



The Hague Academy of International Law

2021
Annual Report





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2021

Annual Report



1. Foreword by the Secretary-General

The year 2021 was marked by the prolongation in the world of the health situation that, due to the persistent presence of the Covid-19 virus, proved to be either unpredictable or dangerous. In this context, the Academy, which had urgently rescheduled its 2020 Summer Courses to be held in 2021, decided to conduct its activities online.

2021 all online

Professors invited to teach during the 2021 winter session were informed as early as August 28, 2020, that the session might be held online and that, in that case, courses would be recorded in advance. A month later, the decision was definitively taken. It was then necessary to quickly organize the online session, taking into account the likely impossibility for anyone to travel to The Hague and to be able to stay there under comfortable conditions.



We then set about recording the courses in advance so that we could broadcast them “live” on the Internet from the Peace Palace in January, in two blocks of lectures of three or four hours. The courses would then be made available on an online platform for on-demand streaming, allowing those unable to follow any of the “live” broadcasts to view them at their preferred times.

Establishing a substantial professor-student relationship across time, space and subject matter

The professors agreed to record their lectures in advance, either with the help of the Academy or by using recording facilities available in their countries. They did it from their homes, often alone in their studies, between November 2020 and the beginning of January 2021, professing their best knowledge on camera, imagining the reactions of the attendees, guessing their questions at the end of an explanation, and trying to answer them. Their work was admirable; they managed to engage through thought, and across time, space and subject matter, in a substantial professor-student relationship.

Nearly 1000 attendees from all continents registered to follow the first-ever online session of the Academy’s courses during the winter of 2021, far more than we imagined. The three weeks of courses went wonderfully well, both in terms of content (the courses were dense, diverse, and very well presented), and in terms of form (technology never failed us).



Over 98% of attendees indicated that they were grateful for the opportunity to have participated in the first online courses in the Academy’s history. This shows the permanent “thirst” for a better understanding of the intricacies of international law that is growing in the world.

In the spring of 2021, when the worldwide vaccination campaign against the risks of serious illness caused by the Covid-19 virus had only just begun, the Academy still could not take the risk of holding any courses at the Peace Palace. Again, the sessions of the Public International Law and Private International Law courses were given online, following the formula introduced in January 2021. This time, more than 1100 attendees registered and followed the courses, which were again given in the best way possible, but via computer screens. The Centre for Studies and Research was also organized online, as researchers could not meet in The Hague any more than attendees of the courses could.

Simulation exercises

Courses are designed to update and transmit knowledge, while simulation exercises put students in the position of acting as counsel and advocates so that they can use their knowledge of the law and their sense of international diplomacy as practitioners and diplomats would. Until now, the Academy had never had the opportunity to create any simulation exercises; but the period spent “behind the closed doors” of the Palace has had the positive outcome of allowing us to create two of them, one in French, the other in English, which are now part of the Academy’s

annual programme. The first editions and their results will be covered in the next annual report, but since the competitions were opened in the autumn of 2021, the terms are outlined below.

The first of these simulations is the Academy’s Moot Court Competition in front of the International Criminal Court. Funded by the French Embassy in The Hague and carried out with the approval and support of the International Criminal Court, the first edition of this competition in French was launched in September 2021, with the publication of the competition rules, the case, as well as the call for applications. A large number of French-speaking student teams wanted to participate in the rounds scheduled to take place in 2022, in order to demonstrate their knowledge of international criminal law and their writing and speaking skills.



The second simulation exercise, exclusively in English, is called the “Day of Crisis”. Its concept is the following: during 24 hours “non-stop”, several teams of students, representing governments, international organizations, companies or non-governmental organizations, are confronted with a series of major and evolving international crises. Participants must deal with a variety of legal issues by providing an opinion, advising a client, drafting documents, negotiating or developing diplomatic strategies. This competition tests students’ knowledge of international law as well as a variety of other skills, such as teamwork, writing skills, negotiation skills and the ability to work under pressure.

Website

2021 is also the year of the launch of a completely revamped website of the Academy to give an immediate indication of what to expect when attending a programme at the Academy: an absolutely unique and unforgettable experience centered on the teaching of international law, in a place like no other, and among a group of lawyers, practitioners, students, and diplomats from around the world.

Admirable support

During this year, 2021, the Academy was able to count on the unfailing support of States convinced of the importance of the international public service mission that the Academy fulfills, of very inspired private institutions, and of its most faithful friends. All of them are duly thanked in this annual report, but I would like to extend special recognition to the Governments of

Italy, Japan, Peru, Poland and Spain for their generous contributions to our general budget, as well as to the Governments of Andorra, China, Slovakia and Thailand and the Lutfia Rabbani Foundation for their continued financing of scholarships. Likewise, particular gratitude goes out to the Government of Switzerland, the City of The Hague and Prof. Pieter Jan Kuijper for their valuable support to the implementation of the Online Winter Courses, as well as to the Republic of France for permitting the Academy to develop its very first moot court competition and Simmons&Simmons Law Firm for their sponsorship of the Day of Crisis Competition.



2. Activities and Events in 2021

2.1. Regular Academic Activities

2.1.1. Online Winter Courses on International Law

The COVID-19 pandemic led the Academy to decide in September 2020 to offer the 2021 Winter Courses exclusively online because an on-site session would be impossible to organize with a view to the globally imposed sanitary restrictions and general health risks. The innovative online format had two important features. First, it was decided to only maintain the morning classes and to postpone or cancel the more interactive elements of the traditional programme, as these were deemed not easily replicable online. Therefore, the seminars, the Directed Studies sessions and the Diploma Exam, the afternoon lectures, the doctoral networking meetings, the visits to embassies in The Hague, the social activities programme and the “Hours of Crisis” Simulation Exercise were not organized.

The second feature of the online format was that the courses were not broadcast live. The professors invited to dispense the Inaugural Lecture, the General Course and the Special Courses all agreed to pre-record their lectures remotely. This was the only viable solution since the professors were all located in different time zones. Filming in advance also made it possible to add a highly qualitative simultaneous translation to each lecture, in line with the Academy’s practice during on-site sessions since the courses are always given in English or French with simultaneous interpretation into the other language and to edit the videos where needed, for example to include PowerPoint presentation slides. An introduction by the Secretary-General of each lecturer was also pre-recorded and added to the videos. With these

prerequisites fulfilled, the Online Winter Courses on International Law were held from 11 to 29 January 2021, i.e. on the dates which had been originally envisaged. The regular registration fees were considerably lowered and no selection of participants was made, to allow as many interested applicants to benefit from the courses. This resulted in a record number of registered attendees.

The schedule of the courses followed the regular time table of the morning courses during an on-site session, consisting of two hours of Special Courses lectures and one lecture hour of the General Course, including breaks in between each course. Two daily broadcasts on an Internet platform, one starting at 9 am CET and another starting at 3 pm CET, allowed attendees from different continents to tune in “live”. In a further effort to bring the Academy closer to the participants, each broadcast started with the sound of the ringing bells of the Peace Palace’s carillon. At the end of each course day the lectures were made available on the Academy’s



e-learning environment, through which attendees could view or replay the videos on another Internet platform for a period of seven days. As is the custom during on-site sessions, the invited professors prescribed recommended readings, which were made available to attendees on the same e-learning environment.

All attendees were issued a Certificate of Enrolment. A survey held at the end of the session revealed that more than half of the participants viewed the lectures alternating between the live broadcasts and the replay option. Almost 80% of respondents indicated that the online session motivated them to register for an in-person session at the Academy in the future.

2.1.1.1. General Course and Special Courses
The Deputy Mayor of the municipality of The Hague, Ms. Saskia Bruines, welcomed viewers with a very warm message from the International City of Peace and Justice, praising the technological innovation demonstrated by the Academy in a very short time. The Secretary-General then officially opened the session with his Opening Speech, after which Prof. Malcolm Shaw delivered the Inaugural Lecture titled *A House of Many Rooms, the Rise, Fall, and Rise again of Territorial Sovereignty?*

Prof. Maurice Kamto gave the General Course on *International Law and Normative Polycentrism*, in which he drew a picture of international normativity revealing the origin and the process of formation, identification or emergence of the rules of international law, the relationship between them and the consequences of the multipolarity of normative development on international law in general.

A total of seven Special Courses were exceptionally offered, as opposed to the six Special Courses per regular winter session. The courses addressed a variety of topical issues, starting with Prof. Alan Boyle's course on *International Law-Making for the Environment*, which was very well received as international environmental law is a hugely popular topic among students. Prof. Chester Brown's course on *Evidence in International Adjudication* covered both rules of evidence and types of evidence. He discussed the sources of evidence in international law, the burden of proof, possible presumptions, the

standard of proof at different stages of the proceedings, the admissibility of evidence as well as its probative value. Prof. Olivier de Schutter dealt with *The Emergence of Food Sovereignty in International Law*, by discussing the claim to food sovereignty, the competition for resources, the privatization of life, and the political economy of food sovereignty. Mr. José Angelo Estrella Faria lectured on *The Protection of Religious Cultural Property in Public and Private International Law*, in times of peace and during armed conflict, as well as from the point of view of its circulation and its restitution. Prof. Anne Orford presented a course on *Civil War and the Transformation of International Law*, which revealed the instrumentalization of international law to legitimize or resist various forms of foreign intervention during periods of civil war, and the resulting increasing militarization of civilian life. Prof. Inger Österdahl focused on *The Regulation of the Internet* detailing the regulatory efforts of the United Nations and its specialized agencies as well as regional organizations, while at the same time questioning whether international regulation of the Internet is desirable. Last but not least, Prof. William Schabas' course on *Relationships Between International Criminal Law and Other Branches of International Law* defined the discipline of international criminal law and examined its relationship with public international law in general, as well as with other branches.

The official list of professors and of the topics they addressed appears on the flyer of the 2021 Online Winter Courses; see Annex 1.



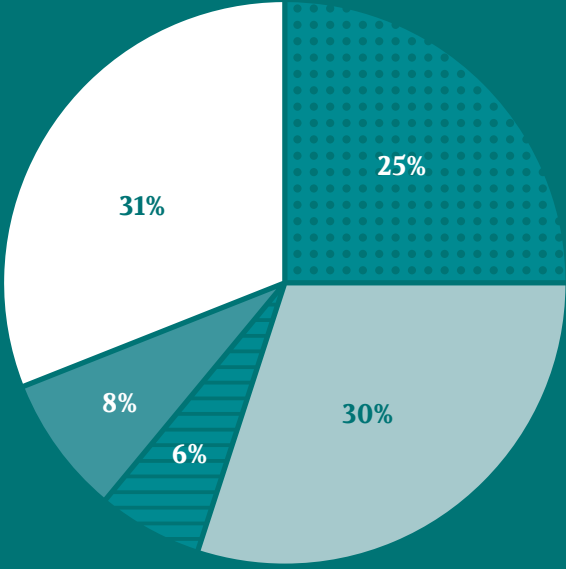
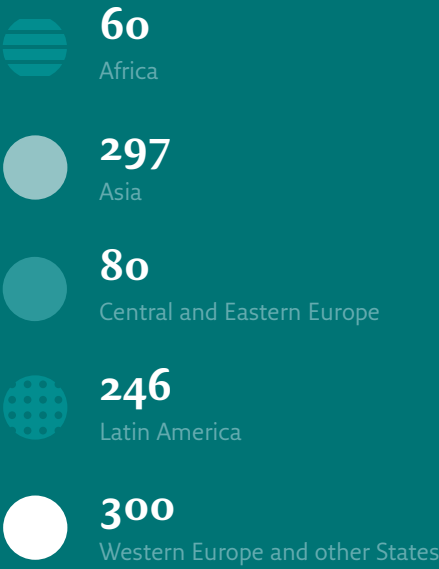
KEY FIGURES ONLINE WINTER COURSES

Courses

51
hours of courses

Registered Attendees

983 attendees 592 female 391 male 100 countries 58 awarded scholarships



2.1.2. Online Summer Courses on Public and Private International Law

The Summer Courses were held online as well, following the exact same format as the Online Winter Courses session, which had proven to be successful. At the request of many attendees the time period to watch the videos on replay was extended to three weeks. The usual short courses on European Union Law and Comparative Law, normally offered to the attendees of the Private International Law session of the Summer Courses were annulled. However, an extra feature was added during the breaks in between the courses: short video addresses by current and former members of the Curatorium introducing attendees to different aspects of the Academy and its programmes. The addresses were given by the President of the Curatorium, Prof. Yves Daudet, Judge Hilary Charlesworth, Profs. Katharina Boele-Woelki, Giuditta Cordero-Moss, Diego P. Fernández Arroyo, Makane Moïse Mbengue, Djamchid Momtaz, Yuko Nishitani, Linos-Alexander Sicilianos, Nico J. Schrijver and Mr. Peter Trooboff. Furthermore, a live virtual guided tour of the Peace Palace was also offered to the attendees. Two invited professors were able to travel to The Hague to record their courses on site this time, namely Profs. Jean-Baptiste Racine and Attila Tanzi. Once again, a record number of attendees registered for this second online session.

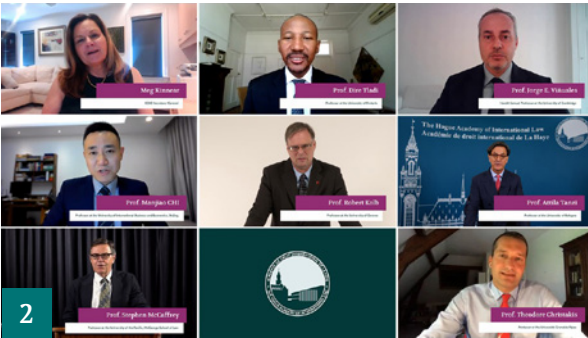
2.1.2.1. General Courses and Special Courses

The Public International Law session was held from 5 to 23 July 2021. It was once again launched with a message of welcome by the Deputy Mayor of the municipality of The Hague, Ms. Saskia Bruines, after which the Secretary-General officially opened the session. Ms. Meg Kinnear delivered the Inaugural Lecture on *The Growth,*

Challenges and Future Prospects for Investment Dispute Settlement.

The General Course on Public International Law was given by Prof. Robert Kolb on *International Law as a Body of Private Law and Public Law* and very much appreciated by attendees. Thanks to a commendable effort on Prof. Kolb’s part, the course was ready for publication before the session even started.

The Special Courses on Public International Law included a course by Prof. Manjiao Chi on *The Changing Dimensions of International Investment Law within the Framework of Public International Law*, which was fully in line with the Inaugural Lecture, and focused on the evolution of international investment law, in his view to some extent complicated by investor-state dispute settlement. Prof. Théodore Christakis dispensed a course on *The International Law of Cyber-Security* that was of particular interest to the attendees because it provided new insights on a topic that until now hasn’t been frequently dealt with at the Academy. It was structured in three parts: Governance and Sources; Rights and Obligations of States; and Responses to Cyber Attacks and Other Malicious Actions. Prof. Stephen McCaffrey lectured about *The Evolution of the Law of International Watercourses*, developing the idea that this field of law evolved over the past 20 centuries along with the uses of international watercourses and the needs and values of human society with respect to shared freshwater resources. Prof. Attila Tanzi focused on *The Principle iura novit curia in International Judicial and Arbitral Proceedings*, providing an analysis of the principle in different contexts: inter-state disputes and investor-state arbitration; the WTO; human rights and international



criminal law. Prof. Dire Tladi presented a course on *The Extra-Territorial Use of Force Against Non-State Actors*, in which he analyzed two grounds that have been advanced to justify the extraterritorial use of force against non-state actors: the right of a state to act in self-defense and intervention by invitation. Prof. Jorge Viñuales’ course on *Aggravated Responsibility in Contemporary International Law* was divided into four parts: the importance of aggravated liability for the international legal order; the stratification of primary norms and the modulation of secondary norms; modulation in contemporary international law; from the modulation of secondary norms to the stratification of primary norms.

The Private International Law session was held from 26 July to 13 August 2021. It was also launched with the message of welcome from the Deputy Mayor of the municipality of The Hague, Ms. Saskia Bruines and a subsequent Opening Speech by the Secretary-General. Mr. Alexis Mourre held the Inaugural Lecture on the topic of *The Legitimacy of Arbitration.*

Prof. Linda Silberman dispensed the General Course on Private International Law. Its topic, *The Counter-Revolution in Private International Law in the United States: From Standards to Rules*, was of much interest to the attendees, most of whom were unfamiliar with

the approach of the United States to the discipline. The Special Courses on Private International Law were very successful. The title of Prof. Sylvain Bollée’s course, *The Inherent Powers of International Arbitrators*, reveals both its relevance and its ambition. Prof. Pietro Franzina’s course on *Private International Law and Time* analyzed both the mastery of time through the rules of private international law, and the influence of time on the rules of private international law. Prof. Mary Keyes presented a course on *The Intentions of the Parties in Private International Law*, intention constituting a key element of “contractual” law, which occupies a central place in private international law. Mr. Salim Moollan’s course on *Parallel Proceedings in Arbitration: Theoretical Analysis and the Search for Practical Solutions*, of obvious appeal to arbitration practitioners, addressed, among other things, the concepts of “fork in the road” and “anti-suit injunctions”. Mr. José Antonio Moreno Rodríguez’ course on *Private International Law and Investment Arbitration* focused on the birth and theoretical foundations of the protection of aliens, the sources of relevant public international law, classical conflict of laws law and its evolution, arbitral tribunals, the public/private distinction in investment arbitration and the contact claim/treaty claim distinction. Prof. Jean-Baptiste Racine’s course on *Arbitration and Human Rights*, dealt broadly with the application of arbitration to human

1 | The professors of the Online Winter Courses
2 | The professors of the Online Summer Courses on Public International Law
3 | The professors of the Online Summer Courses on Private International Law

KEY FIGURES ONLINE SUMMER COURSES

Courses

92
hours of courses

Registered Attendees

1189

attendees

711

female

478

male

36

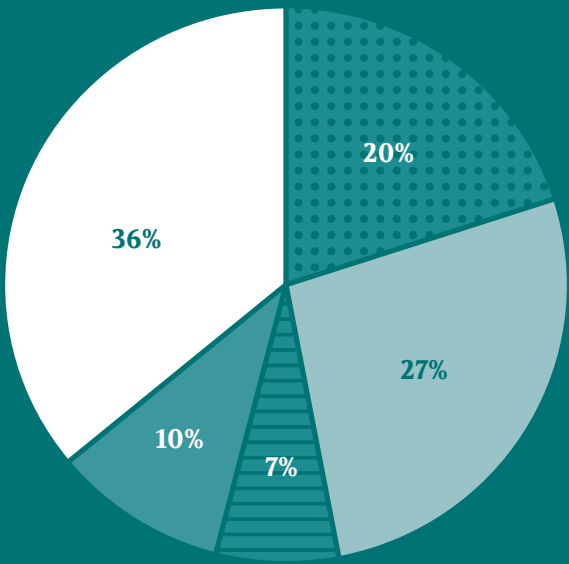
awarded scholarships

26

United Nations Fellows

123

different countries



rights and the application of human rights by arbitrators. Finally, Prof. Robert Wai’s dense course on *Liberalism and Private International Law* was particularly appreciated by the most advanced participants.

The official list of professors and of the topics they addressed appears on the poster of the 2021 Online Summer Courses; see Annex 2.

2.1.3. Online Centre for Studies and Research

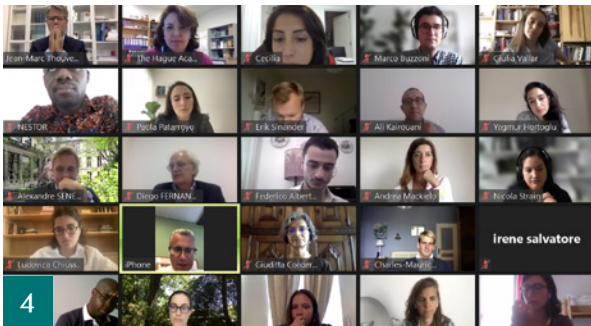
As a result of the COVID-19 pandemic, the 2020 session of the Centre for Studies and Research in International Law and International Relations was postponed to 2021. The topic of the 2021 Centre was “Applicable Law Issues in International Arbitration”. The Directors of Research were two members of the Curatorium: Prof. Giuditta Cordero-Moss for the English-speaking section, and Prof. Diego P. Fernández Arroyo for the French-speaking section. It took place between 16 August and 3 September 2021.

The programme once again garnered much interest from promising young researchers from around the world. A total of 24 participants were admitted at the end of October 2020. The English-speaking section consisted of 12 participants from Argentina, Australia, Brazil, Greece, Italy, Portugal, Serbia, Spain and Sweden respectively, while the French-speaking section consisted of 12 participants from Benin, Burkina Faso, Cameroon, Colombia, France, Italy, Morocco, Peru and Turkey. Shortly after the selection of the participants, the Directors allocated each of them with an individual sub-topic to allow them to start their researches.

While initially it was still hoped that the Centre could take place on-site in The Hague, it became clear in May 2021 that this wouldn’t be feasible. Therefore, the session was held online for the second year in a row, with only Prof. Diego Fernández Arroyo traveling to The Hague to direct it from an office at the Academy. The Centre was officially launched at an online meeting held on 16 August. The Secretary-General, the Deputy-Secretary General for administrative affairs and the Directors of Research respectively welcomed the participants and outlined the ambitious work schedule ahead, while librarians of the Peace Palace Library shared a few words on the crucial services provided by the library to the researchers. All subsequent meetings, whether plenary meetings, language section meetings or individual meetings between the Directors and participants were held online as well. Live simultaneous interpretation was arranged for the plenary meetings. Furthermore, three guest lecturers were invited to share their insights with the group: Profs. Andrea Kay Bjorklund, Luca Radicati di Brozolo and Franco Ferrari.

Only those contributions produced by the participants whose level corresponds to the Academy’s scientific criteria are eligible for publication, in line with the individual assessments of the Directors of Research. Each accepted contribution is intended to constitute a chapter in the final publication. For participants whose papers are accepted, the Centre provides an opportunity to expand the list of their writings by adding a publication to their name - this is particularly important for those who wish to pursue an academic career. The special 2020 edition of the Online Centre on “Epidemics and International Law”, which was held exclusively in English, resulted in a publication in December 2021 that was produced in record speed given its topicality.

No separate poster was produced for the 2021 Online Centre for Studies and Research. The applications from prospective participants were received on the basis of the poster initially designed for the 2021 on-site summer session. It can be found in Annex 3.



2.2. Events

2.2.1. 2021 Webinar in preparation for the Advanced Course in Hong Kong

As a result of the ongoing COVID-19 pandemic, the first edition of The Hague Academy of International Law's Advanced Course in Hong Kong, which was originally scheduled for early December 2020, had to be postponed once again in 2021, to be held in the fourth quarter of 2022 at the earliest. Following the practice established in 2020, a webinar in English was held in lieu of the course on 11 November 2021 from 9 to 11 am, The Hague time (GMT+1) / 4 to 6 pm, Hong Kong time (GMT+8). The webinar was jointly organized by the Academy, the Department of Justice of the Hong Kong Special Administrative Region and the Asian Academy of International Law (AAIL) and explored some of the topics that will be covered in the course.

The event focused on "Trends in Commercial Arbitration and Private International Law" and was moderated by Dr. Anthony Neoh, Chairman of the AAIL. After an opening speech by Ms. Theresa Cheng, Secretary for Justice of the Hong Kong Special Administrative Region, a panel discussion took place in which two members of the Curatorium, Prof. Yuko Nishitani and Prof. Diego P. Fernández Arroyo addressed the topics of "Business and Human Rights" and "Current Challenges of International Commercial Arbitration" respectively. The Secretary-General of the Academy, Prof. Jean-Marc Thouvenin, intervened to highlight "The Hague Academy

of International Law's Relevance in a Challenging World". Academics, legal practitioners, business leaders and government officials from 35 countries around the globe registered to attend the webinar.

The flyer of the 2021 Webinar on the Advanced Course in Hong Kong is reproduced in Annex 4.

2.2.2. Launch of the new website

The reduced activity in terms of programmes due to the pandemic led the Academy to finalize a longstanding project: revamping the website. The main aims of the remodeling were to make information for different stakeholders, such as prospective participants and sponsors, more easily accessible, while also highlighting the modernity and relevance of the almost century-old institution that the Academy is.

All the relevant information concerning each of the primary programmes that the Academy offers, the Summer Courses, the Winter Courses, the Centre for Studies and Research and the External Programme, is now presented according to the stages of the organization of the programme. A website visitor can browse through an introductory overview page of any of these programmes, after which he or she can click through several pages that present the relevant information that they need before the start of a programme, during and after, while a final page with practical information sums up the most important

points. A separate menu called "The Experience of a Lifetime" was also created, highlighting the rite of passage that, in particular, attending the Summer or the Winter Courses has become for every lawyer interested in international law and many diplomats. Videos of lectures along with quotes and testimonials from alumni and professors, and more general information on the courses, the nationalities of attendees throughout the years, the Peace Palace and the city of The Hague all serve the purpose of giving prospective participants an idea of the unique experience that attending the Academy's programmes represents.

A plethora of photos and the Academy's traditional green color accompanied with some purple and orange here and there round off the overall look of the menus and the pages. The website was launched at the end of February 2021 and the Academy has received positive feedback from users ever since.

2.3. Visits

The Secretary-General and the Deputy Secretary-General for Administrative Affairs regularly welcome newly appointed ambassadors to The Hague and Brussels at the Academy, as well as governmental delegations from around the world and officials of international and regional organizations, courts and tribunals. Groups of students and professionals from a variety of academic institutions also frequently contact the Academy to request a presentation of its activities.

In 2021 the number of visits was very limited due to ongoing COVID-19 pandemic. However, the following personalities and their delegations visited the Academy:

- October 6th: H.E. Ms. Esther Rabasa Grau, Ambassador of the Principality of Andorra
- October 22nd: H.E. Mr. Felix Ulloa, Vice-President of the Republic of El Salvador and H.E. Ms. Carmen Gallardo de Hernández, Ambassador of the Republic of El Salvador
- November 10th: H.E. Mr. Roberto Calzadilla, Ambassador of the Plurinational State of Bolivia
- November 23rd: H.E. Mr. Akram Alkhatib, Attorney General of the State of Palestine

5 | The 2021 webinar in preparation for the Advanced Course in Hong Kong

6 | The visit of H.E. Mr. Felix Ulloa





3. Publications

In 2021, the Academy published the books mentioned below.
These publications are distributed by Brill Publishers (<http://www.brill.com>).

3.1. The *Collected Courses* and the Pocketbooks Series

The following volumes of the *Collected Courses* were published in 2021:

Volume 413

Franco Ferrari, Forum Shopping Despite Unification of Law (Special Course)



It has often been suggested that forum shopping is “evil” and needs to be eradicated. And it is in this context that one must understand statements by commentators to the effect that the unification of substantive law through international conventions constitutes one way to reach this result. This course shows not only that the qualification of forum shopping as something that is deplorable is outdated, that the negative attitude vis-à-vis forum shopping seems grounded on outdated preconception and prejudice, and disregards, for example, that critical analysis has demonstrated that forum shopping also has beneficial effects, such as the promotion of ethical representation of one’s client, the protection of access to justice, and the provision of a remedy for every injury.

This course also shows that the drafting of uniform substantive law conventions cannot prevent forum shopping, for many reasons, of which this course creates a taxonomy. The reasons are classified into two main categories, namely convention-extrinsic and convention-intrinsic reasons. The former category comprises those reasons upon which uniform substantive law conventions do not have an impact at all, and which therefore will continue to exist regardless of the coming

into force of any such convention. These reasons range from the costs of access to justice to the bias of potential adjudicators to the enforceability of judgments. These and the other convention-extrinsic reasons discussed in these lectures are and will not be influenced by uniform substantive law conventions.

The convention-intrinsic reasons, on the other hand, are reasons that relate to the nature and design of uniform substantive law conventions, and include their limited substantive and international spheres of application as well as their limited scope of application, the need to provide for reservations, etc. And no drafting efforts will be able to do away with these convention-intrinsic reasons, because they touch upon features of these conventions that are ontological in nature.

The course also addresses another forum shopping reason that cannot be overcome, namely the impossibility to ensure uniform applications and interpretations of the various uniform substantive law conventions. As this course shows, as long as these conventions are interpreted horizontally, diverging interpretations and applications by courts of different jurisdictions of conventions that need to be drafted using vague language cannot be avoided. This is due mostly to a natural tendency by adjudicators to rely on their domestic legal background and notions when having to resolve problems arising in the context of the interpretation and application uniform substantive law conventions. It is in light of all of the above that the course predicts that forum shopping is here to stay.

Volume 414

Alain Pellet, Le droit international à la lumière de la pratique : l'introuvable théorie de la réalité (General Course)



This General Course attempts to present a synthetic overview of international law as it has been applied in the first quarter of the 21st century. The author considers law as an irreplaceable tool for the pacification of international relations and coexistence between actors (which cannot be limited to States alone). He does not refrain from criticizing doctrines that merely castigate positive law without making any constructive proposals to improve it, that use it for political purposes, or that approach it through the distorting prism of overly narrow specializations. He notes that no theory fully accounts for the diversity of its rules, the mechanisms of their formation or their implementation, which cannot be grasped through a dogmatic approach.

Volume 415

Peter D. Trooboff, Globalization, Personal Jurisdiction and the Internet. Responding to the Challenge of Adapting Settled Principles and Precedents (General Course)



Peter D. Trooboff reviews how courts in the United States, the European Union and a number of countries have responded to the challenge of adapting settled principles and precedents to cases arising from Internet usage. He examines the recent U.S. Supreme Court cases addressing general and specific personal jurisdiction and how U.S. appellate courts have applied the Court's holdings in disputes arising out of the use of the Internet. Mr. Trooboff summarizes and analyzes eleven European Union Court of Justice decisions and related scholarship that interpret the jurisdictional provisions of the Brussels I Regulation and its successor in the context of Internet usage and that arise from tort and contract claims (including infringement of intellectual property and related rights). He also discusses

selected decisions and scholarship to date addressing analogous personal jurisdiction issues in decisions of courts of Canada, Japan, China, Latin America and India. Finally, Mr. Trooboff presents an overview of the important projects that incorporate the principles emerging from these many judicial decisions and that have been undertaken by Hague Conference on Private International Law, the American Law Institute, the European Max Planck Group on Conflict of Laws in Intellectual Property, the International Law Association and the International Law Institute.

Volume 416

Rüdiger Wolfrum, Solidarity and Community Interests: Driving Forces for the Interpretation and Development of International Law (General Course)



References to legal regimes serving the interests of the community of States have become quite frequent, less so references to regimes guided by the principle of solidarity. This General Course undertakes to analyze the relevant regimes. This analysis establishes contours on what are the essential features of community interests and the principle of solidarity. It identifies three types of community interests. In a further step, the course assesses as to whether the traditional international norm-making as well as its implementation system meet the challenges resulting from the dedication to community interests or to the principle of solidarity. It concludes that these regimes have had a significant impact upon the international normative order. International regimes are developed in stages; non-legally binding norms initiate and guide on a principled level such norm making. Non-legally binding norms occasionally substitute legal regimes. New actors besides States and international organizations influence the development international norms and new fora have emerged initiating norms or develop them progressively. These normative developments have had an influence on the relevant international implementation/enforcement systems. The course identifies a clear shift from confrontational means of enforcement to non-confrontational ones. Finally, the course identifies that the existing international

dispute settlement system is only beginning to meet the challenges posed by community oriented regimes. The possibility to bring a case before an international court or tribunal is still dominated by the dogma that such action can only be brought by States, which can claim the violation of their individual interests. The International Court of Justice eroded this dogma in its Order of January 2020 concerning the dispute between The Gambia and Myanmar.

Volume 417

Pierre d'Argent, Les obligations internationales (Special Course)



Despite the immense diversity of international obligations, this course argues that all international obligations are made up of a combination of extrinsic and intrinsic terms. Extrinsic terms concern the ways in which the obligation binds its debtor in relation to other subjects or beneficiaries. Intrinsic terms concern the ways in which the obligation binds its debtor in relation to himself. By bringing together well-established categories and notions, and by showing how their different combinations cut across all international obligations, this course offers an analytical tool to better account for them, by identifying the general regime. This exercise has the sole ambition of helping negotiators, judges and practitioners to refine their normative choices and argumentative practices, taking into account the archetypes presented here.

William Schabas, Relationships Between International Criminal Law and Other Branches of International Law (Special Course)



After lengthy decades of relative inactivity, in recent years international criminal law has emerged to become an important branch of public international law. It has significant affinities with three other branches, international human rights law, international humanitarian law, and international refugee law. The course examines the relationships, interactions and

overlaps of these different subject areas, as well as considering the place of international criminal law within general international law.

Volume 418

Sylvain Bollée, Les pouvoirs inhérents des arbitres internationaux (Special Course)



A somewhat mysterious concept seems to have taken hold in the thinking and practice of international arbitration: that of the inherent powers of arbitrators. These powers are said to be the essence of the arbitral function, so that arbitrators hold them independently of any particular source (agreement of the parties or identified legal norm) that confers them on them. The purpose of this course is to examine more closely the nature of these inherent powers, their scope, and how they relate to the powers conferred on arbitrators by the will of the parties and the applicable law.

Dire Tladi, The Extraterritorial Use of Force Against Non-State Actors (Special Course)



This course covers the rules of international law concerning the extraterritorial use of force against non-State actors. The rules of international law on the use of force are the lynchpin of the project of international law for a more secure and peaceful world. Yet, as important as they are, the rules of international law on the use of force are also highly contentious. With the shift in the nature of conflicts from inter-State wars to conflicts involving non-State actors, and with the growth in the threat of global terrorism, the focus of the law on the use of force has also shifted to the use of force against non-State actors. To assess the permissibility of the use of force against non-State actors, the course focuses on two grounds that have been advanced as basis for the extraterritorial use of force against non-State actors: the right of a State to act in self-defense and intervention by invitation.

Volume 419

Robert Kolb, Le droit international comme corps de droit privé et de droit public (General Course)



Every legal system is made up of layers of “public law” and “private law” between which it oscillates. Public law governs collective interests, private law takes care of individual interests. A legal order excessively dominated by public law is open to totalitarianism and asphyxiation; a legal order under the immoderate rule of private law falls into the law of the jungle and anarchy. This course seeks to explore how the balance (or imbalance) between these primary forces of law has developed in international law - in the past and nowadays.

Volume 420

Stelios Perrakis, La protection internationale au profit des personnes vulnérables en droit international des droits de l’homme (Special Course)



In his course, the author considers international law from the point of view of a reality that he first defines, the vulnerability of certain persons or groups of persons, and then addresses all the institutional and normative dimensions of international law that are intended to offer them some protection. Quite naturally, the most salient vulnerabilities, and the law relating to them, are the subject of specific studies: genocide victims, children, indigenous people, minorities, women. Circumstantial vulnerability, and the law relating to it, are also studied in depth: vulnerability in the face of economic crises, displaced persons, migrants, disaster situations, conflicts. All in all, the course aims to identify everything in international law, in its normative, institutional and judicial dimensions, that deals with human vulnerability in all its forms.

Volume 421

José Angelo Estrella Faria, La protection des biens culturels d’intérêt religieux en droit international public et en droit international privé (Special Course)



The protection of religious cultural property generally has three dimensions: conservation and physical preservation of the property; measures to ensure access to cultural property and to maintain its religious function; and finally their territorial link. The international law of armed conflict and international criminal law, as well as universal cultural heritage law and human rights law, provide varying levels of protection for cultural property of religious interest through preventive and repressive measures, supplemented by private law standards governing the conditions of circulation of such property. The course addresses aspects of the legal treatment of cultural property in these different areas of law that have particular implications for cultural property of religious interest, both at the international and national levels, and how the relevant areas of law take into account the specific rules and needs of religious communities.

Volume 422

Michael Karayanni, The Private International Law of Class Actions: A Functional Approach (Special Course)



A transnational class action raises fundamental questions in regards of the class action court’s jurisdiction over the defendant and the class members, on how to choose the applicable law, and ultimately on how to deal with the judgment if and when it comes up for enforcement or recognition before a foreign court. At times these questions and the complications they give rise to, become part and parcel of the class action court’s consideration whether to certify the class action as such. In this course, the author identifies the major private international problems that are endemic to transnational class actions and how these were handled, principally by courts in the

US, Canada and Israel. The author also offers an analytical legal framework that can better assist us in dealing with the private international law questions pertaining to transnational class action by identifying three different categories of class actions, with each category demanding a separate and more surgical treatment.

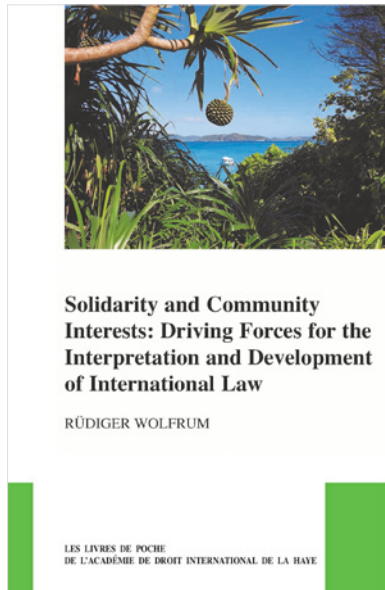
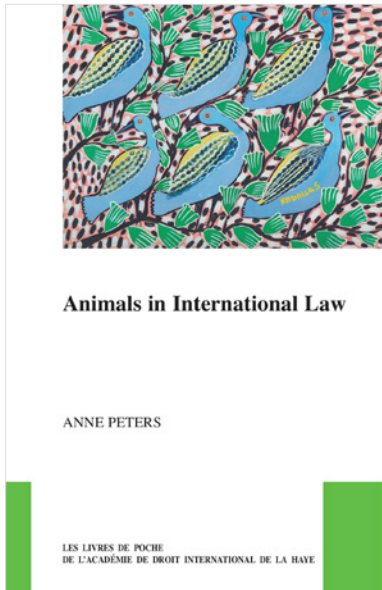
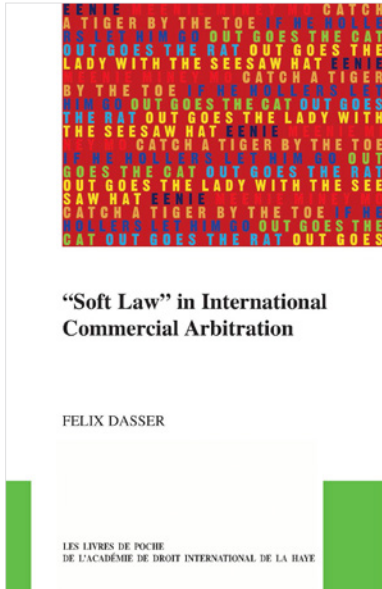
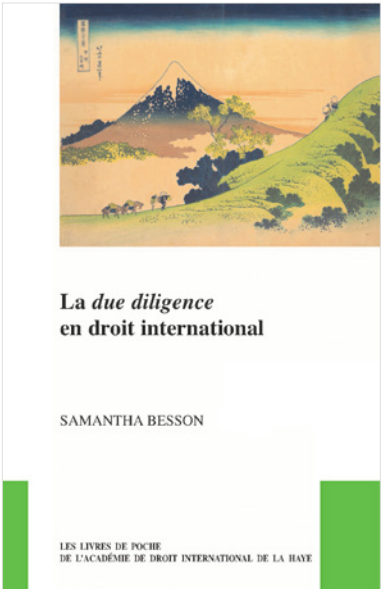
Said Mahmoudi, Self-Defence and “Unwilling or Unable” States (Special Course)



A frequently debated question in international law after the terrorist attacks against the United States on 11 September 2001, has been whether the right to self-defence is available for a victim state when the non-state actor responsible for the attack is located in and operates from another state, which is unwilling or unable to forestall the attack. The ICJ has established that the right to self-defence enshrined in Article 51 of the UN Charter can be invoked against non-state actors’ armed attacks provided the attacks are attributable to the State hosting such actors. The purpose of the ‘unwilling or unable’ standard is to do away with the attribution requirement. It is thus claimed that the mere fact that an armed attack is carried out by a non-state actor active in the territory of another State should entitle the victim to use of force in self-defence against that actor within the territorial State. The present course discusses whether State practice, the jurisprudence of the courts and the doctrine of international law in the past two decades indicate any change in the scope of the right to self-defence and its application against armed attacks by non-state actors. Its conclusion is that there has not yet been any change and the ‘unwilling or unable’ standard remains as controversial as when it gained currency in the aftermath of the 9/11 events.

The following Pocketbooks were published in 2021:

- Samantha Besson, *La due diligence* en droit international (Special Course)
- Felix Dasser, “Soft Law” in International Commercial Arbitration (Special Course)
- Franco Ferrari, Forum Shopping Despite Unification of Law (Special Course)
- Sandrine Maljean-Dubois, *Le droit international de la biodiversité* (Special Course)
- Anne Peters, *Animals in International Law* (Special Course)
- Rüdiger Wolfrum, *Solidarity and Community Interests: Driving Forces for the Interpretation and Development of International Law* (General Course)



3.2. The Centre for Studies and Research

The following volume of the work of the Centre was published in 2021:

- Epidemics and International Law, edited by Shinya Murase and Suzanne Zhou





4. Organization of the Academy

4.1. Curatorium

The Curatorium is responsible for the scientific management of the Academy. It determines the policy and activities of the Academy, draws up the annual programme, selects the lecturers from among the most competent members of universities and leading practitioners of international law. The members of the Curatorium generally meet twice a year.

To carry out its mission, the Curatorium itself is composed of renowned legal experts from various regions of the world, thus ensuring a fair geographical distribution of its members.
In 2021, the Curatorium consisted of the following 18 members:

Prof. Yves Daudet, President (France), Dr. Beat W. Hess, Vice-President (Switzerland), Judge Mohamed Bennouna (Morocco), Prof. (Mrs.) Katharina Boele-Woelki (Germany), Prof. (Mrs.) Hannah Buxbaum (United States),

Judge Antônio A. Cançado Trindade (Brazil), Judge (Mrs.) Hilary Charlesworth (Australia), Prof. Diego P. Fernández Arroyo (Argentina), Prof. (Mrs.) Giuditta Cordero-Moss (Norway), Prof. Bing Bing Jia (China), Prof. Maurice Kamto (Cameroon), Prof. Makane Moïse Mbengue (Senegal), Prof. Djamchid Momtaz (Iran), Prof. (Ms.) Yuko Nishitani (Japan), Prof. Nico J. Schrijver (Netherlands), Judge Linos-Alexander Sicilianos (Greece), Judge Peter Tomka (Slovakia) and Prof. Tullio Treves (Italy).

The Curatorium elected Prof. Makane Moïse Mbengue in February 2021 as a new member, succeeding H.E. former Judge Raymond Ranjeva (Madagascar), who bade farewell to the Curatorium after fulfilling 3 mandates from 2003 to 2021. The Academy also mourned the loss of H.E. Judge James Richard Crawford on 31 May 2021, who served as a member of the Curatorium from 1999 to 2017, and whose Special Course from 1997 and General Course from 2013 take up a prominent place in the



Collected Courses and other Academy publications.

To facilitate its work, the Curatorium has set up committees, whose members examine a multitude of subjects and draw up proposals, on which the Curatorium decides in its plenary meetings. At present, the committees are: the Programmes Committee, the Publications Committee and the Committee on Modernization and Reforms. In 2021, the Curatorium held its meetings online because it was impossible to convene in person.

4.2. Secretary-General and Deputy Secretary-General for Administrative Affairs

The Secretary-General of the Academy, who is always a professor of international law, is responsible for academic and scientific research matters and represents the Curatorium on all these aspects vis-à-vis other institutions. His task is to implement the decisions taken by the Curatorium and he may also make proposals to it. The Secretary-General is appointed by the Curatorium.

Since January 2017, the position of Secretary-General has been held by Mr. Jean-Marc Thouvenin, Professor at the University of Paris Nanterre. He is assisted by the Deputy Secretary-General for Administrative Affairs, Ms. Monique Legerman, who is also Head of the Academy's Secretariat.

4.3. Administrative Board

The Administrative Board is responsible for the practical and financial management of the Academy. It is traditionally composed of Dutch nationals. Since March 2019, Mr. Piet Hein Donner, Honorary Minister of State of the Netherlands, serves as its President.

In 2021, the Board was further composed by the following five members: Baron Diederik C. van Wassenauer (Treasurer), Dr. (Mrs.) Elisabeth M. Wesseling-van Gent, Mr. Wiet (L.W.L.) de Bruijn, Dr. (Ms.) Marinke Steenhuis, and Mr. Boudewijn J. van Eenennaam.

4.4. Treasurer and Financial Management

The Administrative Board appoints the Treasurer of the Academy. Mr. Erik de Baedts, Director-General of the Carnegie Foundation in the Netherlands, held this position since July 2015. As a result of his many activities for this foundation, Mr. de Baedts stepped down from his position as Treasurer. On July 1st 2021, Mrs. Andrea Möller-Kramer, Head of the Financial Department of the Academy since 2014, took over as Treasurer from Mr. de Baedts. The Treasurer is responsible for the Academy's finances and the human resources management of the Secretariat. She implements the decisions of the Board as well as the decisions of the Curatorium when these have financial implications. In 2021, the Treasurer was assisted by Ms. Lucienne Bax, Financial Administration Officer.

4.5. 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. In 2021, it was composed of the following members: Ms. Claire Bastings, Registration and General Affairs Officer; Ms. Vanina Guénier, Registration and General Affairs Officer; Ms. Anna Vasilyeva, General Affairs Coordinator, and Ms. Marina Voronenko, General Affairs Officer. For several decades, the Secretariat has also been able to count on the invaluable assistance of Mrs. Merula Oomen, who provides accommodation with third parties to attendees and professors upon request.

4.6. Publications Manager

The majority of the Academy's scientific activities are published in a number of specific publications. The most famous is the *Collected Courses* series, which comprises all the Summer and Winter Courses given at the Academy since 1923. In addition to the printed version, the complete collection also exists in electronic form.

Since 2008, selected courses published in the *Collected Courses* series are also published in pocketbook edition and as e-books.

In order to streamline the production of its publications, the Academy has appointed a Publications Manager. Since 2014, this position is held by Ms. Simone Cartier. The distribution and marketing of the publications is handled by Brill Publishers.

7 | The members of the Curatorium, the President of the Administrative Board, the Secretary-General, his Deputy, and the Treasurer of the Academy.

8 | Ms. Monique Legerman and Prof. Jean-Marc Thouvenin

9 | The team of the Secretariat and Mrs. Merula Oomen





5. Finances

5.1. 2021 Financial Overview

The Academy's income is primarily derived from the registration fees of the participants in its various programmes. These fees were considerably lowered for both the 2021 Online Winter Courses and the 2021 Online Summer Courses in comparison to the regular on-site courses, to allow as many attendees as possible to benefit from them. In addition, the revenues from the sale of its publications, in particular from the *Collected Courses* series, constitute an important support to the activities of the Academy. However, the resulting income does not completely cover the expenses for all its programmes. Donations from States, institutions, foundations and private persons have therefore always been of crucial importance to the Academy, as they not only contribute to the realization of its existing programmes but also further the development of new ones.

The General Assembly of the United Nations regularly draws the attention of Member States and interested organizations to the contribution that the Academy makes to the teaching, study, dissemination and wider appreciation of international law, and recommends that they subsidize the activities of the Academy. The most recent General Assembly Resolution to this effect is A/RES/76/110 of 9 December 2021, paragraphs 24 and 25 of which specifically mention the Academy.

The Academy received voluntary contributions from 13 countries in 2021. Generous sponsorship for the development of the Online Winter Courses was furthermore allocated by Switzerland, the City of The Hague and Prof. Pieter Jan Kuijper, all of whom the Academy is proud to count among its most dedicated scholarship sponsors for both the Winter and the Summer Courses. These contributions were greatly appreciated.



5.2. Country Contributions

In 2021, the Academy's activities received generous support from the following States:

- Belgium – Federation Wallonia-Brussels
- Cyprus
- France
- Italy
- Japan
- Mexico
- Panama
- Peru
- Philippines
- Poland
- Slovakia
- Spain
- Switzerland

5.3. Scholarship Sponsors

The Academy decided not to allocate scholarships for the Online Winter and Summer Courses because it preferred saving these for on-site courses, to allow beneficiaries to fully experience a session of courses in The Hague. It asked its regular scholarship sponsors to postpone the use of funds for 2021 to the next possible on-site session of courses. All donors agreed with this proposal. Country contributions earmarked for scholarships, which were received in 2021 from Andorra, China, Slovakia and Thailand will therefore be accounted for in the 2022 Annual Report.

Some institutions offered the Academy to select and sponsor scholarship beneficiaries themselves specifically for the 2021 Online Winter Courses and/or the 2021 Online Summer Courses, which the Academy welcomed. They are listed on the next page.

Online Winter Courses:

- Lutfia Rabbani Foundation – scholarships for international law in memory of Mr. P. Vreede (Netherlands): **10 scholarships**
- Supreme Court of the Republic of Korea: **28 scholarships**
- University of Chile Law School: **20 scholarships**

Online Summer Courses:

- Attorney General's Chambers of Malaysia: **6 scholarships**
- Bucerius Law School (Germany): **12 scholarships**
- Indore Institute of Law (India): **8 scholarships**
- Lutfia Rabbani Foundation – scholarships for international law in memory of Mr. P. Vreede (Netherlands): **10 scholarships**

- Special separate mention should be made of the Codification Division of the United Nations Office of Legal Affairs, which implements the International Law Fellowship Programme in conjunction with the Summer Courses of the Academy. In 2021, the Codification Division sponsored the participation of **26 fellows** in the Online Summer Courses.





6. The Peace Palace Library

Since 1913, the Peace Palace Library has been collecting documentation on public international law, private international law, comparative law, international relations and the international history of conflict areas. The library therefore owns one of the largest existing collections in the world of works devoted to these topics, making it essential for the proper functioning of the international courts, tribunals and organizations based in The Hague and abroad.

As part of their stay at the Academy, attendees are enabled and encouraged to consult the library's resources. The Peace Palace Library is indeed an indispensable tool for participants in the Academy's programmes. In fact, during the regular Winter and the Summer Courses, the Peace Palace Library functions as The Hague Academy's library and offers all course attendees a free membership.

At the start of every session, attendees are invited to follow an instructive seminar by Ms. Candice Alihusain, Coordinator of the library's Reading Room, on how to best use the library's extensive catalogue. Designated librarians also collect and upload recommended reading materials by professors invited to teach at the Academy to the Academy's e-learning environment, which attendees can access a few weeks before, during and after the courses. Furthermore, they are enabled to prolong their library membership in order to enjoy remote access to its resources from their respective countries. As a matter of general policy, during the Winter and the Summer Courses, the library also extends its opening hours on working days and exceptionally opens its doors on Saturdays to the benefit of the Academy's attendees.

In 2021, the library offered its services remotely to the attendees of the Online Winter and Summer Courses, first and foremost by making the recommended readings of the professors available on the e-learning environment. The instruction seminar by Ms. Alihusain was prerecorded, broadcast online and then put at the disposal of attendees on the e-learning environment as well. Participants were granted full online access to the library's digital resources, which besides the *Collected Courses* series of the Academy, include academic journals, articles, e-books, periodicals, databases, primary resources and many other materials. The Peace Palace Library's librarians furthermore provided a live chat service to assist students with their research requests and questions on weekdays from 9 am to 5 pm CET. Finally, during the live virtual guided tours of the Peace Palace exclusively organized for the Online Summer Courses, the Head Librarian, Mr. Jeroen Vervliet, provided attendees with more information on the library as well as a glimpse of its special collection of original, often first edition, publications of Hugo Grotius.

The library also traditionally supports the work of the Centre for Studies and Research. In 2021, it produced the initial bibliography used by the Directors of Research and the participants as a basis for their research on international arbitration and further facilitated the work of the researchers by providing access to its rich online collection and catering to their research requests.

Annex 1. Flyer of the 2021 Online Winter Courses



THE HAGUE ACADEMY
OF INTERNATIONAL
LAW

2021

Curatorium:
Prof. Yves Daudet (President)
Dr. Beat W. Hess (Vice-President)
Judge Mohamed Bennouna
Prof. Katharina Boele-Woelki
Prof. Hannah L. Buxbaum
Judge Antônio A. Cançado Trindade
Prof. Hilary Charlesworth
Prof. Giuditta Cordero-Moss
Prof. Diego P. Fernández Arroyo
Prof. Bing Bing Jia
Prof. Maurice Kamto
Prof. Djamchid Momtaz
Prof. Yuko Nishitani
Former Judge Raymond Ranjeva
Prof. Nico J. Schrijver
Judge Linos-Alexander Sicilianos
Judge Peter Tomka
Prof. Tullio Treves

Secretary-General:
Prof. Jean-Marc Thouvenin

WINTER COURSES
ON INTERNATIONAL LAW

ONLINE

11 - 29 January 2021

Inaugural Lecture A House of Many Rooms: The Rise, Fall and Rise Again of Territorial Sovereignty?	Malcolm N. SHAW QC Emeritus <i>Sir Robert Jennings Professor</i> at the University of Leicester
* General Course International Law and Normative Polycentrism	Maurice KAMTO Honorary Professor at the University of Yaoundé II
International Law-Making for the Environment	Alan BOYLE Emeritus Professor at the University of Edinburgh
Evidence in International Adjudication	Chester BROWN Professor at the University of Sydney Law School
* The Emergence of Food Sovereignty in International Law	Olivier DE SCHUTTER Professor at the Université catholique de Louvain and Former UN Special Rapporteur on the Right to Food
* The Protection of Religious Cultural Property in Public and Private International Law	José Angelo ESTRELLA FARIA Principal Legal Officer and Head of the Legislative Branch in the International Trade Law Division, UN Office of Legal Affairs
Civil War and the Transformation of International Law	Anne ORFORD Professor at the University of Melbourne
The Regulation of the Internet	Inger ÖSTERDAHL Professor at the University of Uppsala
Relationships Between International Criminal Law and Other Branches of International Law	William SCHABAS Professor at Middlesex University London and at Leiden University

* Lecture delivered in French, simultaneously interpreted into English

REGISTRATION

Interested applicants are invited to register for the courses online.
Registration fee: €250. There are no scholarships available.

Registration is open between October 8th, 2020 and January 4th, 2021.
As the number of places is unlimited, the Academy will not make any selection.

A certificate of enrolment will be issued upon completion of the courses.

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

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

Annex 2. Poster of the 2021 Online Summer Courses

THE HAGUE ACADEMY OF INTERNATIONAL LAW 2021

SUMMER COURSES

ONLINE

First Period: 5 - 23 July 2021

PUBLIC INTERNATIONAL LAW

<p>Inaugural Lecture The Growth, Challenges and Future Prospects for Investment Dispute Settlement</p>	<p>Meg KINNEAR ICSID Secretary-General</p>
<p>* General Course International Law as a Body of Private Law and Public Law</p>	<p>Robert KOLB Professor at the University of Geneva</p>
<p>The Changing Dimensions of International Investment Law within the Framework of Public International Law</p>	<p>Manjiao CHI Professor at the University of International Business and Economics, Beijing</p>
<p>* The International Law of Cyber-Security</p>	<p>Théodore CHRISTAKIS Professor at the Université Grenoble Alpes</p>
<p>The Evolution of the Law of International Watercourses</p>	<p>Stephen C. McCAFFREY Professor at the University of the Pacific, McGeorge School of Law</p>
<p>The Principle <i>iura novit curia</i> in International Judicial and Arbitral Proceedings</p>	<p>Attila TANZI Barrister at the University of Bologna</p>
<p>The Extra-Territorial Use of Force Against Non-State Actors</p>	<p>Dire TLADI Professor at the University of Pretoria</p>
<p>* Aggravated Responsibility in Contemporary International Law</p>	<p>Jorge E. VIÑALES Harold Samuel Professor at the University of Cambridge</p>

Second Period: 26 July - 13 August 2021

PRIVATE INTERNATIONAL LAW

<p>* Inaugural Lecture The Legitimacy of Arbitration</p>	<p>Alexis MOURRE President of the International Court of Arbitration of the ICC</p>
<p>General Course The Counter-Revolution in Private International Law in the United States: From Standards to Rules</p>	<p>Linda SILBERMAN Clarence D. Ashley Professor at New York University School of Law</p>
<p>* The Inherent Powers of International Arbitrators</p>	<p>Sylvain BOLLÉE Professor at Sorbonne Law School, Paris 1 University</p>
<p>* Private International Law and Time</p>	<p>Pietro FRANZINA Professor at the Catholic University of the Sacred Heart, Milan</p>
<p>The Intentions of the Parties in Private International Law</p>	<p>Mary KEYES Professor at Griffith University, Australia</p>
<p>* Parallel Proceedings in Arbitration: Theoretical Analysis and the Search for Practical Solutions</p>	<p>Salim MOOLLAN QC Barrister at Essex Court Chambers</p>
<p>Private International Law and Investment Arbitration</p>	<p>José Antonio MORENO RODRÍGUEZ Arbitrator and Annulment Committee Member at ICSID</p>
<p>* Arbitration and Human Rights</p>	<p>Jean-Baptiste RACINE Professor at Paris II University (Pantheon-Assas)</p>
<p>Liberalism and Private International Law</p>	<p>Robert WAI Associate Professor at Osgoode Hall Law School, York University, Toronto</p>

* Lecture delivered in French, simultaneously interpreted into English

REGISTRATION

Interested candidates are invited to register for the courses [online](#).
Registration fee: £275 for one session; £500 for both sessions. There are no Academy scholarships available.

Registration is open between April 1st and June 27th, 2021.
As the number of places is unlimited, the Academy will not make any selection.

A certificate of enrolment will be issued upon completion of the courses.



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

Annex 3. Poster of the 2021 Centre for Studies and Research

THE HAGUE ACADEMY OF INTERNATIONAL LAW 2021

Curatorium:

Prof. Yves Daudet (President)
Dr. Beat W. Hess (Vice-President)
Judge Mohamed Bennouna
Prof. Katharina Boele-Woelki
Prof. Hannah L. Burburm
Judge Antônio A. Cançado Trindade
Prof. Hilary Charlesworth
Prof. Giuditta Cordero-Moss
Prof. Diego P. Fernández Arroyo
Prof. Bing Bing Jia
Prof. Maurice Kamto
Prof. Diamchid Montaz
Prof. Yuko Nishitani
Former Judge Raymond Ranjeva
Prof. Nico J. Schrijver
Judge Lino-Alexander Sicilianos
Judge Peter Tomka
Prof. Tullio Treves

Secretary-General:

Prof. Jean-Marc Thouvenin

SUMMER COURSES

First Period: 5 - 23 July 2021

PUBLIC INTERNATIONAL LAW

Inaugural Lecture

The Growth, Challenges and Future
Prospects for Investment Dispute
Settlement

Meg KINNEAR

ICSID Secretary-General

* General Course

International Law as a Body of Private
Law and Public Law

Robert KOLB

Professor at the University of
Geneva

* The International Law of Cyber-Security

Théodore CHRISTAKIS

Professor at the Université
Grenoble Alpes

The Evolution of the Law of International Watercourses

Stephen C. McCAFFREY

Professor at the University of the
Pacific, McGeorge School of Law

The Principle *iura novit curia* in International Judicial and Arbitral Proceedings

Attila TANZI

Professor at the University of
Bologna

The Extra-Territorial Use of Force Against Non-State Actors

Dire TLADI

Professor at the University of
Pretoria

* Aggravated Responsibility in Contemporary International Law

Jorge E. VIÑUALES

Harold Samuel Professor at the
University of Cambridge

Safeguarding the Defence - Proceedings Before International Criminal Justice

Wenqi ZHU

Professor at Renmin University of
China

Second Period: 26 July - 13 August 2021

PRIVATE INTERNATIONAL LAW

* Inaugural Lecture

The Legitimacy of Arbitration

Alexis MOURRE

President of the International
Court of Arbitration of the ICC

General Course

The Counter-Revolution in Private
International Law in the United States:
From Standards to Rules

Linda SILBERMAN

Clarence D. Ashley Professor at
New York University School of
Law

* The Inherent Powers of International Arbitrators

Sylvain BOLLEE

Professor at Sorbonne Law
School, Paris 1 University

* Private International Law and Time

Pietro FRANZINA

Professor at the Catholic
University of the Sacred Heart,
Milan

The Intentions of the Parties in Private International Law

Mary KEYES

Professor at Griffith University,
Australia

* Parallel Proceedings in Arbitration: Theoretical Analysis and the Search for Practical Solutions

Salim MOOLLAN QC

Barrister at Essex Court
Chambers

Private International Law and Investment Arbitration

José Antonio MORENO RODRÍGUEZ
Arbitrator and Annulment
Committee Member at ICSID

* Arbitration and Human Rights

Jean-Baptiste RACINE

Professor at Paris II University
(Panthéon-Assas)

Liberalism and Private International Law

Robert WAI

Associate Professor at Osgoode
Hall Law School, York University,
Toronto

* Lecture delivered in French, simultaneously interpreted into English.

DIRECTED STUDIES FOR DIPLOMA CANDIDATES AND ADVANCED STUDENTS

Directors of Studies:

English-speaking section:

Enrico MILANO, Professor at the University of Verona

English-speaking section:

Chris THOMALE, Professor at the University of Vienna

French-speaking section:

Andrea HAMANN, Professor at the University of Strasbourg

French-speaking section:

Caroline KLEINER, Professor at the University of Paris

CENTRE FOR STUDIES AND RESEARCH

16 August - 3 September 2021

Research topic: APPLICABLE LAW ISSUES IN INTERNATIONAL ARBITRATION



Directors of Research:
English-speaking section: Giuditta CORDERO-MOSS, Professor at the University of Oslo
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For all information, please visit the website: <http://www.hagueacademy.nl>

Annex 4. Flyer of the 2021 Webinar on the Advanced Course in Hong Kong

ORGANISERS



Department of Justice
The Government of the Hong Kong
Special Administrative Region



ASIAN
ACADEMY OF
INTERNATIONAL
LAW

CPD points being applied for

Trends in

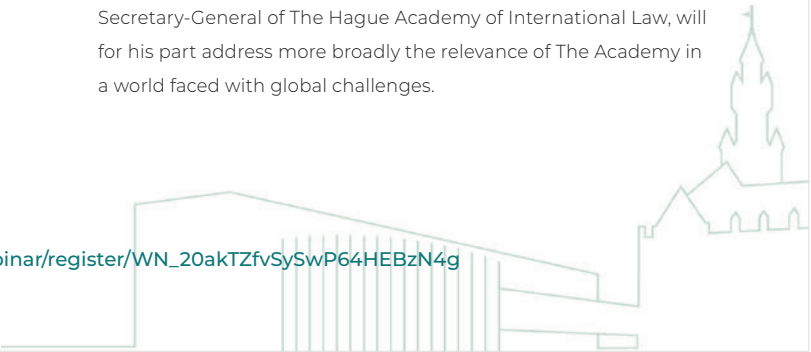
COMMERCIAL ARBITRATION
AND PRIVATE INTERNATIONAL
LAW

11 NOV 2021
16:00–18:00 (GMT+8)

In advance of The Hague Academy of International Law's 2022 Programme in Hong Kong, this webinar is held to give some views on what is to be delved into deeply in the Programme of next year. Other than an opening speech by Ms Teresa Cheng GBM GBS SC JP, Secretary for Justice of the Hong Kong SAR, the panel features two members of the Curatorium of The Hague Academy of International Law to present their views on the current trends in private international law and international arbitration. Professor Fernández Arroyo will explain the current challenges of international commercial arbitration, and Professor Nishitani will focus on the relations between human rights and private international law. Professor Jean-Marc Thouvenin, Secretary-General of The Hague Academy of International Law, will for his part address more broadly the relevance of The Academy in a world faced with global challenges.

Enquiries:
events@aail.org

Free registration:
https://zoom.us/webinar/register/WN_20akTZfvSySwP64HEBzN4g



TIME (GMT+8)	PROGRAMME
16:00–16:05	INTRODUCTION Dr Anthony Neoh QC SC JP <i>Chairman, Asian Academy of International Law</i>
16:05–16:20	OPENING SPEECH The Hon Ms Teresa Cheng GBM GBS SC JP <i>Secretary for Justice, Hong Kong Special Administrative Region of the People's Republic of China</i>
16:20–17:45	PANEL DISCUSSION Moderator Dr Anthony Neoh QC SC JP <i>Chairman, Asian Academy of International Law</i> Panellists Professor Diego P. Fernández Arroyo <i>Member of the Curatorium, The Hague Academy of International Law Professor, Sciences Po Law School, France</i> Current Challenges of International Commercial Arbitration Professor Yuko Nishitani <i>Member of the Curatorium, The Hague Academy of International Law Professor, Graduate School of Law, Kyoto University, Japan</i> Business and Human Rights Professor Jean-Marc Thouvenin <i>Secretary-General, The Hague Academy of International Law</i> The Hague Academy of International Law's Relevance in a Challenging World
17:45–18:00	Q&A AND CONCLUSION Dr Anthony Neoh QC SC JP <i>Chairman, Asian Academy of International Law</i>

