

T.M.C. ASSER PRESS

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

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

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

T.M.C. Asser Press continued the promotion of its publications at a great number of national conferences and also at major international conferences, such as the American Society of International Law (Washington, DC) and the European Society of International Law (Tallinn, Estonia). T.M.C. Asser Press further improved its new and innovative website (www.asserpress.nl), which will service customers and authors worldwide with up-to-date information on its publications.

2011 marked for Asser Press the first full year of the new partnership with Springer-Verlag for the production, marketing, sales, and distribution of its English language book programme. Springer, the largest academic book and e-book publisher, has an extensive marketing and sales network with 55 offices in more than 20 countries around the world.

An added important benefit of partnering with Springer is their innovative production process that our new titles now also appear as e-Books through SpringerLink, which also facilitates that our books can be printed (Print-to-Order) at printers which are located geographically the closest to the customer. Each e-Book is also included in Springer's successful eBook Collections, which are already available at more than 2000 subscribing universities and libraries worldwide. Researchers and students at subscribing organizations can purchase their own MyCopy (paperback edition) of our books at the special price of € 24,95/\$24,95, which will also make our books suitable for classroom use.

The T.M.C. Asser Instituut continued its support for the Yearbooks, which resulted in the publication of the *Netherlands Yearbook of International Law, Volume 41 (2010)*, with the special theme "Necessity across International Law, under the General Editorship of Ige Dekker and Ellen Hey and the appearance of Volume 13 (2010) of the *Yearbook of International Humanitarian Law* (Michael Schmitt, General Editor). Both Yearbooks were published in hardcopy, on-line and e-book formats.

Books and Series

The new series *Legal Issues of Services of General Interest* (Eds. J. van de Gronden, E. Szyszczak, U. Neergaard, M. Krajewski) was successfully launched at the SSGI Conference in Copenhagen (May 11-12).

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

To commemorate the celebration of Tobias Asser receiving the Nobel Prize for Peace in 1911, T.M.C. Asser Press published *T.M.C. Asser [1838 – 1913]: Founder of the Hague Tradition* (A. Eyffinger), which was launched during the conference "Inspiration and Innovation in International Law and Politics – 100 Years Nobel Prize Tobias Asser", which took place at the Peace Palace (December 9, The Hague).

Our author Kinga Tibori Szabó will be the recipient of the **2012 ASIL Francis Lieber Prize** for her book *Anticipatory Action in Self-Defence: Essence and Limits under International Law* (ISBN 9789067047951)

List of Publications – 2011

Periodicals and Yearbooks

Netherlands International Law Review - Volume LVIII - 2011

Editor-in-Chief: P. Vlas

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

Online ISSN 1741-6191

European Business Organization Law Review (EBOR) – Volume 12 – 2011

Editor-in-Chief: R. Kulms

ISSN 1566-7529; 4 issues p.a.

Online ISSN 1741-6205

European Constitutional Law Review – EuConst – Volume 7 – 2011

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 3 – 2011

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 (HiiL).

Nederlands Internationaal Privaatrecht - NIPR - Volume 29 - 2011

Eds.: X.E. Kramer et al.

ISSN 0167-7594; 4 issues p.a.

Yearbook of International Humanitarian Law - Volume 13 – 2010

General Editor: M.N. Schmitt

ISBN 9789067048101 / ISSN 1389-1359

Netherlands Yearbook of International Law (NYIL) - Volume 41 – 2010

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

ISBN 9789067047364 / ISSN 0167-6768

Information Technology and Law Series

Innovating Government: Normative, Policy and Technological Dimensions of Modern Government

IT & Law Series Volume 20

Editors: S. van der Hof & M.M. Groothuis

ISBN 9789067047302

Financial Identity Theft: Context, Challenges and Countermeasures

IT & Law Series Volume 21

N.S. van der Meulen

ISBN 9789067048132

ASSER International Sports Law Series

Sports Marketing Agreements: Legal, Fiscal and Practical Aspects

I.S. Blackshaw

ISBN 9789067047920 / ISSN 1874-6926

Sports Betting: Law and Policy

Editors: P.M. Anderson, I.S. Blackshaw, R.C.R. Siekmann & Janwillem Soek

ISBN 9789067047982 / ISSN 1874-6926

Series Legal Issues of Services of General Interest

Health Care and EU Law

Editors: J.W. van de Gronden, E. Szyszczak, U. Neergaard, M. Krajewski

ISBN 9789067047272

Developments in Services of General Interest

Editors: E. Szyszczak, J. Davies, M. Andenæs, T. Bekkedal

ISBN 9789067047333

Public Services and the European Union: Healthcare, Health Insurance and Education Services

L. Nistor

ISBN 9789067048040

Monographs and Edited Volumes

Essays on Law and War at the Fault Lines

M.N. Schmitt

ISBN 9789067047395

Counterclaims before the International Court of Justice

C. Antonopoulos

ISBN 9789067047890

Anticipatory Action in Self-Defence:

Essence and Limits under International Law

K. Tibori Szabó

ISBN 9789067047951

Indigenoussness in Africa: A Contested Legal Framework for

Empowerment of 'Marginalized' Communities

F. Mukwiza Ndahinda

ISBN 9789067043335

The Future of Asylum in the European Union:

Problems, Proposals and Human Rights

Editors: F.A.N.J. Goudappel & H.S. Raulus

ISBN 9789067048019

The Kyoto Protocol in the EU: European Community and

Member States under International and European Law

L. Massai

ISBN 9789067043236

The Europeanisation of International Family Law

N.A. Baarsma

ISBN 9789067047425

EU External Relations Law and Policy in the Post-Lisbon Era

Editor: P.J. Cardwell

ISBN 9789067048224

Freedom, Security and Justice after Lisbon and Stockholm

Editors: S. Wolff, F.A.N.J. Goudappel & J.W. de Zwaan

ISBN 9789067043175

T.M.C. Asser [1838-1913]: Founder of the Hague Tradition

A. Eyffinger

ISBN 9789067043403

Making Choices in Public and Private International Immunity Law

A.A.H. van Hoek, M.M.T.A. Brus, I.F. Dekker & C. Ryngaert

Mededelingen van de NVIR 138 – Preadviezen

ISBN 9789067043397

Inleiding Humanitair Oorlogsrecht

Redactie: B.R. Pieters & A. Vermeer

ISBN 9789067043366

Een uitgave in samenwerking met het Nederlandse Rode Kruis

De Regels & het Spel: Opstellen over Recht, Filosofie, Literatuur en Geschiedenis, aangeboden aan Tom Eijsbouts

Redactie: J.H. Reestman, A. Schrauwen, M. van Montfrans en J.H. Jans

ISBN 9789067043380

Elementair Internationaal Recht/Elementary International Law- 2011- Collegemateriaal

T.M.C. Asser Instituut with the Law Faculties of the Dutch Universities

ISBN 9789067043373

Preview of Publications for the year 2012

2012 will be a challenging year for T.M.C. Asser Press, not only due to the volatile world economy, but also meeting its targets to publish some 30 new books and 16 journal issues.

After competing with all major law publishers, T.M.C. Asser Press was awarded by the Court of Justice of the European Union the contract to publish, in collaboration with Springer-Verlag, the important book “*The European Court of Justice and its Role in the Process of European Integration*” (Eds.: A. Rosas, Y. Bot, and E. Levits), which will be published to mark the Court’s 60th Anniversary. The book will be presented during a special ceremony in Luxembourg on December 8, 2012.

The *Yearbook of International Humanitarian Law (YIHL)* will publish its Volume 14 (2011) under the editorship of M. Schmitt. The *Netherlands Yearbook of International Law* (Eds.: I. Dekker and E. Hey) is scheduled to publish its Volume 42 (2011), which carries the theme *The Case of Iraq: International Law and Politics*. Both Yearbooks will be published in hardcover, on-line, and e-Book formats. As from 2012 the documentation of the two yearbooks will appear on-line on their respective webpages on the Asser Press website.

The *European Business Organization Law Review*, the *European Constitutional Law Review*, and the *Hague Journal on the Rule of Law* will be included in LexisNexis. They are already included in Westlaw UK. Inclusion in those two major legal research services will enhance their visibility, readership and acceptability worldwide.

The *Netherlands International Law Review (NILR)*, the *Netherlands Yearbook of International Law (NYIL)*, and the *Nederlands Internationaal Privaatrecht (NIPR)* have been submitted to the Science Citation Index (SCI) of Thomson Reuters Philadelphia, USA) for possible inclusion in 2012.

T.M.C. Asser Press will assist the Asser International Sports Law Centre (AISLC) with the development of its plans to stronger position its *International Sports Law Journal (ISLJ)* in the marketplace.

The new and expanded version of *NIPR Online* will be fully operational in the first half of 2012 with all its announced functionalities.

Two new volumes are scheduled for publication in the series *Legal Issues of Services of General Interest* (Eds. J. van de Gronden, E. Szycszak, U. Neergaard, M. Krajewski):

- *Financing SGEIs: State Aid Reform and Modernisation* (Eds.: E. Szycszak & J. van de Gronden);
- *The Role of Services in General Interest in EU Law* (Ed.: U. Neergaard)

The well-established *IT&Law Series* will add several new volumes to its list, among them:

- *Google and the Law* (Volume 22, , Ed.: A. Lopez-Tarruella Martinez);
- *An Analysis of Human ICT Impants- Technical, Legal and Ethical Considerations* (Volume 23, Eds.: M. Gasson, E. Kosta and D. Bowman)
- *Comprehensive Legal Approach to Cyber Securitiy* (Volume 24, E.Tikk);

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

- *Lex Sportiva: What is Sportslaw?* (R. Siekmann);
- *Ambush Marketing & the Mega-Event Monopoly - How laws are abused to protect commercial rights to major sporting events* (A. Louw);
- *New Media and Sport* (K. Lefever);
- *European Sports Law - Collected Papers, 2nd Edition* (S. Weatherill)
- *Leading Cases in Sport Law* (J. Anderson)
- *Sports Image Rights – 2nd Edition* (Ed.: Karen Jones)

A great number of other titles are planned, such as:

- *The Autonomy of the EU Legal Order from International Organizations* (Eds.:S. Blockmans & R. Wessel);
- *Anticipative Criminal Investigation* (M. Hirsch Ballin);
- *Is there a court for Gaza?* (Eds.: C. Meloni & G. Tognoni)
- *New Approaches to International Law* (Eds. D. Kennedy & J.M. Beneyto)
- *The Treaty on Non-Proliferation of Nuclear Weapons-NPT: Essays and Commentaries* (Ed.: J. Black-Branch)

- *Hague Prize for International Law Colloquium – R. Higgins* (Eds.: Y. Mishor, F. Nelissen and J. Vos)
- *Challenges in Cyber Warfare* (Eds.: F. Osinga, T. Grant, P. Ducheine and J. Soeters)
- *Mistake of Law: Excusing Perpetrators of International Crimes* (A. van Verseveld)
- *Prisoners of the International Community: The Legal Position of Persons Detained at International Criminal Tribunals* (D. Abels)
- *The European Union and Member State Territories* (F. Murray)
- *Civil Litigation in a Globalizing World* (Eds.: X. Kramer and R. van Rhee)

T.M.C. Asser Press is always interested in hearing about new book and journal projects. If you would like to discuss your publishing ideas, please contact: Philip van Tongeren, Director & Publisher, T.M.C. Asser Press at ph.van.tongeren@asser.nl

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

Publications by T.M.C. Asser Instituut Researchers

Steven Blockmans

- *De ministeriële zorg voor het telen van hennep: toetsing van een zorgplichtbepaling* [The Ministerial Care for the Production of Hemp: testing the duty of care], in 35 Tijdschrift voor Gezondheidsrecht (2011), 295-312 (with L. Erkelens)
- *The European Union and Peaceful Settlement of Disputes in its Neighbourhood: The Emergence of A New Regional Security Actor?*, in A. Antoniadis, R. Schütze and E. Spaventa (eds.), *The European Union and Global Emergencies: Law and Policy Aspects* (Oxford, Hart Publishing 2011), 73-103 (with R.A. Wessel)
- *Friend or Foe? Reviewing EU Relations with its Neighbours Post Lisbon*, in P. Koutrakos (ed.), *The European Union's External Relations A Year After Lisbon*, CLEER Working Papers 2011/3, 113-124
- *Between the Devil and the Deep Blue Sea? Conflicts in External Action Pursued by OCTs and the EU*, in D. Kochenov (ed.), *EU Law of the Overseas: Outermost Regions, Associated Overseas Countries and Territories, Territories Sui Generis* (The Hague, Kluwer Law International 2011), 307-321
- *Ensuring the Correct Implementation of the Stabilisation and Association Agreement in Serbia: a case study on the imports of second-hand vehicles*, in XIII Revija za evropsko pravo [Review of European Law] (2011), 65-94, also published in Serbian as *Pravilna implementacija Sporazuma o stabilizaciji i pridruživanju u Srbiji: studija slučaja uvoza polovnih vozila*, on the website of the Judicial Academy of Serbia, <http://www.pars.rs> (with M. Mihajlovic)
- *The Development of CSDP in the Context of Enlargement: Turkish hard power vs. the EU's soft power?*, in H. Kabaalioglu, A. Ott and A. Tatham (eds.), *EU and Turkey: Bridging the Differences in a Complex Relationship* (Istanbul, IKV 2011), 143-171
- *Setting Up the European External Action Service: An Institutional Act of Balance*, CLEER Working Papers 2011/7 (with L. Erkelens)

- *Beyond Conferral: the role of the European External Action Service in decision-shaping*, in J. Larik and M. Moraru (eds.), *Ever-Closer in Brussels, Ever-Closer in the World? EU External Action After the Lisbon Treaty*, EUI Working Paper LAW 2011/10, 5-17
- *The European External Action Service: enhancing coherence in EU external action?*, in P. Cardwell (ed.), *EU External Relations Law and Policy in the Post-Lisbon Era* (The Hague, T.M.C. Asser Press 2011), 135-159 (with M. Laatsit)
- *In Search of Coherence: the role of the European External Action Service in strategic planning and programming*, in K. Arato and Z. Enyedi (eds.), *Structures and Futures of Europe* (Budapest, Ad Librum 2011), forthcoming

Jessica Dorsey

- United States Country Report in, *Draagmoederschap en Illegale Opneming van Kinderen*, (Surrogacy and Illegal Reception of Children), UCERF Report to the WODC (Dutch Scientific Research and Documentation Center), March 2011.

Wybe Douma

- Commissie voorstel inzake teelt Genetisch Gemodificeerde Organismen: less is more? (Commission proposal on cultivation of Genetically Modified Organisms: less is more?), *Nederlands Tijdschrift voor Europees Recht (NTER)*, nr. 1, p. 27-32
- De Probo Koala rechtszaken in Nederland: een tussenstand (The Probo Koala court decisions in the Netherlands: the state of play) in: *Jurisprudentie milieurecht 2011*, vol. 15, nr. 5, p. 288-295
- Legal aspects of the EU biofuels policy: protection or protectionism?, in: *German Yearbook International Law 2010*, vol. 53, p. 371-420
- Handhaving van internationaal en Europees milieurecht: de rol van overheden in de Deep Water Horizon en Probo Koala zaken (Enforcement of International and European Environmental Law: the cases of the Deep Water Horizon and Probo Koala) (with F.A. Nelissen), in: *Tijdschrift voor Toezicht*, 2011, nr. 2, p. 25-51
- EU-wetgevingskroniek 2010 (EU-legislation chronicle 2010), together with S. van de Velde and M. van der Harst), *SEW*, 2011, nr. 9, p. 388-398
- Updates of chapters in the Dutch Handbook on the Implementation of EU Environmental Policy (forthcoming at www.eu-milieubeleid.nl):
- Sanctions and procedures applicable in breaches of the legislation on industrial emissions in the Netherlands (with S. van der Velde), report for the European Commission, June 2011
- Considerations on the application of the Precautionary Principle in the EU chemicals sector (with N. van der Bergh, M. Blainey, G. Goldenman, and I. Pratt), report for the European Commission, July 2011
- Services Directive: assessment of implementation in the Member States. National Report: The Netherlands, report for the European Commission, July 2011
- Annotations to the following cases:
 - Opinion Advocate-General Kokott to the ECJ 16 December 2010, Joined cases C-165/09, C-166/09 en C-167/09, Stichting Natuur en Milieu a.o. (NEC and permits for coal fired power plants Eemsmond and Rotterdam), *JM* 2011/38, p. 212-217
 - ECJ 22 December 2010, C-77/09, Gowan (restrictions on plant protection substance fenamirol), *JM* 2011/39, p. 217-230

- ECJ 12 May 2011, C-115/09, Bund für Umwelt und Naturschutz Deutschland (Trianel Kohlekraftwerk), JM 2011/64, p. 389-399 (with S. van de Velde)
- ECJ 26 May 2011, C-165/09, C-166/09 and C-167/09, Stichting Natuur en Milieu a.o. (NEC and permits for coal fired power plants Eemmond and Rotterdam), JM 2011/77, p. 498-508
- WTO Panel 15 September 2011, DS381/R, US-Tuna II (Mexico, 'dolphin safe' labelling), JM 2011/120, p. 830-838

Marco van der Harst

- EU-wetgevingskroniek 2010 (EU-legislation chronicle 2010), together with S. van de Velde and W. Douma, SEW, 2011, nr. 9, p. 388-398

Karen Jones

- Foundations of United States Sports Law: Structure and Key Issues – International Sports Law Journal (2011 3-4)

Vesna Lazić

- 'The Amendment to the Arbitration Exception suggested in the Commission's Proposal: the Reasons as to Why it Should be Rejected', Nederlands Internationaal Privaatrecht (NIPR), No. 2, 2011, pp. 289-298.
- 'Cross-Border Insolvency and Arbitration: Which Consequences of Insolvency Proceedings Should be Given Effect in Arbitration?', in S. Kröll, L.A. Mistelis, P. Perales Viscasillas, V. Rogers (eds.), International Arbitration and International Commercial Law: Synergy, Convergence and Evolution, Liber Amicorum Eric Bergsten, Kluwer Law International (2011), pp. 337-363

Claudio 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: Cambridge University Press, January 2011 (with R.A.Wessel and L.marin)
- « La coopération frontalière avec les états tiers voisins », in J.-C. Martin (sous la direction de) La gestion des frontières extérieures de l'Union européenne. Défis et perspectives en matière de sécurité et de sûretés, Pedone, Paris, 2011

Karolien Pieters

- 'The EU 2020 Strategy: Building a more reliable pattern to evaluate gender equality in corporate governance' in Carlos Moreiro Gonzales (ed.), *The Lisbon Process revisited: Equality Policies and the Europe 2020 Strategy*, Madrid, Difusion Juridica, 2011, pp. 103-145.

Olivier Ribbelink

- Elementair Internationaal Recht / Elementary International Law (editor), Collegemateriaal / Selected Course Materials, T.M.C. Asser Press, 2011, pp. 510

Robert Siekmann

- “Anti-Doping Law in Sport”, in: The International Sports Law Journal (ISLJ) 2011/1-2, pp. 89-96
- “Sports Betting in the Jurisprudence of the European Court of Justice”. A Study into the Application of the Stare Decisis Principle or: the Application of the ‘Reversal Method’ of Content Analysis and the Essence of the ECJ Case Law on Sports Betting”, In: ISLJ 2011/1-2, pp. 97-99, 102-117, and 120-121
- “Towards a Typology of (International) Comparative Sports Law (research), in: ISLJ 2011/1-2, pp. 41-51 and 54
- “Wat is Sportrecht? Een herijking van begripsinhoud en terminologie [What is Sports Law? A Reassessment of Content and Terminology]”, Erasmus Law Lectures 22, Boom Juridische Uitgevers, Den Haag 2011, pp. 40.

Jan Willem Soek

- Robert Siekmann and Janwillem Soek, Models of sport governance within the European Union, in: James A.R. Nafziger and Stephen F. Ross (Eds), Handbook on International Sports Law, Research Handbooks in International Law, Edgar Elger Publishing, Cheltenham, UK/Northampton, MA, USA, pp. 112-130.
- Paul M. Anderson, Ian S. Blackshaw, Robert C.R. Siekmann, Janwillem Soek (Eds), Sports Betting: Law and Policy, in: ASSER international Sports Law Series, T.M.C. Asser Press, The Hague/Springer Verlag, Berlin Heidelberg, pp. 1029.

Tamara Takacs

- ‘Human rights in trade: The EU’s experience with labour standards conditionality and its role in promoting labour standards in the WTO’, in J. Wetzel, (ed.) The EU as a ‘Global Player’ in the Field of Human Rights, Routledge, 2011
- ‘Legal status of migrants under the association, partnership and cooperation agreements of the EU; how far from EU citizenship?’ in L. S. Talani (ed.) Globalisation, Migration, and the Future of Europe: Insiders and Outsiders (Routledge 2011) pp. 81-100.
- Governmental System in Central and Eastern European States (Warsaw, Kluwer Polska 2011) co-editor, co-author
- ‘Governmental system of the European Union’, In N. Chronowski, Governance in Central and Eastern Europe (Warsaw, Kluwer Polska 2011) with T. Drinóczi , pp. 35-73.
- Cross-Border and EU Legal Issues: Hungary – Croatia (co-editor), (Kódex Nyomda, Pécs, 2011)
- ‘Enlargement: the “most successful policy” of EU external relations?’ in T. Drinóczi and T. Takács, Cross-Border and EU Legal Issues: Hungary – Croatia (Kódex Nyomda, Pécs, 2011) pp. 585-597.

Steffen van der Velde

- “Toegang tot de rechter onder "Verdrag van Aarhus", in 5 Jurisprudentie Milieurecht, 20 May 2011
- EU-wetgevingskroniek 2010 (EU-legislation chronicle 2010), together with M. van der Harst and W. Douma, SEW, 2011, nr. 9, p. 388-398
- Commentary on case C-115/09 of the European Court of Justice; EU-Wetgevingskroniek 2010, with Mr. dr. W.Th. Douma, mr. M.A. van der Harst, (in: jurisprudentie milieurecht) pp.389-398

Jan Ann Vos

- “World Legislation as Deliberation about the Common Good of International Society”, in 8 International Organizations Law Review (2011) pp. 241-251.