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About the T.M.C. Asser Instituut	4
The year of Zoom Academic director's report	5
Research strand Human dignity & human security in	13
international and European law 'A year of far-going security measures and crackdowns on populations fighting for fair elections and human rights'	14
Research strand Advancing public interests in international and European law	19
'Covid-19 exposes structural inequality in global supply chain contracts'	20
Research strand Dispute settlement and adjudication in	27
international and European law 'We focus on institutional legal practices that contribute to conflict and conflict resolution internationally'	28
Research news (selection)	33
Cooperation & inter-university activities	36
A global network	40
Education & capacity building (selection)	42
Public events (selection)	46
Communications	49
Asser in the media	50
T.M.C. Asser Press	52
Financial overview	54
Organisation & governance	55
Asser Institute staff	57



Cover

Our flagship event, the Annual T.M.C. Asser Lecture 2020 was live-streamed from the The Hague based-Fokker Terminal Studios.









About the T.M.C. Asser Instituut

Established in 1965, the T.M.C. Asser Instituut is an internationally renowned centre of expertise in the fields of public international law, private international law and European law.

The T.M.C. Asser Instituut conducts fundamental and independent policy-oriented research and organises critical and constructive reflection on international and European legal developments, at the interface of academia, legal practice and governance. The institute actively disseminates its knowledge through publications, trainings, conferences and free events.

Located in The Hague, the 'international city of peace and justice', the T.M.C. Asser Instituut is an established location where critical and constructive reflection on international and European legal developments takes place. In the vicinity of many international institutions, diplomatic missions and government ministries, the institute exercises strong convening power and attracts legal experts from around the world.

The T.M.C. Asser Instituut strives for excellence in its research and academic education and always has a keen eye for its societal responsibility. In the coming years, it will continue to fulfil the following roles:

- The institute is a vanguard institute for the University of Amsterdam (Uva) in The Hague, in particular for the UvA Law School (and the Amsterdam Center for International Law (ACIL)).
- The institute will actively promote the collaboration with and between Dutch law schools; and is a facilitator for all Dutch law schools that wish to collaborate in research networks, projects and/or in knowledge dissemination activities.

Tobias Asser

The institute was named after Tobias M.C. Asser (1838-1913). He was an expert in private international law and active in many fields of international law, as well as the peaceful settlement of international conflicts. He founded the Hague Conference on Private International Law, and played a significant role in bringing the Peace Conference to The Hague in 1899.

Tobias Asser received the Nobel Peace Prize in 1911, above all for his devotion to the Hague Conference on Private International Law.

Asser was the first, and until now the only Dutch citizen to be honoured with this prestigious prize.

The year of Zoom

Academic director's report

What we experienced in 2020, was in many ways unprecedented. We are all aware of the devastating effects of the worldwide Covid-19 pandemic that so far killed nearly four million people, and disrupted societies, communities and businesses, as well as trade, health- and education systems. As the coronavirus closed shops and restaurants and emptied offices and class rooms, millions of us had to move our lives online.

And so the pandemic accelerated all things digital. In 2020, the number of internet and social media users around the world have both increased by more than 300 million. It is estimated that the pandemic has sped up years of change in the way we work, shop, play, do business and educate ourselves. Covid-19 will also turn out to have fortified the financial and monopolist power of Big Tech, the companies that run the platforms and tools we rely on, and that are forming a threat to our human agency and autonomy – which in turn are the backbone of the modern rule of law, as also Andrew Murray argued in his T.M.C. Asser Lecture.

Law and tech: reshaping our world

In November, we had to live-stream this flagship event, the Annual T.M.C. Asser Lecture, from the Hague-based Fokker Terminal Studios. Continued social distancing restrictions and lockdowns in both the United Kingdom and the Netherlands, forced speaker Andrew Murray, a leading thinker information technology and regulation, to record his thought-provoking 6th Annual T.M.C. Asser Lecture 'Almost Human: Law and Human Agency in the Time of Artificial Intelligence'. Murray then joined us virtually from London, sharing his perspective on the challenges posed by artificial intelligence to our human agency and autonomy to continue by calling for the international regulation of Al. Over six hundred participants from all over the world joined us for the event and many of them actively participated in the online Q&A.

Earlier in the year, in February, we had focused on a particular case very much related to this issue of technological undermining of the rule of law, with 'Curtailing the surveillance state? A panel discussion on the SyRI judgement'. The SyRI (System Risk Indication) case concerns the use of algorithmic decision-making by the Dutch government to detect welfare fraud. On 5 February, the District Court of The Hague ruled that the SyRI algorithm violated human rights law and ordered its immediate halt. In our panel, speakers discussed the implications of this decision for privacy law and the regulation of artificial intelligence.

The <u>DILEMA project</u>, a research project led by Asser senior researcher Berenice Boutin, aims to generate insights on designing international law and ethics into military artificial intelligence. In 2020, the project gained full steam. It launched the well-visited DILEMA lecture series, in which academics and other experts present their work and

Couring those first silent days of lockdown, we swiftly moved our daily work, training programmes and events online.





The live-stream of our flagship event, the Annual T.M.C. Asser Lecture with speaker Andrew Murray from the Hague-based *Fokker Terminal Studios*. Over six hundred participants from all over the world joined us for the event and many of them actively participated in the online Q&A.

share reflections with fellow researchers, students and professionals. The <u>inaugural lecture</u> by Rebecca Crootof (*University of Richmond School of Law*) addressed the topic of 'Artificial intelligence, autonomous weapon systems, and accidents in war'.

Our 2020 winter academy on Artificial Intelligence (AI) and international law, offered foundational knowledge on key issues at the interface of international law and artificial intelligence, and provided a platform for critical debate and engagement on emerging questions, and on regulatory

and policy changes we need to put in place in order to ensure Al's beneficial use. Policy makers, industry professionals, researchers and advanced students joined us for over twenty interactive sessions, workshops and panel discussions by high-level speakers.

Imagining global solidarity

As a shared global experience, Covid-19 demonstrated that hyper-connectivity is not just a technological or economic reality, but the reality of the natural world in need of a new ideational construct. At a global level, we saw <u>international solidarity</u> with states

trying to combat the virus with cooperation in science and within international organisations. However, we also witnessed states taking a nationalist approach, further eroding the multilateral order. Amidst prolonged lockdowns, we saw peaceful mass demonstrations for democracy, #blacklivesmatter, human rights and the rule of law, and we saw states responding with repression. Asser researcher Dimitri Van Den Meerssche interviewed international lawyer Nawi Ukabiala on his vision for the role of (international) law in the fight against racial violence in the U.S.. (Read more on page 31).

As the research strand coordinators Antoine Duval, Christophe Paulussen and Geoff Gordon will tell you in this annual report, Asser researchers have called attention to the effects of Covid-19 measures on migrants, on global supply chain workers and on the reasons for the mass strikes in Belarus, Thailand and the United States.

Leading by innovative thinking

Some things remained the same in 2020: Asser researchers were at the forefront of legal discussions, leading with innovative thinking. Berenice Boutin, for instance, was together with André Nollkaemper one of the authors of the 'Guiding Principles on Shared Responsibility in International Law'. The publication seeks to provide guidance to judges, practitioners and researchers on legal questions of shared responsibility of states and international organisations for their contribution to an indivisible injury of third parties.

Rumyana van Ark called attention to the plight of the children of former IS fighters that remain stuck in prison camps in Syria and Iraq. Rebecca Mignot-Mahdavi wrote a policy-focused chapter on countering cyber terrorism, in which she identified four problems in the choices made by France to regulate online content in cyber terrorism legislation and policy.

Antoine Duval hosted a timely online event on the new German Supply Chain Law, which was recently adopted. With the Act, the German government intends to oblige large German companies to control compliance with human rights across the chain, and it hopes to build momentum for EU legislation. Germany's role in the EU-wide discussion can hardly be overstated, as Germany amounts to thirty percent of all EU exports, and to twenty percent of all imports. Together with France, Germany could put enough pressure on the European legislators to push for an EU due diligence regulation.

In the online event 'Fighting global deforestation through due diligence: towards an EU regulation on forest and ecosystem risk commodities?' speakers Delara Burkhardt (MEP and European Parliament's Rapporteur on global deforestation), Andrea Carta, (Greenpeace) and Enrico Partiti (Tilburg University) discussed the European Parliament's ground-breaking new resolution that will help tackle deforestation.

Narin Idriz and Eva Kassoti focused on 'Informal Law-Making' in EU External Relations Law'. Informal deals between the EU and third countries, such as the infamous 'EU-Turkey Statement', also known as the EU-Turkey refugee deal, and the 'Joint Way Forward' with Afghanistan, an informal Readmission Agreement, may provide flexibility as well as a convenient way of bypassing political hurdles. However,the choice to act outside existing treaties and to leave aside the formal procedure for concluding international agreements, inevitably results in less transparency, democratic scrutiny, accountability and legitimacy.

For the Research Handbook on Law,
Governance and Planetary Boundaries
(Eds. French, D and Kotzé, J.), Edward Elgar
(2020), Helmut Aust and I co-authored
the contribution 'Planetary Boundaries
Intra Muros: Cities and the Anthropocene'.
This chapter canvasses the relationship

between cities, planetary boundaries and the Anthropocene. It questions some of the many promises that a turn to the city seems to bring in this respect, in particular through forms of innovative urban governance.

International institutions

In 2020, our impact continued to grow. Asser researchers were <u>interviewed</u> by the media about a wide variety of international law developments at the courts and tribunals of The Hague, on counter-terrorism related topics, sports law, artificial intelligence and autonomous weapons and international criminal law. They intervened in public debates on the outcome of the Ayyash et al. Judgment before the *Special Tribunal for Lebanon*; on the *International Court of Justice* ruling in the France and Equatorial Guinea property dispute, and on the repatriation of foreign fighters, amongst other topics.

Our research further continues to find its way into reports for- and policy discussions in the Dutch and European parliaments and international organisations such as the *United Nations* (UN), the *Organization for Security and Co-operation in Europe* (OSCE) and the *Global Counter Terrorism Forum* (GCTF).

In 2020, we had the honour to welcome UN Ombudsperson to the ISIL (Da'esh) and Al-Qaida Sanctions Committee, Daniel Kipfer Fasciati. We co-organised a unique online panel discussion on the history of

((In 2020, our impact continued to grow. Asser researchers were interviewed by the media about a wide variety of international law developments at the courts and tribunals.

the Ombudsperson's office and its review procedures. The <u>webinar</u> featured the current Ombudsperson, and his predecessors, Kimberly Prost and Catherine Marchi-Uhel. It was the first time ever that all three Ombudspersons discussed their experiences in the highly politicised environment of *UN Security Council* counterterrorism sanctions policies. In August, Daniel Kipfer Fasciati returned to the Institute for a unique Q&A with the students of our online Advanced summer programme on terrorism, counter-terrorism and the rule of law.

In September, the Asser Institute and the UN Working Group on Enforced or Involuntary Disappearances co-hosted an online expert panel on 'Missing persons and memory governance'. Asser researcher Dimitri Van Den Meerssche further contributed to an expert consultation on race, borders and digital technologies, organised by Tendayi Achiume, the UN Special Rapporteur on contemporary forms of racism, xenophobia and related intolerance.

Members of the European Parliament and the EU Commission contributed to our online roundtable on 'Trading emerging technologies: Security and human rights perspectives', co-organised with Universiteit Utrecht.

New cooperation agreement

It may sound paradoxical, but the year 2020 brought plenty of milestones for the Institute as well. In October, we had a modest, corona-proof but cheerful celebration with the *University of Amsterdam* (UvA) president Geert ten Dam and Ernst Hirsch Ballin unveiling a new nameplate on our building. It signifies the new cooperation agreement that T.M.C. Asser Instituut and UvA signed in 2020.

I am delighted that Asser and UvA have joined forces in The Hague, with a tenyear framework that allows for increased cooperation in research, education and in administrative operations. Both the UvA



Pursuant to the new cooperation agreement with the University of Amsterdam, the governance structure of T.M.C. Asser Instituut changed from a one- to a two-tier board model, with Gert Grift and Janne E. Nijman forming the new executive board.

Former Asser president Ernst Hirsch Ballin symbolically handed over the gavel to Janne E. Nijman, the new chairperson of the executive board and academic director.



and the Asser Institute strive for excellence in research and academic education, and always have had a keen eye for their responsibility towards society. I am convinced that supporting each other's strategic objectives will benefit not only the Asser Institute and the UvA, but also the wider society.

Pursuant to the cooperation agreement with the UvA, the governance structure of the Asser Institute has changed, from a one- to a two-tier board model. As of September 2020, the executive board consists of Gert Grift (managing director), while I took up the position of chairperson of the executive board, whilst remaining academic director.

The honourable professor Ernst Hirsch Ballin – with whom I set out in 2015 on the inspiring journey to put academic research at the heart of the Institute – became the ad interim chairperson of the new supervisory board, a position that he will hold until his retirement in 2021. I am sure that he will then receive the praise that he deserves, but in this foreword I already want to thank Ernst wholeheartedly for his commitment to the Asser Institute and his warm collegiality in the past six years.

Excellent mid-term review

A crown on the work of the whole Asser staff, is the excellent mid-term review (2016 - 2020) that we received while compiling this annual report. An independent committee assessed the research quality, relevance to society and viability of our work at the Asser Institute, and wrote: '[T]he Asser Institute has been more than successful at its ambitions in the combined fields of research

((Sharing our knowledge and research is one of the most important ways of helping to find answers to global challenges.

and societal outreach and is firmly positioned for a successful future. This is clearly the result of clear vision and a great deal of hard work of all involved. We are happy with the findings and the recommendations of the committee, which we will incorporate in the new research agenda and the new multi-annual plan on which we are currently working.

In the Institute's capacity of inter-university research network broker, we are maintaining strong ties with the international and European law faculties of the Dutch universities, as the coordinator of the <u>Netherlands Network for Human Rights Research</u> (NNHRR). In 2020, the NNHRR firmly consolidated its position in the Dutch academic landscape as it saw its <u>mandate renewed</u>, and welcomed three more Dutch universities. Currently, all Dutch law schools are institutional members of the NNHRR.

Other inter-university tasks coordinated by the Asser Institute are the research network <u>Centre for the Law of EU External Relations</u> (CLEER), and the <u>International Humanitarian and Criminal Law</u> (IHCL) Platform, which is an inter-university platform on international humanitarian law (IHL) and international criminal law (ICL). It organises the well-known annual 'PhD day' for PhD researchers working on ICL and IHL. (Read more on our inter-university tasks on page 37).

Top quality publications

As you can read in the annex to this annual report, our research output has stayed firmly on level in 2020, with top quality publications in journals such as the European Journal of International Law, American Journal of International Law Unbound, Common Market Law Review, the Leiden Journal of International Law and the African Journal of International and Comparative Law, amongst others. We have further published books, edited volumes and book chapters with Oxford University Press, Cambridge University Press, Routledge, Hart Publishing and Springer International.

(1) The 'year of Zoom' saw developments in digitalisation and in technologies such as Artificial Intelligence (AI) accelerating at an unpreceded speed.

Sharing our knowledge and research is one of the most important ways of helping to find answers to global challenges. So, in addition to delivering excellent research and publications, we published over thirty timely blog posts, op-eds and policy briefs, and organised over fifty well-visited online roundtables, seminars, training programmes and events. Here, we experienced the benefits of online working: legal experts, policymakers and participants were now able to join our events from all over the globe, without travel. And so they did - the number of participants to our online education and public events quadrupled. We are proud to have connected speakers and students from five continents in our summer programmes and winter academies.

A year of many firsts

2020 was a year of many firsts as well. We were joined by four excellent researchers; Zsófia Baumann, Klaudia Klonowska, Taylor Woodcock, and Sadjad Soltanzadeh, that will be further introduced on page 17. New support staff that started in 2020 were Karel Wouterse (ICT), Maaike van Helden and Hanna Thuránszky (Secretariat of the board). I am happy with all of these talented people who bring a range of (research) interests and qualities, along with great commitment to the Institute.

We kicked-off the highly popular inter-disciplinary workshop series on 'Method, Methodology and Critique in International Law', supported by the Municipality of The Hague. Over three hundred PhD students, international lawyers and academics joined us for its launch in December. The workshops, aimed at young PhD students, are led by Asser researcher Dimitri Van Den Meerssche, who recently received an Early Career Partnership Award from the Royal

Netherlands Academy of Arts and Sciences (KNAW) to organise the closing workshop of the series: an interdisciplinary meeting on 'Legal Method, Methodology and Critique in a Digital Era' in 2021.

In October, former Asser researcher Marina Ban defended her doctoral thesis on 'The Legal Governance of Historical Memory and the Rule of Law'. Asser senior researcher Ulad Belavusau and myself were her supervisors. Marina is the first researcher from the T.M.C. Asser Instituut's PhD programme to defend her PhD, and we're looking forward to 2021 when three more Asser PhD candidates, Yehonatan Elazar-DeMota, Lisa Roodenburg and Miha Marcenko are expected to defend their dissertations. (Read more on page 33).

In 2020, Asser researcher Rebecca Mignot-Mahdavi also defended her dissertation, entitled "Drone Programs: the Interaction Between Technology, War and the Law" at the EUI. Asser postdoctoral researcher Chukwuma Okoli's "Place of Performance: A Comparative Analysis" (Hart, 2020), based on his PhD thesis, was regarded as 'an ambitious and remarkably brave work' on private international law by external reviewers.

At the World Press Freedom Conference 2020, the Ministry of Foreign Affairs of the Netherlands, UNESCO, Free Press Unlimited and the T.M.C. Asser Instituut jointly launched the Forum of Legal Actors. The initiative should help to create a network of legal actors to support and defend the right to freedom of expression and the safety of journalists. In the coming years, the Forum will bring together judges, public prosecutors, lawyers and representatives from judicial institutes from all over the globe to strengthen the role of legal actors in the

((Urgent challenges – digitalisation, the climate crisis, migration, inequality, safeguarding democracy and the rule of law – require responses.

defence of the universal right of freedom of expression.

Despite the Covid-19 crisis, we have ended 2020 with a positive operating result and an improved financial solvency, as you can read on page 54 and in our financial report. Moreover, we were awarded a new multiannual commissioned research project on 'Strengthening Ukraine's Capacity to Investigate and Prosecute International Crimes', in which we help strengthen the capacity of the newly created Ukrainian War Crimes Unit, by enhancing the expertise of the judiciary and empowering defence and victim lawyers in Ukraine to more adequately investigate, prosecute, adjudicate and monitor international crimes. In another new project 'Bridging the Gap between Formal Processes and Informal Practices that Shape Judicial Culture in the Western Balkan' we are developing recommendations for future steps in the Europeanisation of judicial culture in the Western Balkan.

Looking ahead

At the end of 2020, we started our conversations to develop a new research agenda on questions around public interest in international and European Law. In 2021 we will finalise this process and present a new research agenda for the coming years.

In 2021, we are further planning to launch a pilot series in international legal practice: The Asser Academy Masterclass series. It is an innovative professional education series on a wide variety of public and private international law topics, which will combine the cutting-edge knowledge of Asser researchers with the hands-on experience of practitioners.

With our <u>Global Europe project</u> we will focus on the EU as a global player within an increasingly competitive and fragmented world. Urgent challenges – digitalisation, the climate crisis, migration, inequality, safeguarding democracy and the rule of law – require responses. How will the European Union be able to address these?

I hope you will enjoy reading this report. Stay safe,

Prof. Dr Janne E. Nijman, Chairperson of the Board and Academic Director of the T.M.C. Asser Instituut.



'A year of far-going security measures and crackdowns on populations fighting for fair elections and human rights'



Academic coordinator Dr Christophe Paulussen.

"In 2020, states continued to challenge the international legal order", says strand coordinator Christophe Paulussen. "Early January, for example, a US drone strike killed Iranian general Qasem Soleimani and Iraqi paramilitary leader Abu Mahdi al-Muhandis. This was an unprecedented move by the US government: targeting a high-level official of a foreign state on the territory of yet another state."

"The year also saw the adoption of far-going security measures, and of crackdowns on populations fighting for fair elections and human rights in, for example, Hong Kong, Thailand and Belarus. Asser senior researcher Ulad Belavusau reflected on the mass strikes in the latter country, in a podcast interview with German constitutional law blog Verfassungsblog and in an op-ed for Dutch newspaper de Volkskrant."

Challenged international order

In 2020, the nationalist focus was also visible in the approach that many governments took in dealing with the Covid-19 crisis. Asser researchers of the Human dignity & human security research strand actively participated in the public debate on the impact of various Covid-19 measures. In international law blog OpinioJuris, Asser researcher León Castellanos-Jankiewicz called for attention to the plight of migrants stuck at the US-Mexican border, after the barring of all non-essential travel. According to Castellanos-Janckiewicz, the Trump administration 'used the pandemic to roll out unprecedented measures aimed at deporting migrants and asylum seekers, bringing the US in breach of international refugee law'. Asser PhD researcher Marina Bán wrote a blog post on the state of emergency in Hungary, arguing that some of the measures taken by the Hungarian government to

address the crisis were potentially in conflict with international human rights standards. Ulad Belavusau pointed out how, in contrast to many authoritarian states introducing strict quarantines, the government of Belarus stood out paradoxically by not imposing a quarantine and by allowing the 9 May military parade to go on.

'War on terror'

Asser researcher Rumyana van Ark published a paper on how the political and legal paradigm of the US 'War on Terror' continues to define our times. Christophe Paulussen: "In May we hosted the Asser Institute's first online live discussion, called 'Counterterrorism & the law: A forever and anywhere war'. Rumyana van Ark and Rebecca Mignot-Mahdavi explored the ever-growing confusion between times and spaces of war and peace in the context of counter-terrorism, and discussed the role that legal norms and legislative practices have in this."

With co-authors Devyani Prabhat (*Bristol Law*) and Faith Gordon (*Monash University*), Rumyana van Ark further published <u>three international publications</u> on the predicament of the many thousands of children from former ISIS fighters that are still stuck in prison camps in Syria and Iraq, impacted by the counter-terrorism measures that

were imposed on their parents. And Rebecca Mignot-Mahdavi wrote a policy-focused chapter on 'Countering cyber terrorism in a time of 'war on words': Kryptonite for the protection of digital rights?' in which she identifies four problems in the choices made by France to regulate online content in its cyber terrorism legislation and policy.

Asset freezes and travel bans

Nonetheless, international law in 2020 continued to play its role at both the supranational level and national level, with potential international human rights and humanitarian law violations being investigated. In March, the Appeals Chamber of the International Criminal Court (ICC) authorised the opening of an investigation in Afghanistan, which could include alleged crimes committed by US military and CIA personnel. Christophe Paulussen: "As a result, in June, former US President Donald Trump, who has sought to weaken the international legal order, issued an executive order authorising asset freezes and travel bans against 'ICC officials, employees, and agents, as well as their immediate family members'. Fortunately, the new US President Joe Biden is reversing this trend."

International law and accountability efforts were further visible at the national level: in April, two former members of the Syrian security apparatus went on trial in Koblenz, Germany, for alleged crimes against humanity committed during the Syrian conflict. It was the first trial worldwide to judge state torture in Syria.

Authoritative judicial record

Turning to the hybrid level, in August, the *Special Tribunal for Lebanon* sentenced Salim Ayyash in absentia to life imprisonment. Ayyash, a fugitive Hezbollah member, was convicted for his role in the 2005 assassination of former Lebanese prime minister Rafic Hariri and 21 other people. In this longawaited ruling, which came a fortnight after the massive explosion in the port of Beirut

that killed over 220 people, judges found that Ayyash was "guilty beyond reasonable doubt". There was not enough evidence to convict Ayyash's three co-defendants.

Christophe Paulussen: "Although there was some disillusionment at this outcome, this ruling was still important. In absentia trials are of course not the ideal way of dispensing international justice. International tribunals are 'giants without arms and legs' since they have to rely on states to arrest suspects and cannot enforce orders themselves. However, the STL has now at least established a very authoritative judicial record about what happened fifteen years ago, thus assisting the Lebanese society in moving away from a culture of impunity towards one of accountability. In December, we organised a webinar on the ruling, with a panel consisting of Olga



Asser senior researcher Ulad Belavusau pointed out in an op-ed how, in contrast to many authoritarian states introducing strict Covid-19 quarantines, the government of Belarus stood out paradoxically by not imposing a quarantine and by allowing the 9 May military parade to go on.



The launch of a Forum of Legal Actors during the online World Press Freedom 2020 conference (WPFC). The initiative aims to create a network of legal actors to support and defend the right to freedom of expression and the safety of journalists.

Kavran (STL), Thijs Bouwknegt (NIOD) and Ilaria Zavoli (*University of Leeds*) discussing the Ayyash judgment and its potential for achieving justice in Lebanon."

'Plenty of highlights'

Christophe Paulussen: "Despite the pandemic, 2020 saw plenty of highlights for our research strand. Together with Free Press Unlimited, UNESCO and the Ministry of Foreign Affairs of the Netherlands, we launched the Forum of Legal Actors during the online World Press Freedom 2020 conference (WPFC). The initiative aims to create a network of legal actors to support and defend the right to freedom of expression and the safety

of journalists. The inaugural edition of the Forum assembled over forty legal experts, joining in from South America, Africa, Asia and Europe. First, the experts focused on the role of regional and national courts in protecting freedom of expression. The second session focused on capacity building at the national and regional level. In the coming WPFC editions, the Forum will focus on capacity building, with expert exchange meetings planned in 2021 and 2022."

Guiding principles

"Senior researcher Berenice Boutin was one of the co-authors of the 'Guiding Principles on Shared Responsibility in International Law' (European Journal of International Law), which seek to provide guidance to judges, practitioners and researchers on legal questions of shared responsibility of states and international organisations for their contribution to an indivisible injury of third parties. These guiding principles build on the existing rules of the law of international responsibility and offer some novel interpretations."

"Another highlight was the PhD defence of Rebecca Mignot-Mahdvi at the European University Institute. Her dissertation, entitled 'Drone Programs: the Interaction Between Technology, War and the Law', concerns the extraterritorial use of armed drones against transnational terrorist networks, and the profound pressure placed on current legal concepts. A personal highlight in 2020, was the publication of the book 'Human Dignity and Human Security in Times of Terrorism' (T.M.C. Asser Press), that I co-edited with Martin Scheinin. He is an authority in the field of terrorism and international human rights law and he was the first UN Special rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. This volume is the outcome of the very first conference of this research strand, and it shows that we have gained a solid reputation in the field of international legal aspects of countering terrorism."

Looking ahead

"Apart from developing our new research strategy for the coming years, our strand will continue work on the MATRA project in 2021. In this new project, funded by the Ministry of Foreign Affairs of the Netherlands, we assist the newly created War Crimes Unit in Ukraine to investigate, prosecute and seek remedies for international crimes and deliver technical and strategic expertise to other criminal justice entities, such as judges and lawyers, as well as civil society organisations and journalists.

We will also continue work on the <u>DILEMA</u> <u>project</u>, led by Berenice Boutin, which really gained steam in 2020. DILEMA explores interdisciplinary perspectives on military applications of artificial intelligence (AI), with a focus on legal, ethical, and technical approaches on safeguarding human agency over military AI.

Together with Amnesty International we will publish the report 'The Rome Statute at 40'. Based on an expert meeting organised at the end of 2020, the report contains key findings

and recommendations by expert stakeholders on the future of the *International Criminal Court* (ICC) and the system of international justice created by the Rome Statute, the treaty that established the Court."



The DILEMA project explores interdisciplinary perspectives on military applications of artificial intelligence (AI).

New staff

In 2020, four new researchers joined the Human dignity and human security strand:

- Junior researcher Zsófia
 Baumann focuses on the reintegration and rehabilitation of foreign terrorist fighters.
- Junior researcher Klaudia Klonowska BSc LL.M. concentrates on the nexus of technology with international humanitarian and human rights law. Klaudia is involved
- in two <u>Global Counterterrorism</u> <u>Forum</u> (GCTF) initiatives: one on maritime security and terrorist travel, and the other on terrorist watch listing practices.
- Dr Sadjad Soltanzadeh is a postdoctoral researcher in ethics and philosophy of technology. Sadjad researches the legal, philosophical, and moral importance of human autonomy and human agency
- in the context of autonomous systems.
- For her PhD research, Taylor Woodcock LL.M. looks into the military applications of artificial intelligence and the obligations that arise with respect to these technologies under international humanitarian law and international human rights law.

Research highlights

- Belavusau, U. (with Gliszczyńska-Grabias, A.) – <u>Constitutionalism</u> <u>Under Stress: Essays in Honour of</u> <u>Wojciech Sadurski</u>, Oxford: Oxford University Press.
- Bo, M. 'Meaningful Human Control over Autonomous Weapon Systems: an (International) Criminal Law Account', article in Opinio Juris.
- Boutin, B. 'The Interplay of International Obligations Connected to the Conduct of Others: Toward a Framework of Mutual Compliance Among States Engaged in Partnered Warfare' International Law Studies.

- Castellanos-Jankiewicz, L.
- Editor (with Baranowska, G.) -Special issue on 'Historical Memory in Post-Communist Europe and the Rule of Law' European Papers.
- Klonowska, K., & Woodcock, T. (with Boutin, B.) – 'Addressing Gaps in the International Regulation of Warfare and Dual-Use Technologies: States, Private Sector, Non-State Armed Groups', Expert Meeting Report commissioned by the Dutch Ministry of Foreign Affairs.
- Mignot-Mahdavi, R. '<u>Drone</u> <u>Programs, the Individualization of</u> <u>War and the Ad Bellum Principle of</u> <u>Proportionality</u>', in Claus Kress &

- Robert Lawless (eds.), Necessity and Proportionality in International Peace and Security Law (Oxford University Press).
- Paulussen, C. Editor (with Scheinin M.) - <u>Human Dignity and</u> <u>Human Security in Times of Terrorism</u>, T.M.C. Asser Press.
- Van Ark, R. 'The Normalisation of Secrecy in the United Kingdom and the Netherlands: Individuals, the Courts and the Counter-Terrorism Framework', in: Paulussen, C. & Scheinin, M. (eds.), Human Dignity and Human Security in Times of Terrorism (T.M.C. Asser Press).

Researchers



Dr Christophe Paulussen (coordinator)



Dr Rumyana van Ark



Zsófia Baumann MA



Dr Uladzislau Belavusau



Dr Marta Bo



Dr Berenice Boutin



Dr León Castellanos-Jankiewicz



Klaudia Klonowska BSc LL.M.



Rebecca Mignot-Mahdavi LL.M



Dr. Sadjad Soltanzadeh



Taylor Woodcock LL.M



'Covid-19 exposes structural inequality in global supply chain contracts'



Academic coordinator Dr Antoine Duval.

"Till this very day, supply chains around the globe still feel the consequences of the Covid-19 pandemic. The crisis exposed the structural inequality that underlies these supply chains. We saw that the contractual structure of global supply chains is structurally tilted to favour European or North American firms." says strand coordinator Antoine Duval, whose 'Doing Business Right' project focuses on investigating the role of law in securing the public interest in the context of transnational economic activities.

Duval: "As many countries entered lockdowns in 2020, the global economy was brought to a rapid halt, leading to plummeting demand for raw materials and finished goods and disrupting manufacturing as a result. Apparel goods were amongst the many products that saw demand fall drastically, leading to global apparel brands disengaging from business relationships with their suppliers. Lead firms cancelled or even breached their contracts with suppliers, often relying on force majeure or hardship, suspended, amended or postponed orders already made. This practice had a devastating effect on suppliers, which we addressed in two blog posts on our Doing Business Right Blog."

Due diligence

Antoine Duval: "Participants praised the third iteration of our highly successful Doing Business *Right* winter academy in January, in which we focused on due diligence as master key to responsible business conduct. Using a blend of theory and practice, participants were equipped with the knowledge to engage with the growing practice of due diligence in their daily work at NGOs, corporations, administrations or in academia." (Read more on page 42).

An important development on due diligence in 2020 was the debate on the Lieferkettengezetz, the German Supply Chain Law which was adopted in June 2021. With it, the German government obliges to oblige large German companies to control compliance with human rights along their supply chain. The act highlights how governments and companies can work together to ensure greater sustainability. The new law obliges companies to assess risks within their supply chain in terms of forced labour, child labour, discrimination, violations of the freedom of association, problematic employment and working conditions, as well as environmental degradation. The act provides that companies have an obligation to actively and transparently tackle these risks in their supply chains, and that they have environmental obligations.

In November, the Doing Business Right project hosted an online roundtable discussion on the topic. The three panelists, Cornelia Heydenreich (Germanwatch), Miriam Saage-Maaß (European Center for Constitutional and Human Rights) and Christopher Patz (Coalition for Corporate Justice) reflected on the political framework surrounding the debate, current drafts, and Germany's role in the European discussion on binding due diligence legislation. With the act, Germany also hopes to build momentum for EU wide legislation. Antoine Duval: "Germany's stance on any binding due diligence regulation will be decisive. Its role in the EU-wide discussion can hardly be overstated, as Germany amounts to 30% of all EU exports, and to 20% of all imports. Factoring in France's loi



Asser researcher Misha Plagis focuses on international law in Africa. She co-authored an op-ed and was interviewed about the challenges facing the African Court on Human and Peoples' Rights.

de vigilance, both countries together could put enough pressure on the European legislators to push for an EU-wide mandatory due diligence regulation."

African Court on Human and Peoples' rights

Fellow strand member and postdoctoral researcher Misha Plagis focusses on human rights law in Africa, <u>regional</u> and continental dispute resolution mechanisms, and on African international law in general. In May, Plagis, together with co-author Nicole de Silva (*Concordia University*), wrote a <u>blog post</u> for international law blog *OpinioJuris* on the challenges facing the *African Court on Human and Peoples' Rights* – the African Union's continental human rights court. A month earlier, the <u>court received severe blows</u> as the states Benin and Côte d'Ivoire withdrew their declarations allowing individuals and NGOs to submit cases directly to the African Court.

The withdrawals threaten to undermine the court's role on the continent, but, 'can also be situated within African states' broader practices of resistance to supranational adjudication, particularly when African regional courts uphold human rights, democracy, and the rule of law', wrote Plagis. In July, she co-organised an expert round table on the topic, together with the Centre for Human Rights (University of Pretoria). Twenty experts

on the African Court on Human and Peoples' rights shared their views on the withdrawals affecting its jurisdiction, and offered potential solutions. Together with Michael Gyan Nyarko, Plagis wrote a policy paper on the outcomes. Plagis further participated, together with Alice Banens (Amnesty International), in the podcast episode 'The Shrinking African Court' by international law podcast series Asymmetrical Haircuts.

■ What's next?

In 2021, Antoine Duval will coordinate the launch of the Asser Academy Masterclass series: a new and innovative professional education series in international legal practice. Together with Misha Plagis and international law blog Afronomics law, he will organise a conference on 'Delocalised Justice: The transnationalisation of corporate accountability for human rights violations originating in Africa'.

Together with Nicole De Silva (Concordia University) Misha Plagis received a grant to work on creating outreach strategies for strengthening states' commitment to the Africa's Human Rights Court.

Narin Idriz and Eva Kassoti will organise a conference on 'Informal Law-Making in

EU External Relations Law' for the Assercoordinated research network CLEER, the Centre for the Law of EU External Relations. It examined issues raised by informal deals between the EU and third countries, such as the infamous 'EU-Turkey Statement', known as the EU-Turkey refugee deal, and the 'Joint Way Forward' with Afghanistan, an informal Readmission Agreement. While such instruments may provide a certain degree of flexibility as well as a convenient way of bypassing certain internal or external political hurdles, they come with their own set of problems. According to Idriz and Kassoti, the choice to act outside the treaties and to ignore the prescribed procedure for concluding international agreements results in less transparency, democratic scrutiny, accountability and legitimacy. Moreover, the increased use of informal instruments creates the danger of creating a parallel world of instruments, norms and agreements,

enabling the circumvention of core EU rules. This, in turn, poses significant constitutional challenges by distorting the EU's institutional balance, leaving individuals affected by these instruments without legal protection, and ultimately weakening the global regime for the protection of rights of refugees.

The interdisciplinary conference, organised as part of the Asser Institute's 'Global Europe' project, featured migration experts from across Europe, including Bas Schotel (University of Amsterdam), Sandra Lavenex (University of Geneva), Aysel Küçüksu (University of Copenhagen), and Emanuela Roman (International and European Forum on Migration Research). This event was organised in close collaboration with the Amsterdam Centre for European Studies (ACES) and moderated by Asser researchers Narin Idriz and Eva Kassoti. (See textbox page 23).

Fighting global deforestation through due diligence

Between 2010 and 2015, 7,6 million hectares of forests were lost every year, often to agriculture.

Deforestation not only causes immense biodiversity loss, but it also has extremely negative



repercussions on climate change. In the online event 'Fighting global deforestation through due diligence: towards an EU regulation on forest and ecosystem risk commodities?' speakers Delara Burkhardt (MEP and European Parliament's Rapporteur on global deforestation), Andrea Carta, (Greenpeace) and Enrico Partiti (Tilburg University) discussed the EU Parliament's ground-breaking new resolution that will help tackle deforestation. The event, moderated by Antoine Duval, examined the resolution, its possible implications for fighting deforestation across the globe, and possible means for enforcement and their challenges, as well as its impact on EU obligations under international (trade) law.

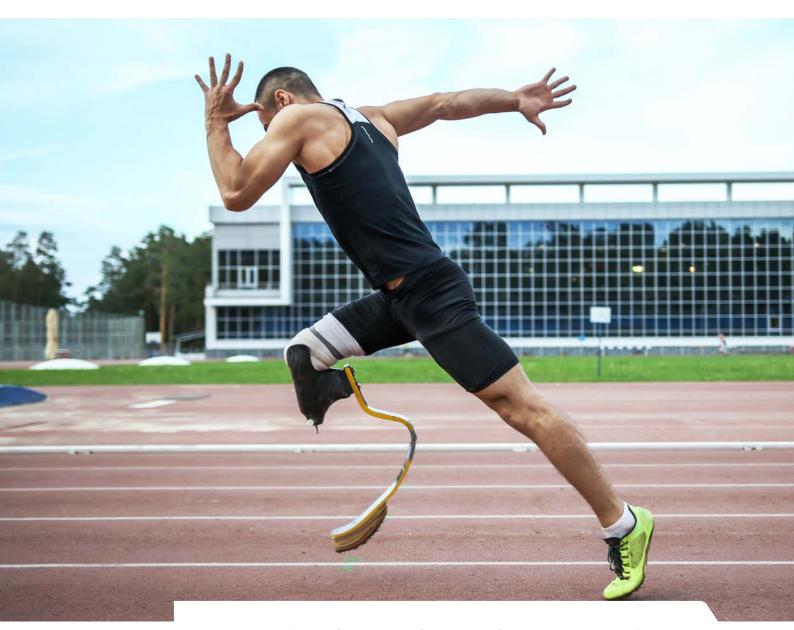


Online conference and symposium on EU migration deals and their damaging effects

In September, Asser researchers
Narin Idriz and Eva Kassoti
organised an online symposium
with German constitutional law
blog Verfassungsblog, just before
the online ACES-Asser conference on 'Migration deals and their

damaging effects', on 8-9 October. The symposium and the interdisciplinary conference examined the legal and policy implications of the increased informalisation of the EU's external action in the field of migration and asylum.

The conference and symposium were part of the Global Europe project that focuses on Europe as a global player in the new strategic context.



Transnational sports law at the Asser Institute

For years, the Asser Institute has been at the forefront of transnational sports law, a fast developing area of law with private rules of the national and international sports governing bodies form its backbone.

The Asser Institute aims to advance the human rights in the theory and practice of sportslaw, in its transnational manifestation, through high-quality scholarship, research, education and policy advice. Its research is interdisciplinary and comparative.

Through its events and publications – the International Sports Law Journal (ISLJ) and the International Sports Law Book Series published by Asser Press, the Asser Institute has become the go-to academic forum for international sports lawyers and researchers.

'Zoom In' webinar series

In December 2020, the <u>Asser International Sports Law Centre</u> introduced a new series of Zoom webinars on transnational sports law: Zoom In. The <u>first lecture</u> 'zoomed in' on the recent arbitral award delivered by the Court of Arbitration for Sport (CAS), in the case of Blake Leeper v. International Association of Athletics Federations (IAAF). Speakers were Wolfgang Potthast (German Sport University Cologne), Marjoleine Viret (University of Lausanne), and Roger Pielke Jr (University of Colorado Boulder). Antoine Duval moderated the event.

The monthly Zoom In webinars are co-organised with Marjoleine Viret.

FIFA and human rights: A research agenda

In a special issue of the Tilburg Law Review, Daniela Heerdt (Tilburg University) and Antoine Duval study the intersection between human rights and the way the Fédération Internationale de Football Association (FIFA) governs and shapes football. The issue highlights the FIFA's human rights impacts, its policies and responsibilities. The publication further maps existing research on FIFA and human rights, and strives to contribute to the definition of a research agenda at the intersection of transnational law, lex sportiva and (business and) human rights.

Antoine Duval further explores how human rights could be advanced in the context of mega-sporting events within a collective research project on EU sports diplomacy funded by the EU's Erasmus+ Programme. The project aims to promote a strategic approach to EU sports diplomacy through undertaking primary research and coordinate a series of Multiplier Sport Events (MSE).

The General Court of the EU: ISU rules are against EU competition law



In December, the General Court of the European Union confirmed that the rules of the International Skating Union (ISU) providing for severe penalties for athletes taking part in speed skating events not organised or promoted by the ISU, are contrary to EU competition law. The ISU must stop penalising speed skaters for taking part in new money-spinning events.

Dutch speed skaters Mark Tuitert and Niels Kerstholt appealed against their inability to participate at the events.

A complaint drafted originally by Asser researchers
Ben van Rompuy (now Leiden University) and Antoine Duval triggered the decision. In 2017, Rompuy and Duval released a statement in which they explained why they decided to lodge a complaint with the European Commission on behalf of Tuitert and

Kerstholt: "In 2014, we were both struck by the news that ISU threatened lifetime ban against speed skaters wishing to participate in the then projected *lcederby* competitions and convinced that it was running against the most fundamental principles of EU competition law. "(...)

"This case was always about giving those that dedicate their lives to excelling in a sport a chance to compete and to earn a decent living. The majority of athletes are no superstars and struggle to make ends meet and it is for them that this decision can be a game-changer." (...)

"Since the summer of 2014, it has been our honour to stand alongside Mark and Niels in a 'David versus Goliath' like challenge to what we always perceived as an extreme injustice."





The legality of economic activities in occupied territories International, EU law and business and human rights perspectives

This edited volume, co-edited by Asser researchers Antoine Duval and Eva Kassoti, explores the question of the lawfulness under international law of economic activities in occupied territories from the perspectives of international law, EU law, and business and human rights.

Providing a multi-level overview of relevant practices, policies and cases, the book is divided in three parts, each dealing with how different legal fields have come to grips with

the challenges brought about by the question of the lawfulness under international law of economic activities in occupied territories. The book will appeal to academics, practitioners and policy-makers alike.

• Duval, A. & Kassoti, E. (eds.) – <u>The Legality of Economic Activities in Occupied Territories: International, EU Law and Business and Human Rights Perspectives</u>, Routledge publishing

Research highlights

- **Duval, A.** Transnational Sports Law: The Living Lex Sportiva', Asser Research Paper, forthcoming in: <u>Zumbansen, P. (ed.)</u>, <u>Oxford</u> <u>Handbook of Transnational Law</u>, Oxford University Press
- Idriz, N. Hierarchies of Privilege:
 Juxtaposing Family Reunification Rights,
 Integration Requirements, and Nationality
 in EU Law, book chapter in Jesse, M. (ed.),
 European Societies, Migration and the
 Law: The 'Others' amongst 'Us', Cambridge
 University Press
- Kassoti, E 'Between Sollen and Sein: The CJEU's Reliance on International Law in the interpretation of economic agreements

<u>covering occupied territories</u>, article in Leiden Journal of International law

• Plagis, M. & Nyarko, M.G.- <u>Supporting the</u> <u>Mandate of the African Court</u>, policy paper, Pretoria University Law Press



Researchers



Dr Antoine Duval (coordinator)



Dr Narin Idriz



Dr Eva Kassoti



Dr Misha Plagis



'We focus on institutional legal practices that contribute to conflict and conflict resolution internationally'



Academic coordinator Dr Geoff Gordon.

"I am proud of the diversity of the high-level work done by our research strand members throughout the pandemic in 2020," says Geoff Gordon, coordinator of the research strand on dispute settlement. "We all have produced fundamental and applied research, each at the highest levels and through unusually adverse working conditions."

The year 2020 saw ambivalent developments under international law. There was the formal withdrawal of the United Kingdom from the European Union, in which the principle of sovereign prerogative was affirmed at the expense of the powerful and progressive institutional development of the EU. Geoff Gordon. "As the researchers in our strand focus on institutional legal practices that contribute to conflict and conflict resolution internationally, we further saw with alarm how the World Health Organization was side-lined by the United States at the very moment that it could play a crucial role to combat the Covid-19 pandemic. At the same time, we observed how TRIPS (the agreement on Trade Related Aspects of Intellectual Property Rights agreed under the World Trade Organization) has impeded much of the world from the ability to produce and distribute vaccines. My own work in 2020 with Isabel Feichtner (Goethe University Frankfurt), addressing value production in international law speaks to these differential outcomes."

Geoff Gordon further wrote the article 'Contradiction & the Court: heterodox analysis of economic coercion in international law', in which he argues that international law tends to favour certain actors and associations by enabling economic coercion, while disfavouring others by selectively disabling other possibilities for coercion. These practices contribute to historical imbalance in

distributions of resources and other values globally.

Increased number of insolvencies

Geoff Gordon: "As a consequence of the increased number of insolvencies around the globe due to the pandemic crisis in 2020, Asser senior researcher Vesna Lazic's book 'Insolvency Proceedings and Commercial Arbitration', written twenty years ago, is now getting a lot of attention and relevance. Researcher Michiel de Rooij continued to offer his guidance on a variety questions of private international law to Dutch parties. De Rooij further published the 13th edition of 'Jurisprudentie Internationaal Privaatrecht 2020', an 840-paged collection of the most important judgments from 1924 to 2020 in the field of private international law. These judgments have been specially selected for use in education, but are of course also very useful in legal practice."

Algorithmic decision-making

2020 saw how the continued acceleration of algorithmic decision-making tools are reshaping the law and practice of global governance. In their article 'A new normative architecture' – risk and resilience as routines of un-governance', Geoff Gordon and Asser researcher Dimitri Van Den Meerssche addressed the use of professional techniques tailored to information technologies at the World Bank, to problematise the increasing adoption of information technology and

theory in international legal practice. Geoff Gordon further spoke on themes of governance and public values with respect to Al applications at the <u>Digital Legal Talks conference</u>, and pursued them as well as part of the <u>Mapping Values in Al project</u>, funded by the Human(e) Al RPA (*University of Amsterdam*). This latter project, a collaboration with Bernhard Rieder (UvA *Media studies*) and Giovanni Sileno (*UvA Informatica*), raises fundamental questions about the normative and institutional commitments made every day around the world with artificial intelligence.

'Global precedent'

In March, Van den Meerssche wrote an op-ed in Dutch newspaper Het Parool on a judicial ban on the use of the Dutch monitoring system SyRI (*System Risk Indication*), in which the government used algorithms to detect fraud risks in large amounts of personal data. Van den Meerssche praised the verdict, calling it a 'global precedent', in which the judiciary 'rightfully set fundamental limits to the use of new technologies by the government, as befits a functioning constitutional state'.

Geoff Gordon: "These issues of new technologies meet up with Asser researcher Sofia Stolk's work, which explores the communication of international law in an age of new media and new media technologies. Her new book 'International Law's Collected Stories', co-edited with Renske Vos (VU Amsterdam), offers novel and interdisciplinary perspectives on international law through artistic techniques, such as storytelling, novel, collage, self-portrait, drama, and museum tours."

'Ambivalent aspirations'

In their article <u>'Law in concrete: institutional architecture in Brussels and The Hague'</u>
Stolk and Vos shed light on the 'ambivalent aspirations' reflected by the architectural design of international law institutions, such as the *International Criminal Court* in The Hague, and the *European Union* buildings



In February, a Dutch court banned the use of the monitoring system SyRI (System Risk Indication), in which the Dutch government used algorithms to detect fraud risks in large amounts of personal data. In an op-ed, Asser researcher Van Den Meerssche praised the verdict, calling it a 'global precedent', in which the judiciary 'rightfully set fundamental limits to the use of new technologies by the government'.

in Brussels. With the *United Nations* (UN) celebrating its 75th anniversary in 2020, Sofia Stolk and Tanja Aalberts (*Vrije Universiteit*) further studied the historical context of the *Peace Palace*, home of the *International Court of Justice*, in their article 'The peace palace: Building (of) the international community'. Using primary source material from the Peace Palace archive, Stolk and Aalberts draw attention to the importance of the Peace Palace building, as well as the gifts that it received from states as artefacts of the imagining and enacting of the international community.

■ What's next?

Vesna Lazic will co-author a publication on two important judgements (*Riverrock* from the UK and *Petrowest* from British Columbia) on the intersection of international arbitration and insolvency. The pandemic, and the aftermath thereof, will pave the way for



With the United Nations (UN) celebrating its 75th anniversary, Sofia Stolk and Tanja Aalberts (Vrije Universiteit) studied the historical context of the Hague-based Peace Palace, home of the International Court of Justice.

many more insolvencies and issues pertaining to arbitration agreements. She will also work on a toolkit by the <u>International Bar Association</u> on insolvency and arbitration. The toolkit aims to provide guidance to parties, counsel and arbitrators in situations where a party to arbitration proceedings is also subject to insolvency proceedings in one or more jurisdictions.

Sofia Stolk will coordinate a <u>workshop on</u> documentary film and global justice, which connects filmmakers to professionals and students in human rights and international law, in an inspiring annual event coorganised with *VU Amsterdam* & the *Movies that Matter Festival*. In an outreach project with Hague-based school pupils, Sofia will work on familiarising high school students with international law and its Hague-based institutions. She will further coordinate a 2021 Asser Academy masterclass on art and international law; *The art and international law laboratory*.

Dimitri Van Den Meerssche will coordinate the Asser Methodologies Series. The series

was launched to much success and a global audience at the conclusion of 2020. The monthly events will run throughout 2021, featuring leading international scholars to explore the diversity of methodological approaches applicable to the study of international law. The global audience for the series will be invited to a culminating workshop in December, co-sponsored by the Municipality of The Hague and the KNAW.

Geoff Gordon: "In 2020, I researched quantum technologies, an emerging field of physics and engineering that could radically impact international institutions and institutional practices. For 2021, I will progress that research, examining hands-on issues in the fields of quantum sensing, communications and computing. Further, I aim to explore correlated insights from quantum information theory that may be applicable to emerging, information-driven practices in international law. These subjects are the focus of the MacCormick Fellowship that I will hold at the *University of Edinburgh* in 2021".

Private international law in Nigeria

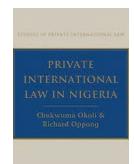
The new market created under the African Continental Free Trade Area (AfCFTA) agreement is estimated to be as large as 1,3 billion people across Africa, with a combined gross domestic product (GDP) of \$3,4 trillion. With the fast-growing international trade with Africa comes an inevitable rise in trade disputes. For trade to run smoothly, questions such as 'what courts have jurisdiction; what law(s) should apply; will a foreign judgment be recognised and enforced by the courts of African states' will need to be resolved.

In 2020, Asser researcher

Chuwkuma Okoli published a sales edition of his PhD entitled "Place of Performance: A Comparative Analysis" (Hart, 2020), which provides an analysis on the place of performance as a connecting factor in international commercial contracts, and one of considerable significance. Okoli's book challenges and questions the approach of the European legislator for not explicitly giving special significance to the place of performance in determining the applicable law in the absence of choice for commercial contracts. Some of the underlying themes in the book involve the protection

of weaker parties, and the reduction of transaction costs. External reviewers called the book 'very brave' and a 'terrific challenge'.

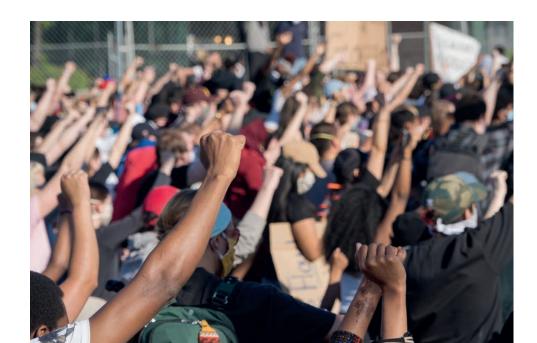
Okoli further co-authored a key publication on Private international law in Nigeria, together with Richard Oppong (Thompson Rivers University). The book, which also got excellent reviews, examines the rules, principles, and doctrines in Nigerian law for resolving cases involving cross-border issues. It is the first booklength treatise devoted to the full spectrum of private international law issues in Nigeria.



International lawyer Nawi Ukabiala: 'Use international norms and dispute settlement to promote racial justice in the US'

Across the globe, social movements mobilised for racial justice and equality after the brutal killings of George Floyd and Ahmaud Arbery in the United States in 2020. Asser researcher Dimitri Van Den Meerssche interviewed international lawyer Nawi Ukabiala on his vision for the

role of international law in the fight against racial violence in the US. In the <u>interview</u>, Ukabiala said that that the American civil society should invoke international human rights standards to promote racial justice in the United States.



Judgtrust: Enhancing consistency in applying EU private international law

Senior Asser researcher Vesna Lazic is the project leader of Judgtrust, an EU funded project that aims to identify best practices and provide guidelines in the interpretation and application of the EU Regulation 1215/2012, usually referred to as 'regulation Bla' or 'Brussels Ibis'. This regulation deals with the jurisdiction and the recognition and enforcement of judgments in civil and commercial matters. The

two-year project aims to improve the conditions for a more uniform interpretation and application of the regulation, promoting mutual trust and efficiency of cross-border resolution of civil and commercial disputes. The project will provide suggestions on how to reach a greater degree of consistency in unifying private international law rules on the EU level. It will promote coherence between

various legal sources, which affect everyday lives of EU citizens and daily business practices. The research is conducted by the T.M.C. Asser Instituut in cooperation with Universität Hamburg, University of Antwerp and Internationaal Juridisch Instituut (IJI).



This project is funded by the Justice Programme of the European Union.

Research highlights

- Van Den Meerssche, D. & Gordon G. 'A new normative architecture' risk and resilience as routines of un-governance, article in Transnational Legal Theory
- Lazić, V. & Stuij S. (Eds.) Recasting the Insolvency Regulation: Improvements and Missed Opportunities, Short studies in Private International Law book series, T.M.C Asser Press
- Okoli C. & Oppong, R.F. Private International Law in Nigeria, Hart Publishing
- De Rooij, M. Jurisprudence on Private International Law 2020, Ars Aequi Libri
- Stolk S. & Vos, R. (Eds.) Brutal International Law, special section in New Perspectives

Researchers



Dr Geoff Gordon (coordinator)



Dr Vesna Lazić



Dr Chukwuma Okoli



Michiel de Rooij, LL.M.



Dr Sofia Stolk



Dr Dimitri Van Den Meerssche

Research news (selection)



New project: Designing International Law and Ethics into Military AI (DILEMA)

The <u>DILEMA project</u> explores interdisciplinary perspectives on military applications of artificial intelligence (AI), with a focus on legal, ethical, and technical approaches to safeguarding human agency over military AI. It analyses, in particular, subtle ways in which AI can affect or reduce human agency, and seeks to ensure compliance with international law and accountability by design. The project is led by Asser senior researcher Berenice Boutin and funded by the *Dutch Research Council Platform for Responsible Innovation* (NWO-MVI). It started in September 2020 and will run for four years.

In December 2020, the DILEMA project launched the *DILEMA lecture series*, an innovative platform for academics and other experts working on relevant topics to present their work and share reflections with researchers, students and professionals. During the first lecture, Dr Rebecca Crootof (*University of Richmond*) spoke on 'AI, autonomous weapons systems, and accidents in war'.

Asser PHD programme

The T.M.C. Asser Instituut's <u>PhD programme</u> is a dynamic platform in an intimate research environment. We train researchers to work at the cutting-edge of international law, conducting independent research at the intersection of theory and practice. The Asser institute is well-connected in the Dutch legal scene. Our PhD candidates have the unique opportunity to collaborate with a rich pool of experts and practitioners in the Hague, as well as other Dutch laws schools.

Our work is organised around close contact between supervisors and PhD researchers, supported by professional training activities designed to assist PhDs with addressing the theoretical and methodological quandaries they may face in developing their disserta-

In October 2020, Marina Bán became the first candidate from the programme to successfully <u>defend her dissertation</u>. Ban's thesis titled 'The legal governance of historical memory and the rule of law' examines state-based efforts to regulate the telling of history and the impact such measures have on the rule of law, concluding that they contribute to its deterioration. The thesis was supervised by <u>Janne Nijman</u> and Asser senior researcher <u>Ulad Belavusau</u>.

In September, Asser researcher <u>Taylor</u> <u>Woodcock</u> participated in the Asser PhD Programme meetings to examine the military applications of artificial intelligence and the obligations that arise with respect to these technologies under international humanitarian law and international human rights law.

In 2020, junior Asser researcher <u>Klaudia</u> <u>Klonowska</u> participated in the Asser PhD programme, while working towards a PhD project proposal.

Asser Nexus on conflict and crime

The Asser Nexus on conflict and crime brings together research on international humanitarian law, international criminal law, transnational criminal law, and the legal aspects of countering terrorism. The website provides access to a range of information for scholars, legal professionals, and students, as well as journalists and the general public. In 2020, we conducted a soft launch of the Nexus. After its public launch in January 2021, the Nexus will continually be updated as research and other materials becomes available. The Municipality of The Hague provides financial support for this project.



The T.M.C. Asser Instituut welcomes visiting researchers and legal practitioners from around the world for its visiting research fellowship programme.

Visiting research fellowship programme

The T.M.C. Asser Instituut welcomes visiting researchers and legal practitioners from around the world, providing a place to pursue their own research project while participating actively in the Asser community. Although we had to put the programme on hold due to Covid-19, we welcomed one visiting researcher in 2020, Dr Carolina Jiménez Sánchez, who joined us virtually from Italy. Sánchez is a lecturer of public international law, EU law and international relations at the University of Malaga. During her time at Asser, Sánchez put her expertise in EU external relations law to use as a CLEER research fellow. (Learn more about the CLEER on page 37).

Shelter City fellowship programme

The Shelter City fellowship programm767e is a project by Justice and Peace Netherlands that provides temporary relocation and training to legal practitioners who fight against human rights violations in their home countries. The Asser Institute is honoured to participate in this programme and provide a safe space for Shelter City Fellows to do research that nurtures their justice seeking activities back home. We look forward to resuming this programme when conditions allow.

New lecture series: Method, methodology and critique in international law

The Asser Institute launched an innovative lecture and workshop series on 'Method, methodology and critique in international law'. Participants explore different methodological approaches and learn how to position themselves in an increasingly complex methodological landscape. In December 2020, the series got off to a successful start, with 180 people attending the introductory lecture by coordinator Dimitri Van Den Meerssche (Asser Institute) and Prof. Wouter Werner (Vrije Universiteit Amsterdam).

This twelve-part series addresses a wide variety of methodological approaches: from critical race theory to legal anthropology and ethnography. The goal is to explore new ways of 'doing' international legal scholarship, encouraging researchers to think not only about what they research but also how they research it. This lecture and workshop series is generously funded by the Municipality of The Hague.

Marked Absences: Locating Gender and Race in International Legal History

In <u>an article</u> for the European Journal of International law, Asser academic director, chairperson of the executive board and International Gender Champion <u>Janne E. Nijman</u> argues for the 're-making' of international legal history to include questions of race and gender. The international legal canon, she believes must 'be inclusive, self-critical and reflective of how our relationship with the past evolves through ongoing international legal scholarship'.

As such, 21st century legal scholars should raise 'the woman question' and 'the colonial question' when (re)examining legal scholarship. The goal is not to disparage past scholars, many of whom have written seminal works in the field. Rather, it is to shine a light on groups that have previously been left out of international legal scholarship.

With this <u>article</u>, Nijman peruses her mission and that of the Asser Institute to advocate for gender equality and use our skills as legal researchers and practitioners in the fight for gender justice. To learn more about gender equality and the Asser Institute, see page 56.

The global city: challenges, trust and the role of law

This project explores the global city as the crucial place where citizenship and human rights have been debated in the past and in the present. It also questions the role and position of the global city on the international stage. The project consists of four individual PhD studies. conducted by Asser researchers Julia van der Krieke, Yehonatan Elazar-DeMota, Miha Marcenko and Lisa Roodenburg. Together, they are researching a number of related themes: diversity, migration and trade (including the slave trade); political participation and citizenship; the role of law, fundamental rights and duties as a possible source of trust in the global city of the past and present; and the role and position of the global city in the international (legal) order of the past and present.

The team members frequently publish and present their research, and share their findings through blogs on the Global City website. In 2020, Lisa Roodenburg co-authored (with Sofia Stolk), the book chapter: 'The Desire to be

an International Law City: A
Self-Portrait of The Hague and
Amsterdam', in: Stolk, S. & Vos,
R. (eds.), International Law's
Collected Stories (Palgrave
MacMillan). In the same publication, Miha Marcenko wrote
the chapter 'International Legal
Collage of an Ideal City'. Nijman
and Roodenburg co-authored
a report commissioned by
the Municipality of Amsterdam
on international trends and
responses to polarisation.

Cities and international law: collecting empirical evidence

The International Law Association (ILA) Study Group on the Role of Cities in International Law, chaired by Aust and Nijman, collected and discussed a variety of city reports with the aim to publish them with a leading academic press. These city reports, which will be launched early 2021, will shed light on city practices, in particular of local governments in relation to international law, on cities' engagement with other cities, with international organizations and/or with global governance mechanisms.

For the Research Handbook on Law, Governance and Planetary **Boundaries** (Eds. French, D and Kotzé, J.), Edward Elgar (2020), Janne E. Nijman and Helmut Aust co-authored the contri**bution 'Planetary Boundaries** Intra Muros: Cities and the Anthropocene'. This chapter canvasses the relationship between cities, planetary boundaries and the Anthropocene. It portrays some of the many promises that a turn to the city seems to bring in this respect, in particular through forms of innovative urban governance. However, the chapter contextualises these promises and looks at some of the potential shortcomings that are associated with the recent adoration of cities as more responsible and benign units of governance. The chapter ultimately shows how cities are inevitably bundled up in the processes which bring us closer to the planetary boundaries and which have created the Anthropocene. The planetary boundaries run right through them.

Gieskes Strijbis PhD researchers



Yehonatan Elazar-DeMota MA



Julia Krieke MA



Miha Marcenko LL.M.



Lisa Roodenburg MSc

Cooperation & inter-university activities

The Asser Institute actively promotes the creation of research networks in the domains of the Institute, both on a permanent and an ad hoc basis. We value the following collaborations:

Stakeholder universities

- University of Amsterdam
- VU Amsterdam
- University of Groningen
- Leiden University
- Maastricht University
- · Radboud University of Nijmegen
- Erasmus University Rotterdam
- Utrecht University
- Tilburg University

In its research, education and events, the T.M.C. Asser Instituut works in close cooperation with Dutch and foreign universities, with national and international networks of scholars, other professional experts and professional societies.

Amsterdam Centre for European Law and Governance (ACELG)

The Amsterdam Centre for European Law and Governance (ACELG) is an UvA faculty centre of excellence. It makes high level contributions to the academic and policy debate on legal and governance processes in Europe. In February, ACELG director Christina Eckes gave a CLEER lecture at the Asser Institute entitled 'The Autonomy of the EU Legal Order.' (See below for more info).

Amsterdam Centre for International Law (ACIL)

The Amsterdam Center for International Law (ACIL), a research organ of the UvA, is an internationally leading centre for cutting-edge research on questions of international law. In 2020, ACIL and the Asser Institute cooperated in the organisation of the popular workshop 'International public interest advocacy', on strategic ligitation in the public interest.

International Centre for Counterterrorism (ICCT)

The International Centre for Counter-Terrorism – The Hague (ICCT) is an independent think and do tank providing multidisciplinary policy advice and practical, solution-oriented implementation support on prevention and the rule of law, two vital pillars of effective counter-terrorism.

It is supported by a unique partnership between The Hague Institute of Security and Global Affairs/Leiden University and the Asser Institute, with the Netherlands Institute of International Relations Clingendael as a preferred partner. Asser researchers Christophe Paulussen, Rebecca Mignot-Mahdavi, and Rumyana van Ark are ICCT research fellows and regularly publish briefs and perspectives



on the ICCT website. Further, in June, Paulussen spoke at an ICCT briefing on the repatriation of foreign fighters to European countries and Paulussen and Van Ark take part in the *Radicalisation Awareness Network* (RAN) of the *European Commission* on behalf of ICCT.

Advanced summer programme on terrorism, counter-terrorism, and the rule of law

The Asser Institute and the ICCT further cooperate in the Advanced summer programme on terrorism, counter-terrorism and the rule of law, which offers an in-depth at the challenges of implementing counter-terrorism policies while maintaining respect for human rights. (Read more on page 43).

Research network CLEER

Research network CLEER (Centre for Law and EU External Relations), coordinated by the Asser Institute, offers a platform for discussion and various activities to connect researchers and practitioners interested in the EU's actions on a global scale. Academic coordinator of the CLEER network is senior researcher in international and EU law, Eva Kassoti. In February 2020, Kassoti organised a CLEER lecture on conceptions of sovereignty and autonomy in the EU with guest speaker Christina Eckes (University of Amsterdam; ACELG). Eckes argued that the Court of Justice of the European Union's conception of the EU's autonomy is best understood as a claim to jurisdictional sovereignty, which is legal conceptual and must necessarily be absolute.

CLEER also coordinates the <u>CLEER Presidency</u> <u>lecture series</u>, which focuses on the role of the incumbent presidencies in coordination and leadership in regional and global issues. In

March, we welcomed Ambassador of Finland to the Netherlands, H.E. Ms Päivi Kaukoranta to speak about <u>Finland's experience during</u> their presidency to the *Council of the EU*.

Netherlands Network for Human Rights Research (NNHRR)

The NNHRR is an inter-university platform coordinated by the Asser Institute that aims to connect junior and senior human rights researchers in the Netherlands. The Asser Institute is a founding member and is entrusted with its coordination and administration. The academic coordinator is Asser researcher León Castellanos-Jankiewicz.

In 2020, the NNHRR celebrated the renewal of its mandate for an additional three years and welcomed three Dutch universities, extending its membership to all Dutch law schools. The NNHRR also increased its online presence by opening a *Twitter* account and launching a <u>blog series</u>.

The International Humanitarian and Criminal Law Platform (IHCL Platform)

The IHCL Platform is another inter-university network coordinated by the Asser Institute. Its objective is to foster research in the area of international criminal law and humanitarian law, and to provide an academic platform for discussion of relevant contemporary issues and legal questions for which there is, as of yet, no fixed jurisprudential position. In 2020, the IHCL Platform co-organised two SCL lectures: 'Challenges to Prosecuting Paramilitaries: Insights from the former Yugoslavia and Syria' and 'The STL judgement in the Ayyash et al. case: Justice for Lebanon?'

On 18 May, IHCL Platform coordinator Christophe Paulussen organised the ninth



Ambassador of Finland to the Netherlands, H.E. Ms Päivi Kaukoranta spoke at the CLEER presidency lecture about Finland's experience during the country's term as Presidency of the Council of the EU.



annual PhD day. The PhD day provides an opportunity for PhD candidates to present their research on international humanitarian law and international criminal law topics and acquire feedback in an informal setting. To learn more about PhD research at the Asser Institute, see page 33.

The IHCL Platform was established in 2010 and consists of representatives from the Asser Institute:

the University of Amsterdam (ACIL); the VU University Amsterdam; Leiden University (Grotius Centre for International Legal Studies); the University of Groningen; the Netherlands Defence Academy; Tilburg University; Maastricht University; KU Leuven (the Institute for International Law); Utrecht University; Ghent University (the Ghent Rolin-Jaequemyns International Law Institute); the University of Antwerp; the Université Libre de Bruxelles and the Royal Military Academy in Belgium.

Hague Courts Dialogue series

The Hague Courts Dialogue Series began in November 2018, as a continuation of Asser's ICJ Series. It is a regular series of events organised in consultation with colleagues from the Hague courts community, and in coordination with Le Club de Droit International, a network of diplomats in charge of legal affairs in The Hague.

In February 2020, we organised a lecture 'Curtailing the surveillance state? A panel discussion on the SyRI judgement' as part of this series. The SyRI (System Risk Indication) case concerns the use of algorithmic decision-making by the Dutch government to detect welfare fraud. On 5 February, the District Court of The Hague ruled that the SyRI algorithm violated human rights law and ordered its immediate halt. In this panel,

speakers discussed the implications of this decision for privacy law and the regulation of artificial intelligence. The panel was moderated by Asser researcher <u>Dimitri Van Den</u> Meerssche.

HILAC lecture Series

The HILAC lecture series is an occasional lecture series on the subject of law and armed conflict organised by the Asser Institute since 2005, in cooperation with the Netherlands Red Cross and the Amsterdam Center for International Law of the University of Amsterdam. In 2020, we organised three very well-attended online HILAC lectures: 'How the Syrian conflict has changed international law', 'Military necessity and the law of armed conflict', and 'International humanitarian law and non-state actors'.

SCL lecture series

The Supranational Criminal Law (SCL) lecture series on international criminal law has been organised by the Asser Institute since 2003, in cooperation with the Grotius Centre for International Legal Studies of Leiden University (Campus The Hague) and the Coalition for the International Criminal Court (CICC). In 2020, we organised four SCL lectures. In March, a lecture celebrated the launch of The Global Prosecution of Core Crimes under International Law, by Dr Christopher Soler and published by T.M.C. Asser Press/Springer Verlag. In June, esteemed guests discussed the challenges of prosecuting paramilitaries. In December, two SCL lectures were held: 'The STL judgement in the Ayyash et al. case: Justice for Lebanon?' and 'Sexual terrorism' (organised jointly with IMPACT: Center against Human Trafficking and Sexual Violence in Conflict).



Sexual violence in conflict has historically been overlooked with perpetrators often escaping punishment. In December 2020, an SCL Lecture on 'Sexual terrorism' was organised jointly with IMPACT: Center against Human Trafficking and Sexual Violence in Conflict. The lecture, moderated by Christophe Paulussen, zoomed in on terrorist group Boko Haram in Nigeria, which has committed rapes and other forms of sexual violence since 2009. The lecture concluded with a reflection from the UN Team of Experts on Rule of Law and Sexual Violence in Conflict.

A global network

In all of our activities, we work in close cooperation with our international Asser alumni, with Dutch and foreign universities, and with local, national and international networks of scholars and practitioners. A snapshot of some the organisations we worked with this year:

The Hague

- International Court of Justice
- Iran-United States Claims
- International Criminal Court
- Permanent Court of Arbitration
- Le Club de Droit International
- OPCW
- Netherlands Ministry of Foreign
- Internationaal Juridisch Instituut
- International Institute of Social Studies
 Royal Academy of Art, The
- Hague

- The Hague Academic Coalition
- The Hague University of Applied
- Coalition for the ICC
- Rode Kruis Nederland
- Special Tribunal for Lebanon
- International Centre for Counter-Terrorism
- Antonio Cassese Initiative
- Eurojust
- Netherlands Ministry of Justice and Security
- Netherlands Ministry of Defence
- District Court of The Hague

- Unesco
- 510 Global
- European Association of History Educators The Hague Geoffrey Nice Foundation
- Network of Concerned Historians OSCE High Commissioner on National Minorities
- Hague Conference on Private International Law
- Global Counterterrorism Forum
- Embassy of Bangladesh
- Embassy of Bulgaria
- Embassy of Austria



Korea University Legal

South Korea Korean Society of International Law, Seoul. South Korea

Research Institute, Seoul,

Beijing Institute of Technology,



the Netherlands

- University of Amsterdam
- Amsterdam Center for International Law
- Amsterdam Centre for
- European Law and Governance Amsterdam Law Hub (UvA)
- VU Amsterdam
- Amnesty International, Amsterdam
- The Law of Armed Conflict & Military Operations, Amsterdam
- AKD Benelux lawyers
- Leiden Asia CentreMilieudefensie, Amsterdam
- Centre for the Politics of Transnational Law (VU). Amsterdam
- Movies that Matter Foundation, Amsterdam

 ABN Amro Amsterdam

- Clean Clothes Campaign, Amsterdam
- FNV, Amsterdam
- FIFPro, Hoofddorp
- Free Press Unlimited
- Amsterdam
- District Court of Rotterdam
- Leiden University Grotius Centre for
- International Legal Studies,
- Leiden University Royal Netherlands Society of International Law, Leiden
- PAX voor Vrede, Utrecht
- University
- Utrecht University
- Groningen University
 Tilburg University
- Netherlands Defence Academy, Breda Maastricht University

Europe

- Institute for International Law of the KU Leuven Belgium
- EUObserver, Brussels, Belgium Société Internationale de Droit Militaire et de Droit de la
- Guerre, Brussels, Belgium Universiteit Antwerpen, Belgium
- University of Ghent, Belgium
- University of Kent Brussels School of International Studies, Belgium
- European Parliamentary Research Service, Brussels, Belgium
- Catholic University Leuven, Belgium
- European Commission, Luxembourg City Max Planck Institute
- Luxembourg for International, European and Regulatory Procedural Law, Luxembourg
- International Federation for Human Rights, Paris, France
- Paris Sorbonne University, Paris, France
- Paris Diderot University, Paris, France
- Gerda Henkel Stiftung,
- Düsseldorf, Germany

 Universität Hamburg
- Hamburg, Germany Nuremberg Principles
- Academy Germany
- Center for East European and International Studies, Berlin, Germany
- Verfassungsblog, Germany
- International Committee of the Red Cross, Geneva, Switzerland
- Graduate Institute of International and Development Studies, Genève, Switzerland
- Geneva Academy of International Humanitarian Law and Human Rights, Genève Switzerland
- Centre for Sport and Human Rights Geneva, Switzerland
- Women in Sports Law Lausanne, Switzerland

- World Players Union -UNI Global Union, Nyon, Switzerland
- University of Geneva, Geneva, Switzerland
- Digital Science Initiative, Zurich, Switzerland
- United Nations Interregional Crime and Justice Research Institute (UNICRI), Turin, Italy
- International Institute of Humanitarian Law, San Remo, Italy
- University of Bologna, Italy Criminal Justice Network,
- Milano, Italy Istituto Storico Italo-Germanico Bruno Kessler,
- Trento, Italy Instituto Storico Parri,
- Bologna, Italy
- LUISS University, Rome, Italy EJIL: talk!, Florence, Italy
- European Observatory on
- Memories, Barcelona, Spain Foro de Asociaciones de Educación en Derechos
- Humanos y por la Paz, Bilbao, Spain
- The Global Pro Bono Bar Association, Dover, UK
- The Global Legal Action Network, London, UK and Galway Ireland
- Oninio Juris London UK
- Business and Human Rights Centre, London, UK
- Oueen Mary University. London, School of Law, UK
- $Stockholm\ University, Sweden$ Polish Academy of Sciences.
- Warsaw, Poland
- Hungarian Academy of Sciences, Budapest, Hungary
- University of Central Lancashire, Cyprus



Middle East

- American University of Beirut (AUB), Lebanon
- American University of Science and Technology (AUST), Lebanon
- Beirut Arab University (BAU), Lebanon
- Notre Dame University (NDU), Lebanon
- Lebanon Université Libanaise (UL), Lebanon
- Museum of Beirut, Lebanon

Université La Sagesse (ULS),

- Université Saint-Esprit de Kaslik (USEK), Lebanon
- Lebanese American University
- (LAU), Lebanon University of Balamand (UoB),
- Lebanon

 Islamic University of Lebanon (IUL), Lebanon
- Academic University College for Non-violence and Human Rights (AUNOHR), Lebanon
- Tel Aviv University, Israel



Education & capacity building (selection)



The T.M.C. Asser Instituut is a leading and authoritative provider of professional and post-graduate education. By utilising our collective knowledge, skills and the power of partnership, we create unique and highly relevant programmes on a variety of subjects and levels for a diverse range of individuals (including judges, prosecutors, legislators, policy makers, civil servants, diplomats, lawyers and students).

<u>Winter academy on Artificial Intelligence</u> <u>and international law</u> – 20-24 January 2020

The second winter academy on Artificial Intelligence (AI) and international law brought together academics, policymakers, and practitioners to discuss the technical

and legal aspects of AI. The programme was structured along five themes: Understanding AI, AI for good, AI and armed conflict, AI and responsibility, and AI governance. It featured high-level speakers including Susie Alegre (Doughty Street Chambers), Dr Daniele Amoroso (University of Cagliari; ICRAC), Irakli

Beridze (Centre on Artificial Intelligence and Robotics, United Nations Interregional Crime and Justice Research Institute (UNICRI)), Dr Jeroen van den Boogaard (Netherlands Defence Academy; University of Amsterdam), and Steven Hill (North Atlantic Treaty Organisation).

Winter academy on Doing Business Right: Due diligence as master key to responsible business conduct - 27-31 January 2020

The third iteration of the Doing Business Right winter academy focused on the concept of human rights due diligence.
Together with expert speakers, participants retraced the genealogy of the concept, investigated its theoretical underpinnings, and gained a comprehensive understanding of its practical operation through specific case studies. Speakers included Radu Mares (Lund University), Manon Wolfkamp (MVO Platform), Elsa Savourey (Herbert Smith Freehills) and Leonard Feld (European University Institute). Participants also had the opportunity to visit The Centre for Research on Multinational Corporations (SOMO).

Strengthening domestic capacity to prosecute international and transnational crimes in Africa – 24-28 February 2020

Since 2018, the Asser Institute, together with the Antonio Cassese Initiative and International Nuremberg Principles Academy, has organised training courses on International Criminal Law (ICL) and Transnational Criminal Law (TCL). The course is designed for judges and prosecutors from French-speaking African countries. It aims to strengthen the capacity to prosecute international and transnational crimes and protect human rights in countries with fragile judicial systems. In 2020, nineteen selected judges and prosecutors were invited to a training in Arusha (Tanzania). The diverse group of participants came from Benin, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Congo, Democratic Republic of Congo, Mali, Niger, and Togo.





Summer law programme on international criminal law & international legal & comparative approaches to counterterrorism - 26 May-18 June 2020

This annual summer law programme is the product of a unique collaboration between the War Crimes Research Office of American University's Washington College of Law and the Asser Institute. Now in its fourteenth year, this (online) programme invites students from top US law colleges and universities to learn from international legal practitioners and scholars and (virtually) visit international legal institutions in The Hague. In 2020, high-level speakers were Fausto Pocar



Online summer workshop on international public interest advocacy.



(Judge ad hoc, International Court of Justice)
Daryl Mundis (Registrar, Special Tribunal for Lebanon) and Prof. Terry Gill (Professor of Military Law, University of Amsterdam).

Summer workshop on international public interest advocacy – 1-3 July 2020

During this unique online workshop, participants gained insights into the latest practices in public interest law and were exposed to new ways of advocating for the public interest in an international setting. Leaders in practice – including advocates, activists, academics and members of international NGOs – discussed questions of legal techniques, different approaches to handling a cause, and how to start a practice. Speakers included Gearóid Ó'Cuinn (Global Legal Action Network), Jelle Klaas (Public Interest

Advanced summer programme on terrorism, counter-terrorism and the rule of law. Lecturer Dr Jessie Blackbourn (University of Oxford).

Litigation Project), and Louise Fournier and Charlie Holt from Greenpeace International.

Advanced summer programme on terrorism, counter-terrorism and the rule of law - 24-28 August 2020

This year marked the tenth anniversary of our renowned Advanced summer programme on terrorism, counter-terrorism and the rule of law. During this weeklong course, participants explored international and domestic legal aspects of counter-terrorism through interactive lectures, group discussions and (virtual) study visits to Eurojust and Europol. Speakers included Prof. Richard English (Queens University Belfast), Prof. Jan Wouters (KU Leuven), Prof. Isabelle Duyvesteyn (Leiden University) and Dr Devyani Prabhat (University of Bristol). Daniel Kipfer-Fasciati, UN Ombudsperson to the ISIL (Da'esh) and Al-Qaida Sanctions Committee, shared practical expertise with participants. This summer course is organised in collaboration with the International Centre for Counter-Terrorism.

<u>Training programme on disarmament and</u> <u>non-proliferation of weapons of mass</u> <u>destruction - 28 September - 2 October</u>

During the eleventh training programme on disarmament and non-proliferation of Weapons of Mass Destruction (WMDs), co-organised with the OPCW, participants received a comprehensive overview of non-proliferation and disarmament efforts. They learnt from renowned experts and practitioners, including Daniel Feakes (UN Office for Disarmament Affairs), Ingeborg Denissen (Head of non-proliferation and disarmament, Netherlands Ministry of Foreign Affairs) and several senior OPCW staff members. Participants were also invited to

engage in active discussions on the challenges posed by WMDs and attempts to regulate their use. Scholarships were generously provided by *The Netherlands Ministry of Foreign Affairs* and the OPCW, with funding support from the *European Union*.

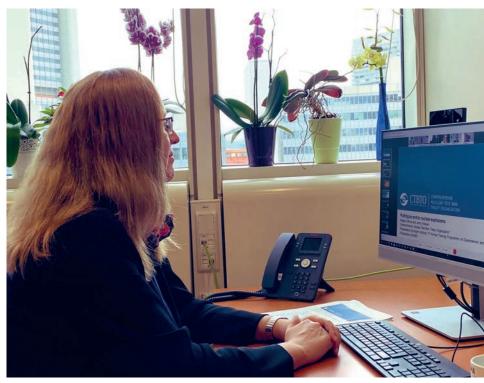
Lebanon lectures: The inter-university programme on international criminal law and procedure – 16 December 2020–26 May 2021

The inter-university programme on international criminal law and procedure entered its ninth year in 2020. Organised since 2011 by the Asser Institute and the Outreach and Legacy Section of the Special Tribunal for Lebanon (STL), the inter-university programme is designed for advanced Lebanese undergraduate students, as well as a limited number of graduate students. The seventeen-lecture programme is delivered in English with simultaneous interpretation into Arabic. The course brings together students and teachers from eleven Lebanese universities, fostering inter-university cooperation and transforming the Lebanese academic and legal landscape. Georges Masse (American University of Science and Technology, Beirut) describes the programme as 'the best attempt towards reconciliation in Lebanon, because it brings together universities and students from different backgrounds'.

In December 2020, the STL handed over the programme to the Asser Institute and the International and Transitional Justice Resource Centre (ITJRC), an NGO founded by a group of Lebanese professors involved in the inter-university programme. View a short video about the handover ceremony on our YouTube channel.

MATRA (MAatschappelijke TRAnsformatie: social transformation) Programme – June 2020–2024

In June, the Netherlands Ministry of Foreign Affairs awarded the Asser Institute and Global Rights Compliance (GRC) a contract under the MATRA (MAatschappelijke TRAnsformatie: social transformation)
Programme to assist in reforming Ukraine's criminal justice sector from 2020-2024.
This MATRA project is designed to assist the newly created War Crimes Unit to investigate, prosecute and seek remedies for international crimes. It will also be an opportunity to share expertise with other criminal justice entities, such as judges and lawyers, as well as civil society organisations and journalists. The project is funded by the Netherlands Ministry of Foreign Affairs and supported by the Netherlands Ministry of Justice and Security.



Online training programme on disarmament and non-proliferation of weapons of mass destruction – Lecturer Dr Jenny Nielsen (Comprehensive Nuclear-Test-Ban Treaty Organisation).

Public events (selection)



6th Annual T.M.C. Asser lecture. Prof. Andrew Murray called for the international regulation of artificial intelligence. Janne Nijman and Berenice Boutin moderated the event.

Almost Human: Law and Human Agency in the Time of Artificial Intelligence – 26 November 2020

In November, Prof. Andrew Murray (London School of Economics) delivered the Sixth Annual T.M.C Asser Lecture on 'Law and Human Agency in the Time of Artificial Intelligence'. Prof. Murray, a leading thinker on information technology and regulation, discussed the challenges that Artificial Intelligence (AI) and Big Data pose for human agency and the rule of law.

Law is about agency – the human capacity to act independently and to make our own free choices. However, the process of datafication: the reduction of the complexity of the world to data values, threatens the fabric of human agency and the rule of law. Current attempts to regulate Al based on ethical frameworks are not enough, argues Murray. Instead, we urgently need international legal regulation; concrete rules to manage this

potentially dangerous technology.

Due to the Covid-19 pandemic, the event was streamed live online from Fokker

Terminal Studios in The Hague, with Prof.

Murray joining from London. More than six hundred people from around over the world (virtually) attended the lecture, and many attendants sent in questions for the Q&A.

Asser academic director and chairperson of the executive board Janne E. Nijman and Asser senior researcher and DILEMA project leader Berenice Boutin moderated the event, which has been viewed by an additional 650 people on our YouTube channel.

'The time has come for international regulation on Artificial Intelligence'

Ahead of his lecture, Prof. Murray spoke to NRC journalist Caroline de Gruyter about the dangers of Al and advocated for 'tough regulation' at the international level: 'It is too late for national legislation. This [AI] is cross-border. The EU must establish a global organisation for AI, just as we have organisations for refugees or health'.

Asser researcher <u>Dimitri Van Den</u>
<u>Meerssche</u> also <u>interviewed Prof. Murray</u>
for international law blog *Opinio Juris*, where he re-iterated his call to action: 'The time has come for international regulation on Artificial Intelligence'.

Roundtable on Artificial Intelligence and diversity – 21 January 2020

This event examined issues of diversity in the field of Artificial Intelligence (AI) and questioned whether it is possible to build fair algorithms. Leading international expert on cybersecurity, Prof. Solange Ghernaouti (University of Lausanne), delivered the keynote lecture followed by a roundtable discussion. Panellists included: Irakli Beridze (UNICRI Centre for AI & Robotics), Dr Haroon Sheikh (WRR; VU University), Dr Tanya Krupiy (Tilburg University), and Eve Logunova (Women in AI Ambassador Netherlands). Asser researcher Rebecca Mignot-Mahdavi moderated the discussion. This event was organised in partnership with



Daniel Kipfer Fasciati
(Ombudsperson to the
United Nations ISIL (Da'esh)
and Al-Qaida Sanctions
Committee),
Kimberly Prost (Judge at the
International Criminal Court;
former Ombudsperson) and
Catherine Marchi-Uhel
(former Ombudsperson).

the Embassy of Switzerland in the Netherlands, the International Gender Champions, Den Haag Hub, and UNICRI Centre for Artificial Intelligence and Robotics.

A decade of review: The UN's Ombudsperson to the ISIL (Da'esh) and Al-Qaida Sanctions Committee – 15 June 2020

On 15 June, the Asser institute and the UN Ombudsperson to the ISIL (Da'esh) and Al-Qaida Sanctions Committee co-organised a panel discussion on the history of the Ombudsperson's office, its review procedures, and what it is like to operate in the highly politicised environment of counter-terrorism policy-making. High-level panelists included Daniel Kipfer Fasciati (Ombudsperson to the ISIL (Da'esh) and Al-Qaida Sanctions Committee), Kimberly Prost (Judge at the International Criminal Court; former Ombudsperson) and Catherine Marchi-Uhel (former Ombudsperson). The moderator for this event was Asser senior researcher Christophe Paulussen. The event attracted hundreds of viewers from around the world, and has been viewed over 500 times on our YouTube channel.

This highly successful event was also highlighted in the 'Report of the Office of the Ombudsperson to the ISIL (Da'esh) and Al-Qaida Sanctions Committee' (page 8), a prestigious report summarising the activities of the Ombudsperson.

Book launch: Human Dignity and Human Security in Times of Terrorism – 17 June 2020

On 17 June, the Asser Institute and T.M.C. Asser Press proudly celebrated the launch of <u>Human Dignity and Human Security in Times of Terrorism</u>, edited by Asser researcher and ICCT research fellow <u>Christophe Paulussen</u> and Prof. Martin Scheinin (European University Institute in

Florence). The book examines responses to terrorism and argues that counter-terrorism policy must be constructed with a human rights framework in mind. After an introduction from the editors, chapter authors Rumyana van Ark (Asser Institute), Helen Duffy (Leiden University), Sangita Jaghai (Tilburg University) and Dr Laura Van Waas (Tilburg University) presented their findings. The book launch was moderated by Asser researcher and ICCT research fellow Rebecca Mignot-Mahdavi.

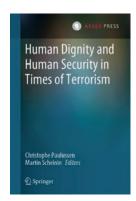
Closing plenary of the American Society of International Law – 26 June 2020

In June, Asser academic director <u>Janne</u> <u>Nijman</u> convened and moderated the closing plenary of the 114th annual (virtual) meeting of the *American Society of International Law* (ASIL). ASIL president Catherine Amirfar said that over 2000 people had registered for the event, calling it 'the largest meeting on record'.

The session titled 'Cities and other sub-national entities: What promise do they hold

Leading international expert on cybersecurity, Prof. Solange Ghernaouti (University of Lausanne), delivered the keynote lecture of the roundtable on Artificial Intelligence and diversity.





for international law?' examined ways that local communities are engaging with international law. Nijman was joined by panelists Penny Abeywardena (Mayor's Office of International Affairs, New York City), Helmut Aust (Freie Universität, Berlin), Robert Lewis-Lettington (UN Habitat, Nairobi), and Mauricio Rodas (United Cities and Local Governments, former mayor of Quito). Saskia Bruines, deputy mayor of The Hague, also offered remarks. This event was sponsored by the Municipality of the Hague and the Asser Institute.

ASIL president Catherine Amirfar said that over two thousand people had registered for the Closing Plenary, making it the largest meeting on record.

Trading emerging technologies: Security and human rights perspectives – 15 September 2020

This innovative expert roundtable, organised jointly by the Asser Institute and Utrecht University, aimed to understand and compare the underlying narratives and justifications used by the US, EU, and other European states in regulating (or attempting to regulate) the trade of advanced and emerging technologies. Speakers included Merel Koning (Amnesty International), Stéphane Chardon (European Commission), and Paul Diegel (European Parliament). This event was moderated by Asser researcher Berenice Boutin and Machiko Kanetake (Utrecht University).

Missing persons and memory governance – 24 September 2020

The Asser Institute and the UN Working Group on Enforced or Involuntary
Disappearances co-hosted an online expert panel on 'Missing persons and memory governance'. The panel examined memory laws in the context of enforced disappearance.
Discussion points included the right to truth and combatting state-sponsored narratives of enforced disappearances. The panel was chaired by Asser researcher Rebecca Mignot

<u>Mahdavi</u> and included high-level speakers such as Bernard Duhaime (Member, UN Working Group on Enforced or Involuntary Disappearances) and Kathryne Bomberger (Director General, International Commission on Missing Persons).

Bigdatalk: Talking and learning about the use of Big Data in security practices – 23 October 2020

This online lecture and virtual tour delved into how Big Data is used, or misused, by governments to prevent terrorism. The event provided a concrete understanding of current and future surveillance practices and guided participants through interactive activities aimed at understanding the uses of Big Data and legal constraints on its deployment. The event was organised as part of *Just Peace Month* in The Hague. Asser researchers Rebecca Mignot-Mahdavi and Dimitri Van Den Meerssche led the event.

Communications

2020 2019

Website analytics

Visitors

137,582

Average per month

11,200

Page views

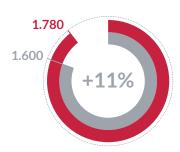
441,275

Average per month

36,770

Asser education & events newsletter

Subscribers

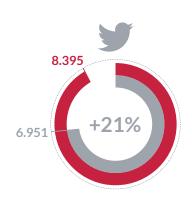


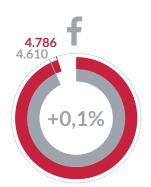
'Asser today' newsletter

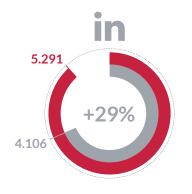
Subscribers

3.789

Social media followers

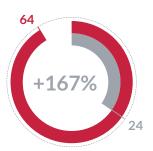








Asser in the media Publications



The Asser YouTube channel Views

10.197

Asser in the media

Emergency measures in Rohingya case fall short

In January 2020, the International Court of Justice ordered Myanmar to implement measures to prevent the genocide of Rohingya Muslims. While the order is an important step in addressing the genocide, Asser researchers Dimitri Van Den Meerssche and Geoff Gordon state in the Deccan Herald that it does little to 'add specificity or teeth to the general prohibition [on genocide]' (24 January 2020).



Flawed amnesty law in Mexico

In an op-ed for Foreign Affairs Latin America, Asser researcher León Castellanos-Jankiewicz argues that a proposed amnesty law in Mexico is highly flawed. 'The amnesty runs the risk of becoming a merely symbolic and empty gesture', because it ignores the current situation in Mexico, omits victims' rights to reparation, and is only applicable to a limited number of beneficiaries' (27 January 2020).



Manchester City set for long legal battle

Senior researcher and sports law expert Antoine Duval, speaks to French newspaper *Le Monde* on the decision to exclude football club *Manchester City* from all European competitions due to financial violations. The club is expected to appeal the decision, but this is just the beginning says Duval: '[The case] could go back to the Court of Justice of the European Union' (17 February 2020).

Le Monde

Repatriation of children should not be a political choice

In an article for *The Conversation*, Rumyana van Ark (Asser Institute), Devyani Prabhat (*University of Bristol*) and Faith Gordon (*Monsash University*) argue that the Netherlands has a legal obligation to repatriate Dutch children in Syria. The UN Convention on the Rights of the Child imposes a responsibility on its signatories to guarantee the safety and wellbeing of children, irrespective of their past actions (14 May 2020).



'A court in crisis'

In April 2020, Benin and Cote d'Ivoire become the latest states to withdraw their special mandates allowing individuals and NGOs to submit complaints to the African Court. In a blogpost for international law blog *OpinioJuris*, Asser researcher Misha Plagis and Nicole De Silva (*Concordia University*) explain how these withdrawals undermine the Court's legitimacy and represent a broader trend of resistance to supranational adjudication (19 May 2020)



Hostage negotiations in Lutsk violate international law

On 21 August 2020, a gunman takes thirteen hostages inside a bus in Lutsk, Ukraine. In an interview with DW Akademie, counter-terrorism expert Rumyana van Ark explains that while President Volodymyr Zelensky's decision to meet the terrorist's demand is understandable, it is violation of UN Security Council Resolution 1904 on providing ransom payments to terrorists (23 July 2020).



A better world emerging from the crises

Since the Cold War, international politics has been fraught by militarism, authoritarianism and economic competition, often at the expense of human dignity. In this op-ed for OpinioJuris Asser academic director Janne E. Nijman and Mary Ellen O'Connell (University of Notre Dame) argue that the Covid-19 pandemic and other crises present an opportunity for a new worldview. They call on international lawyers and educators to promote the law as a tool for cooperation and non-violent change that can lead us to a better world.



Belarus: the 'last dictator of Europe'?

In a podcast interview for constitutional law blog *Verfassungsblog*Asser researcher Uladzislau
Belavusau discusses the future
of Belarus if they oust the 'last
dicator of Europe' Additionally, in
an open letter Stef Blok, Minister
of Foreign Affairs of the Kingdom
of the Netherlands, in *Volkskrant*,
Belavusau argues that the
Netherlands should not recognise
the Belarusian election results. And
'please stop writing 'Wit-Rusland'
(White Russia) and use Belarus
instead' (19 August 2020).

Verfassungsblog

A historic verdict for Lebanon

On 18 August 2020, the Trial Chamber of the *Special Tribunal* for *Lebanon* (STL) issues its long-awaited verdict. Salim Jamil Ayyash is found guilty for his role in perpetrating a 2005 which killed 22 people, including former Prime Minister Rafik Hariri. Asser senior researcher Christophe Paulussen speaks to *AFP* and is quoted in French newspaper *LePoint* about this historic verdict (20 August 2020).

Le Point

Al threatens to 'disrupt democracy and the rule of law'

Professor Andrew Murray (London School of Economics) delivers the Sixth Annual T.M.C. Asser Lecture on 26 November 2020. In the run-up to the event, Prof. Murray speaks to NRC journalist Caroline de Gruyter and international law blog OpinioJuris on the dangers of artificial intelligence. He warns that, if left unchecked, Al may 'disrupt democracy and the rule of law' (18 November).



ICJ to rule in East Guinea – France dispute

In anticipation of a ruling by the International Court of Justice in the case of a property dispute between France and Equatorial Guinea, Asser senior researcher Geoff Gordon is quoted in *France 24*: 'If France loses the case, it is a setback to France's unilateral capacity to prosecute corrupt rulers' (11 December 2020).





T.M.C. Asser Press

The Institute's publishing house T.M.C. Asser Press promotes and disseminates some of the best legal thinking in the fields of international and European law from across the world. T.M.C. Asser Press, together with members of the Law Faculties of Dutch and foreign universities and staff members of international organisations based in The Hague as well as abroad, offers a platform for academic cooperation through the publication of books, e-books and journals.

The T.M.C. Asser Press English-language book titles are distributed by its publishing partner SpringerNature and are available worldwide via SpringerLink.
The books are published in three formats: as hardbacks, paperbacks, and e-books. Through the availability of its titles via numerous universities and libraries, T.M.C. Asser Press ensures a wide international distribution, visibility and readership.

Despite the challenges presented by the covid-19 crisis, T.M.C. Asser Press performed well in 2020, publishing twenty-three new book titles and five journals numbering a total of eighteen issues.

Book publications, some highlights

• The T.M.C. Asser Press Yearbook Series:

The main theme of Volume 22 of the Yearbook of International Humanitarian Law was the 70th anniversary of the Geneva Conventions. The evolution of these crucial treaties and international humanitarian law more generally is examined in six chapters addressing topics such as sieges, compliance, indiscriminate attacks and non-state armed groups.

• The Netherlands Yearbook of International Law has been in existence for over half a century and the editors and authors celebrated the 50th Volume in the Series by devoting the edition to an analysis of the phenomenon of yearbooks in international law.

- The Liber Amicorum for Prof Terry Gill: Military Operations and the Notion of Control under International Law, containing more than twenty contributions that offer an insightful view into the field of the International Law of Military Operations (ILMO).
- In the International Criminal
 Justice Series two new volumes were
 published: the monographs Histories
 Written by International Criminal
 Courts and Tribunals: Developing a
 Responsible History Framework by Dr
 Aldo Zammit Borda and Transitional
 Justice in Ghana An Appraisal of the
 National Reconciliation Commission
 by Dr Marian Yankson-Mensah.
- The 2020 edition of NL ARMS
- the series offering cutting-edge scientific research on the military sciences - with more than 25 articles on 'Deterrence in the 21st Century' was published Open Access on SpringerLink.com.
- Anne Orford's lecture on International Law and the Social Question was published in the T.M.C. Asser Annual Lecture Series. Journals, some highlights:
- The first issue in 2020 of the Netherlands International Law Review was a special issue on the '2019 Hague Convention on the Recognition and Enforcement of

Foreign Judgments in Civil and Commercial Matters' – HCCH 2019 Judgments Convention (NILR, Volume 67/1, 2020).

- The European Business Organization Law Review issued a special on 'Alternative Investments, Sustainability in the Digital Age' (EBOR, Volume 21/1, 2020).
- The fourth issue in 2020 of Nederlands Internationaal Privaatrecht focussed on 'Arbitration and conflict of laws' (NIPR, Volume 38/4, 2020).
- Articles to be published in Asser Press journals are made available on *SpringerLink* as soon as they are finalised ('Online First'), thereby ensuring the immediate dissemination of the latest research.

You can find a detailed list containing all T.M.C. Asser Press publications that appeared in 2020 in Annex 2 (www.asser.nl).



Financial overview

The T.M.C. Asser Instituut is partially funded by public resources. In 2020, the core funding by the *University of Amsterdam* accounted for 36% of the total revenues.

The additional 64% was generated through externally funded activities for national and international stakeholders. These stakeholders are: the Dutch Ministry of Foreign Affairs (tendered projects, trainings and conferences), the European Commission (tendered projects and grants), the US, Canadian, and Moroccan Ministries of Foreign Affairs (management of the Administrative Unit of the Global Counterterrorism Forum, implementing projects), the Municipality of The Hague (trainings and conferences), the Gieskes Strijbis Fonds and the Dutch Research Council NWO (research projects).

A summary of the Institute's financial statement 2020 is presented in the table below. The external auditor (*Dubois & co*) has given an unqualified opinion to the financial statement.

In 2020, the financial result is € 467,000 positive. This result is effected strongly by (positive) one-time costs items, in particular a VAT-restitution for the period 2015-2019.

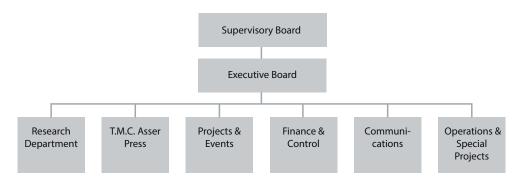
The adjusted result before extraordinary items is \in 133,000 positive. The institute's equity totalled \in 3,270,000 at the end of the year, which is 54% of the total revenues (\in 6,079,000) and 48% of the balance sheet total (\in 6,736,000). This shows a healthy financial solvency.

	2020	2019
Revenues		
Core funding	2,163	2,163
Additional income	3,916	4,125
Total revenues	6,079	6,288
Direct costs of commissioned projects	2,580	- 3,000
Gross margin	3,499	3,288
Expenses		
Personell costs	2,449	2,378
Material costs	583	770
Total expenses	3,032	3,148
Result	467	140
Added tot general reserve	257	140
Added to earmarked reserve	210	0
Total equity		
On 1 January	2,803	2,663
On 31 December	3,270	2,803

[!] All amounts in Euros x 1,000

Organisation & governance





The T.M.C. Asser Instituut is a foundation established in 1965 as an inter-university institute for international law in The Hague. Today, the foundation is part of the *University of Amsterdam* family.

In October 2020, the UvA and the Asser Institute signed a new cooperation agreement. Pursuant to the agreement, the governance structure of T.M.C. Asser Instituut changed from a one- to a two-tier board model. As of October 2020, the executive board consists of two members: Prof. Dr. J.E. Nijman (chairperson of the executive board and academic director) and Drs. Gert Grift (managing director).

The agreement also stipulated the creation of a supervisory board, appointed by the UvA, representing the interests of the UvA, Dutch law schools and the international community in The Hague.

At the end of 2020, the supervisory board consisted of Prof. Dr. E.M.H. Hirsch Ballin (chair), Prof. Dr. P.A. Nollkaemper, dean of the Faculty of Law at the UvA, and Prof. Dr. Ivo Giesen, professor of private law and head of the Law Department at *Utrecht University*.

The supervisory board was supplemented to the statutory number of five members on 1 April 2021.

Asser staff

On 31 December 2020, a total of 62 persons were employed by the T.M.C. Asser Instituut, including temporary and project-related staff and 11 interns.

	2020	2019
Directors	1,8	1,8
Researchers	19,7	17,7
PhD's	1,0	5,0
Projects and events	5,3	5,3
Communications	1,8	1,9
Operations and special projects	4,0	4,0
Finance and control	1,0	1,0
Secretariat of the board	1,5	1,4
T.M.C Asser press	2,7	2,7
GCTF admin unit	8,7	7,6
Total	47,5	48,4
Interns*	11,0	9,0

^{*} Total number of interns for the entire year

Gender equality

At the Asser Institute we embrace gender equality and strive for meaningful gender representation in our staff and event panels. In 2018, Janne Nijman joined the International Gender Champions (IGC) Network. Her membership commits the institute to taking concrete steps to boost gender equality.

In 2020, the Asser Institute made a concerted effort to promote gender equality. We aimed to ensure that scholarships for training programmes were awarded equally across genders, and that event panels were gender balanced. Staff members also attended a training on gender within the context of our security, counter-terrorism and human rights projects. Additionally, the communications department employs an equal gender and diversity policy in photography selection. In 2020, our staff consisted of 56% women and 47% men.



Covid-19 prevention measures

The Asser Institute follows the guidelines of the *National Institute for Public Health and the Environment* (RIVM). In March 2020, in order to prevent the spread of Covid-19, our staff began working from home and we moved all events to online platforms. In July 2020, the building opened to limited capacity; however, most of our staff continue to work from home. We look forward to welcoming staff and visitors back to the building when it is safe to do so.

The Asser Institute gets a technical upgrade

At the Asser Institute, we strive to create the best possible experience for our visitors. With the building empty for most of the year, we took the opportunity to upgrade our technical equipment. Our presentation rooms are now equipped with new cameras and microphones to allow for streaming and recording of (hybrid) events. We also updated our presentation equipment, making it more user-friendly for our speakers to operate. The work started in October 2020 and was completed in February 2021. We thank the *Municipality of The Hague* for their funding support.

Asser Institute support staff

T.M.C. Asser Press







Frank Bakker LL.M.

Kiki van Gurp

Wilma Wildeman

Commissioned Projects Team







Eva Da Costa BA



Eline Dorst MA



Maria Sperling MA



Martine van Trigt MA



Floris Wolff MA

Financial Administration



Tom Rietmeijer

Secretariat of the Board



Maaike van Helden MA



Hanna Thuránszky MA

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Heleen van Kooij MA



Pascal Messer MA

Operations & Special Projects



Marco van der Harst LL.M.



Wouter Lemaire



Radjesh Rose



Julien Simon MA



Karel Wouterse



In October, Geert ten Dam, president of the executive board of the University of Amsterdam and Ernst Hirsch Ballin, chairperson of the supervisory board of the T.M.C. Asser Instituut, unveiled a new nameplate with two logos to celebrate a new cooperation agreement between both organisations.





Centre for International & European Law

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