



Amsterdam Center for International Law
University of Amsterdam

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ACIL NEWS **AUGUST - SEPTEMBER 2017**

Administrative Support of ACIL

As announced earlier, administrative support for the ACIL will continue in a different constellation. Part of the support will flow via the Research Priority Area. In addition, **Desiree Blessing** will support ACIL next to her main function as secretary of the department of International and European Law. Desiree has gained years of experience in several supportive roles in the NGO sector and will take up her tasks at the UvA as of 18 September. This is then also the moment to say goodbye to **Lieve Pothast**, who transitionally supported ACIL and who will continue her studies as research master student.

New ACIL Members

As of September 2017, The ACIL welcomes five new colleagues. **Corina Heri** will work as a Post-Doctoral Researcher and will be carrying out research on a human right to land. There will be three new PhD researches: **Teresa Cabrita**, who will be carrying out research on the interplay between EU and international criminal law; **Jackson Oldfield**, who will start as a PhD researcher, looking into the history of smuggling in international law; **Wim Zimmermann**, who will explore the intersections between compliance theory and critical international legal theory in international law. **Geraldo Vidigal** has recently started as Assistant Professor and will be lecturing International Trade Law and Public International Law. His research activities are centred around his forthcoming book *After Adjudication: Judicial Remedies for Non-Compliance in International Law*. Read more about our new colleagues [here](#). We welcome four new Research Master students to the Public International Law Research master; **Zoë Heij**; **Antanina Maslyka**; **Mariana Simon Cartaya** and **Christina Vellioti**. Please find their mini bios attached.

Visiting Fellows for the Fall 2017

The ACIL welcomes visiting researchers to enrich its research centre throughout the year. During the 2017 fall term, we will host four visiting researchers. **Elena Corcione** is a PhD Candidate in International Law at the University of Turin, Italy, and will be working on her project entitled *The Doctrine of autonomous concepts within the European Convention on Human Rights*. **Khulisumuzi Kenneth Sithebe** is an LLD candidate at the University of Pretoria, South Africa, and will be working on his doctoral thesis on *The implications of the fair trial standards in Article 46A of the Malabo Protocol*. **Mikko Rajavuori** is a doctoral candidate at the University of Turku, Finland, and will be looking into the regulation of state ownership across different regimes of international law from the perspective of fiduciary theories of sovereign authority. **Andrea Spagnolo** is Senior Research Fellow at the University of Turin, Department of Law and will be carrying out research on the duty of care of international organizations towards their personnel. Read more about our visiting fellows

[here](#).

André Nollkaemper elected Associate of the Institut de Droit International

On 4 September, Andre Nollkaemper was elected as associate of the [Institut de Droit International \(IDI\)](#). The IDI was established in 1873 to promote the progress of international law. In 1904 it received the Nobel Peace Prize in recognition of its action in favour of arbitration among States. It covers the field of both private and public international law. According to its Statute, associates are selected by the Institute “from among those of various nations who have given service to international law either in the field of theory or in that of practice”.

Yvonne Donders Visiting Professor at the Osaka School for International Public Policy

Yvonne Donders has been awarded a scholarship by the Japan Society for the Promotion of Science for a visiting professorship at the Osaka School for International Public Policy of the University of Osaka. She will spend 6 weeks at the institute, as well as at the University of Tokyo, to give lectures on international and European human rights law and to do research on issues related to human rights and cultural diversity in Japan and the implementation of economic, social cultural rights in Japan.

ACIL to cooperate with Antonio Cassese Initiative

The Antonio Cassese Initiative is home to all friends, colleagues and admirers of Antonio Cassese. The Initiative’s aim is to keep Nino’s memory alive by promoting his legacy through education and training around the world. It promotes the creation of a global network of jurists and trainers “without borders”, who want to share their legal knowledge and expertise with judges, prosecutors and lawyers working in countries facing challenges in the administration of justice. The Antonio Cassese Initiative is governed by the Antonio Cassese Foundation for Justice, Peace and Humanity and assisted by a Steering Committee, which supports the activities of the Antonio Cassese Initiative. The President of the Antonio Cassese foundation is Harmen van der Wilt. More information can be found on the [website](#) of the initiative.

Critical blog post by Kevin Jon Heller triggers adjustment in Syria War Crimes Accountability Act

Kevin Jon Heller wrote [a blog post](#) at *Opinio Juris* on the [Syria War Crimes Accountability Act of 2017](#), a bipartisan Senate bill “to authorize technical assistance for, accountability for war crimes, crimes against humanity, and genocide in Syria.” Kevin praised the bill in general, but pointed out that the relevant section was drafted in such a way that the US could provide technical assistance to entities investigating international crimes committed by pro-Assad forces and “violent extremist groups” – such as ISIS – but could not support entities investigating international crimes committed by rebel groups. The post was read by Senator Ben Cardin (D-MD), the Ranking Member of the U.S. Senate Foreign Relations Committee (SFRC) and his staff, who then successfully introduced an amendment to the bill at a May meeting of the SFRC. [The new version of the bill](#) explicitly permits technical assistance to entities investigating international crimes committed by “all non-state armed groups” in Syria.

New ILA Study Group on ‘The Role of Cities in International Law’

Early May, the Executive Council of the International Law Association (ILA) established an ILA Study Group on ‘*The Role of Cities in International Law*’ upon the initiative of [Helmut Aust](#) (Freie Universität, Berlin) and Janne Nijman. Aust and Nijman will co-chair the [Study](#)

[Group](#). It will have its first preparatory meeting early December 2017.

Max van der Stoel Human Rights Award 2017 – Reminder (Deadline for submission best non-dissertation academic text: 15 September)

The Max van der Stoel Human Rights Award was introduced in honour of the Dutch Minister of State, first OSCE High Commissioner on National Minorities and former UN Rapporteur on Human Rights in Iraq, Mr Max van der Stoel. The award is conceived as an incentive award for young researchers, and the nominations are limited to undergraduate, graduate, pre-doctoral and post-doctoral researchers. Candidates or nominators must inform their faculty board of their intended submission by sending an email to arils-fdr@uva.nl.

Call for Papers - Contingency in the Course of International Law: How International Law Could Have Been (Deadline for submission 1 December)

The workshop will ask a question that is deceptive in its simplicity: How might international law have been otherwise? We want to question the present state of international law by challenging its pretence to necessity and by better understanding the forces that have shaped it. Put simply with Robert Musil: “If there is a sense of reality, there must also be a sense of possibility.” The overarching aim will be to expose the contingencies of international law’s development by inquiring into international law’s past. The deadline for submissions is 1 December 2017. The workshop will be held from 14-16 June 2018 at the University of Amsterdam. The workshop will feature an opening address by Professor [Fleur Johns](#) (University of New South Wales) and a closing address by Professor [Samuel Moyn](#) (Yale) and is organised by Ingo Venzke and Kevin Jon Heller. More information and the Call for Papers are available [here](#).

Upcoming events:

Institutionalising Integration (25 September 2017)

The history of European integration has been a history of managing interdependence between the Member States. The ‘long history’ of European integration suggests that interdependence between states was primarily understood as something that could be overcome through the creation of institutions. The ‘integration through law’ project, likewise, understood interdependence to be central to the integration process. Dr [Floris de Witte](#) (London School of Economics) will look at different ways in which these two histories relate to each other. The lecture takes place on **Monday 25 September** from **15:30 – 17:00** at the University of Amsterdam. More information can be found [here](#).

The United States and International Human Rights Law (9 October 2017)

The United States has an uneasy relationship with international human rights law. On the one hand, the US sees itself as a champion of human rights. On the other hand, the US has refused to ratify several major human rights treaties, thereby making itself an outsider to the international human rights regime. In this lecture, Professor [David Sloss](#) (Santa Clara University) will address the origins of the United States' schizophrenic approach, beginning in the early 1950s, as well as the current implications for international human rights law. The event takes place on **Monday 9 October** from **15:30 – 17:00** at the University of Amsterdam. More information can be found [here](#).

Invitation to Inaugural Lecture Janne Nijman (24 November 2017) – Save the date!

On the occasion of her appointment as Professor of History and Theory of International Law at our Law School, Janne Nijman will deliver her inaugural lecture *Seeking change by doing*

history on **Friday 24 November** at **16:00** in the Aula ('Oude Lutherse Kerk') of the University of Amsterdam.

Research Output:

Articles

Abels, D.

'[Internationaalrechtelijke aspecten van detentie in het kader van terrorismebestrijding](#)', in: *Sancties: Tijdschrift over Straffen en Maatregelen* 4 (22 July 2017): 226-234.

Brölmann, C.M.

'[Brexit en bestaande verdragsverplichtingen](#)', Op-ed in: *Nederlands Juristenblad*, 1332-25 (20 June 2017): 1748-1750.

Ducheine, P.

'[Defensie in het digitale domein](#)', in: *Militaire Spectator*, 186-4 (2017): 152-168.

Fink, M.D.

'[Naval Blockade and the Humanitarian Crisis in Yemen](#)', in: *Netherlands International Law Review*, 65-2 (8 August 2017): 1-17.

Schill, S.W.B.

'[Editorial: The New \(African\) Regionalism in International Investment Law](#)', in: *The Journal of World Investment & Trade*, 18-3 (2017): 367-369.

Book chapters & papers

Brölmann, C.M.

'Legal assessment of the revision procedures envisaged in the Convention on International Carriage by Rail and of possibilities for amendment', Report for OTIF (LAW-17034-WGREVCOTIF 3-01 4-2017).

Bartels, R.

'Discrepancies between International Humanitarian Law on the Battlefield and in the Courtroom: The Challenges of Applying International Humanitarian Law during International Criminal Trials', reprinted in: Cryer, R. & Henderson, C. (eds.), [Law on the Use of Force and Armed Conflict](#) (Edward Elgar Publishing, 2017).

Bartels, R.

'Legitimacy and ICC Jurisdiction following Security Council Referrals: Conduct on the Territory of Non-Party States and the Legality Principle', in: Hayashi, N. & Bailliet, C.M. (eds.), *The Legitimacy of International Criminal Tribunals* (Cambridge University Press, 2017): 141-178.

Fink, M.D.

'Maritime Economic Enforcement Measures: "Winning Without Killing" in Modern Conflicts at Sea', in: *Netherlands Annual Review of Military Studies: Winning Without Killing: The Strategic and Operational Utility of Non-Kinetic Capabilities in Crises*.

(Netherlands Annual Review of Military Studies, 2017): 301-312.

Nijman, J.E.

'Grotius' Imago Dei Anthropology: Grounding Ius Naturae et Gentium', in: *International law and Religion*, Koskenniemi, M., García-Salmones, M. & Amoroso, P. (Oxford University Press, 2017).

Presentations

Bartels, R.

'The Impact of Occupation on the Classification of Conflicts and Applicable Rules of IHL for the Purposes of (International) Criminal Law', paper presented at the 12th Annual Minerva-ICRC Conference on International Humanitarian Law: 50 Years after 1967: *Evaluating the Past, Present and Future of the Law of Belligerent Occupation*, Hebrew University and Tel Aviv University, Tel Aviv, 22-23 May 2017.

Fink, M.D.

[HILAC lecture](#) on updating the commentaries of the 2nd Geneva Convention, T.M.C. Asser Institute, The Hague, 20 June 2017.

Nijman, J.E.

Discussant and Chair of the 'Law and Cities' panel at ICON·S Conference '[Courts, Power, Public Law](#)', Copenhagen, 6 July 2017.

Venzke, I.

'The Idea of Relative Authority in International and European Law', at ICON·S Conference '[Courts, Power, Public Law](#)', Copenhagen, 6 July 2017 (together with Joana Mendes).

Venzke, I.

Chair and Moderator of Public Roundtable on 'International Courts in World Society: Too Strong and Not Strong Enough?', Asser Institute, The Hague, 10 July 2017.

Zieck, M.Y.A.

Presentation in Spui 21, and responsible for the programme on World Refugee Day (film Fuoccoamare, presentations by Dr Maarten den Heijer – deals with Libya and other north African states in the wake of the EU-Turkey deal? – and Professor Thomas Spijkerboer – border casualties, EU), 20 June 2017.

Zieck, M.Y.A.

Intensive course Introduction to International Refugee Law, Summer School Migration & Integration, Refugees, Rights & Realities, Graduate School of Social Studies, University of Amsterdam, 10-14 July 2017.

Zieck, M.Y.A.

'Voluntary Repatriation and Syrian Refugees', Norwegian Refugee Council, Amman, Jordan, 19 July 2017. Hosted by the Syria INGO Regional Forum (SIRF) (Advocacy Working Group), organized by the Durable Solutions Platform for Displaced Syrians (a collaboration between the Danish Refugee Council, Norwegian Refugee Council, and the International Rescue Committee).

Various

Brölmann, C.M.

Co-founder of ESIL Interest Group '[International organisations](#)'; became chair of the Scientific Committee of [Waterlex](#), Geneva; appointed external legal expert at [Intergovernmental Organisation for International Carriage by Rail](#) (OTIF) for 2017 and 2018.

Nollkaemper, P.A.

'[The State of the Society](#)', President's message in: *ESIL Newsletter* (23 June 2017): 1-2.

Schill, S.W.B.

'[The Case for Public Regulation of Professional Ethics for Counsel in International Arbitration](#)', in: *Kluwer Arbitration Blog* (7 July 2017).

Zieck, M.Y.A.

[Annotatie](#) van de uitspraak Rechtbank Den Haag zp Amsterdam, 8 mei 2017, nr AWB 16/17782, ECLI:NL:RBDHA:2017:5945, *Jurisprudentie Vreemdelingenrecht*, JV 2017/11: 1112-1117.