

# Asser Today

## Newsletter of the T.M.C. Asser Instituut

Inter-university Institute for Public and Private International and European Law  
The Hague, The Netherlands

### Headlines

#### ➤ Welcome 2012



The staff of the T.M.C. Asser Instituut kicked off the new year with the traditional New Year's Breakfast.

The start of any new year is a period of reflection and for making resolutions. Undoubtedly, we all have aspiration and plans for the coming months and it would indeed be fine if we were to achieve even a fraction of that which we promise ourselves.

For the T.M.C. Asser Instituut, 2012 brings new opportunities, risks and adventures. We have taken stock of our accomplishments over the past year and are planning diligently for the year ahead, knowing that even the most robust of plans are subject to the unpredictability and flux of our environment.

We have a lot going for us but must accept that we cannot remain as we are. Adjustments to our operations will be necessary to enable us to continue to excel and to keep the entire organization 'fit for purpose'.

We are approaching 2012 as the year of cooperation. It is only through cooperating here at Asser and with our many national and international partners and stakeholders that we will be successful in realizing our goals.

I am proud and enthusiastic to work with and alongside a committed and hard-working team. I am confident that we will achieve our goals this year.

As we embark upon a brand new year I extend a Happy, healthy and successful 2012 to all.

Ann O' Brien

Executive Director

#### ➤ Departure Prof. dr. Frans Nelissen

As per 1 January 2012, Prof. dr. Frans Nelissen has left the T.M.C. Asser Instituut where he has been Director for more than 10 years. The Institute's Board is most grateful to him not only for his activities on behalf of the Asser Instituut but also for his work on behalf of the position of The Hague as international capital of peace, justice and security and for helping realize the The Hague Institute of Global Justice. The Asser Instituut will work closely with this new institute and build forth on this foundation.

Frans Nelissen will continue his academic career as professor of international (maritime) environmental law at the faculty of law at the University of Amsterdam. In addition he will continue as part-time professor of international environmental law at the law faculty in the University of Groningen.

The Board has placed the management of the Institute in the hands of Ann O'Brien, who, as Executive Director these past years, has made her mark within the Institute.

#### ➤ Big names at the final Asser Supranational Criminal Law Lecture of the season 2011/2012

On 25 January 2012, the T.M.C. Asser Instituut held its 13<sup>th</sup> and last Supranational Criminal Law Lecture of the season 2011/2012. It was also the first in a series of events organized to commemorate the 10<sup>th</sup> anniversary of the ICC. For this special occasion, which was attended by some 150 people, an impressive line-up of speakers was arranged, namely: ICC Judge Steiner (who at the very last moment could not make it), ICC Judge Akua Kuenyehia, ICC Prosecutor Luis Moreno-Ocampo and Prof. Hector Olasolo. The speakers discussed the new book of Prof. Olasolo ('Essays on International Criminal Justice', Hart Publishing 2012) and the topic 'The challenges faced by Pre-Trial Chamber 1 in the first proceedings ever before the International Criminal Court'. After that, there was a lively Q&A session with the audience.

From March-June, the Grotius Centre for International Legal Studies of Leiden University (Campus The Hague) will take over from the Asser. These Spring lectures will adopt the thematic focus of 'International Criminal Justice and the Contours of the Judicial Function'. For more information, please keep an eye on the Grotius' website ( <http://www.grotiuscentre.org/> ). The Asser season will restart in September 2012.

The T.M.C. Asser Instituut would like to take this opportunity to thank its partners, the Grotius Centre for International Legal Studies and the Coalition for the ICC, for their assistance in organizing such a productive and interesting season!

[<more info>](#)

➤ **Follow up and commemoration of the 100 Years Nobel Peace Prize Tobias M.C. Asser on Asser.nl**

Following the 100 Years Nobel Peace Prize Tobias M.C. Asser Conference held on December 9<sup>th</sup>, 2011, the T.M.C. Asser Instituut has made available a series of documents and archives on its website. Documents include a bibliography of and publications by Tobias M.C. Asser as well as relevant photographs and articles. To learn more about the life of Tobias M.C. Asser and his contribution to private international law please consult [www.asser.nl](http://www.asser.nl).

[<more info>](#)

➤ **Continuation Lebanon Lectures Series**

After STL President Sir David Baragwanath had kicked off the start of the Lebanon Programme on 1 November (see the previous edition of Asser Today), the T.M.C. Asser Instituut, in cooperation with the Special Tribunal for Lebanon, has delivered 4 more lectures via streaming to the law students in Beirut. The speakers included Gilbert Bitti (Senior Legal Advisor, Pre-Trial Division, ICC), Dov Jacobs (Assistant Professor of International Law, Leiden University), Laurel Baig & Ingrid Elliot (Senior staff members, Appeals Division, OTP, ICTY), Guénaél Mettraux (Defense counsel before international criminal jurisdictions). This bi-monthly lecture series will continue until May 2012.

[<more info>](#)

➤ **Positive reviews for Doctorate Thesis Christophe Paulussen**

Recently, the PhD of Christophe Paulussen, *'Male captus bene detentus? Surrendering suspects to the International Criminal Court'*, has received positive reviews from the Criminal Law Forum and from the jury of the Max van der Stoep Human Rights Award 2011. Christophe, who is now a Senior Researcher International Humanitarian Law and International Criminal Law at the T.M.C. Asser Instituut, defended his thesis on 24 September 2010 at Tilburg University under

the supervision of Prof. Willem van Genugten and Prof. Marc Groenhuijsen.

[<more info>](#)

## Research and Projects

➤ **Call for partnership in the field of (European) Private International Law**

The T.M.C. Asser Instituut regularly submits research proposals in response to calls for applications issued by the European Commission (Directorate-General for Justice). In order to better anticipate such opportunities in the field of (European) Private International Law, the T.M.C. Asser Instituut is currently building a network of relevant organizations in the EU member states.

If you or your organization are interested in participating in calls for tenders issued by the European Commission in the field of (European) Private International Law, then please complete our online [partnership form](#).

➤ **Short-term Consultancy awarded to Prof. Steven Blockmans as part of the 'Support for the Implementation of the EU-compliant Albanian Legislation' project**

Prof. Steven Blockmans has been sub-contracted by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) for a short-term consultancy (5 weeks in the period January to November 2012) to carry out a legislative gap analysis and establish a training curriculum in the field of the EU's common commercial policy (Chapter 30). The consultancy forms part of the project 'Support for the Implementation of the EU-compliant Albanian Legislation', carried out by GIZ in support of the Ministry of Economy, Trade and Energy of Albania.

➤ **Secondment Claudio Matera to the University of Twente**

From 1st January until 30th of June 2012 Claudio Matera will be seconded to the University of Twente (Enschede) to teach on the courses "EU external relations law", "EU Legal Integration" and will coordinate the course "Introduction to law". He will carry his teaching activities for the Management and Governance faculty of the University. During his secondment he will continue his research activities.

➤ **KNAW subsidy awarded**

Under the umbrella of the Centre for the Law of EU External Relations (CLEER), the T.M.C. Asser Instituut has received a KNAW grant towards the organization of the proposed conference entitled *"Human Rights in EU Crisis Management Operations: A Duty to Respect and to Protect?"*. This conference will take place at the T.M.C. Asser Instituut in the Hague on 25 May 2012 and is the

initiative of Prof. Ramses Wessel (University of Twente) and Dr. Aurel Sari (University of Exeter).

[<more info>](#)

➤ **MATRA-project training in Serbia**

The final training of the MATRA project 'The Right to Judicial Protection: Administration of Justice in Cross-border Disputes' will be delivered in Serbia from 12-23 March, 2012. This project is managed by Dr. Vesna Lazic with the assistance of external lecturers. This 2 year project ends in April 2012.

➤ **Project 'International Crimes Database and Web-environment'**

The T.M.C. Asser Instituut has received financial support from the Netherlands Ministry of Security and Justice in order to implement the project entitled "International Crimes Database and Web-environment". This project will be implemented over a four year period. The project team includes Christophe Paulussen, Sarah-Jane Koulen, Jessica Dorsey and Wouter Lemaire.

➤ **Project Omgevingwet**

In February 2012, Wybe Th. Douma will be rounding up his work for the Ministry of Infrastructure and Environment. Since October 2011, he worked there on the EU and international law aspects of a new Environmental Code (Omgevingwet) that is in the making, covering both spatial planning and environmental protection and aimed at simplifying Dutch law.

➤ **Latest publications by Asser Researchers:**

- L. Erkelens & S. Blockmans, 'Setting Up the European External Action Service: An Institutional Act of Balance', CLEER Working Paper 2012/1, available at <http://www.cleer.eu>
- S. Blockmans, 'The European External Action Service One Year On: First signs of strengths and weaknesses', CLEER Working Paper 2012/2, available at <http://www.cleer.eu>
- S. Blockmans, 'Fit for Purpose? The European External Action Service One Year On', OXFAM Briefing Paper No. 159, 23 January 2012, available at <http://www.oxfam.org>
- S. Blockmans & M.-L. Laatsit, 'The European External Action Service: enhancing coherence in EU external action?', in P. Cardwell (ed.), EU External Relations Law and Policy in the Post-Lisbon Era (The Hague, T.M.C. Asser Press 2012), 135-159

## Legal Advice

➤ **Legal Advisory Service**

The Legal Advisory Service of the T.M.C. Asser Instituut regularly provides (tailor-made) legal advice on Private International Law issues to lawyers, notaries and legal counselors.

[<more info>](#)

## New Events

➤ **10 February 2012, Philip C. Jessup International Law Moot Court Competition 2012 National Rounds**



On February 10, 2012 the 4th Dutch round of the Philip C. Jessup International Law Moot Court Competition will take place in The Hague. The national round will be organized by the T.M.C. Asser Instituut. The Dutch National Champion team will be allowed to participate in the International Rounds at the end of March/beginning of April in Washington DC, USA.

[<more info>](#)

➤ **16-17 February 2012, Conference on "Tension between universal and regional unification of private law: Conflict between EU Law and maritime and transport law conventions"**



The theme of this Conference is the tension, if not direct conflict, existing between uniform EU law and conventions of uniform private law to which EU member states are party, but the EU itself is not. Registration, programme and brochure are available online. The conference is organised by the Erasmus School of Law, in cooperation with the Centre for the Law of EU External Relations (CLEER), the Centre for European Private International Law (CEPIL) and the T.M.C. Asser Instituut.

[<more info>](#)

## Recent Events

- **Visit of Students from the Pontifical Catholic University of Sao Paulo, Brazil to the T.M.C. Asser Instituut**



On 13 January 2012, the T.M.C. Asser Instituut received a group of 22 Brazilian law students under the program "PUC University International Law Study Abroad Program in 2012". This program of study in international law is offered to students of the Pontifical Catholic University of São Paulo (Brazil), by the CEPA Europe (Germany). During their stay in Europe, the students visited some institutes and international organizations, to listen to lectures and seminars about their work and tasks. On behalf of the T.M.C. Asser Instituut, Dr. Wybe Douma, Dr. Christophe Paulussen and Dr. Tamara Takacs received the students and talked about their respective work and the activities of the T.M.C Asser Instituut.

- **MTEC Legislation T.M.C Asser Instituut 21 November – 2 December 2011**



T.M.C. Asser Instituut has organized the 3<sup>rd</sup> MATRA Training for European Cooperation (MTEC) programme "Legislation". The training was launched by Jan Tom Bos, Director of the Legislation Department of the Ministry of Security and Justice ([see full speech](#)). The 50 participants were selected from some 200 applications. The selected participants were government officials, legal officers and experts coming from Croatia, Turkey, Macedonia, Albania, Bosnia-Herzegovina, Kosovo, Montenegro, Serbia, Ukraine and Moldova. Through a mix of lectures, study visits including a visit to the Dutch Parliament, and workshops, this training aimed to share best practices in justice legislation and inspire the

participants to actively work for the modernization of their judicial systems building from the Dutch experience. The two-weeks training course was financed by the Dutch Ministry of Foreign Affairs.

- **Training Programme "Inside International Justice", 5-9 December 2011**



In partnership with RNTC Hilversum, the T.M.C. Asser Instituut has organized a training for working journalists in the field of international justice. The course included visits to international courts and tribunals in the Hague. The participants also spent a day in Hilversum at Radio Netherlands Worldwide premises. A forthcoming training will be organized on this topic by T.M.C. Asser Instituut in partnership with RNTC in October 2012.

[<more info>](#)

- 10 February**                      [Jessup Moot Court National Finals, T.M.C. Asser Instituut, The Hague](#)
- 16-17 February**                      [Conference “Tension between universal and regional unification of private law: Conflict between EU Law and maritime and transport law conventions”, Erasmus University, Rotterdam](#)
- 10-11 May 2012 (tbc)**                      [CLEER conference “The European Union’s relations with the Southern-Mediterranean \(EUROMED and beyond\)”, Universidad Pablo de Olavide, Sevilla](#)
- 25 May**                                      [CLEER Workshop “Human Rights in EU Crisis Management Operations: A Duty to Respect and to Protect?”, T.M.C. Asser Instituut, The Hague](#)
- 21-22 June**                                      [CLEER conference “Trade liberalisation and standardisation - gauging the success of ‘low politics’ in EU foreign policy”, European University Institute, Florence](#)
- 4-30 June**                                      [Summer Law Programme on International Criminal Law, T.M.C. Asser Instituut, The Hague](#)
- 27-31 August**                                      [Advanced Summer Programme on Countering Terrorism, T.M.C. Asser Instituut, The Hague](#)
- 3-7 September**                                      [Third Annual Summer Programme on WMD Disarmament & Non-Proliferation. T.M.C. Asser Instituut, The Hague](#)
- 17-21 September**                                      [Advanced WTO Training Programme “Recent Trends and Emerging Issues”, T.M.C. Asser Instituut, The Hague](#)
- 29 Oct-23 November**                                      [Executive Training for Journalists “Inside International Justice: From Nuremberg to the Hague”, T.M.C. Asser Instituut, The Hague/RNTC, Hilversum](#)

## Hague Forum for Judicial Expertise

THE HAGUE FORUM  
FOR JUDICIAL EXPERTISE

### Upcoming Events:

- **More information on the Hague Forum for Judicial Expertise at [www.hfje.nl](http://www.hfje.nl)**

## The International Centre for Counter-Terrorism



### Upcoming Activities:

- **15 February 2012, Seminar 'Counter-Terrorism, Technology and Transparency: Reconsidering State Accountability'**

Time: 18:30 - 22:00

Venue: Nieuwspoor, Lange Poten 10, the Hague

On Wednesday 15 February 2012, 18:30 - 22:00, ICCT - The Hague hosts the Seminar 'Counter-Terrorism, Technology and Transparency: Reconsidering State Accountability' at Campus The Hague Location Stichthage. Speakers include Dr. Quirine Eijkman (Research Fellow ICCT – The Hague), Prof. Helen Fenwick (Director of Postgraduate Studies, Durham Law School), Mr. Max Snijder (Director of the European Biometrics Group), Mr. Peter Hustinx (EU Data Protection Supervisor, tbc) and Mr. Mathias Vermeulen (Centre for Law, Science, Technology & Society, Vrije Universiteit Brussel).

[<more info>](#)

### Latest Activities:

- **Terrorism on Trial: The Case of the '20th Hijacker'**

Event | 25 January 2012

On Wednesday 25 January 2012, ICCT - The Hague hosted the Seminar "Terrorists on Trial: The Case of the "20th Hijacker"" at Campus The Hague Location Stichthage. This is the third seminar in a series focusing on the performative and communicative aspects of terrorists trials and the different actors involved.

- **More information on the International Centre for Counter-Terrorism and its activities at [www.icct.nl](http://www.icct.nl)**

## Asser Press



- **De Regels & Het Spel Opstellen over Recht, Filosofie, Literatuur en Geschiedenis aangeboden aan Tom Eijsbouts**

Jan-Herman Reestman, Annette Schrauwen, Manet van Montfrans & Jan H. Jans eds. 2011, ISBN 978-90-6704-338-0

Distributed for TMC Asser Press by [Boom Distributiecentrum](#)

On November 25, 2011 Tom Eijsbouts officially retired from the University of Amsterdam, where he was professor of European Constitutional Law and History and accepted the Chair in European Law at Leiden University. On this special occasion the above-mentioned book was presented to him. The contributions in this book focus on Constitutional and European law - and the combination thereof. But there are also contributions from other disciplines - philosophy, literature and history. This book is a tribute to a versatile, adventurous and a true out-of-the-box thinker.

- **[Essays on Law and War at the Fault Lines](#)**

M.N. Schmitt

ISBN 978-90-6704-739-5

Distributed for TMC Asser Press by [Springer](#)

Also available [on line](#)

- **[EU External Relations Law and Policy in the Post-Lisbon Era](#)**

P.J. Cardwell

ISBN 978-90-6704-822-4

Distributed for TMC Asser Press by [Springer](#)

Also available [on line](#)

- **For recent and forthcoming publications of T.M.C. Asser Press please visit [www.asserpress.nl](http://www.asserpress.nl)**

## Vacancies at the T.M.C. Asser Instituut

- **Traineeships International Law [<more info>](#)**

## Other

- **Luca Pantaleo**, from the University of Macerata (Italy), started his 3-month visiting research fellowship with CLEER on 10 January.

He will be working towards his PhD on the EU and International Agreements signed by Member States: Conflicting Treaty obligations.

- On 2 January 2012, **Zsofia Deli** started as an intern at the Research Department. Zsofia is a student of the University Eötvös Loránd (ELTE), Budapest, Hungary and she will be working for CLEER. Her supervisor is Dr. Tamara Takacs.

#### **Asser Staff Lectures:**

- **Prof. S. Blockmans**, ‘The promotion of human rights in the EU’s external relations’, University of Salamanca, 12 January 2012
- On 13 February 2012, **Prof. Steven Blockmans** will act as external examiner for the PhD defence of Martina Spornbauer on her manuscript ‘The constitutional architecture of EU peacebuilding for law enforcement institutions: legality and accountability’. The promotor is Prof. Marise Cremona, European University Institute.
- **Dr. Christophe Paulussen** has joined the Netherlands School of Human Rights Research as a Senior Researcher.
- **Dr. Christophe Paulussen** gave a lecture on “International criminal tribunals” for members of the Beirut and Tripoli Bar Association at the ICTY, 23 January 2012
- **Dr. Christophe Paulussen** will give a lecture on the ICTY and the ICC for HOVO Brabant Seniorenacademie, 8 February 2012
- **Wybe Th. Douma** will present a paper on “Human rights aspects of protection of the environment” at the conference “Protection of the environment in relation to armed conflicts”, Lund, Sweden, 16/17 February 2012
- **Wybe Th. Douma**, Guest lecture on “International trade law and sustainable development”, for master students “Droit International et Européen” at the Faculté Libre de Droit, Lille, France, 23 February 2011



UNIVERSITEIT TWENTE.



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