private and Public International 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 Editorial Board consists of Private and Public International Law experts from the Dutch Law Faculties.

NILR is also available on-line to subscribers through Cambridge Journals Online (<http://journals.cambridge.org/NLR>).

Nederlands Internationaal Privaatrecht

Editor-in-chief: Dr. Xandra Kramer (Erasmus University Rotterdam)

Editorial Assistant: Wilma van Sas (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.

There are four issues each year of which the fourth is a thematic issue.

In 2008, *NIPR* also opened its doors to English language articles to meet the demand from its foreign subscribers.

In 2009 *NIPR-Online* (www.nipr-online.eu/www.nipr-online.eu) was launched, which is available to subscribers. It features all current *NIPR* issues and also back volumes going back to the year 2000 and Literature and Jurisprudence to 1983. Currently the Treaty and Legislation sections are being developed, which will be on-line in 2011. *NIPR-Online* is supported by a specially developed content management system which facilitates sophisticated searches. Its user-friendly environment allows multiple users to simultaneously access the same content. It was well received in the market place.

The Editorial Board comprises staff working in the area of Private International Law at the T.M.C. Asser Instituut and Dutch experts in Private International Law. In 2010 *NIPR Volume 28* (four issues) was published. Issue 4 was a special thematic issue on the draft Book 10 of the Dutch Civil Code.

European Business Organisation Law Review

Editor-in-chief is Dr. Reiner Kulms (Max Planck Institut für Ausländisches und Internationales Privat Recht, Hamburg, Germany).

Since 2000, the *European Business Organization Law Review (EBOR)* is published by Asser Press in cooperation with the T.M.C. Asser Instituut. *EBOR* 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 Editorial and Advisory Board consists of experts in the field from all over the world. In 2010 Volume 11 of *EBOR* was published. *EBOR* is also available on-line to subscribers through Cambridge Journals Online (<http://journals.cambridge.org/action/displayJournal?jid=EBR>).

Netherlands Yearbook of International Law

General Editors: Prof. Dr. I.F. Dekker (Utrecht University) and Prof. Dr. E. Hey (Erasmus University Rotterdam).

Managing Editor: Mónica Ambrus from October 2010 (Erasmus University of Rotterdam). Mr L.A.M.N. Barnhoorn, (T.M.C. Asser Instituut) until October 2010.

Since 1970, the *Netherlands Yearbook of International Law (NYIL)* has been published under the auspices of the T.M.C. Asser Instituut. In addition to scholarly articles the *NYIL* contains a documentation section with surveys of State Practice, Treaties, Municipal Legislation and Judicial Decisions, prepared by the staff of the T.M.C. Asser Instituut. The Editorial Board consists of Public International Law experts from the Dutch Law Faculties.

In 2010 the *NYIL* published its Volume 40, which is available, not only as traditional book, but also as journal product (hardcopy and on-line) through Cambridge University Press (Journals) (<http://journals.cambridge.org/action/displayJournal?jid=NYL>).

In preparation of Volume 41 (2010) of the *NYIL*, to be published in 2011, a seminar on the Concept of Necessity was held on 24 and 25 April 2009 at the VU University of Amsterdam. The speakers of the seminar will develop their lectures into articles for *NYIL* 2010. Wouter Werner and Tarcisio Tarzini, both of the VU University of Amsterdam, are the Editors of this special thematic volume of the *NYIL*.

Yearbook of International Humanitarian Law

General Editor is Prof. Michael N. Schmitt (Durham University Law School, UK)

Managing Editor is Dr. Louise Arimatsu (University College London).

Assistant Managing Editor is Ms K. Peters (T.M.C. Asser Instituut).

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

The Yearbook's Articles and Current Developments sections features long, in-depth articles and shorter contributions. 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. The Board of Editors consists of experts in International Humanitarian Law.

In 2010 the *YIHL* published its Volume 11 (2008) and Volume 12 (2009). The *YIHL* is also available as journal product (hardcopy and on-line) through Cambridge University Press (Journals) (<http://journals.cambridge.org/action/displayJournal?jid=YHL>).

The International Sports Law Journal

General Editors are Prof. Robert Siekmann and Dr. Janwillem Soek (T.M.C. Asser Instituut).

The International Sports Law Journal (ISLJ) is the official journal of the ASSER International Sports Law Centre since 2002.

In 2010 ISLJ published the following two issues: 2010/1-2, pp. 160, and 2010/3-4, pp. 188.

Appendix 8: Editorial and advisory boards and correspondents of the periodical publications of the T.M.C. Asser Instituut and T.M.C. Asser Press

European Business Organization Law Review (EBOR)

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University of Groningen

Prof. Mr. L.C.A. Verstappen (until 31-08-2010)

Prof. Dr. J.B. Wezeman (from 01-09-2010)

Maastricht University

Prof. Dr. A.W. Heringa

Radboud University Nijmegen

Prof. Dr. C.J.H. Jansen (until 31-08-2010)

Prof. Dr. P.P.T. Bovend'Eert (from 01-09-2010)

Erasmus University Rotterdam

Prof. Dr. M.J. Kroeze

Tilburg University

Prof. Dr. R.C.H. Lesaffer

Utrecht University

Prof. Dr. I.G. Dekker



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Universiteit Leiden



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Prof. Mr. M. Scheltema,
Chairman



Prof. Dr. C.E. du Perron,
University of Amsterdam



Prof. Dr. C.J.J.M. Stolker,
Leiden University

Staff – Facts and Figures

Situation per 31 December 2010

Directorate

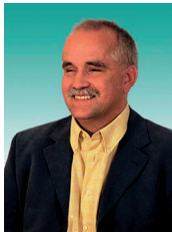


F.A. Nelissen
General Director



A.M. O'Brien
Deputy Director

Management Team



J.J.M. Simon
Head of Operations,
Head of Human Resources



S. F. Blockmans
Head of Research
Department



P. Van Tongeren
Publisher/Director
T.M.C. Asser Press

Management assistant

M.H.A. Piekaar

Executive Secretary

Academic Staff

S.F. Blockmans

H.L. Brollowski

W. Th. Douma

V. Lazic

C. Matera

F.A. Nelissen

C.A. Oudshoorn

D.A. Pettengell

J. Powderly

O.M. Ribbelink

M.J. de Rooij

R.C.R. Siekmann

European Law

International Humanitarian Law/International Criminal Law

European Law

International Commercial Arbitration

European Law

Public International Law

Private International Law

Private International Law

International Humanitarian Law/International Criminal Law

Public International Law

Private International Law

Director Asser International Sports Law Centre

J.W. Soek	International Sports Law
S. Stuij	Private International Law
A. Vermeer	International Humanitarian Law
J.A. Vos	Public International Law

Education, Training and Events

T. Mehra	Education Development Manager
L.M.J. de Meijer	Project Manager Education and Events
A.M. O'Brien	Head of Department
S.J. Terheijden	Project Manager Education and Events
P. Willemsen	Project Manager Education and Events

Projects Office

N.S.M.P. Amtenbrink	Project Manager
L.T. Janssen	Account Manager
J.N. Meijer	Project Manager

Financial Administration

S. Jagessar	Administrator
D. de Jongh	Administrator

Information Services and Information Technology

D.G. Blom	Library assistant
E. Gorkovoi	Librarian
M.A. van der Harst	Information Specialist
J.S. de Jongh	pre-retirement leave
V.P. Verkruijsen	Information Specialist

Operations

A. Assoufi	Janitor
A.M. Bolweg	Office Support Assistant
A.A.M. van Kersbergen	General Support Operations
K. Peters-Moes	Editorial Assistant
R. Rose	Assistant Technical Services
W.G.M. van Sas-Wildeman	Editorial Assistant
J.J.M. Simon	Operations Manager, Head Human Resources Department
A.L.D. Smit	Receptionist

Human Resources Department

J.T. Mooren-Hooijmans	Advisor Human Resources
T.J.M. Olsthoorn	Advisor Human Resources

T.M.C. Asser Press

P.E. van Tongeren	Publisher/Director T.M.C. Asser Press
M.H. Bastiaans	Assistant Publisher T.M.C. Asser Press
F. .M. Peters-Bierman	Management Assistant
A.H.C. Wessels-Voorbij	Marketing Coordinator

Participants Asser Visiting Researchers Programme – AVR P

Name	Period
• Nicole Betz, Max Planck Institute for Comparative Public Law and International Law, Heidelberg, Germany	15 March – 16 July 2010
• Professor Nancy Combs, William and Mary Law School, Williamsburg, VA, USA	August 2010 – Summer 2011
• Dr. Jozef Čorba, University of P.J. Safarik, Košice, Slovakia	8 – 19 November 2010
• Dov Jacobs (France), European University Institute, Florence, Italy	15 July 2009 – 30 August 2010
• Olga Juchiewicz, Jagiellonian University, Cracow, Poland	5 – 27 August 2010
• Hinca Pandjaitan (Indonesia)	8 – 10 April 2010
• Jaliya Retamozo (Peru), Scuola Superiore Sant'Anna, Pisa, Italy	1 July – 30 September 2010
• Karolina Sondel-Maciejewska, Jagiellonian University, Cracow, Poland	5 – 27 August 2010

Student Assistants and Trainees

Name	Period	Tutor(s)
D.V. Dimov	27-09-2010 – 26-03-2011	V. Lazic
T.H. Geukes Foppen	25-01-2010 – 25-04-2010	R.C.R. Siekmann
J. Haarsma	01-07-2010 – 01-10-2010	A.M. O'Brien
P. van Huizen	10-11-2009 – 09-02-2010	L.A.N.M. Barnhoorn
M. Inglese	01-09-2010 – 01-01-2011	L. Massai/W.T. Douma
G. Kaplan	01-12-2009 – 01-09-2010	B.J. van het Kaar
C. Koot	09-09-2009 – 31-01-2010	R.C.R. Siekmann
M.-L. Laatsit	01-09-2010 – 01-04-2011	S.F. Blockmans
A.V. Moerlie	07-09-2009 – 22-01-2010	R.C.R. Siekmann
J.M. Sweeney	19-07-2010 – 19-10-2010	R.C.R. Siekmann
L. Tunović	21-09-2010 – 20-03-2011	D.A. Pettengell
S. vd Velde	01-01-2010 – 23-11-2010	S.F. Blockmans/F.A. Nelissen
I. Velji	08-02-2010 – 29-07-2010	L. Massai

Honorary Fellow

Dr. Eduardo Valencia Ospina, former Registrar of the International Court of Justice, has been honoured with the title 'Honorary Fellow of the T.M.C. Asser Instituut' since 2000.

Senior Fellow

Prof. Michael N. Schmitt, Professor of Public International Law, Durham University Law School, UK, General Editor Yearbook International Humanitarian Law.

Fellow

Dr. Louise Arimatsu, London School of Economics, Department of Law, Managing Editor Yearbook International Humanitarian Law.

Associate Researchers

- Flora Goudappel, Erasmus University Rotterdam
- Leendert Erkelens, former civil servant Dutch Ministry of Justice
- Fiona Mucklow, Chadbourne & Parke, Registered Foreign Lawyers and Solicitors, London, UK
- Maria Nybondas, former member of the International Humanitarian Law and International Criminal Law, T.M.C. Asser Instituut
- Kinga Tibori Szabo, former participant in the Asser dissertation Programme.

