



# The Hague Academy of International Law

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Annual Report  
2017





The Hague  
Academy of  
International Law

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# Annual Report

2017





# 1. Foreword by the Secretary-General

Lawyers are fortunate, because the law inclines one to optimism. The law is not a mere reflection of our societies, it is at their vanguard. International law is a fine and almost miraculous illustration of this. As early as 1899, here in The Hague, men and women of this world undertook, if not to outlaw war entirely, at least to wage war, if war happened, in compliance with certain rules of law. This is just one example among many others that show that the law, and particularly international law, inclines one – or should incline one – to optimism in circumstances where the contingencies of the time are sometimes disappointing.

It is thus at best an understatement to say how fortunate, pleased and motivated I have felt ever since having the honour to act as Secretary General of The Hague Academy of International Law, an institution that has become, over the years, a mandatory experience for all students of international law, and that some people have quite rightly seen as a real “temple of international law”.



At The Hague Academy of International Law, professors of international law, judges and specialists chosen from amongst the most knowledgeable and distinguished in their various countries teach international law to students who are already at an advanced level of legal studies, diplomats, or other actors on the international stage who are already competent practitioners of international law. The most striking characteristic of these students is their ability to be (or their ambition to become) legal “technicians”, often in very specific areas, but also to handle numerous areas of international law, public or private depending upon their wishes and training, armed with precise knowledge, and with intelligence and creativity.

Of course, this requires them to be capable of navigating their way through all the dimensions of international law, from the high spheres of theory to those of applied law. For it is quite clear that the purpose of theory is not to be relevant only in the apparently abstract world of theory. On the contrary – and this is in fact its ambition – theory allows one to understand concrete situations and to give them meaning by revealing their inner workings. This is why, in order to be capable of a thorough understanding of international law, it is necessary to be able to move backwards and forwards between the theoretical and the concrete. This also presupposes that one should be capable of undertaking research and applying certain methodological precepts. Finally, not only a good capacity for work is necessary, but also a fine open mind.





However summary they may be, these brief remarks allow us to take the full measure of the appropriateness of the approach taken by The Hague Academy of International Law to the accomplishment of its mission, and equally to understand the students' appetite for its programmes.

Indeed, every year the Curatorium takes very particular care in preparing programmes of courses for the summer and winter sessions, reflecting a careful balance of theoretical and practical teaching, training in research work, and methodology. Moreover, it was the Academy itself that “invented” the formula that has since been adopted by other bodies, consisting for each session of a “general course” allowing the whole of the discipline of public or private international law to be covered, and special courses dealing in detail with diverse, technical and often topical issues of international law. However, it would not be fair to the Academy only to mention the courses given by professors, judges and the most distinguished specialists, even though these clearly form the heart and the wealth of our sessions. Because the Academy offers many other services to its students, which have become an inherent aspect of each session. To mention them briefly, these are the lectures given by distinguished speakers, in particular on topical subjects, the Directed Studies, the programme for doctoral students, the tutoring system, the embassy programme and cultural and leisure activities. To these must of course be added, last but not least, access to the Peace Palace Library of international law, which allows the students to benefit from a matchless tool for gaining knowledge and performing research.

Of course, the Academy offers other advanced courses throughout the year. Detailed information on these programmes is contained in this report, and I will therefore do no more than mention them here : the Centre for Studies and Research which each year works on a different theme under the guidance of experts on that theme, the programme of Seminars for Advanced Studies, which in recent years has focused upon certain aspects of international criminal law, the External Programme, where The Hague Academy moves to a foreign country to organise a week-long session of courses dealing in detail with a chosen topic, and the programmes on demand, not to forget colloquia and more sporadic events. We are now already preparing for the Academy to open its doors during the winter of 2019 to its students for the very first winter session. This will be an important moment in the history of the Academy, which in this way will make its courses accessible to a greater number of students.

Throughout 2017, the Academy's activity was intense, and involved a significant number of people and institutions who provided their support, as will be seen in this annual report.

I take this opportunity to thank, on behalf of the Curatorium, all the protagonists of the year covered by this report, in particular : the professors, judges, diplomats and lecturers, who devoted the best of their teaching, thoughts and writings to our students and the Collected Courses; the States who, via their embassies, loyally supported the work of the Academy, in particular

by participating in the scholarship programme and the embassy programme; the institutions and private individuals who also lent their precious and very much appreciated support to the Academy. As for private institutions and individuals, I cannot but highlight with particular thanks the substantial grants of the Riksbankens Jubileumsfond Foundation, which allowed for the symposium on 8 March to be held, that of Gide Law Firm, which contributed to the External Programme, as well as the support of the International Academy of Comparative Law that sponsored the Comparative Law Course during Summer Courses, and the grants of the government of Switzerland, with 20 (Emer de Vattel) scholarships, of Stichting STIP - Stichting ter bevordering van internationaal privaatrechtelijk onderzoek - (Rotterdam, Netherlands), which funded 15 scholarships, of Professor Pieter Jan Kuijper (Amsterdam, Netherlands), who funded no less than 10 scholarships in memory of Professor van Panhuys, of Shell, and of the City of The Hague, for having each funded 6 very welcome scholarships. The complete list of all our generous scholarship sponsors is reproduced at Section 5.3. below. All are warmly thanked. Of course, last but not least, my gratitude also goes to all the members of staff of the Academy and the Peace Palace who help to make each session of courses a unique and memorable event.



1 | Attendees in the main hall of the Academy Building





# 2. Organization of the Academy

## 2.1. Curatorium

The Curatorium is charged with the scientific management of the Academy. It determines its policy and activities, draws up its annual programmes, and selects lecturers to invite from among the most highly qualified academics and practitioners in international law. It usually meets twice a year.

On 21 January 2017 Professor Yves Daudet was elected President of the Curatorium for a term of 6 years. Professor Daudet succeeds Mr. Boutros Boutros-Ghali, former Secretary-General of the United Nations, who presided the Curatorium from 2003 up until his death on 16 February 2016.

To be able to successfully fulfill its mission the Curatorium itself is comprised of renowned legal experts from different parts of the world ensuring a geographical balance in its composition.

Currently the Curatorium has 18 members: Professor Yves Daudet, President (France), Dr. Beat Hess, Vice-President (Switzerland), Judge Mohamed Bennouna (Morocco), Professor (Ms.) Katharina Boele-Woelki (Germany),

Judge Antônio A. Cançado Trindade (Brazil), Professor (Ms.) Hilary Charlesworth (Australia), Professor Diego P. Fernández Arroyo (Argentina), Professor (Ms.) Maarit Jänträ-Jareborg (Sweden), Professor Bing Bing Jia (China), Professor Maurice Kamto (Cameroon), Professor Djamchid Momtaz (Iran), Professor (Ms.) Yuko Nishitani (Japan), former Judge Raymond Ranjeva (Madagascar), Professor Nico J. Schrijver (the Netherlands), Judge Linos-Alexandre Sicilianos (Greece), Judge Peter Tomka (Slovakia), Professor Tullio Treves (Italy), and Mr. Peter D. Trooboff (United States of America).

To facilitate its work the Curatorium has established 4 committees, in which members discuss a variety of topics and prepare proposals for the Curatorium to decide upon in its plenary meetings. Currently there are a Programmes Committee, a Publications Committee, a Modernization and Reforms Committee and a Communications Committee.



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2 | The members of the Curatorium





## 2.2. Secretary-General and Deputy Secretary-General for Administrative Affairs

The Secretary-General of the Academy, who is always a professor of international law, is entrusted with scientific and educational matters, and represents the Curatorium on all these aspects vis-à-vis other institutions. He implements the decisions taken by the Curatorium and may make proposals to it. The Secretary-General is appointed by the Curatorium. On January 1st, 2017, a new Secretary-General, Mr. Jean-Marc Thouvenin, Professor at Paris Nanterre University, took office. The Secretary-General is assisted by a Deputy Secretary-General for Administrative Affairs, Ms. Monique Legerman, who is also Head of the Secretariat of the Academy.

## 2.3. Administrative Council

The Administrative Council is responsible for the practical and financial management of the Academy. It is traditionally composed of Dutch nationals. The current President of the Council is Dr. Bernard R. Bot, former Minister of Foreign Affairs of the Netherlands. The Council is further composed of 6 other members: Baron Diederik C. van Wassenae, Mr. Frank A. M. Majoor, Dr. Elisabeth M. Wesseling-van Gent, Mr. Wiet (L.W.L.) de Bruijn, Dr. Marinke Steenhuis and Mr. Joost van Lanschot.

## 2.4. Treasurer and Financial Management

The Administrative Council appoints a Treasurer for the Academy. Currently the position is filled by Mr. Erik de Baedts, Director-General of the Dutch Carnegie Foundation, who has been appointed for a term of 5 years. The Treasurer is responsible for the Academy's finances and the management of the staff of the Secretariat. He implements the decisions of the Council and those of the Curatorium having financial implications. The Treasurer is aided by Mrs. Andrea Möller-Kramer, Head of the Financial Department of the Academy.

## 2.5. Secretariat

Under the authority of the Deputy Secretary-General for Administrative Affairs, the Secretariat is entrusted with the day-to-day administration of the Academy and the practical organization of its activities. It is currently composed of 3 staff members: Ms. Anna Vasilyeva, General Affairs Officer, Ms. Daphne Tengbergen, Registration and General Affairs Officer and Ms. Vanina Guenier, Registration and General Affairs Officer.

## 2.6. Publications Manager

The majority of the scientific activities of the Academy has resulted in a number of specific publications. The most famous is the Collected Courses series, which is comprised of the Summer Courses delivered since 1923. In addition to the printed version, the complete collection also exists in electronic format.

Since 2008, certain courses published in the Collected Courses series have also individually been published as pocketbooks and as e-books.

To streamline the production of its publications the Academy has appointed a Publications Manager. This position is currently occupied by Ms. Simone Cartier. The distribution and marketing of the publications is carried out by Brill Publishers.



3 | Secretariat staff and attendees at the Welcome Desk





# 3. Activities and events in 2017

## 3.1. Regular Academic Activities

### 3.1.1. Summer Courses on Public and Private International Law

The Summer Courses constituted the Academy's primary activity in 2017. They are designed for students and practitioners who have a prior grounding in public or private international law, are given in English or French and are simultaneously translated into the other language. The Curatorium of the Academy entrusts these courses to renowned academics, diplomats and practitioners from various institutions around the world.

#### 3.1.1.1. General and Special Courses, Seminars and Short Courses

The General Courses highlight developments within the field of international law, and provide attendees

with the opportunity to take a step backwards and, through an overall view and a comprehensive reflection, grasp the main lines of the discipline around which legal thinking is structured.

The Special Courses, consisting of 5 hours total spread out over one week, deal with a particular question or topic, and are given by professors who have studied the subject extensively and are specialists in the field.

Furthermore, all invited professors give seminars related to the subject of their course. During these interactive meetings, attendees have an opportunity to ask questions, to obtain additional information on the course, and to participate in discussions.

The full list of the 2017 lecturers and of the topics they addressed appears on the poster of the 2017 Summer Courses, see Annex 1.

4 | Professors and attendees of the 2017 Summer Courses on Private International Law





For the second year in a row, the Academy also organized two short course days at the very beginning of the Private International Law period. The first course was a ‘crash-course’ on the fundamentals of European Union Law, while the second consisted of a general introduction to Comparative Private International Law. The Curatorium considers these two sessions, of six hours of each, to be particularly useful for students coming from outside the European Union, who are not necessarily acquainted with the specificities of the legal order of the European Union, and for attendees wishing to refresh their basic knowledge of comparative law. In 2017, the introduction to the European Union Law Course was given jointly by Dr. Ulad Belavusau and Dr. Antoine Duval of the T.M.C. Asser Institute. The introduction to Comparative Law Course was taught by Professor Gilles Cuniberti of the University of Luxembourg. The Comparative Law Course was organized thanks to the kind and much appreciated support of the International Academy of Comparative Law.

3.1.1.2. *Directed Studies and Diploma*

Next to the courses, Directed Studies sessions are specifically offered to highly advanced students, who wish to prepare themselves for the Diploma examination of the Academy, or who are simply interested to participate in seminars delving more deeply into questions of public or private international law without sitting for the examination.



The written examination on Public International Law took place on Tuesday 25 July from 2 p.m. to 7 p.m., on the following subject: “Lex ferenda and the evolution of international law”. Eleven candidates who had been selected from the Directed Studies sat for the written examination. Four of them were admitted to take the oral examination, at the end of which one candidate was awarded the Diploma: Mr. Peter Tzeng (United States). The Jury was composed of Professor Jean-Marc Thouvenin (President), and Professors Edith Brown-Weiss, Diane Desierto and Franck Latty.

The written examination on Private International Law took place on Tuesday 16 August from 2 p.m. to 7 p.m., on the following subject: “The harmony of decisions is no longer compatible with contemporary methodologies in private international law. Discuss”. Nine candidates who had been selected from the Directed Studies sat for the written examination (and seven papers were submitted). Four of them were admitted to take the oral examination, at the end of which one candidate was awarded the Diploma: Mr. Felipe Albuquerque (Brazil). The Jury was composed of Professor Jean-Marc Thouvenin (President), and Professors Horatia Muir Watt, Laura Carballo Piñeiro and Geneviève Saumier.

5 | Mr. Peter Tzeng (United States)

6 | Mr. Felipe Albuquerque (Brazil)



3.1.1.3. *Afternoon Lectures*

Distinguished speakers, either academics or practitioners, chosen from amongst high-ranking personalities from the political, diplomatic or legal worlds give lectures in the afternoons of certain weeks on various topics that are of great interest to students, in that they often provide them with different or complementary views as compared with their usual fields of study. For the full list of afternoon lectures that were given in Summer 2017, please see Annex 2.

3.1.1.4. *Doctoral Networking Meetings*

Doctoral students from different countries who are working on identical or related topics are given the opportunity to regularly meet throughout the session, under the guidance of a lecturer or practitioner who is specifically assigned for this purpose. These doctoral networking meetings allow students to share their views, insights and different approaches with respect to issues relating to their research topics, leading to reciprocal exchanges that can of course be continued after their stay at the Academy. The meetings during the Public International Law period were led by Mrs. Freya Baetens, Professor at the University of Oslo, and the meetings during the Private International Law period were led by Ms. Maja Groff, Senior Legal Officer at The Hague Conference on Private International Law.

3.1.1.5. *Embassy Programme*

A significant number of ambassadors responded to the Academy’s request that they should host groups of students to explain to them the mission and role of an ambassador, so that the students can better understand the realities, by giving them an essential complement to the legal aspects of international life that they study at the Academy. The ambassadors were kind enough to offer refreshments to the students on these occasions. In 2017, more than 450 students were hosted by 58 embassies.

7 | Alderwoman of the Municipality of The Hague welcoming attendees at City Hall

3.1.1.6. *AAA and Alumni Office*

The Association of Attendees and Alumni (AAA) of the Academy, created in 1923, used to be very active in its early days. However, in more recent years the AAA’s main pursuit had become limited to organizing a programme of social activities for the attendees of the Summer Courses. These activities included visits of international tribunals and organizations in The Hague as well as the famous beach party, and more touristic outings and social gatherings. For practical reasons the Curatorium decided in 2017 that the AAA should be dissolved and its activities incorporated into the Secretariat of the Academy by way of an “Alumni Office”. This was done with the aim on ensuring a better continuity and a better follow-up of activities within the permanent structure of the Academy’s Secretariat and to revamp alumni relations. The activities of the former AAA were maintained during the 2017 Summer session and will be extended to other programmes such as the Winter Courses. Furthermore, a targeted alumni policy will be developed in the coming years.

Throughout the years many alumni have expressed the wish to maintain a link with the Academy and to engage with the community of former attendees as a whole. The Academy on its part wishes to tap into the continued interest for its activities, not only by informing them on a regular basis about its current programmes but also by engaging its alumni in refresher courses, study days and similar activities in the field of education and research to keep them updated. Such opportunities to meet among alumni will allow for the exchange of mutual experiences, thereby bringing academics and practitioners in the field closer together to the benefit of all.





KEY FIGURES SUMMER COURSES

Courses, Seminars, Lectures

75

hours of Courses

36

hours of Seminars

12

Afternoon lectures

Embassy Programme

58

visits

Registered Attendees

671

attendees

334

Public International Law

337

Private International Law

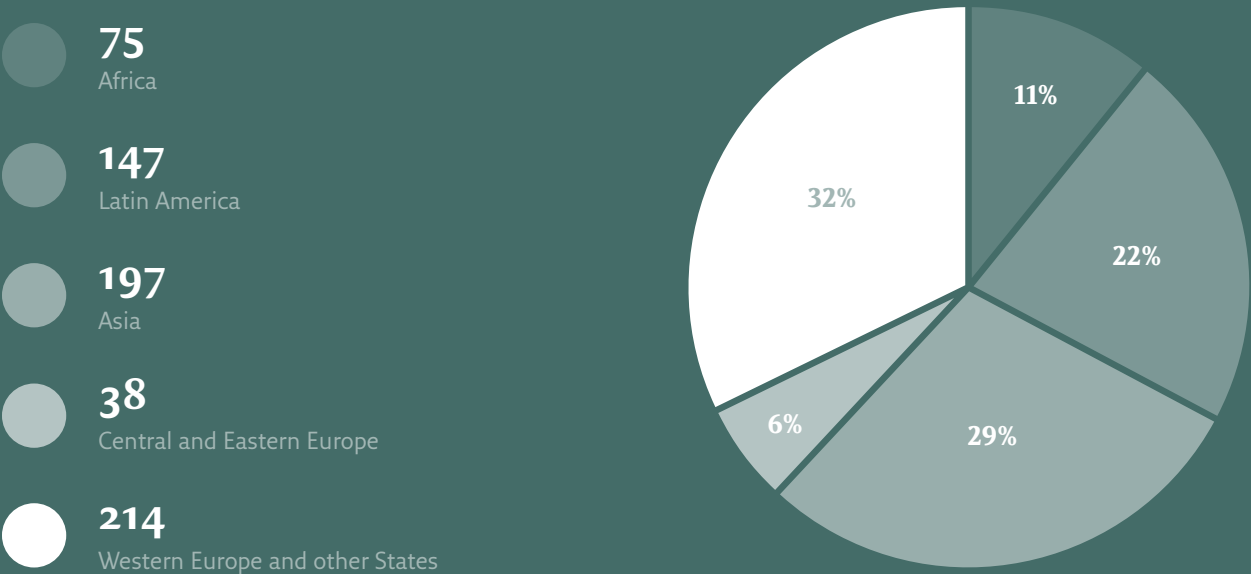
±100

different countries

122

scholarships awarded

Geographical distribution of the attendees of the 2017 Summer Courses



3.1.2. Centre for Studies and Research

In 2017, the Centre for Studies and Research in International Law and International Relations dealt with the theme: “Fifty Years of Space Law – Space Law in 50 Years”. As usual the Centre took place directly after the Summer Courses between 21 August and 8 September and was directed by an Anglophone and a Francophone Director of Research: Mr. Stephan Hobe (English-speaking section), Professor at the University of Cologne, Director at the Institute of Air and Space Law, and Mr. Philippe Achilleas (French-speaking section), Professor at Paris-Sud University, Director of the Institute of Space and Telecommunications Law, who are both renowned specialists on the chosen theme.

The Centre gathered together 23 advanced students to conduct individual research on a particular aspect of the general theme. Only those articles that meet the Academy’s scientific standards will be published, in accordance with the individual assessments made by the Directors. Each article will constitute a chapter in the final publication. For those participants whose contributions are retained, the Centre will constitute an opportunity to enrich the list of their work by adding a publication in their name – something that is particularly relevant for those who intend to pursue an academic career.

The programme, freely determined by the Directors, further consisted of collective meetings within the language groups, joint meetings between the two language groups, individual discussions, etc. In general, most of the time was devoted to working in the Peace Palace Library.

8 | Professors and researchers of the 2017 Centre for Studies and Research

3.1.3. External Programme

The External Programme is a regional programme that takes place annually, and as much as possible in turn, in Africa, Asia and Latin America, upon the invitation of a foreign government. This intensive programme not only allows each individual participant to develop his or her knowledge on aspects of international law that are of particular interest to the region, but also to build up a network with attendees from different neighboring countries.

The External Programme is designed for approximately 20 nationals of the host State and 20 who are nationals of other countries in the region. Participants’ travel expenses and accommodation are taken care of and they are not required to pay a registration fee. The 2017 edition was partly sponsored by the international law firm of Gide Loyrette Nouel.





The programme was held in Yaoundé, Cameroon from 3 to 10 November on the topic of: “International Law as an Instrument of International Solidarity and the Fight Against Global Threats in Africa”, in collaboration with the International Relations Institute of Cameroon (IRIC). On Friday, November 3rd, the programme was opened with an official ceremony chaired by the Cameroonian Minister of External Relations, H.E. Lejeune Mbella Mbella, and the Minister for Higher education, Professor Jacques Fame Ndongo. The opening ceremony was followed by a reception.

During the opening weekend and every afternoon of the following week, one-hour lectures on a variety of topics were given by different speakers. Between the 6th and the 10th of November the participants attended a full week of Seminar-Courses that were given by international and Cameroonian legal experts. For the full list of courses and lectures see Annex 3.

Moreover, a Round Table chaired by the Secretary-General of the Academy, was organized on Wednesday 8 November with the participation of Dr. Christophe Bernasconi, Secretary-General of the Hague Conference on Private International Law, on the theme: “Current Legal Aspects of the Establishment and Maintenance of Peace and Security in Africa”.

During the programme an official dinner was also hosted by the President of the Curatorium. Finally, the week was concluded with a closing ceremony and the delivery of certificates of attendance to the participants by Professor Jean-Marc Thouvenin.

### 3.1.4. Advanced Course on International Criminal Law

The third edition of the Advanced Course on International Criminal Law focused on “International Law and Economic Crime”. The programme is targeted at practitioners seeking to gain expertise in the application of concepts and norms. Due to its professional orientation and its nexus to contemporary global problems, the course allows to put into perspective the essential knowledge that it intends to convey. The course was held from 20 to 24 November under the scientific coordination of Professor Carsten Stahn of the Grotius Centre for International Legal Studies of Leiden University.

A total of 38 participants from different countries attended the course. These included professionals working for international governmental and non-governmental organizations, domestic judges, prosecutors, defense lawyers, legal advisers and academics.

The course started with an Opening Keynote by Ms. Kimberly Prost (International Criminal Court, former United Nations Ombudsperson to the Security Council's Al-Qaida Sanctions Committee and International Criminal Tribunal for the former Yugoslavia ad litem Judge), and was followed by an introductory Panel Discussion to frame macro issues titled “International Law and Economic Crime: Trends and Challenges”. Panelists included Mr. Nicola Bonucci, Director for Legal Affairs, at the OECD and Mr. David Lorello, Partner, at Covington & Burling LLP, London.

General and specific lectures introducing foundations, core concepts, documents and problems posed by the general theme formed the main part of the course. The full list of lectures can be found in ANNEX 4, page 39. The programme also included a practical exercise conducted by Dr. Cecily Rose, Assistant Professor of Public International Law at Leiden University, and a visit to the International Criminal Court, where participants met with Ms. Cristina Ribeiro, Investigation Coordinator with the Office of the Prosecutor. Ms. Ribeiro held a lecture on “Investigative Strategies for Network Criminality / Links Between International Crime and Organized Crime”.

The week started off with official welcome drinks, and was concluded with a closing ceremony during which participants received their certificates of attendance from Mr. Erik de Baedts, Treasurer of the Academy, followed by a reception.

9 | Participants in the External Programme

10 | Opening Panel of the Advanced Course on International Criminal Law

11 | Professors and participants of the Advanced Course

12 | Lecturers on the Opening Panel of the Advanced Course





### 3.2. Events

#### 3.2.1. Joint meeting of the Curatorium and the Administrative Council: Amendments to the Statutes

The Curatorium and the Administrative Council held a joint meeting on 20 January 2017 to adopt a revised text of the Statutes of the Academy. The original Statutes were adopted in French on January 27th, 1914. The updated text of the Statutes has been drafted in Dutch, in accordance with the provisions of Dutch law, and unofficially translated into English and French. The Dutch text is the only authoritative one. The text of the Statutes was confirmed once more by both bodies in another joint meeting held on 24 January 2018, as required by Dutch law.

#### 3.2.2. Ceremony bidding farewell to outgoing Secretary-General Yves Daudet and welcoming the new Secretary-General Jean-Marc Thouvenin

A ceremony at the initiative of Mr. Erik de Baedts, Treasurer of the Academy, was held on January 20th to mark the end of the mandate of Professor Yves Daudet who was Secretary-General of the Academy for 12 years, and to welcome the arrival of his successor, Mr. Jean-Marc Thouvenin, Professor at Paris Nanterre University. The ceremony was attended by all the members of the Curatorium of the Academy, Judges of the International Court of Justice as well as its Registrar and Deputy-Registrar, many members of the diplomatic corps as well as various personalities from the political and legal field in The Hague and staff members of the Carnegie Foundation. Mr. Peter Trooboff, on behalf of the Curatorium, and Dr. Bernard Bot, on behalf of the Administrative Council, held speeches in honor of Professor Daudet and Professor Thouvenin, both of which responded with speeches of their own.

#### 3.2.3. 8 March Symposium

On March 8th, United Nations International Women's Day, the Academy celebrated the launch of a publication entitled "Women's Human Rights and The Elimination of Discrimination". This book was the result of the Centre for Studies and Research that was held in 2014



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under the direction of Professors Maarit Jänträ-Jareborg and Hélène Tigroudja, who also edited the publication. The book contains the reports of the two Directors of Research as well as several selected contributions, in French and in English, written by the researchers who participated in the Centre.

A symposium was organized for the occasion, generously sponsored by the Riksbankens Jubileumsfond Foundation. The symposium was opened by Professor Thouvenin, who explained the reasons that led the Academy to organize the event, and the programme of the symposium. The Deputy-Mayor of the Municipality of The Hague, Ms. Saskia Bruines, expressed the Municipality's specific support for this type of event. Then Ms. Renée Römkens, Professor at the University of Amsterdam, presented an overall analysis of the Istanbul Convention, and was followed by Ms. Sanji Monageng, Judge at the International Criminal Court, who addressed the subject of "Women's Progress and Legal Instruments: The Southern African Experience". After the speeches, Professors Maarit Jänträ-Jareborg and Hélène Tigroudja presented the contents of their publication, a copy of which was offered to each invited speaker. A panel discussion followed on the topic of "Empowering Women". Professor Yves Daudet moderated the panel during which Dr. Liesbeth Lijnzaad, Legal Adviser at the Netherlands Ministry of Foreign Affairs, Mr. Nico

Schrijver, Professor at the University of Leiden and Senator, Dr. Elisabeth Wesseling-van Gent, Advocate General at the Netherlands Court of Cassation and Member of the Administrative Council of the Academy, and Ms. Ann Wilkens, former Ambassador of Sweden, successively shared their views and personal experiences with regard to the issue of the place of women in society and the role of the law in improving it.

#### 3.2.4. Launching of Judge Bennouna's Pocketbook

The launch of the pocketbook of H.E. Judge Mohamed Bennouna, containing the text of his General Course given in 2016 on "International Law, Between Letter and Spirit", took place on 20 July in the presence of all the students attending the Public International Law period. After introducing Judge Bennouna and recalling the outline of his book, Professor Yves Daudet gave the floor to Judge Bennouna, who outlined the main lines of thought set out in his book, and then signed numerous copies of the book which, it should be stressed, is published in such a format that, at a price of 15 Euros, is affordable and specially designed for students.

#### 3.2.5. Side Event at the United Nations in New York

The Academy, in collaboration with the Permanent Mission of Mexico to the United Nations and the Permanent Mission of France to the United Nations, held its first ever "Side Event" on October 25th at the United Nations Headquarters in New York, on the occasion of the United Nations International Law Week.

The event was entitled "Presiding an International Court or Tribunal". The invited speakers were moderated by the Secretary-General of the Academy. The participants had the opportunity to listen to the analyses of H.E. Judge Ronny Abraham, President of the International Court of Justice at the time, and of Professor Tullio Treves, member of the Curatorium and former President of an International Tribunal of the Law Of the Sea Chamber.

Faithful to its tradition, the Academy's event was held in English and French, with simultaneous translation, and a welcome buffet was provided to the attending guests.

13 | 8 March Symposium

14 | Side Event at the United Nations

15 | Judge Bennouna signing his book

16 | 8 March Symposium



14



15



16

## 4. Publications

In 2017 the Academy published the books mentioned below.

These publications are distributed by Brill Publishers (<http://www.brill.com>).

### 4.1. The Collected Courses and the Pocketbooks Series

The following volumes of Collected Courses were published in 2017:

#### *Volume 381*

- Erik Jayme, Les langues et le droit international privé (Inaugural Lecture)
- George A. Bermann, International Arbitration and Private International Law (General Course)

#### *Volume 382*

- Daniel Cooper & Christopher Kuner, Data Protection Law and International Dispute Resolution (Special Course)
- Bing Bing Jia, International Case Law in the Development of International Law (Special Course)

#### *Volume 383*

- Mohamed Bennouna, Le droit international entre la lettre et l'esprit (General Course)
- Massimo Iovane, L'influence de la multiplication des juridictions internationales sur l'application du droit international (Special Course)

#### *Volume 384*

- Symeon C. Symeonides, Private International Law: Idealism, Pragmatism, Eclecticism (General Course)

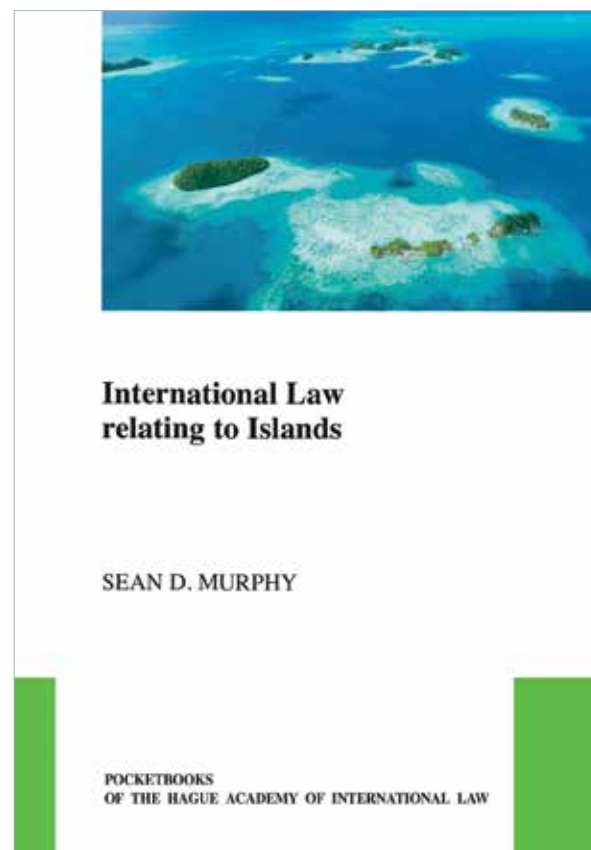
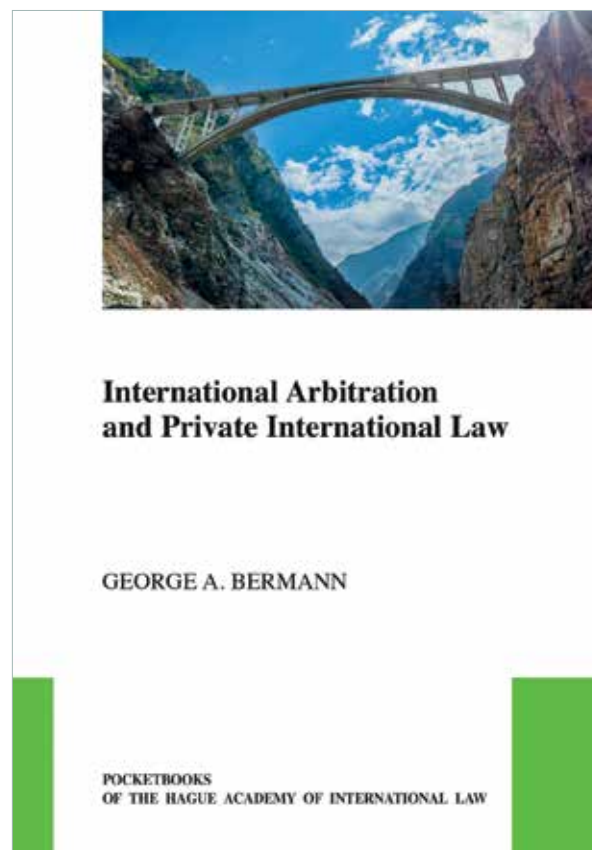


**Le droit international  
entre la lettre et l'esprit**

MOHAMED BENNOUNA

LES LIVRES DE POCHES  
DE L'ACADÉMIE DE DROIT INTERNATIONAL DE LA HAYE





## 4.2. The Centre for Studies and Research

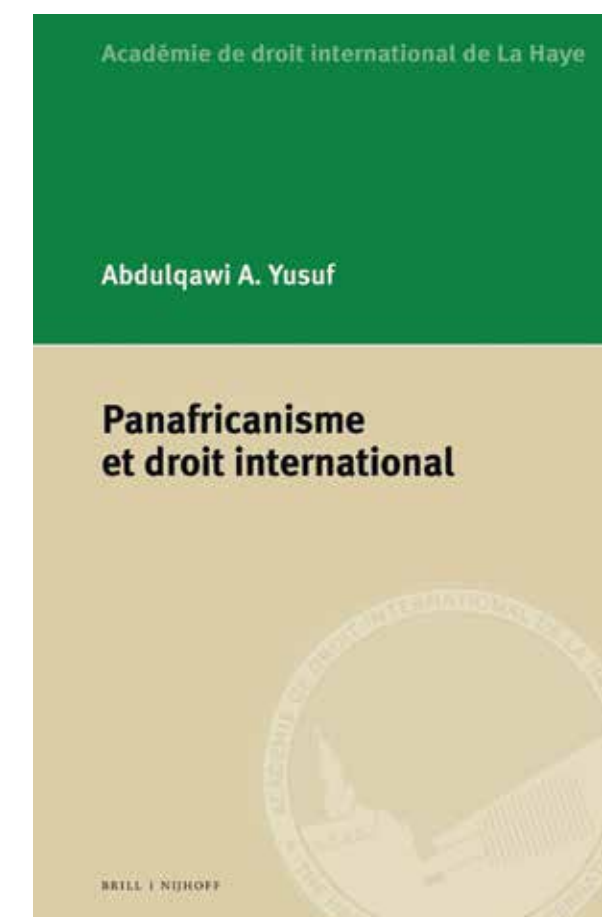
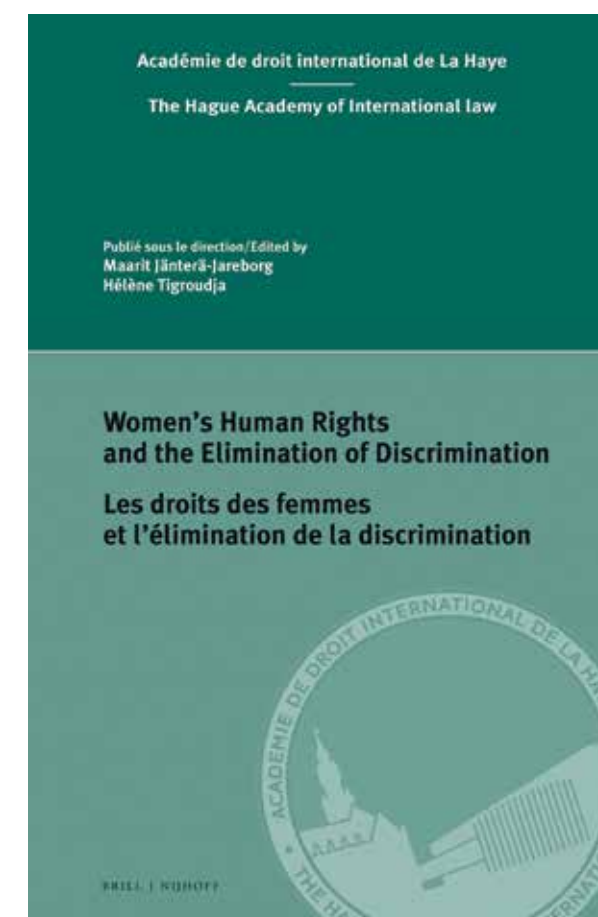
The following volume of the work of the Centre was officially launched in 2017:

- Women's Human Rights and the Elimination of Discrimination, Edited by Maarit Jänterä-Jareborg and Hélène Tigroudja

## 4.3. Special Editions

In 2017 the following Special Edition was published:

- Abdulqawi A. Yusuf, Panafricanisme et droit international



### Volume 385

- Sir Franklin Berman, Why Do We Need a Law of Treaties? (Inaugural Lecture)
- Fabrizio Marrella, Protection internationale des droits de l'homme et activités des sociétés transnationales (Special Course)

### Volume 386

- Sean Murphy, International Law relating to Islands (Special Course)
- Giuseppe Cataldi, La mise en œuvre des décisions et des arrêts internationaux dans l'ordre interne (Special Course)

The following Pocketbooks were published in 2017:

- George A. Bermann, International Arbitration and Private International Law (General Course)
- Mohamed Bennouna, Le droit international entre la lettre et l'esprit (General Course)
- Sean Murphy, International Law relating to islands (Special Course)



## 5. Finances

### 5.1. Financial Overview 2017

The Academy's income is primarily constituted from the registration fees of the participants to its different programmes. In addition to the fees, the revenues from the sales of its publications, most significantly from the Collected Courses series, are an important contribution to support the activities of the Academy.

Donations from governments, institutions, foundations and private persons have always been crucial for the Academy.

The General Assembly of the United Nations regularly draws the attention of the UN Member States and interested organizations to the contribution that the Academy makes to the teaching, study, dissemination and wider appreciation of international law and consequently recommends them to subsidize the programmes of the Academy. The most recent General Assembly Resolution to that effect is A/RES/72/115 of 7 December 2017, of which paragraphs 22 and 23 specifically mention the Academy.

The Academy received voluntary contributions from 19 countries in 2017. These contributions have been highly appreciated.





## 5.2. Country Contributions

The following States generously subsidized the activities of the Academy in 2017:

- Belgium - Federation Wallonia-Brussels
- Chile
- China
- Cyprus
- Denmark
- France
- Germany
- India
- Italy
- Japan
- Jordan
- Peru
- Philippines
- Poland
- Republic of Korea
- Singapore
- Sweden
- Thailand
- Turkey

## 5.3. Scholarship Sponsors

The sponsors mentioned below generously allocated scholarships to the Academy allowing selected beneficiaries to attend the 2017 Summer Courses.

### *States:*

- Belgium - Wallonia-Brussels International: **3** scholarships
- Israel - Scholarships in memory of Professor Shabtai Rosenne: **5** scholarships
- Jordan: **4** scholarships
- Switzerland - Emer de Vattel Scholarships: **20** scholarships
- Thailand: **5** scholarships

### *Institutions:*

- City of The Hague (Netherlands): **6** scholarships
- Ecole doctorale de droit international de l'Université Paris 1 (France) : **2** scholarships
- Éditions A. Pedone (France): **1** scholarship
- Hague Center for Law and Arbitration - HCLA (Netherlands): **2** scholarships
- Institut de France - Bonnefous Scholarships (France): **5** scholarships
- Lutfia Rabbani Foundation (Netherlands) - Scholarships for International Law in memory of Mr. Pieter Vreede: **3** scholarships
- Organisation Intergouvernementale de la Francophonie - OIF (France): **5** scholarships
- The Rotary Clubs of The Hague (Netherlands): **5** scholarships
- SHELL (Netherlands): **6** scholarships
- Stichting ter bevordering van internationaal privaatrechtelijk onderzoek - STIP (Netherlands): **15** scholarships
- Société française pour le droit international - SFDI (France) : **2** scholarships
- The Hague Academy of International Law (Netherlands): **14** scholarships

### *Personalities:*

- G. Bastid-Burdeau (France) - Scholarship in memory of J. Basdevant: **1** scholarship
- B. and C. Bot (Netherlands): **1** scholarship
- Ch. N. Brower (United Kingdom): **1** scholarship
- Dame R. Higgins (Netherlands): **1** scholarship
- P. J. Kuijper (Netherlands) - Scholarships in memory of Professor van Panhuys: **10** scholarships
- L. Malintoppi (Italy) - Scholarship in memory of Professor A. Malintoppi: **1** scholarship
- B. Roth (France) - Scholarship in memory of E. Frankenstein: **1** scholarship







## 6. The Peace Palace Library

The Peace Palace Library is an indispensable tool for attendees of the Academy's programmes. As a matter of fact, during the Summer Courses, the Peace Palace Library functions as The Hague Academy's library.

In 2017 the library supplied the attendees of the Summer Courses with online bibliographies containing relevant legal literature and full text documentation, as suggested reading materials by the professors invited to teach at the Academy. The availability of these legal resources, made accessible over the Internet for distant and remote end-users, enabled attendees to prepare the session in well advance. As is the tradition every Summer, the opening hours of the Peace Palace Library were deliberately expanded during the courses, on working days and on Saturdays.

The Peace Palace Library also traditionally supports the work of the Centre for Studies and Research, and in 2017 produced the initial bibliography that the Directors and participants used as a basis for their research on space law. The library further facilitated the task of the researchers during their stay in The Hague by opening up the richness of its collection to them.

Finally, the library also provided the prescribed reading materials by the lecturers of the Advanced Course on International Criminal Law to the participants.



## Annex 1. Poster of the 2017 Summer Courses



**THE HAGUE ACADEMY  
OF INTERNATIONAL  
LAW  
2017**

**SUMMER COURSES**

**First Period: 10 - 28 July 2017  
PUBLIC INTERNATIONAL LAW**

**Second Period: 31 July - 18 August 2017  
PRIVATE INTERNATIONAL LAW**

<p><b>Inaugural Lecture</b> How the Law Operates in the International Legal Order: Doing Something and Having Something Done</p> <p><b>General Course</b> Establishing Norms in a Kaleidoscopic World</p> <p><b>"Acts of the State" in the Law of Responsibility: A Reassessment</b></p> <p><b>Compensation for Environmental Damage and Depletion of Natural Resources: The Practice of the United Nations Compensation Commission</b></p> <p><b>Treaties and their Practice</b></p> <p><b>The System of Reparations in the Jurisprudence of the Inter-American Court of Human Rights</b></p> <p><b>* The International Protection of Vulnerable Persons under International Human Rights Law</b></p> <p><b>* Economic Sanctions Decided and Implemented Outside the United Nations</b></p>	<p>Jean COMBACAU Emeritus Professor at Paris II University (Panthéon – Assas)</p> <p>Edith BROWN WEISS Professor at Georgetown University</p> <p>Atsuko KANEHARA Professor at Sophia University, Tokyo</p> <p>Mojtaba KAZAZI Former Executive Head of the United Nations Compensation Commission</p> <p>Georg NOLTE Professor at Humboldt University, Berlin</p> <p>Fabian NOVAK Professor at the Pontifical Catholic University of Peru</p> <p>Stelios PERRAKIS Emeritus Professor at Panteion University, Athens</p> <p>Jean-Marc THOUVENIN Professor at Paris Ouest Nanterre La Défense University</p>	<p><b>Inaugural Lecture</b> The Law Governing International Commercial Contracts: Soft Law v. Hard Law</p> <p><b>* General Course</b> Frontiers and Distributions: Discourse on the Methods of Private International Law</p> <p><b>The Private-Public Law Divide in International Dispute Resolution</b></p> <p><b>The Private International Law of Class Actions</b></p> <p><b>The Proper Allocation of Power Between Arbitral Tribunals and Courts</b></p> <p><b>* The Property Regime of Marriages and Registered Partnerships in Private International Law</b></p> <p><b>The Identity and Continuity of Personal Status in Contemporary Private International Law</b></p> <p><b>The Current Practice of International Cooperation in Civil Matters</b></p> <p><b>* The Use of Empirical Methods in Private International Law</b></p>	<p>Michael Joachim BONELL Emeritus Professor at Sapienza University, Rome</p> <p>Horatia MUIR WATT Professor at Sciences Po Law School, Paris</p> <p>Burkhard HESS Director of the Max Planck Institute Luxembourg for Procedural Law</p> <p>Michael KARAYANNI Professor at the Hebrew University of Jerusalem</p> <p>Alan Scott RAO Professor at the University of Texas at Austin</p> <p>Andrés RODRÍGUEZ-BENDIT Professor at Pablo de Olavide University, Sevilla</p> <p>Francesco SALERNO Professor at the University of Ferrara</p> <p>Carmen TIBURCIO Professor at the University of the State of Rio de Janeiro</p> <p>Patrick WAUTELET Professor at the University of Liège</p>
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\* Lecture delivered in French, simultaneously interpreted into English.

**DIRECTED STUDIES FOR DIPLOMA CANDIDATES AND ADVANCED STUDENTS**

**Directors of Studies:**

<p><b>English-speaking section:</b> Diane DESIERTO, Professor at the University of Hawaii</p> <p><b>French-speaking section:</b> Franck LATTY, Professor at Paris Ouest Nanterre La Défense University</p>	<p><b>English-speaking section:</b> Laura CARBALLO PINEIRO, Professor at the University of Santiago de Compostela</p> <p><b>French-speaking section:</b> Geneviève SAUMIER, Professor at McGill University</p>
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**Centre for Studies and Research  
21 August - 8 September 2017**

**Research topic: FIFTY YEARS OF SPACE LAW**

**Directors of Studies:**

**English-speaking section:** Stephan HOBE, Professor at the University of Cologne, Director of the Institute of Air and Space Law

**French-speaking section:** Philippe ACHILLEAS, Professor at the University of Caen Normandy, Director of the Institute of Space and Telecommunications Law at Paris-Sud University

The Hague Academy of International Law, Peace Palace, Carnegieplein 2, 2517 KJ THE HAGUE, The Netherlands

**For all information, please visit the website: <http://www.hagueacademy.nl>**

**Annex 2. Afternoon Lectures - 2017 Summer Courses**

**Public International Law period:**

- H.E. Antônio Augusto Cançado Trindade, Judge at the International Court of Justice: “International Tribunals and the Realisation of Justice”.
- H.E. Sergio Gerardo Ugalde Godinez, Ambassador of Costa Rica to the Kingdom of the Netherlands: “Managing Litigation Before the ICJ”.
- H.E. Péter Kovács, Judge at the International Criminal Court: “International Criminal Justice Day Lecture”.
- Mr. Frank Majoor, member of the Administrative Council of the Academy, and former Secretary-General of the Netherlands Ministry of Foreign Affairs: “Diplomacy; More Necessary than Ever”.
- Messrs. Xavier-Baptiste Ruedin and Asier Garrido-Muñoz, Law Clerks at the International Court of Justice: “The Work of the ICJ’s Judges”.
- Mr. Brooks Daly, Deputy Secretary-General and Principal Legal Counsel of the Permanent Court of Arbitration: “The Permanent Court of Arbitration”.
- Mr. Philippe Lortie, First Secretary at the Permanent Bureau of the Hague Conference on Private International Law: “The Hague Conference on Private International Law”.
- Mr. Marko Oberg, Legal Officer, Chambers, at the International Criminal Tribunal for the former Yugoslavia: “The International Criminal Tribunal for the former Yugoslavia”.

**Private International Law period:**

- Mr. Brooks Daly, Deputy Secretary-General and Principal Legal Counsel of the Permanent Court of Arbitration: “The Permanent Court of Arbitration”.
- Mr. Thomas John, Attaché and Principal Legal Officer at the Permanent Bureau of the Hague Conference on Private International Law: “The Hague Conference on Private International Law”.
- Ms. Florence Zaoui, Legal Officer at the International Court of Justice: “The International Court of Justice”.

**Annex 3. Seminar-Courses and One-Hour Lectures - 2017 External Programme**

**Seminar-Courses:**

- Prof. Maurice Kamto, Yaounde II University and member of the Curatorium: “Africa and Judicial Settlement of Disputes”.
- Dr. Jean-Pelé Fomété, Deputy Registrar at the International Court of Justice: “Africa and International Criminal Justice; Legal aspects”.
- Prof. Laurence Boisson de Chazournes, University of Geneva: “The Relations between Universal and Regional Organizations in Africa”.
- Dr. Jean Kenfack, Yaounde II University: “Peace Keeping, Fight Against Terrorism and Interventions in Africa”.
- Prof. Sandrine Maljean-Dubois, CNRS - Aix-Marseille University: “Africa and International Environmental Law”.

**One-Hour Lectures:**

- Mr. Michel Pitron, Senior Associate at Gide Loyrette Nouel Law Firm: “International Law of the Sea, a Tool for Development”.
- Mr. Michel Pitron, Senior Associate at Gide Loyrette Nouel Law Firm: “Conflict Prevention in Africa and International Justice: The Experience of an International Counsel”.
- Prof. Jean Claude Tcheuwa, Yaounde II University: “The International Responsibility of International Organizations: Current Evolutions”.
- Prof. Alain Didier Olinga, Yaounde II University: “International Law and the Fight Against Human Trafficking in Africa”.
- Prof. Atangcho Nji Akonumbo, Vice-Dean of the Faculty of Law at Yaoundé II University: “The Right to Peace under International Law: An African perspective of the AU Constitutive Act”.
- Prof. Marcellin Nguélé Abada, Yaounde II University: “The Legal Use of Force in Contemporary International Law”.

**Annex 4. Lectures - 2017 Advanced Course on International Criminal Law**

- Dr. Cecily Rose, Leiden University: “International Anti-Corruption Norms, Including United Nations Convention against Corruption”.
- Mr. David Lorello, Partner at Covington & Burling LLP, London: “Experiences from Practice, Including Non-Prosecution Agreements”.

- Dr. Cecily Rose, Leiden University: “Application and Enforcement of Anti-Corruption Frameworks, Including Monitoring Mechanisms (e.g. OECD Convention, GRECO)”.
- Mr. David Schreuders, Partner at Simmons and Simmons Law Firm, Amsterdam: “Corporate Compliance Programmes”.
- Prof. Lovell Fernandez, University of Western Cape: “Anti-Corruption Strategies and Money Laundering: A Perspective from Africa”.
- Prof. Pascal Beauvais, Vice-Dean of the Faculty of Law at Paris Nanterre University: “Transnational Criminalization of Financing Activities”.
- Mr. Elie Renard, Deputy Director at the French National School for the Judiciary: “Criminalization and Prosecution of Terrorist Offences, Including Financing of Terrorism”.
- Prof. Marco Gercke, Director of the Cybercrime Research Institute at the University of Cologne: “The International Legal Framework Governing Cybercrime”.
- Prof. Mark Pieth, University of Basel: “Investigating and Prosecuting Transnational Economic Crimes, Including Extradition and Impediments to Investigation and Prosecution”.
- Prof. Larissa van den Herik, Leiden University: “Corporate Complicity and Legal Accountability (e.g. Corporate Responsibility, UN Principles on Business and Human Rights)”.



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