

Inter-university Research Activities

The Centre for the Law of EU External Relations (CLEER)

CLEER's ambition is to stimulate excellence in research, reflection and teaching in EU external relations studies in higher education institutions within and outside the Union and to promote innovative solutions to practical challenges to the external dimension of the EU's legal order.

In 2012 CLEER received funding under the Jean Monnet Lifelong Learning programme of the European Commission (DG Education and Training) for the project 'Commercial Power Europe: Advancing Societal and Environmental Goals through Trade Relations'. The aim of the project is to pool knowledge, stimulate and facilitate academic interaction in a specific area of EU external relations, create synergies between and raise awareness of global societal concerns and convene the widest possible audience to unpack a central, highly topical, yet so far less explored area of the EU's external actions. Specifically, the project aims to assess the EU's mission and potential to, and actions in employing economic ties toward third countries so as to promote 'European values' beyond its commercial interest. By such approach the aim is to identify the normative framework and policy instruments that fit best the EU's ambition to employ its commercial ties and global presence for values and goals that go beyond trade advantages and which can be applied in a consistent and influential manner and even serve for other countries and multilateral organisations as examples to follow. The organisers wish to plant the most pertinent regulatory issues in the legal and policy environment that followed the entry into force of the Lisbon Treaty so as to suggest new, innovative, practicable solutions to the challenges facing the future of the EU's activities in linking its commercial strength with value-laden authority in standard setting globally.

CLEER organised 9 conferences and workshops and published 6 new issues of its CLEER working papers series:

CLEER Working Papers 2012/1: 'Setting up the European External Action Service: An institutional act of balance' by Leendert Erkelens & Steven Blockmans

CLEER Working Papers 2012/2: 'The European External Action Service on year on: First signs of strength and weaknesses' by Steven Blockmans

CLEER Working Papers 2012/3: 'Rule of law as a guiding principle of the European Union's external action' by Laurent Pech

CLEER Working Papers 2012/4: 'Participation of the European Union in the work of the United Nations: General Assembly Resolution 65/276' by Pedro Serrano de Haro

CLEER Working Papers 2012/5: 'Principles and practices of EU external representation' by Steven Blockmans & Ramses A. Wessel (eds.)

CLEER Working Papers 2012/6: 'Human Rights and EU Crisis Management Operations: A Duty to Respect and to Protect?' by Aurel Sari & Ramses A. Wessel (eds.)

Inter-University Research in International Sports Law (IRIS)

Facilitated by Academic Programme Coordinator, Karen L. Jones, JD, MA, in 2012, *Inter-University Research in International Sports Law (IRIS)* was established with the following mission:

IRIS is a research cooperative community consisting of respected universities and institutions that have come together to promote excellence in research and provide a platform for debate by academics and practitioners in international, European and comparative sports law to universities, government, associations, federations, clubs, corporations and the sports community.

IRIS consists of representative from the following universities within the Benelux: Leiden University, University of Amsterdam, Free University of Amsterdam, Tilburg University, and KU Leuven University. The first annual meeting was held on Thursday 3 February 2012. Meeting notes were distributed to the *IRIS* members. The *IRIS* name was agreed by the Board Members. It was further agreed to try to convene some sort of *IRIS* activity in 2012. A further outcome of that meeting was a general agreement on the content of the Memorandum of Understanding (MoU), general agreement to cooperate with Asser and support activities, and agreement that signing of a MoU by the participants was not necessary, at this time; primarily due to the fact that the members preferred an informal relationship, and signing would require undue red tape within the respective universities. Several update notes were sent to *IRIS* throughout the year.

The following activities were engaged and included participants of the *IRIS* cooperative:

- Spring Sports Fraud Seminar¹ – Marjan Olfers and Rob Siekmann were both panel members.
- Sport & EU Conference Proposal (kind rejection)

The 2013 proposed activities for *IRIS* Collaboration include:

- Spring “Virtual” Sports Fraud Workshop² (25 April)
- Collaborative paper to be published in the International Sports Law Journal³ (ISLJ)
- Fall Sports Fraud Seminar (November)
- Summer Programme in International Sports Law⁴ (SPIISL)

There have been some challenges with fully establishing the *IRIS* cooperative. There is general support within and amongst the *IRIS* members. However, enthusiasm for formal engagement in an active Inter-University consortium by the identified universities, primarily those that form the Benelux, is limited.

IRIS has developed cooperatives and entered into MoU with other organizations in 2012 such as the mutual understanding with Marquette University, National Sports Law Institute (USA) - to provide the ISLJ with up to two (2) reviewed student (JD candidate) articles per issue for publishing in the ISLJ; and entered a MoU with Sports Law Research Centre, University of Milan, Milan, Italy – to collaborate in various areas such as researcher exchange, visiting students, collaborative research. These relationships will be strengthened over the next year and the extension of *IRIS* membership to these and other organizations will be considered. Greater attention will continue to be placed on identification and recruitment of university participation outside of the Benelux.

¹ This was the first educational event at Asser International Sports Law Centre in four (4) years.

² This Workshop will incorporate speakers from around the world and will be followed by a Fall Sports Fraud Seminar in November 2013.

³ The ISLJ is an important tool for the university cooperative. With its 110 (and growing) subscribers, a lot of work has been undertaken this past year to strengthen the ISLJ so that it can properly support an inter-university cooperative. A successful proposal and contract was achieved to transition ISLJ publishing to Asser. Press/Springer-Verlag Publishing (effective 1 January 2013). Beginning in 2012, a formal Peer-review process was incorporated utilizing the ISLJ Board members. The Editorial and Advisory Boards were re-engaged and clear roles/responsibilities were established. The table of contents and overall contents of the ISLJ were stream-lined, and extraneous advertisements were removed from the ISLJ to make it more in line with other legal journals. We identified a new Editor-in-Chief to begin as of 1 January 2013 – Jack Anderson. Karen L. Jones remains as managing editor of the ISLJ.

⁴ The SPIISL will be the first in the history of the Asser International Sports Law Centre.

The International Humanitarian and Criminal Law (IHCL) Platform

The International Humanitarian and Criminal Law (IHCL) Platform was established in 2010 and it consists of representatives from the T.M.C. Asser Instituut (which coordinates the Platform), the University of Amsterdam (in particular the Amsterdam Center for International Law), the VU University Amsterdam and Leiden University (in particular the Grotius Centre for International Legal Studies).

The objective of the IHCL Platform is “to establish an academic network fostering research in the area of international criminal law and humanitarian law, providing an academic platform for discussion of relevant contemporary issues and legal questions for which there is, as yet, no fixed jurisprudential position”.

This important goal is realized through the Platform’s activities. In 2012, the IHCL Platform organized two main events, namely:

- its very first PhD Day (25 May 2012), where PhD students from the participating universities and other interested parties could present their research (in progress), which was commented upon by experts in the field.
- the conference “Prosecutor, Watchdog, Diplomat, Manager: The Multiple Roles of the International Prosecutor” (7 December 2012).

Centre for Private International Law (CEPIL)

The focus of the Centre for Private International Law (CEPIL) has shifted in 2012. Due to the lack of enthusiasm of the Dutch law faculties to form an academic coalition on private international law, CEPIL will no longer be an inter-university network only. The original strict European orientation has been abandoned and a global focus on private international law is adopted. One of the reasons for this change in orientation is that, however important the European developments on private international law may be, we are living in a more and more globalizing community. It would be unwise for an academic institution on international law, to have its main focus on the European area. Moreover, it is easier to find partners for an academic private international law network on a global scale. This change in orientation has been a big stimulant for the developments for CEPIL in 2012.

For instance, a great new development in 2012 is the fact that bonds have been formed between the T.M.C. Asser Instituut, the University of Amsterdam (UvA) (prof. Mr. Aukje van Hoek) and the Hague Conference on Private International Law (HccH) (Mr. Hans van Loon). The primary objective of this (informal) coalition is to stimulate the debate between legal practice and the academic world. As a main goal for the future the coalition intends to profit from each other’s own network while ‘abstracting’ private international law-questions from the legal practice and ‘answer’ them via academic papers and conferences; thus to stimulate the debate between the two worlds and to start publications on important matters of private international law.

Slowly, the efforts of Asser to increase visibility in the field of private international law and create more goodwill amongst the (academic) experts on private international law are getting fruitful. For instance, in December 2012 a successful intimate conference was held on global issues of private international law, with several experts (professors, supreme court-judges) attending. Also again in close cooperation with the Dutch universities and Ars Aequi, the 10th edition of the student reader: *Internationaal privaatrecht – Rechtspraak* was prepared in 2012. The reader will be published in the spring of 2013. CEPIL will continue the editing work performed for the Netherlands law journal for Private International Law (NIPR).