



Centre for International & European Law

Asser Today / Vol. 5 / Issue no. 6 / October - November 2014

- [T.M.C. Asser Instituut celebrates its 50th anniversary in 2015](#)
- [Asser PhD Meeting Private International Law](#)
- [Rule of Law trainings in The Hague prove their effectiveness in the Balkan region](#)
- [Sports Law Lunch & Learn lecture series](#)
- [Book launch "Applying International Humanitarian Law in Judicial and Quasi-Judicial Bodies: International and Domestic Aspects"](#)
- [International Crimes Database](#)
- [T.M.C. Asser Press](#)
- [Projects & Research](#)
- [Media & Outreach](#)
- [Calendar of Trainings & Events](#)
- [Announcements](#)

T.M.C. Asser Instituut reaches the half century mark!



Centre for International & European Law

The year 2015 will mark the T.M.C. Asser Instituut's 50th anniversary

On 13 December 1965, the inter-university institute for international law, T.M.C. Asser Instituut, was founded when representatives of eight Dutch organisations in the area of academic education signed the “Gemeenschappelijke Regeling” [Joint Memorandum of Association] in the small court room of the Peace Palace in The Hague.

Throughout its 50 years of existence the Institute has kept close to its inter-university origins by serving and closely collaborating with its, nowadays 9, university stakeholders in the areas of documentation and (fundamental and applied) research; providing for post-graduate education for professionals in the Netherlands and notably abroad; valorising research results through the organisation of a multitude of seminars, conferences, lectures and lunch & learn sessions as well as publishing scholarly work from both nationally and internationally acclaimed academics (an overview of examples of these activities can be found on our new website).



The Institute

Celebrations will commence at the start of 2015 with the launch of a renewed Asser website (www.asser.nl) and the introduction of an inter-active community environment (www.asser.academy). In line with our academic community organising mission, and in addition to our planned, regular activities, we will organise [4 individual symposiums](#) in the course of 2015, for the respective academic and other communities and where the focus will be on looking ahead at new perspectives and developments in the distinct areas of research covered by staff of the Institute, as follow:

■ **19 March 2015: Private International Law Symposium International civil procedure and Brussels Ibis**

■ **23 April 2015: European Law Symposium Better Regulation in the EU revisited. Improving the European Union for the benefit of business and citizens**

■ **18 June 2015: International and European Sports Law Symposium 20 years later: the Legacy of Bosman**

■ **15 October 2015: Public International Law Symposium International Legal Aspects in Countering Piracy**

In addition, the senior staff members of our research department will pool their strengths and publish a book entitled **“Protecting fundamental rights in the international arena: public, private and European law perspectives”**. This publication will critically assess how fundamental rights are protected in the international arena.

We will close this special celebratory year on December 11, 2015, when we will organise a gathering for all stakeholders and guests who have been and will keep on being important for our organisation and the work we will continue to carry out.

Please keep an eye on the [website](#) for more information regarding our festive year and associated activities. Join the celebrations!

Asser PhD Meeting Private International Law

On 9 October 2014, the T.M.C. Asser Instituut organised a meeting for PhD candidates in the field of Private International Law (PIL). Researchers from both Dutch and Flemish law faculties were invited for this event. The aim of this meeting was to enhance knowledge of ongoing research by giving PhD candidates a platform to present their thesis topics to colleagues in the field.



PhD candidates in discussion with Steven Stuij, Researcher in the field of private international law at the T.M.C. Asser Instituut.

Candidates from the universities of Antwerp, Gent, Leuven and Rotterdam attended the meeting. Presentations concerned a wide variety of issues, including among others recognition and enforcement of foreign judgments; the international aspects of employment contracts in road transport; uniform civil procedure instruments; and PIL aspects of the liability of classification societies, the methodology of European choice-of-law and the maxim of *iura novit curia* in EU PIL.

The meeting led to interesting and enthusiastic discussions. The participants received feedback on their research projects and also had an opportunity to get to know each other. The meeting concluded with the outspoken wish for these kind of meetings to be continued.

Rule of Law trainings in The Hague prove their effectiveness in the Balkan region

It has been a regular occurrence these last few years. A flow of young professionals (judges, prosecutors and civil servants) from the Western Balkans and Turkey come to The Hague, the *legal capital of the world*, and participate in instruction, discussion and debate with Dutch and other experts on various topics relevant to helping them tackle and implement the reforms needed in their own countries in order to prepare them for joining the European Union.



Participant at the roundtable discussion in Ankara, Turkey, 7 November 2014

Since 2012, the Asser Institute, together with its two partner organisations, *Ecorys Academy* and *the Hague Academy for Local Governance*, have been delivering a series of trainings in the Hague on areas that will serve to strengthen the rule of law and public administration in the pre-accession countries. This Matra Patrol programme, sponsored by the Netherlands Ministry of Foreign Affairs, aims to promote institutional capacity-building in the field of the rule of law within government organisations in the

target countries (Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro, Serbia and Turkey) using the Dutch experience and best practices and help build networks in the region as well as strengthen regional cooperation with The Netherlands.

Matra Patrol in the Region

The past three years have seen a large number of alumni (almost 600 up to October 2014) participate in the Matra Patrol trainings in The Hague. Recognising the power of peer to peer interaction and support and keen to preserve the good relations built through the Matra Patrol trainings on a national and regional level, the Netherlands Ministry for Foreign Affairs have extended the Matra Patrol training programme to include a series of 'event' in the region. This follow-up project which involves a series of round tables and Alumni receptions in the region is already underway.

Starting in Ankara, Turkey on Friday 7 November, with a roundtable for participants from the region on *"Harmonization of Legislation with EU standards"*. We were delighted to welcome Matra Patrol participants from the region as well as representatives of the Turkish Ministry for Justice, The Netherlands Ministry for Security and Justice local Judicial training institutes and other relevant bodies.

Our first surprise was how "our" alumni reacted to our invitation: "would you be able to attend a one-day event, and give a short presentation with colleagues from your country (colleagues who attended one of the Matra Patrol trainings in The Hague but not necessary the same one)?"

Yes, yes and yes! Not only alumni were delighted to meet and greet their friends again but they are particularly keen to share their experiences and discuss deeply all aspects of their daily work related to the given topics.



H.E. Mr. Ron Keller, Ambassador of the Kingdom of the Netherlands to the Republic of Turkey delivered the opening speech at the Matra PATROL networking reception in Ankara.

Two weeks later, on Friday 21 November 2014, we had the same warm reception in Tirana, Albania. The second roundtable in the series dealt with "Judicial cooperation in the region: criminal law and civil law". Here, the Roundtable session was opened by Mr. Pieter Langenveld, Charge d'Affaires at the Netherlands Embassy in Tirana. Again, the interest from our alumni and other relevant stakeholders in attending this roundtable surpassed our expectations. The alumni reception in the early evening was very well attended also by representatives from the many relevant organisations.



L-R: Ms. Diana Dekkers, Senior Policy Advisor at the Ministry of Security and Justice; Ms. Ann O'Brien, Executive Director at the T.M.C. Asser Instituut; Mr. Pieter Langenveld, Charge d'Affairs at the Netherlands Embassy in Tirana; Dr. Erwin Rooze, International Expert on Judicial Administration and Efficiency, EURALIUS IV; and Mr. Besar Thaci, National Expert on Judicial Administration and Efficiency, EURALIUS IV.



Network reception in Tirana, Albania

Friday 28 November saw the Asser team convene a further roundtable on “The role of the Judiciary in fighting corruption”, in Skopje, Macedonia. Once again, followed by a very well attended alumni reception.



Opening speech by Mr. Peter Verheyen, Charge d'Affairs of the Netherlands Embassy in Skopje, Macedonia



Network reception in Skopje, Macedonia

The last Alumni activity for 2014 will take place on Friday 4 December in Sarajevo, Bosnia Herzegovina and the final roundtable/alumni event of the series of five will take place on Friday 23 January in Belgrade, Serbia.

At the end of this project, a virtual platform will be created where all participants will be connected and a sustainable network will be facilitated.

Visit www.asser.nl/matrapatrol to stay informed on all Matra PATROL and alumni news.

Sports Law Lunch & Learn lecture series

The Asser Sports Law 'Lunch & Learn' lecture series, organised by the Asser International Sports Law Centre, aims to introduce and update participants on the most pressing questions in the field of international sports law, by giving the floor to outstanding academics and practitioners.



The latest Lunch & Learn lecture was held on Wednesday 19 November 2014 with a presentation by **Dr. Roberto Branco Martins** on *"The new FIFA Regulations for players' agents: De-regulation or Re-regulation?"* Dr. Branco Martins, in his dual capacity as lecturer in Labour Law and Sport and International Sports Law at the University of Amsterdam and as the founder of Pro Agent, an organisation which represents, supports and promotes the interests of licensed players' agents, provided a comprehensive insight into the new FIFA Regulations on working with intermediaries.



Dr. Branco Martins, lecturer in Labour Law and Sport and International Sports Law at the University of Amsterdam and as the founder of Pro Agent.

By drawing a comparison between the new FIFA Regulations on working with intermediaries, which will be in force as from 1 April 2015, and the current FIFA Regulations on Players' agents, Dr. Branco Martins expressed concerns whether the new Regulations lead to more transparency and efficiency with regard to the profession of players' agents. He focused in his lecture in particular on the still unsettled interplay between the rules of FIFA, European law and international law. The presentation was followed by a fruitful discussion on the impact of this recent development on the professional football world,

giving the opportunity to participants – in their majority legal practitioners and players' agents – to engage directly with the speaker, raise their questions and share their experiences.

The next [Lunch & Learn lecture](#) takes place on 10 December 2014. **Mr. Stanislas Frossard**, Executive Secretary of Council of Europe's "Enlarged Partial Agreement on Sport" (EPAS) will give a first-hand glimpse at the "*Council of Europe Convention on the Manipulation of Sports Competition*". Students, legal scholars, practitioners and, more generally, everyone interested in the integrity of sports are more than welcome to join this Lunch & Learn.

If you wish to find out more about the upcoming lectures, events or the week-long Summer Programme organised by the Asser International Sports Law Centre we encourage you to visit our [website](#) and [blog](#), subscribe to our newsletter or follow us on [twitter](#) and [Facebook](#).

Book launch "Applying International Humanitarian Law in Judicial and Quasi-Judicial Bodies: International and Domestic Aspects"

25 November 2014 marked the launch of the book entitled *"Applying International Humanitarian Law in Judicial and Quasi-Judicial Bodies: International and Domestic Aspects"*, edited by Derek Jinks, Jackson N. Maogoto and Solon Solomon and published by [T.M.C. Asser Press](#).

The event was organised by the [International Humanitarian and Criminal Law \(IHCL\) Platform](#) hosted by the T.M.C. Asser Instituut, in cooperation with the [Kalshoven-Gieskes Forum on International Humanitarian Law](#) of the Grotius Centre for International Legal Studies of Leiden University.

The book launch commenced with a brief description of the publication, provided by **Mr. Solon Solomon**. He appraised the volume as being a comprehensive document investigating the way international and domestic courts and tribunals deal with international humanitarian law (IHL) and going further by examining the role of IHL in the realms of quasi-judicial bodies. He also touched upon a number of issues that would be addressed in greater detail by the panellists, such as the *Srebrenica* case before the Dutch courts and the psychological aspects of warfare.



Mr. Solon Solomon providing a brief description of the publication *"Applying International Humanitarian Law in Judicial and Quasi-Judicial Bodies: International and Domestic Aspects"*

The book launch commenced with a brief description of the publication, provided by Mr. Solon Solomon. He appraised the volume as being a comprehensive document investigating the way international and domestic courts and tribunals deal with international humanitarian law (IHL) and going further by examining the role of IHL in the realms of quasi-judicial bodies. He also touched upon a number of issues that would be addressed in greater detail by the panellists, such as the *Srebrenica* case before the Dutch courts and the psychological aspects of warfare.

After that, **Judge Christopher Greenwood** of the International Court of Justice (ICJ), **Judge Silvia Alejandra Fernández de Gurmendi** of the International Criminal Court (ICC) and **Professor Cedric Ryngaert** of Utrecht University provided their opinions on the evolution and application of IHL from the perspective of the ICJ, ICC and the academic world.

In his intervention, Judge Greenwood noted, among other things, that the ICJ has reaffirmed the continuing validity and strength of IHL in its case law. Judge Fernández de Gurmendi followed up on Mr. Solomon's introduction of the psychological aspects of warfare, linking those to the context of the ICC's reparation regime, as dealt with in the case against Thomas Lubanga. Finally, Prof. Ryngaert discussed the jurisdictional links in the Srebrenica case in greater detail, as well as the recent Jaloud case before the European Court of Human Rights. They all warmly welcomed the volume and endorsed it as being a "timely and important book".

After the comments by the panellists, the audience had the opportunity to address the panel and ask questions tackling different topics touched upon during the book launch.

The entire event was introduced by Dr. Christophe Paulussen, senior researcher International Humanitarian Law and International Criminal Law at the T.M.C. Asser Instituut and Dr. Robert Heinsch, Director of the Kalshoven-Gieskes Forum on International Humanitarian Law of Leiden University, who moderated the panel.



L-R; Prof. Cedric Ryngaert, Utrecht University; Judge Silvia Alejandra Fernández de Gurmendi, International Criminal Court; Judge Christopher Greenwood, International Court of Justice; Dr. Robert Heinsch, Leiden University; Mr. Solon Solomon, King's College London, Dickson Poon School of Law.

International Crimes Database



One year ago, the International Crimes Database (ICD) website was launched. The website is hosted and maintained by the T.M.C. Asser Instituut in The Hague and supported by the Dutch Ministry of Security and Justice and the International Centre for Counter-Terrorism – The Hague (ICCT). It offers a comprehensive database on international crimes, containing hundreds of analyses of cases adjudicated by national, as well as international and internationalised courts.

In the past few months, new case analyses, daily news updates, new [ICD Briefs](#) (short working papers by talented young scholars) and new [ICD videos](#) have been uploaded to the International Crimes Database, which received yet another [support letter](#), this time from the President of the European Court of Human Rights, Dean Spielmann. In addition, the site's social media activity is growing considerably, leading to a vast group of ICD followers. Please visit and use the website yourself, inform the editors (editors@internationalcrimesdatabase.org) if you have any tips or if you want to write an *ICD Brief* and like us on [Facebook](#)!

T.M.C. Asser Press

T.M.C. Asser Press's publication *'The European Public Prosecutor's Office: An Extended Arm or a Two-Headed Dragon?'*, edited by L.H. Erkelens, A.W.H. Meij and M. Pawlik was presented at a Book Launch at the T.M.C. Asser Instituut on 14 November 2014. This book reflects on the results of the conference, on the creation of the European Public Prosecutor's Office (EPPO) which was held at the T.M.C. Asser Instituut in September 2013. It provides a concise background of and reasoning for the introduction of this new EU body entrusted with far reaching judicial powers in the area of combatting EU fraud while disclosing important legal and policy implications.



L-R: Arjen van der Meij, T.M.C. Asser Instituut; Ms. Ingrid van Engelshoven, The Hague's alderman for the Knowledge Economy, International Affairs, Youth and Education and Leendert Erkelens, T.M.C. Asser Instituut.

The Book Launch was opened by **Professor Dr. Ernst Hirsch Ballin**, former Dutch Minister of Justice; Professor of Dutch and European Constitutional Law (Tilburg University) and Human Rights Law (University of Amsterdam). The other speakers were **Deputy Mayor Ingrid van Engelshoven** (The Hague's alderman for the Knowledge Economy, International Affairs, Youth and Education), **Judith Sargentini** (Member European Parliament), **Dr. Pim Geelhoed**, (Assistant Professor Criminal Law and Procedure at the University of Leiden) and **Jur Dr. h.c. Hans Nilsson** (Head of Unit at the EU Council Secretariat). From different angles they provided a concise update of the current state of the debate on EPPO in academia and of the ongoing negotiations in the EU.

[The European Public Prosecutor's Office: An Extended Arm or a Two-Headed Dragon?](#)

L.H. Erkelens, A.W.H. Meij, M. Pawlik (eds.)

Hardcover ISBN: 978-94-6265-034-3

EBook/Online ISBN: 978-94-6265-035-0

Distributed for T.M.C. Asser Press by [Springer](#)

[Read this book on SpringerLink](#)

Recently published by T.M.C.
Asser Press:

Mededelingen van de Koninklijke
Nederlandse Vereniging voor
Internationaal Recht – Nr. 141 –
Refining Human Rights Obligations in
Conflict Situations



Projects & Research

Asser Institute awarded new Matra South Training Programme on Administration of Justice

After having successfully implemented the Matra South Training Programme on *Administration of Justice* from 2012 to 2014, the Asser Institute has been selected to continue this project for the year 2015, renewable four years up to 2018.

We are delighted of this new opportunity to sustain our cooperation with the Arab countries and support democratic change by strengthening the *rule of law*.

The first part of the training programme will take place in March 2015 in The Hague and the workshop will be organised in October the same year in the region. Registration will be open soon on the Matra South website. More information will become available on the Asser website.

BWC Compliance Research

The Canadian Department on Foreign Affairs, Trade and Development (DFATD) has awarded Onur Güven and Dr. Jean Pascal Zanders (the Trench) funding for research on questions concerning the concept of compliance with the Biological Weapons Convention (BWC).

Media & Outreach

- Wybe Douma – Seconded to the legal department of the Dutch Ministry of Social Affairs and Employment four days a week between 1 October 2014 and 31 January 2015 where he provides advice on international and European law issues.
- Wybe Douma – Presided over one day of a training at The Hague Institute of Global Justice, The Hague, 8 October 2014.
- Wybe Douma – Speaker at the conference on The European Union as an actor in International trade and Investment, “The EU as an environmental global model through trade instruments”, Oslo, 31 October 2014.
- Leendert H. Erkelens – Published 'Institutional and legal aspects of EU's judicial policy to fighting piracy off the coast of Somalia', CLEER Working Papers 2014/4.
- Erkelens, Leendert H., Meij, Arjen W.H., Pawlik, Marta (Eds.), 'The European Public Prosecutor's Office An extended arm or a Two-Headed dragon?', T.M.C. Asser Press / Springer Verlag, October 2014.
- Onur Güven – Contribution in Arms Control Law Blog on [OPCW Confirms the Use of Chlorine as a Weapon in Syria in the Months of May, June and July 2014](#), 3 October 2014.
- Vesna Lazic – Expert contribution in the Alternative Dispute Resolution conference, Zagreb, 21 and 22 October 2014.
- Christophe Paulussen – Interview with *De Persdienst*, on the risk of jihadi attacks in the West after the attacks in Canada, 25 October 2014.
- Christophe Paulussen – Speaker at the [Lebanon Lecture Series](#) on “International Criminal Proceedings (Pre-trial) – Arrest and Surrender”, T.M.C. Asser Instituut, 29 October 2014.
- Christophe Paulussen – Published a new [ICCT Commentary](#) (with Dr. Kinga Tibori-Szabo) on “Testing the validity of US self-defence arguments against the Khorasan group in Syria”, 4 November 2014.
- Ben Van Rompuy – Speaker at IBC Legal Conference Competition Law in the Broadcasting Sector, “Territorial exclusivity clauses in content licensing agreements”, Brussels, 6 November 2014.
- Ben Van Rompuy – Participated in a panel discussion at the seminar “Online kansspelen en sportbeleving”, Eindhoven, 11 November 2014.
- Ben Van Rompuy – Published an article [“Dutch speed skating duo files EU antitrust complaint against the International Skating Union”](#) on LawInSport, 19 November 2014.
- Ben Van Rompuy – Quoted on the antitrust complaint lodged against the International Skating Union (ISU) with the European Commission in various media ([NOS](#), [De Volkskrant](#), [Algemeen Dagblad](#), [De Telegraaf](#), [Trouw](#), [nu.nl](#), [schaatsen.nl](#), [De Morgen](#), [Het Laatste Nieuws](#), etc.).

Calendar of Trainings & Events

2014:

10 December

[Lunch & Learn “Introducing the Council of Europe Convention on the Manipulation of Sports Competition”](#)

Fee based, open for registration

10 December

Seminar on Sports Betting Monitoring and Fraud Detection Systems (Organised by the Council of Europe in cooperation with the Asser Institute)
Closed event

11 December

SHARES Book Launch - Principles of Shared Responsibility in International Law: An Appraisal of the State of the Art
Free admission, for more information please visit the [website](#).

17 December

[Book Launch 'Nuclear Weapons Under International Law'](#)
Free admission, open for registration

2015:

23 January

Matra Patrol in the region roundtable discussion on "Enhancing the Use of ADR", Belgrade, Serbia
Closed event

28 January

[Launch of the report: Unacceptable Risk: Use of explosive weapons in populated areas through the lens of three cases before the ICTY](#)
Free admission, open for registration

15 - 25 March

[MATRA PATROL - Access to Justice](#)
Restricted application

19 March

[Private International Law Symposium "International civil procedure and Brussels Ibis"](#)
Free admission, registration is open

23 April

EU Law Symposium "Better Regulation in the EU revisited. Improving the European Union for the benefit of business and citizens"
Free admission, registration will open 15 December 2014

18 June

International and European Sports Law Symposium "20 years later: the legacy of Bosman"
Free admission, registration will open beginning of 2015

15 October

Public International Law Symposium "International Legal Aspects in Countering Piracy"
Free admission, registration will open beginning of 2015

Please check the [calendar of education & events](#) regularly to stay informed on Asser's upcoming events.

Announcements

■ Matra PATROL training programmes **Access to Justice, Integrity of Civil Servants, Legislation** and **Public Finance Management** are open for registration! For more information and registration forms, please visit: www.asser.nl/matrapatrol

■ The International Centre for Counter-Terrorism – The Hague (ICCT) has started a nine month capacity-development project in October 2014, aimed at successfully addressing the challenges posed by the growing number of Foreign Fighters that travel abroad, in particular to Syria and Iraq, to engage in or otherwise support terrorist activity. Researchers from the T.M.C. Asser Instituut will be closely cooperating with the ICCT in this [project](#).

Newsletter of the T.M.C. Asser Instituut

Editors:

Ann O' Brien

Marloes van Hooijdonk

The editors retain the privilege not to publish received copy.

The T.M.C. Asser Instituut is a distinctive, inter-university research Institute specialised in International and European law. The institute's international community of scholars is engaged in research, postgraduate training and dissemination of knowledge in furtherance of the purposes and principles of international law. Its research covers the domains of public international law, private international law the law of the European Union and international and European sports law.



©2014 T.M.C. Asser Instituut | R.J. Schimmelpennincklaan 20-22, 2517 JN The Hague, the Netherlands

Subscribe

Forward

Unsubscribe

Powered by [Mad Mimi](#)®