

Contents

Director's Report	02
Chairman of the Board of Trustees Report	06
Impacts of BIICL Research in 2013-14	08
Research Staff Profiles	10
<ul style="list-style-type: none">• <i>Robert McCorquodale</i>• <i>Jeffrey Jowell</i>• <i>Jill Barrett</i>• <i>Lara Blecher</i>• <i>N. Jansen Calamita</i>• <i>Francesca Capone</i>• <i>Sophie Eser</i>• <i>Duncan Fairgrieve</i>• <i>Ghislain Guillaume</i>• <i>Kristin Hausler</i>• <i>Eva Lein</i>• <i>Philip Marsden</i>• <i>Lawrence McNamara</i>• <i>Lucy Moxham</i>• <i>Naina Patel</i>• <i>Justine Stefanelli</i>• <i>Andraž Zidar</i>• <i>Jan van Zyl Smit</i>	
Bingham Centre for the Rule of Law	28
BIICL Forums	34
<ul style="list-style-type: none">• <i>Competition Law Forum</i>• <i>Investment Treaty Law Forum</i>• <i>Product Liability Forum & Tort Law Centre</i>	
Research Projects	42
<ul style="list-style-type: none">• <i>Access to Judicial Remedy: Ensuring Redress for Victims of Corporate-Related Human Rights Abuses</i>• <i>Best Treaty Practice</i>• <i>Citizenship and the Rule of Law</i>• <i>Climate Change and its Impacts on Security and Survival</i>• <i>Comparative Statutory Provisions and the Retention of the Common Law</i>• <i>Constitutional Awareness in Burma</i>• <i>Focus on Collective Redress</i>• <i>Education and International Law in Conflict and Insecurity</i>• <i>Factors Influencing International Litigants' Decisions to Bring Commercial Disputes to London Courts</i>• <i>Immigration Detention and the Rule of Law</i>• <i>International Humanitarian Law and Media Professionals</i>• <i>Judicial Review, Legal Aid and the Rule of Law</i>• <i>Reparations for Education-Related Violations of International Law</i>• <i>Safeguarding the Rule of Law, Democracy and Fundamental Rights: A Monitoring Model for the EU</i>• <i>The Role of Regional Courts in Africa</i>	
ICLQ	60
Books	61
Events	62
Marketing	64
Development	66
Staff, Consultants, Fellows and Interns	71
Financial Statements	75

Director's Report



The continuing, important and unique role of the Institute has been very evident during the period of this Annual Report. This is through our high quality research that has practical impacts, our diverse groups of speakers and participants at our events on contemporary issues, our outstanding publications and our innovative training.

Some of the highlights for me this year have been:

- The impact of our report on immigration detention and the rule of law, drafted by Michael Fordham, Justine Stefanelli and Sophie Eser, with judges and practitioners in the UK and elsewhere seeking copies of it.
- The creation of a new website on collective redress as part of a funded research project by Duncan Fairgrieve and Eva Lein, with the help of Vincent Smith and Marta Otero Crespo.
- An innovative new project teaching Citizenship and the Rule of Law in schools, devised by Lawrence McNamara, to be led by a new Research Fellow, Xiao Hui Eng.
- The impact of our work on national governments across Europe and around the world on issues of competition law led by Philip Marsden, on transitional justice led by Jan van Zyl Smit, on access to justice led by Lucy Moxham, Julinda Beqiraj and Jeffrey Jowell, and on business and human rights led by Lara Blecher and me.
- Kristin Hausler's training of a diverse array of people in the Middle East and North African Region on the protection of education in insecurity and armed conflict and on reparations for education-related violations, based on our funded research on these areas due to the research efforts of Francesca Capone and Nicole Urban.
- Local communities discussing ways forward for the constitutional changes in Burma/Myanmar, facilitated and led by Naina Patel, and the local media interest in Jansen Calamita's assisting Iraqi officials in understanding and applying international investment law.
- Jeffrey Jowell, Lawrence McNamara and the development team of Alice Reynolds and Suzie Horsley, with Patricia Ambrose, being successful in obtaining significant core funding from the Sigrid Rausing Trust for the

Bingham Centre for the Rule of Law.

- The on-going trust and confidence in BIICL seen in the renewal of key funding by the Dorset Foundation and Herbert Smith Freehills, the continuation of funding by law firms for the Bingham Centre aided by its Development Board chaired by Guy Beringer and Guy Morton, and the new funding of two public international law series by Temple Garden Chambers and Volterra Fietta due to the interactions by Andraž Zidar and Jill Barrett.
- Becoming eligible for funding from two of the UK Research Councils - the Arts and Humanities Research Council and the Economic and Social Research Council - and the securing of US tax exemption under section 501(c)(3) for the International Rule of Law Project so that we can seek funding from US sources, due to the patient and diligent efforts of Patricia Ambrose, Darryl Seaman and our advisers at Freshfields.
- Excited engagement at events on issues including military intervention in Syria (leading to some media appearances), financial services and the free movement of capital, use of autonomous weapons systems, the economic and financial aspects of investor-state arbitration, prosecutorial discretion and the rule of law, competition law investor claims and mass litigation in the EU, legal liability of the armed services, and global health law, as well as our inspiring annual Grotius and FA Mann Lectures, and our Competition Law, Investment Treaty and Product Liability Forums. These are organised by our excellent events team, comprising Claudia Mansaray, Dave Sutton and Bart Kolarski.
- The devising and successful operation of new courses on International Law in Practice, aimed at those in practice who are aware of the real need to know about international law, and on PhD research proposal writing.
- The impressive changes to the International and Comparative Law Quarterly to enable electronic submission, early publication and efficient reviewing, as well as increasing subscriptions, due to the sterling efforts of Anna Riddell, Malcolm Evans and the Editorial Board.
- Agreeing a Memorandum of Understanding with the American Society of International Law to share information, research links and promotion, as well as to create internships.
- The efficiency and indefatigability of our administrators, led by Sandie Homewood and Geoffrey Sautner, with Jayantha Sivanathan and Stephen Hains.
- Our team of interns from all over the world, who keep us up-to-date,

well informed, accessible, and happy.

- Increasing our public profile, as the place to find intelligent and informed responses on matters of international law, comparative law and rule of law. This is assisted by new branding, database and website.

The demand for BIICL's expertise continues to grow and so we have to ensure that we are careful in our decision-making, including what we can do with the resources we have, and that we remain financially strong, despite the on-going global financial concerns. To enable this, our excellent Trustees, led by Frank Berman and with the support of our invaluable President Rosalyn Higgins - have developed some Strategic Aims to guide and inform our work over the next three years. These are set out opposite and each aim is supported by a series of objectives and action points within our detailed operational plan, and by our adherence to two underpinning principles: to ensure that the Institute remains a financially sustainable and well-managed organization; and to be an exemplary organization in relation to the employment and development of staff, and the wider governance of the Institute.

Above all, we all appreciate the importance of our members and other supporters, as we continue to enable an extraordinary network of legal practitioners, judges, government and intergovernmental officials, corporations, civil society, academics, students and so many others.

Professor Robert McCorquodale

Director of BIICL

Strategic Aims

To enhance and develop further the Institute's public profile and reputation for independent and excellent research which draws upon the diverse strengths and expertise of the wider Institute community and makes a sustained impact on policy and practice.

The Institute's research is informed by our overall aim of being an independent and authoritative voice in contemporary debate and policy-making on international and comparative law. Our priorities for research will continue to evolve in line with contemporary global developments and concerns, the changing needs of legal practice, and in response to tenders and international engagements. We will continue to increase and diversify our research funding and also to apply our research through training and capacity-building activities.

To provide a dynamic and high quality programme of events and other activities dealing with relevant and contemporary issues, and which provide clear public benefits and appeal to a diverse audience of practitioners, academics, policy-makers and others.

Our programme of events will be balanced to reflect the Institute's own research work, other topical issues and the interests of our wider constituencies of members and other attendees. We will continue to attract high profile speakers, many of whom are leaders in their field, and to seek opportunities to work collaboratively with other relevant organizations. We will also develop and market our expertise through a diverse programme of education, training and capacity-building activities.

To enhance the Institute's reputation as a respected legal publisher in the fields of international and comparative law.

The Institute will maintain the quality of its journal, the International and Comparative Law Quarterly, as one of the leading publications in its field. We will also continue to publish a small number of high quality books linked to our own research priorities and expertise. We will enhance our public profile through more effective marketing of our publications.

To increase the Institute's membership and enhance its reputation through effective and strategic approaches to marketing and communications.

Over the next three years we will be increasingly responsive to the interests and needs of our current members while also seeking to grow and diversify overall membership across the various categories. Alongside this, we will ensure that our work is effectively communicated and disseminated to a wide audience as part of our public benefit remit.

Chairman of the Board of Trustees Report



The Institute moves into 2014 in a positive frame of mind as these extremely challenging times allow. Research output (as measured by the year's crop of publications) has been lively and of high quality, the Bingham Centre continues to mark out its unique place through its contributions on an impressively wide variety of current issues connected with the rule of law, the International and Comparative Law Quarterly,

our flagship journal, has shown even more strongly than last year in the international citation rankings, and the partnership with Melbourne Law School under the aegis of the Arthur Watts Fellowship has been developing with particular vigour.

In addition, the Institute has managed to show a budgetary surplus for the fifth time running, which is a considerable achievement in current circumstances. I must take the opportunity in this connection to say a special word of thanks to Ian Hobbs, who will be stepping down from the Trustee body at the next Annual General Meeting, when his term comes to an end. Ian has throughout the past six years chaired the Institute's Finance and Audit Committee, and it is under his stern but friendly gaze that the Institute's financial management and budgetary processes have been overhauled and cast into a working order that has been of immeasurable benefit to his fellow Trustees in exercising their statutory responsibilities to supervise the Institute's financial health and satisfy themselves as to the soundness of its accounting policies. The strength which this lends the Institute as it prepares once more to approach its outside supporters, in the second phase of both the Bingham Centre and Watts Fellowship appeals, cannot be overstated.

That we can approach with confidence both our generous donors, past and new, and those to whom the Institute applies for research funding, is attested by the following extract from a letter to the Director from a recent major funder –

“It is no surprise that the partnership with BIICL exceeded all expectations ... my colleagues and I have been consistently impressed with the breadth and quality of BIICL's work. While BIICL's research has been reliably scholarly and objective, it has also been inherently practical and useable, a difficult yet essential balance ... we have also enjoyed a strong and collegial working relationship with our BIICL colleagues ... members of

BIICL's multi-national team have always – even in challenging environments – conducted themselves with poise and assurance, easily engaging with individuals from disparate countries, professional sectors, cultures, and religions.”

That hugely gratifying report encapsulates exactly what the Institute sets itself to be and do. It rings true to me as well, in the Chairman's seat, and is a tribute to the lustre which our staff give to the Institute's international reputation. Put together with the high satisfaction levels recorded in a survey of our members conducted in the summer, we are entitled to feel that the Institute has positioned itself to understand, and to respond to, the wants and needs both internally of its members and externally of the audience for its outputs. We hope that our newly refreshed website reflects that.

Other changes amongst the Trustees have also taken place, or will soon do so, as we say goodbye with sadness and gratitude to Clare Algar, Loretta Malintoppi, Tim Otty, and Keith Ruddock. Proposals for new Trustee appointments will be put to the AGM in May 2014.

Sir Franklin Berman KCMG QC
Chairman of the Board of Trustees

Impacts of BIICL Research in 2013-14

Much of the Institute's work makes an active contribution to its public benefit mission. A few examples from this period include:

- The Institute's research on Climate Change Issues in the Commonwealth was presented at the Senior Law Officials Meeting of the Commonwealth States in September 2013. This report clarified the international legal situation with regard to access to subsistence resources and climate change-related forced migration and has the potential to change national and regional practices around the world.
- The Bingham Centre for the Rule of Law undertook a range of work on constitutional options in Myanmar, including: drafting a constitutional awareness and options manual; meeting with parliamentary representatives; and touring ten cities in Myanmar with the Myanmar Lawyers Association and Pyoe Pin to train lawyers and others on constitutional reform options. This work resulted in the facilitation of almost 500 submissions that will be put to the constitutional reform committee in Myanmar. Evidence from the Centre was also cited by the UK House of Commons International Development Committee in its report Democracy and Development in Burma (HC821).

- BIICL published a topical book on Contemporary Challenges for the International Criminal Court, edited by Andraž Zidar and Olympia Bekou, which provides many incisive and practical suggestions for improving the work of the Court.



- The Bingham Centre's independent review and report on Streamlining Judicial Review made a range of recommendations for improving procedures in the Administrative Court to save and protect public funds in a manner consistent with the rule of law. This work had an immediate impact on the discussions of the UK House of Commons Public Bill Committee and the Shadow Justice Minister has introduced amendments arising from the report's recommendations.

- A BIICL project on Reparations for Education-Related Violations of International Law for Protect Education in Conflict (PEIC) was launched at the World Innovation Summit for Education (WISE) Conference in October 2013.



- BIICL's European Commission-funded project, Focus on Collective Redress, developed an innovative web resource of European cases and legislation (available at: www.collectiveredress.org). A submission on collective settlements by the Collective Redress project advisory group was referred to several times in the UK Government Response to its consultation on Private Actions in Competition Law.
- The Bingham Centre's report on Immigration Detention and the Rule of Law (funded by the Nuffield Foundation) has attracted interest across the UK, EU and internationally. The report is being used in caseworker training by NGO Bail for Immigration Detainees and has led to some collaborative work with the University of Adelaide on this issue in Australia. The report was also cited in Parliamentary debate over the UK Immigration Bill.
- BIICL Director, Robert McCorquodale, co-authored an important new report, The Third Pillar: Access to Judicial Remedies for Human Rights Violations by Transnational Business, which has identified common barriers to judicial remedy across developed states. This was supported by the research of Lara Blecher.



BIICL Staff, April 2014



Professor Robert McCorquodale Institute Director

Robert McCorquodale leads and manages BIICL, and provides advice and support to others. He has financial and strategic development responsibilities, as well as interacting with a wide number of external bodies and people. He was instrumental in the conception, creation and funding for the establishment of the Bingham Centre for the Rule of Law.

Robert has been involved as a researcher, supervisor and in obtaining funding for a number of research projects across BIICL, including the Bingham Centre.

He is an organiser, chair and sometimes a panellist at BIICL events, and provides training in a range of areas to various organisations. He also gives talks and lectures nationally and internationally, and publishes widely on public international issues. He is Co-General Editor of the *International and Comparative Law Quarterly*.

Publications:

- The Third Pillar: Access to Judicial Remedies for Human Rights Violations by Transnational Business (with G Skinner, O De Schutter and A Lambe) (ICAR, 2013)
- 'Waving Not Drowning: Kiobel Outside the United States' (2013) 107 AJIL 84
- 'Pluralism, Global Law and Human Rights', (2013) 2 Global Constitutionalism 287
- 'Group Rights' in D Moeckli, S Shah and S Sivakumaran (eds) *International Human Rights Law* (2nd ed, OUP, 2013) 333
- 'Non-State Actors and International Human Rights Law' in A Clapham (ed), *Human Rights and Non-State Actors* (Elgar, 2013) 69

Professor Robert McCorquodale has been the Director of the Institute since January 2008.

He is a Professor of International Law and Human Rights at the University of Nottingham and a barrister at Brick Court Chambers. He has considerable experience as an academic and as a practitioner, as well as being an adviser on issues of public international law around the world.

Robert is on the FCO's Advisory Panel on Human Rights and the Death Penalty; Member of the Due Diligence Committee of the International Law Association; IALS Senior Associate Research Fellow; member of the Human Rights Consortium of the University of London's School of Advanced Study; Expert adviser to the Commonwealth Scholarship Commission in the UK; and expert assessor for the Australian Research Council; Editorial Board member of a number of journals; lecturer at various Universities, including the University of Cambridge; and PhD supervisor.



Professor Sir Jeffrey Jowell QC KCMG

Director of the Bingham Centre for the Rule of Law

Jeffrey Jowell has been on a number of visits for the Bingham Centre this year as it expands its work exponentially. These include Bahrain (where the Bingham Centre is assisting with laws of expression), the Palestine Authority (where the Centre is assisting with the respective roles of the executive and judiciary) and Panama (lecturing and considering issues of judicial independence and accountability). He has given papers at the Inter Parliamentary Union's meeting in Geneva and at a meeting on the Rule of Law in the European Union in Innsbruck. He attended a Plenary meeting of the Venice Commission in March 2014, when the Bingham Centre was welcomed as an Associate Member of that Council of Europe body. He accompanied four Supreme Court justices to Rome for a meeting between the Bingham Centre, the Supreme Court and the Italian Council of State (Consiglio di Stato).

Jeffrey has initiated projects and successfully raised funds from a number of foundations and government bodies which are mentioned elsewhere. He leads an outstanding team of researchers, also mentioned elsewhere, with whom he is proud to work.

Publications:

- During the year Jeffrey published, with Lord Woolf and others, the 7th edition of *de Smith's Judicial Review*.

Professor Sir Jeffrey Jowell is recognised as one of the UK's leading public law authorities in the area of constitutional and administrative law. In addition to being a practising barrister at Blackstone Chambers, Professor Jowell is Emeritus Professor of Public Law at University College London (where he was also twice Dean of the Law Faculty and a Vice Provost).

He has served on a number of public bodies and has acted as a constitutional advisor for national governments in Africa, Asia, the Caribbean, and the Middle East. From 2000-2011, he served on the Council of Europe's Commission for Democracy through Law (the 'Venice Commission').

In 2011, he was knighted (KCMG) in the Queen's Honours List "for services to human rights, democracy and the rule of law".



Jill Barrett

Arthur Watts Senior Research Fellow in Public International Law

Jill Barrett is currently collaborating with the Centre for International Law, Singapore, on a project to carry out research training in Treaty Law and Practice. The two bodies are working together to publish a book on treaty practice for a broad readership worldwide in governments, international organisations and beyond. Further regional workshops are also planned.

She has developed a collaborative relationship with Melbourne Law School as part of the Watts Programme. Four MLS students have completed internships at BIICL and two MLS professors have been hosted here as Visiting Fellows this year.

Jill has instituted the Arthur Watts public international law seminar series, sponsored by Volterra Fietta. The first year's set of four seminars were held in 2013-14, and sponsorship for the series has now been established for a further three years.

Activities:

- In May 2013 Jill attended the Antarctic Treaty meeting in Brussels and spoke at an academic workshop on The Antarctic Treaty Regime hosted by the Leuven Centre for Global Governance Studies, Brussels.
- Jill was appointed Visiting Professor at Kobe University, Japan, and was based there July-September 2013. She taught a graduate seminar course on international co-operation law and visited Kyoto University and the Ministry of Foreign Affairs in Tokyo, where she was briefed on Japan's treaty practice.

Jill Barrett joined the Institute in 2010 from the Legal Adviser's team at the Foreign & Commonwealth Office where she was Legal Counsellor and has now been appointed the first Arthur Watts Senior Research Fellow in Public International Law.

During her FCO career she advised on public international law, EU and UK law on a wide range of subjects, and represented the UK at the United Nations and other international organisations and conferences. Most recently, she led the Government's work on creating a new statutory regime for parliamentary scrutiny of treaties.

She now leads the Institute's research and events programme in public international law, jointly with the Dorset Senior Research Fellow.

Jill has developed several new funded research projects for the Institute, including a review of the duties and powers of British consular officers and a comparative study on the treatment of sensitive information in civil litigation.



Lara Blecher Research Fellow

In 2013 Lara Blecher worked primarily on projects focused on climate change-related forced migration and business and human rights. She worked with Robert McCorquodale and Kristin Hausler to conduct a comparative assessment of the extent to which international, regional and domestic legal frameworks address climate change-related forced migration and access to subsistence resources.

The second piece of research was also comparative in nature. It assessed how well the US, the UK, five continental European States, and the European Union provide access to judicial remedy for victims of extraterritorial acts by corporations that lead to human rights abuse. This research was commissioned by the CORE Coalition, the International Corporate Accountability Roundtable, and the European Coalition for Corporate Justice, civil society organisations based in the UK, the US and continental Europe, respectively. The report that resulted from this research was launched in December 2013 at the UN Forum on Business and Human Rights in Geneva and has subsequently been used in policy discussions on business and human rights in the US and Europe.

Activities:

- On 9 September Lara, Robert and Kristin presented the results of their research on climate change-related forced migration at the Senior Law Officials Meeting in London.

Lara Blecher joined the Institute in January 2012 as a Research Fellow on the significant study conducted through the Bingham Centre on how to apply the UN Guiding Principles on Business and Human Rights in the international oil and gas sector.

She has a BA from the University of Michigan, a Master of Regional Planning degree from Cornell University and an LLB from King's College London.

In 2012, she qualified as a lawyer in New York.

Lara's background is in sustainable development and business and human rights.

Her graduate thesis focused on corporate codes of conduct, and this interest translated into consulting work on ethical supply chains.



N. Jansen Calamita

Director of the Investment Treaty Forum and Senior Research Fellow

Jansen Calamita's work divides among the public, the practical and the academic. As Director of the Investment Treaty Forum, the Institute's membership-based organization focused on international investment law, Jansen's work includes management of the Forum and its public activities. In this capacity, Jansen works with lawyers, senior business managers, policy advisers, academics and government officials to maintain the Forum as a leading centre for dialogue and serious debate in the field of international investment law.

Another component of Jansen's work is consulting with sovereign governments in formulating international investment policy and international dispute settlement strategies and legislation. In 2013 Jansen's work involved consultation on the process of reviewing international investment treaty policy, revising domestic legislation on international commercial arbitration and considering accession to multilateral dispute settlement conventions. In some instances these consultations are confidential, in others they are public.

Jansen balances his work in practice and his public engagement through the ITF with academic research.

Publications:

- *International Investment Law and Its Intersections and the Future of ICSID* (ed) (BIICL, 2013).
- 'International Human Rights and the Interpretation of Investment Treaties – Constitutional Considerations' in F Baetens (ed), *The Interaction of International Investment Law with Other Fields of Public International Law* 164-184 (CUP, 2013).

N Jansen Calamita joined the Institute as Director of the Investment Treaty Forum and Senior Research Fellow in September 2010. Jansen also holds the post of Lecturer in Public International Law at the University of Birmingham Law School. Previously Jansen was a member of the Faculty of Law at the University of Oxford and a visiting fellow at Mansfield College, Oxford. He has also been an Adjunct Professor at George Mason University in the United States.

Prior to becoming a full-time academic, Jansen served in the Office of the Legal Adviser in the US Department of State (International Claims and Investment Disputes), representing the US before the Iran-US Claims Tribunal and in investment treaty matters. Jansen has also served in the United Nations in the UNCITRAL Secretariat.

He is a graduate of the Boston University Law School (J.D. summa cum laude) and the University of Oxford (BCL). He is admitted to practice in the State of New York.



Dr Francesca Capone Research Fellow

Francesca Capone was a Research fellow at BIICL until the end of September 2013. Her work focused on the law of reparations for education-related violations. This research aimed to combine both a scholarly approach based upon original research, with a practical aspect, so as to enhance the utility of the research for all those seeking reparations for education-related violations, including practitioners, victims and their representatives, NGOs, and policy makers.

Together with Robert McCorquodale and co-author Kristin Hausler, she took part in the World Innovation Summit on Education, in Doha in October to launch the Reparation Report.

Since October 2013 Francesca has been appointed as Research Fellow and Coordinator of the Masters in Human Rights and Conflict Management at the Scuola Superiore Sant'Anna in Pisa.

In January 2014 she was one of the speakers at the BIICL event held at the Law Society on the latest developments in the law of reparations.

Publications:

- *Education and the Law of Reparations in Insecurity and Armed Conflict*, F Capone, K Hausler, D Fairgrieve and C McCarthy (PEIC, 2014).
- 'Representing Child Victims' in RM Letschert (ed) *Manual for Victims' Legal Representatives before the ICC* (Springer, 2014).

Francesca joined the Institute in July 2012 and she was a Research Fellow in Reparations until September 2013.

Her research interests focus on international human rights law, international humanitarian law and international criminal law. Reparations constitute her main area of expertise.

She earned her LLB and LLM in International Law from the University of Naples Federico II. In October 2013 she successfully defended her thesis on the right to reparation for child-victims of armed conflicts at Tilburg University, in the Netherlands. The thesis was the outcome of a Joint PhD programme between the Sant'Anna School of Advanced Studies in Pisa and the International Victimology Institute in Tilburg.

She has been a visiting fellow at several academic institutions including Leiden University and the Max Planck Institute for Comparative Public Law and International Law.

Francesca is currently a Research Fellow and the Coordinator of the Masters in Human Rights and Conflict Management at the Sant'Anna School of Advanced Studies.



Sophie Eser

Research Fellow in Detention and the Rule of Law

During 2013-14 Sophie Eser's research focused on two projects. Firstly, with Justine Stefanelli and Michael Fordham QC, she worked on the Nuffield Foundation funded research and report on Immigration Detention and the Rule of Law. The report, launched in October 2013 at the Royal Courts of Justice, examines and identifies existing standards of protection of migrant detainees against Lord Bingham's rule of law framework. The report is available to download on the Institute website.

Secondly, Sophie worked with Lawrence McNamara and Naina Patel on the development and piloting of the Rule of Law in Schools Programme, with the aim of disseminating rule of law education to secondary school children across the UK. In 2013 she presented the outline of the programme at The Association of Citizenship Teachers Annual Conference and also taught pilot sessions in a number of secondary schools. The project was successful in securing external funding for further development from the Legal Education Foundation.

Publications:

- *Immigration Detention and The Rule of Law: Safeguarding Principles* (BIICL, 2013) (with M Fordham and J Stefanelli)
- Book Review: (2013) 62 ICLQ 4, 985.

Sophie joined the Bingham Centre in December 2012 as Research Fellow in Detention and the Rule of Law to work on the Nuffield Foundation funded Immigration Detention project. Sophie holds a BA in Jurisprudence and an MSc in Criminology and Criminal Justice from Keble College, Oxford. Her doctoral research at the University of Oxford considered through ethnography the experience and effect of imprisonment and 'privatisation culture' on men in two private prisons in England.

She was previously Stipendiary Lecturer in Law and Admissions Coordinator at Balliol College, Oxford and Lecturer in Law at the University of Buckingham. Her teaching experience includes Constitutional, Criminal and Family Law, as well as Legal Skills and Procedure. Her research interests are the broad tenets of Criminal Justice with a particular focus on prisons and immigration detention and the role of the state and private companies in provision of prison and detention services. Sophie left her post at the Bingham Centre in September 2013 to complete her doctoral research at the University of Oxford.



Dr Duncan Fairgrieve Senior Research Fellow in Comparative Law and Director, Product Liability Forum

Duncan Fairgrieve has been responsible for a variety of projects at the Institute, including the Product Liability Forum and Tort Law Centre, a major project on Collective Redress funded by the European Commission (with Dr Eva Lein), and heading up a project on reparations in international law, leading to the BIICL publication 'Law of Reparations in Insecurity and Armed Conflict' (with Dr Francesca Capone and Kristin Hausler), and a product liability project with academics at the University of Turin, funded by the CARIPLO foundation.

Duncan has also been involved in many transnational academic projects, such as the Common Core project on Product Liability, the EGLT group on public authority liability and most recently as a member of the ELI Project on Collective Redress. He has spoken at many events this year, including a Yale Conference on Comparative Administrative Law in March 2014, and lecturing at the prestigious French judges' school, Ecole Nationale de la Magistrature.

Publications:

- Suing the military: the justiciability of damages claims against the armed forces (2014) 73 Cambridge Law Journal 18.
- A Fair Price for Violations of Human Rights? (2014) 130 Law Quarterly Review 47 (with M Andenas and E Bjorge)
- The Creation of Transnational Administrative Structures Governing Internet Communication (2013) 78 2 Missouri Law Review 527 (with R Weaver and F Lichère).
- The Product Liability Directive: Time to Get Soft (2013) Journal of European Tort Law 1 (with G Howells and M Pilgerstorfer).

Dr Fairgrieve is a well-known comparative lawyer, with research interests spanning both comparative private and public law. He has published many books and articles in leading journals worldwide, and his work has been extensively cited by the Courts. He edited the festschrifts for Lord Slynn and Lord Bingham and has also jointly authored or edited books with French judge Guy Canivet (then the Lord Chief Justice of France), and Bernard Stirn (now president of the judicial committee of French Conseil d'Etat).

In addition to his work at the Institute, Duncan Fairgrieve is also a Maître de Conférences at Sciences Po, Paris, and a Visiting Professor at the Institute of Law, Jersey. Dr Fairgrieve is a qualified French avocat and practises in the field of civil and commercial litigation in Paris. He is also a door tenant at One Crown Office Row, and is currently instructed in two Supreme Court cases.



Ghislain Guillaume

Research Fellow in Comparative Law

Since he arrived at the Institute, Ghislain Guillaume has been involved in a number of projects. Besides assisting Duncan Fairgrieve in the organisation of seminars and conferences, Ghislain has worked on the updating and the evolution of the Product Liability Database into a more dynamic resource.

In addition, Ghislain co-organised with Duncan Fairgrieve a conference on the role of Good Faith in English Contract Law after *Yam Seng PTE v International Trade Corporation Ltd* which gathered leading experts such as Professor Hugh Collins, Professor Roger Halson, Professor Dr Thomas Riehm, Professor Hugh Beale and Diana Wallis, as well as a seminar on Product Safety and Market Surveillance in October 2013.

He is currently writing a piece with Duncan Fairgrieve and Professor Dr Thomas Riehm about the concept of good faith within a comparative perspective highlighting its procedural implications.

Publications:

• 'Rapport - Droit dy Royaume-Uni' in P Pierre, F Leduc, (eds) *La reparation integrale en Europe, Edudes comparatives des droits nationaux* (Larcier, 2012) (with D Fairgrieve).

Ghislain joined the Institute in January 2013 as a Research Fellow in Comparative Law. He holds a postgraduate degree in Business Law (*cum laude*) from the University of Paris Est and an LLM in International Business Law from King's College London (with Merit). Ghislain is currently undertaking a PhD on the Termination of contracts in European Private Law.

Prior to joining the Institute as a Research Fellow, Ghislain was a Research Fellow for the French Association Henri Capitant. He was also assistant de justice at the French Supreme Court (Cour de cassation). More recently, Ghislain joined the Editions juridiques et techniques where he still is the editorial coordinator. He is also working as a Research Fellow within the Institut sur l'évolution des professions juridiques.

Ghislain has taught the law of obligations, business law, civil procedure and European private law in the universities of Paris Est, Paris Sud, Mainz and for the ESCP Europe.



Kristin Hausler

Research Fellow in Public International Law

Kristin Hausler was promoted to Associate Senior Research Fellow in 2013. She recently completed three funded projects covering the protection of education, reparations for human rights violations, and climate change issues. In September 2013, she participated in the Commonwealth Senior Law Ministers Meeting in London to present the climate change report. In October 2013, she travelled to Doha to attend the World Innovation Summit for Education, where the report on Education and the Law of Reparations was first launched. Also in relation to reparations, she participated in an expert meeting on claims commissions at the Foreign and Commonwealth Office in December 2013.

More recently, in January 2014, she was invited to provide a human rights training session at the Forum on the protection of education, organised by the OHCHR and Protect Education in Insecurity and Conflict.

Over the past year, she also continued her research on issues relating to cultural heritage.

Publications:

- *Education and the Law of Reparations in Insecurity and Armed Conflict* (BIICL/PEIC, October 2013) with F Capone, D Fairgrieve and C McCarthy) .
- *Protecting Education in Insecurity and Armed Conflict – 2013 Developments* (BIICL/PEIC, January 2014) (with N Urban and R McCorquodale)
- 'United Kingdom', (with K Chamberlain CMG), in J Nafziger et al, *Handbook on the Law of Cultural Heritage and International Trade* (Edward Elgar, 2014)

Since joining the Institute in 2007, Kristin has secured funding and undertaken several projects in the area of public international law and human rights. She has also organised numerous events and workshops.

Previously, she worked for several years in Vancouver, Canada, on a repatriation project involving Indigenous communities.

A graduate from the University of Fribourg (Switzerland) and UBC (Canada), Kristin is also a member of the Cultural Heritage Committee of the International Law Association, which in 2013 took her to Denmark to participate in the drafting of a treaty on cultural objects.

In her work in this field in the last year she has given talks at Maastricht University, at the Vulnerability and Cultural Heritage Conference at Leicester University and a guest lecture at York University. Currently, her research includes collective cultural rights, as well as the protection of cultural heritage in conflict, a topic on which she organised a seminar in April 2013.



Dr Eva Lein

Herbert Smith Freehills Senior Research Fellow in Private International Law

Eva Lein directs and supervises the European Commission funded project “Focus on Collective Redress” which aims to develop a comprehensive European and cross-national study on collective redress, with Duncan Fairgrieve. The project runs over two years and is a cooperation between BIICL and several partner organisations as well as experts abroad. Among other things, the project has developed a website:

www.collectiveredress.org/collective-redress

Eva also directs a project for the Ministry of Justice on factors influencing litigants’ decisions to bring commercial claims to the London based courts (assisted by Robert McCorquodale and Lawrence McNamara). This study involves a broad fieldwork process engaging legal practitioners and litigants in the UK and abroad.

She also lectured on international litigation at Queen Mary, University of London; conflict of laws at Queen Mary, Institute in Paris; European Business Law at ESCP, London; and German private law at the University of Bordeaux.

Publications:

- ‘Die Erbrechtsverordnung aus Sicht der Drittstaaten’, in A Dutta and S Herrler, *Die Europäische Erbrechtsverordnung* (Beck, forthcoming).
- ‘Arts. 8-11 Rome III Regulation’ in C Calliess, *The Rome Regulations* (Wolters Kluwer, forthcoming).
- *The Brussels I Regulation Recast* (ed) (with A Dickinson) (Oxford University Press, forthcoming).

Since joining the Institute in 2009, Eva has worked on a variety of projects in Private International Law. She has also been teaching and lecturing abroad.

Her recent work includes the Brussels I Regulation recast, collective redress, international successions and international family law.

Eva’s speaking engagements have included: ‘Jeux d’influence dans l’élaboration des normes européennes - L’exemple du droit international privé’, Bordeaux. ‘Die Erbrechtsverordnung aus Sicht der Drittstaaten’, Deutsches Notarinstitut Würzburg; ‘Le Royaume-Uni et le Règlement sur les Successions’, Bordeaux; ‘Extending Jurisdiction under Art. 5(3) Brussels I Regulation to Accomplices?’, Madrid; ‘Cross-border Collective Investor Claims’, London.



Dr Philip Marsden

Director Competition Law Forum And Senior Research Fellow

Philip Marsden gave the keynote speech at the American Chamber of Commerce's 50th anniversary conference in November 2013, discussing issues related to the focus on absolute and relative size, the suction effect and rule of law concerns in competition law commitments processes.

Philip spoke at the Global Competition Law Centre's 10th annual conference in Bruges on the subject of preliminary references of competition cases to the European Courts.

Philip gave the keynote speech at the AIJA Antitrust 2.0 conference in Bruges in February 2014, on the topic "With Great Power Comes Great Responsibility", discussing analytical problems and rule of law issues in some aspects of European competition law's approach to dominant firms in high technology sectors.

Publications:

- Public-Private Partnerships for Effective Enforcement: Some "Hybrid" Insights? (2013) 9 European Competition Journal 3.
- 'The Emperor's Clothes Laid Bare: Commitments Creating the Appearance of Law, While Denying Access to Law' (2013) CPI Antitrust Chronicle (1).

Philip is a competition lawyer with a particular interest in abuse of dominance, consumer welfare, and international competition issues.

He is a Non-executive Director on the Boards of the UK Office of Fair Trading and the Channel Island Competition and Regulatory Authorities, and Professor at the College of Europe, Bruges, teaching the core LLM competition course.

He is also co-founder and General Editor of the European Competition Journal, Public Advisor to the Lithuanian Competition Council, and on the Advisory Council to Advocates for International Development.

Prior to joining the Institute in 2003, Philip practised competition law in Toronto, Tokyo and London, advising firms in the retail, software and mobile telephony sectors and still acts as an advisor and expert witness in these areas.

He has recently been appointed to the Legal Services Consumer Panel.



Dr Lawrence McNamara Deputy Director, Bingham Centre for the Rule of Law and Senior Research Fellow

In his first year at the Institute Lawrence McNamara has worked on the Bingham Centre's submissions to government and parliament on proposed reforms to judicial review and legal aid (working with Jeffrey Jowell and several of the Centre's external Fellows), contributing especially to the analysis of the government's statistical evidence. Among his projects are Factors Influencing International Litigants' Decisions to Bring Commercial Disputes to London Courts (with Eva Lein and Robert McCorquodale) funded by the Ministry of Justice, and the Citizenship Education and the Rule of Law project (with Naina Patel and Xiao Hui Eng) funded by the Legal Education Foundation.

Lawrence has worked closely with Bingham Centre and Institute colleagues in designing research projects for funding and in contributing to the Centre's development activities. He ran an event on writing proposals for PhD applications and external speaking has included invited papers at the Berkshire Records Office, the London School of Economics Department of Law, the Research Councils UK Global Uncertainties Leadership Fellows annual meeting, and (as a keynote speaker) at the Secrecy, Law and Society conference in Sydney, Australia.

Publications:

- 'A sign of the times ... or an aberration?' (2013) *New Law Journal* 6 (with C Rooney)
- 'Review of S Gardbaum, *The New Model of Constitutional Constitutionalism*' (2013) 62 *ICLQ* 4 983.

Lawrence joined the Institute in April 2013 as Senior Research Fellow and Deputy Director of the Bingham Centre. Prior to this, Lawrence was a Reader in Law at the University of Reading.

His research interests lie primarily in the legal regulation of speech, especially as it relates to the media. His book *Reputation and Defamation* (OUP 2007) was shortlisted for the Birks Prize for Legal Scholarship.

Lawrence has contributed to several submissions to parliamentary commissions and government consultations on reforms to judicial review and legal aid.

Lawrence held an ESRC/AHRC Global Uncertainties Fellowship in Ideas and Beliefs (2009-2013) for his *Law, Terrorism and the Right to Know* research programme, exploring the relationships between democratic traditions of media freedom and the contemporary demands of national and international security.

Before coming to the UK, Lawrence was an academic in Australia, holding posts at the University of Western Sydney (1997-2000) and Macquarie University (2000-2007).



Lucy Moxham

Research Fellow in the Rule of Law

In 2013 Lucy Moxham managed a successful Bingham Centre application for British Academy funding for a joint UK-Taiwan project, 'The Protection of Human Rights and Constitutional Review in Taiwan', which commences in May 2014.

This year she has been engaged in two major projects. The first, commissioned by the Open Society Foundation European Policy Initiative (OSEPI), examined how human rights protections are monitored under international instruments with a view to looking at how a monitoring mechanism might be developed in the EU. The report (written with Justine Stefanelli) was delivered to OSEPI in November 2013.

The second major project responded to a request from international NGO Advocacy Forum Nepal. The project looked at proposed transitional justice mechanisms exploring how they can best comply with rule of law standards and meet their stated goals. An expert roundtable was convened and a major working paper (with Alison Bisset from the University of Reading and Jan van Zyl Smit) has been completed and is shortly to be published.

Publications:

- Safeguarding the Rule of Law, Democracy and Fundamental Rights: A Monitoring Mechanism for the European Union, Report to OSEPI, Nov 2013 (with J Stefanelli).
- Lucy contributed to the Bingham Centre's responses to government on the proposed reform of judicial review.

Since joining the Institute in January 2012, Lucy has been involved in many aspects of the Bingham Centre's research and development, and in the organisation of events, especially in the areas of constitutional law, human rights and transitional justice.

Previously, Lucy worked for several years at the human rights organisation REDRESS on projects relating to the prohibition of torture and the right to a remedy and reparation.

Prior to this, Lucy completed a two-year training contract at Clifford Chance LLP. She is not currently practising as a solicitor.

Lucy holds an MA Law Degree from the University of Cambridge and a BCL Master's Degree from the University of Oxford. She has worked and volunteered with a range of NGOs in the human rights field.

Lucy's work at the Bingham Centre covers a range of areas, including contributions to the Centre's responses to government consultations on judicial review, the joint-organisation of a conference on taxation and the rule of law, and ongoing work on research and events related to the UN Post-2015 Development Goals.



Naina Patel

Director of Education and Training, Bingham Centre for the Rule of Law

Naina Patel has led the Centre's work in Myanmar, working alongside Jeffrey Jowell and Alex Goodman. In May 2013, Naina attended a roundtable discussion in Naypyidaw, hosted by the Attorney General of the Union of Myanmar, to discuss the future of legal education in the country. The Centre has since published a Working Paper (2014-01) on this topic.

Naina has also co-led, with Lawrence McNamara, the Centre's work in schools as part of its Citizenship Education and the Rule of Law Project. The Project will develop a suite of resources aimed at explaining the rule of law to Key Stage 3 pupils (12-14), as part of the law and democracy aspects of the national citizenship curriculum.

Naina supervised the compilation of two additional courses: Human Rights Overseas, a half day course for aid workers, diplomats and the armed forces explaining the extra-territorial application of human rights obligations and Constitutions and the Rule of Law, a two day course for development practitioners explaining how constitutional design can be used as a tool to further the rule of law. These courses join The Framework of International Human Rights, an evening course aimed at trainee and associate solicitors interested in deepening their understanding in this area.

Publications:

- Constitutional Reform in Myanmar: Priorities and Prospects for Amendment, Bingham Centre Working Paper 2014-01 (with A Goodman and N Snider)

As well as her role with the Bingham Centre, Naina is a barrister with Blackstone Chambers specialising in human rights and civil liberties, particularly cases with an international focus. She is recommended as a leading junior for Civil Liberties and Human Rights, Administrative and Public Law (Chambers UK 2014) and Immigration and Nationality (Legal 500 2013). She has also been profiled as Lawyer of the Week (2011) and awarded the Sydney Elland Goldsmith Bar Pro Bono Award for work on access to justice in Afghanistan (2008).

She has worked extensively overseas through organisations such as the Bar Human Rights Committee, British East West Centre, the Slynn Foundation and the UK Foreign and Commonwealth Office. In 2010-2011, Naina was Senior Justice Adviser to the Provincial Reconstruction Team in Helmand, Afghanistan.

Naina has also taught Human Rights law and policy at the Carr Centre for Human Rights Policy at the Kennedy School of Government and trained UK government officials from DFID, FCO and the MOD in relation to the extraterritorial application of human rights obligations in overseas missions.



Justine Stefanelli

Maurice Wohl Associate Senior Research Fellow in European Law

In 2013, Justine Stefanelli was promoted to Associate Senior Research Fellow. Her research focus was two-fold. She continued her work on immigration detention and the rule of law, which examined and identified existing standards of protection of migrant detainees against Lord Bingham's rule of law framework, and produced a set of Safeguarding Principles for use by decision-makers, courts, lawyers and detainees. She co-authored the book 'Immigration Detention and the Rule of Law: Safeguarding Principles' which was the result of the project (with Michael Fordham QC and Sophie Eser).

Towards the end of the 2013, Justine also co-wrote a report outlining possible models of enforcement at EU- level aimed at safeguarding and promoting the fundamental EU values of the rule of law, democracy and fundamental rights.

Since joining the Institute in 2006, Justine has worked on a variety of projects in European law.

Most recently, as part of the Bingham Centre, she has focused her work on the systems for asylum and immigration in Europe, with a particular emphasis on procedures and immigration detention.

She has also completed work examining unfair trading practices between business in the food retail sector within the EU.

Prior to this, Justine co-wrote several studies for the International Federation of Red Cross and Red Crescent Societies on the delivery of cross-border disaster relief in the EU.

Publications:

- 'Expanding Akzo Nobel: In-House Counsel, Government Lawyers, and Independence', (2013) 62 ICLQ 2.
- *Immigration Detention and the Rule of Law: Safeguarding Principles* (BIICL, 2013) (with M Fordham and S Eser).
- 'Rule of Law: A New Framework to Challenge Immigration Detention Policies in Australia', rightnow.org.au (9 December 2013) (with A Reilly)



Dr Andraž Zidar

Dorset Senior Research Fellow in Public International Law

As part of the dynamic events programme in public international law Andraž Zidar developed a series of seminars on international adjudication, sponsored by Temple Garden Chambers. In the course of the year, the seminar series has become an emergent forum for discussions on current issues of international adjudication. The seminar series hosted prominent key note speakers (eg judges or leaders from the European Court of Human Rights, the Permanent Court of Arbitration, the International Criminal Court and the International Court of Justice) as well as a number of established legal practitioners and academics as presenters.

Among publications during the last year Andraž Zidar co-edited (jointly with Olympia Bekou) a book titled 'The Contemporary Challenges for the International Criminal Court'. Andraž presented topical findings from this book in a lecture on international criminal law at the Brunel School of Law in December 2013.

He also spoke at several conferences and workshops, and lectured on the 'International Law in Practice' course.

Publications:

- *Contemporary Challenges for the International Criminal Court* (ed with O Bekou) (BIICL, 2014).
- *The Law of Treaties: Handbook, Articles and Documents* (ed)(Ministry of Foreign Affairs of Slovenia and the School of Social Sciences, 2013).

Dr Andraž Zidar joined the Institute in January 2012. He has degrees from the universities of Ljubljana (univ. dipl. iur.) and Padua (E.MA), and a doctorate in international law from the Graduate Institute of International and Development Studies in Geneva.

Before joining the Institute Andraž was Director-General for International Law and Protection of Citizens at the Ministry of Foreign Affairs in Slovenia. Previously he worked as a human rights diplomat at the Mission of Slovenia to the UN Office in Geneva, a legal counsellor at the Ministry of the Interior and a lecturer on International and Constitutional criminal law.

His main research areas are international legal theory, international criminal law, human rights, global health law and international organizations. In 2012, Andraž sat on the bench as a judge in the 2012 UK finals of the Jessup Moot Court competition.

His publications include the book 'Lustration: Removal of Opponents of Democracy from Public Positions' and a number of articles on international law, human rights, diplomacy and international relations.



Dr Jan van Zyl Smit

Research Fellow in the Rule of Law

Jan van Zyl Smit was invited to discuss the Centre's work on current trends and issues in judicial appointment processes in the Commonwealth at the University of Cape Town in September 2013. Jan contributed to a Bingham Centre workshop on the Truth and Reconciliation Ordinance in Nepal, held in May 2013, and is one of the co-authors of the Bingham Centre's working paper on transitional justice. Together with Jeffrey Jowell, he is also a steering committee member of Judges After Transitions, a new project initiated by the Bingham Centre and the Center for Constitutional Transitions at NYU School of Law.

Jan is active in statutory interpretation research and together with Robert McCorquodale contributed to a report on the constitutional status of the common law in selected Commonwealth jurisdictions. He has taken over responsibility for the Bingham Centre's work on regional and subregional courts in Africa, a project which examines how supranational courts can strengthen the rule of law in areas including equality and access to justice.

Activities:

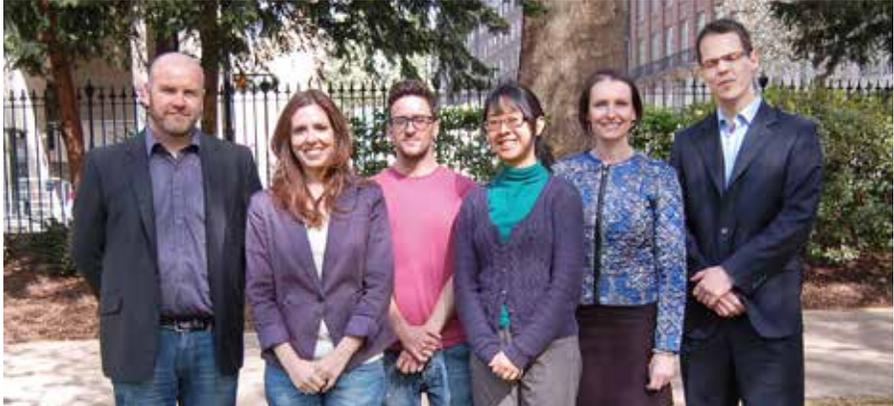
- Jan was responsible for co-ordinating several Bingham Centre lectures and seminar events.
- He delivered conference papers at the University of Cape Town, ASIL, and the University of Notre Dame.
- He also visited Tunisia to discuss the Kenyan model of judicial reform with judges, legislators and interest groups.

Jan joined the Bingham Centre in June 2013. His recent research has focused on initiatives to reform the make-up of the judiciary in states undergoing constitutional transition, and on the effect of the UK Human Rights Act on the interpretation of legislation. Jan has also been involved as a researcher and adviser in the Kenyan constitutional transition. He conducted research for the Committee of Experts which drafted the 2010 Constitution and has served more recently as a UNDP legal consultant to the Kenya Judges and Magistrates Vetting Board.

Prior to joining the Bingham Centre, Jan was a Senior Lecturer in Law at Oxford Brookes University, teaching Public Law and International Human Rights Law. Jan began his legal studies at the University of Cape Town, where he completed an LLB magna cum laude and graduated first in his class. He then served as a law clerk to Deputy Chief Justice Pius Langa (later Chief Justice) at the South African Constitutional Court, before going on to graduate study at the University of Oxford, where he completed the BCL, MPhil and DPhil in Law.

Bingham Centre for the Rule of Law

Report from the Director,
Professor Sir Jeffrey Jowell



The Bingham Centre for the Rule of Law was just a little over two years old in March 2013. In the year since, the Centre has expanded remarkably. New staff have joined, our activities are more extensive than ever and the impact of our work has steadily increased.

Our international presence continues to expand. We have been in Burma/ Myanmar at the request of organisations there, engaging significantly with the processes of constitutional reform, facilitating several hundred local submissions to the Parliamentary committee leading the process. The Centre was invited on two occasions by the EU to visit the Palestinian Authority in the West Bank to work with their justice institutions. This work will continue in the year ahead with the Centre (jointly with the Slynn Foundation) having secured major funding from the Foreign and Commonwealth Office to continue this partnership, with the support of the Palestinian justice institutions and the EU. In November, I visited Panama to consider matters of judicial independence. We undertook and completed a commissioned project that looked at judicial appointment and removal procedures across the Commonwealth.

In Europe we are active in our work on standard setting. A project for the Open Society European Policy Institute examined how the EU might develop a human rights monitoring mechanism. Last October we had the second meeting with the Italian Council of State (Consiglio di Stato) in Rome, joined by four of our Supreme Court judges. The Centre has become the first non-governmental body to be granted associate status at the Venice Commission (the Council of Europe's Commission for Democracy Through Law) and we will be assisting the Commission in its work on the rule of law.

The report from our Immigration Detention and the Rule of Law project was published in October 2013. With its 25 safeguarding principles, it has been taken up by NGOs, immigration tribunals and others and the early indications are that this is on its way to becoming an influential body of 'soft law' in the area.

Closer to home we conducted a major review on Streamlining Judicial Review in a Manner Consistent with the Rule of Law, headed by Fellow Michael Fordham QC, which came up with a series of recommendations which are receiving a great deal of attention. We have secured substantial funding from the Legal Education Foundation for a project that will develop rule of law teaching for the national citizenship curriculum in schools. The distinguished Sigrid Rausing Trust has generously provided a major grant for core funding. We hosted numerous events, including a conference on the Rule of Law and Taxation, hosted by Berwin Leighton Paisner.



**Michael Fordham QC,
Bingham Centre Fellow, Chair
of the Centre's
Review on Streamlining
Judicial Review**

New staff have joined us. In May 2013 Dr Lawrence McNamara was appointed as Deputy Director and Senior Research Fellow, with funding for that post being kindly provided by the David and Elaine Potter Foundation. A month later, Dr Jan van Zyl Smit joined as a Research Fellow.

Our new external Bingham Centre Fellows include Sir Keir Starmer QC (until recently the Director of Public Prosecutions), Stephen Grosz QC (hon), Peter Oliver, and Phillip Wood QC (hon).

The Centre has established a new US Development Board. We have partnered with the New York Review of Books for an event that will be held in April 2014 at Georgetown Law School in Washington DC that will look at the future of human rights. Speakers include one of our patrons, Justice Stephen Breyer of the US Supreme Court.

None of this could have happened without the support we are increasingly receiving, as law firms and others who helped establish the Centre are progressively agreeing to pledge their continuing assistance in different ways, and others are generously adding to that support.

We look back with great satisfaction on the year gone by, as we hope you also will, and look forward to the year ahead.

Professor Sir Jeffrey Jowell KCMG QC
Director, Bingham Centre for the Rule of Law

Bingham Centre Activities

The Bingham Centre has been engaged in a wide range of activities. Always with rule of law dimensions, they revolve around themes of standard setting, business and finance, access to justice, and development and transitional societies.

Education and Training

Our education and training activities cut across all themes and are often integrated with projects. Most notable internationally this year was our training in Burma/Myanmar.

The Constitutional Awareness manual is available on our web

site (in English and, with the assistance of Lexis Nexis, in Burmese). Locally, our schools project on Citizenship Education and the Rule of Law (funded by the Legal Education Foundation) is underway; see page 45 for more details. Within the Institute, Centre staff taught on the *International Law in Practice* course and ran an event on writing research proposals. This year has also seen the development of new courses, including:

- Constitutions and the Rule of Law: A two-day course for development practitioners
- The Human Rights Act Overseas: A half-day course for UK government advisers
- International Human Rights Frameworks: Six evening sessions for junior lawyers

We are now moving into the delivery phase of these courses.

Projects

With upwards of 20 projects taken to completion, currently underway or in development over the last year, this report inevitably presents only a selection of our work. The following examples indicate the scope of our activities.

Some of the Centre's major project work is outlined in the 'Projects' section of this report where there are summaries of:

- **Citizenship and the Rule of Law in Schools**
- **Constitutional Reform in Burma/Myanmar**
- **Immigration Detention and the Rule of Law**
- **Judicial Review and Legal Aid**



Working with local teams in Burma

Among our other major projects are:

Human Rights Monitoring in the EU

In March 2013 the EU announced a new framework to strengthen the rule of law in the EU. In connection with that, the Bingham Centre was commissioned by the Open Society European Policy Institute (OSEPI) to analyse existing EU, Council of Europe and UN human rights monitoring mechanisms, and to identify how the EU might best develop a monitoring mechanism. OSEPI invited the Centre to present its Safeguarding the Rule of Law, Democracy and Fundamental Rights in the EU report and findings at an experts' workshop in Brussels. It was also submitted to the European Commission's consultation on the future of justice policy in the EU.

The Rule of Law Requirements of Foreign Direct Investment

This current study will be conducted with the BIICL Investment Treaty Forum, with Hogan Lovells. It seeks to ascertain, through a survey of executive opinion, to what extent rule of law factors influence foreign direct investment.

The Protection of Human Rights and Constitutional Review in Taiwan

In late 2013 the Centre was awarded funding by the British Academy for this project. Conducted in collaboration with the National Taipei University and University College London, the project commenced in March 2014. It will see reciprocal visits by Taiwan and UK delegations, producing a comparative study of the domestic implications of international human rights standards and the constitutional review of legislative action in the UK and Taiwan.

Justice Institutions in the Palestinian Authority

The Centre has become increasingly engaged with the justice institutions in the Palestinian Authority. At the invitation of EUPOL COPPS (the European Union Coordinating Office for Palestinian Police Support), the Centre was asked in 2013 to consult Palestinian Authority officials and advise on the balance of executive and judicial responsibility in accordance with rule of law standards. A visit in September saw meetings with the Chief Justice, the Minister of Justice and the Attorney General as well as a number of judges from the High Judicial Council (HJC) and the Chair of the Palestinian Bar Association, among others. This and the subsequent report prompted an invitation to return in March 2014 and our work will be continuing into 2015.

Judicial Appointments and Removals in the Commonwealth

The Centre was commissioned to develop a compendium of provisions, procedures and practices for the appointment and removal of judges in the Commonwealth, and to review and analyse the material in order to identify contemporary best practice in the context of the Commonwealth Latimer House Principles. Covering all Commonwealth member states, the project examined the position in more than 50 countries.

Impact

Some of the effects of our work are outlined in the Impact section of this report at page 8.

Bingham Centre Events

Our engagement with public and professional audiences has seen the Centre host around a dozen events this past year. These were often undertaken with the invaluable and generous support of law firms and barristers' chambers. In some instances they were conducted in partnership with, for example, the Human Rights Lawyers Association, the Constitutional and Administrative Law Bar Association (ALBA), and Chatham House. We are grateful to the many eminent judges, lawyers, government officials, and internationally distinguished visitors who generously gave of their time and insights to make our events so successful.

Among our events were:



**Professor Harold Koh
delivering the
Annual Bingham Lecture**

The Inaugural Annual Bingham Lecture

The Centre was delighted to hold its inaugural Annual Lecture at Lincoln's Inn on 9 May 2013. With the generous support of Fountain Court Chambers, the Centre welcomed Professor Harold Koh to deliver the lecture, titled 'Twenty-First Century Problems - Twentieth-Century Law'.

Professor Koh is the Sterling Professor of International Law and formerly Dean at Yale University. His extensive human rights legal work across his career has been internationally recognised and he has served in two US government administrations. Addressing an invited audience of around 200 people, Professor Koh examined

contentious contemporary legal issues faced by the courts and by states. He drew especially on his recent experience as Legal Adviser to the State Department. Taking questions from the audience, he reflected on the need for process and transparency in the US approach to (among other things) drone strikes.

Judicial Activism and the Law: Lessons from India

Harish Salve SA, former Solicitor-General of India, gave this public lecture in November 2013, with Lord Woolf of Barnes chairing. Mr Salve traced the Indian Supreme Court's jurisprudence from its cautious beginnings to the famous assertion that the basic structure of the Constitution was unalterable and through the lows of the 1970s Emergency period to the current era. In recent decades the Court has responded to the enormous scale of poverty and deprivation with important innovations such as granting 'epistolary jurisdiction' for informal petitions and developing its own jurisprudence of socio-economic rights in areas such as the right to health and to a clean environment. Mr Salve saw tremendous achievements but also potential pitfalls as the judiciary assumes responsibilities which in other states are exercised by legislatures.

Autonomous Weapons: Some Legal and Moral Implications

Professor Christof Heyns, the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions gave an address in February 2014, with Professor Robert McCorquodale, BIICL Director, responding.

“Drones”, observed Professor Heyns, “took the pilot out of the cockpit and replaced him or her with an operator in a cubicle far away from the battlefield. The next step is for human operators to be taken out of the loop altogether as far as the decision to release deadly force is concerned.” He discussed the implications of his recent report to the UN Human Rights Council on autonomous weapons, in which he calls for a worldwide moratorium on the production, testing and use of such weapons and for UN to establish a High Level Panel on Lethal Autonomous Robotics including experts from science, ethics, law and the military. The seminar was chaired by former FCO legal advisor Sir Daniel Bethlehem QC.

Do our tax systems meet Rule of Law Standards?

Following on from our successful evening event on taxation in March 2013, this one-day conference in November welcomed local and international speakers who discussed whether aspects of the UK tax framework comply with the rule of law standards set out in Lord Bingham’s ‘The Rule of Law’. The aim of the conference was to initiate a dialogue on tax and the rule of law with a view to developing best practice in this area. Berwin Leighton Paisner generously hosted this event.

Other Events Included:

- the likely outcomes should the UK leave the European Convention on Human Rights, from a UK, European and Commonwealth perspective;
- access to justice and technology;
- indefinite imprisonment for public protection;
- prospects for democracy in Burma;
- prosecutorial discretion and the rule of law; and
- human rights responsibilities in the oil and gas sector.

**The Inaugural Annual
Bingham Lecture, held in
Lincoln’s Inn in May 2013**



Competition Law Forum

Director: Dr Philip Marsden



Continuing the CLF's tenth year anniversary celebrations in 2013, the Forum focused on historical examinations of the development of economic analysis over the past decade, and selected topics of impending issues likely to create significant issues for competition policy in the future. Key among these included roundtable discussions on health mergers, disruptive competition, concurrency and privacy and the rule of law.

CLF is devoted to provocative discussions on the practical application of competition policy involving senior lawyers, economists, industry representatives, public servants, consumer bodies and other experts.

The CLF produces cutting-edge applied research, analysis and recommendations on the content, methodologies, regulation and implementation of competition policy at all levels of governance - national, European and global.

Our 11th annual Merger Conference was held in January in Brussels, with key speakers from the US Department of Justice, European Commission, and Office of Fair Trading. Many thanks to our sponsors, Linklaters and RBB Economics.

Advisory Board Members:

Tim Cowen
Susan Bright
Adrian Majumdar
Michael Hutchings OBE
Peter-Carlo Lehrell
Stephen Wisking
George Peretz
Simon Pritchard
Bernadine Adkins

CLF Members:

Addleshaw Goddard
AL Goodbody
Allen & Overy
Ashurst
Baker & McKenzie
Cleary Gottlieb
Freshfields Bruckhaus Deringer
Linklaters
Hogan Lovells
Nabarro
Norton Rose
SJ Berwin
Slaughter & May
Wragge & Co.
Herbert Smith
Jones Day
Microsoft
Shell International Limited
FIPRA
Monckton Chambers
Alix Partners Ltd
Compass Lexecon
CRAI
OXERA
RBB Economics
PriceWaterhouseCoopers
Latham & Watkins

Competition Law Forum

Events 2013-14

16 September 2013

Competition, Concurrence and Regulation
Chair: Christopher Hutton, Hogan Lovells
Speakers: Regina Finn, OFWAT;
Niamh Grogan, Lloyds Banking Group;
Tom Kiedrowski, BIS, CMA Transition;
Clive Maxwell, Office of Fair Trading;
George Yarrow, Regulatory Policy Institute

11 June 2013

*Annual Conference 2013:
Righting Private Wrongs: Competition Law,
Investor Claims and Mass Litigation in the
EU*

Participants: The Hon Mr Justice Barling,
President, Competition Appeal Tribunal;
Professor Laura Ervo, Örebro University,
Sweden; Sandrine Giroud, Lalive, Geneva;
Professor Axel Halfmeier, Leuphana
University Lüneburg; Nicholas Khan,
Legal Service, European Commission;
Douglas Lahnborg, Orrick; Dr Eva Lein,
BIICL; Elizabeth Morony, Clifford Chance;
Professor Renato Nazzini, King's College,
London; Henrik Saugmandsgaard Øe,
Danish Consumer Ombudsman; Vincent
Smith, Sheppard & Smith, BIICL; Diana
Wallis, Former MEP and Vice President
European Parliament

23 September 2013

*Behavioural Economics in Competition
Inquiries - Nudged into Reality*
Speakers: Dr Gunnar Niels, Director, Oxera;
Simon Pritchard, Partner, Linklaters; Zanna
Iscenko, Chief Economist's Department,
Financial Conduct Authority

19 November 2013

Health Mergers
Chair: Alistair Lindsay, Monckton Chambers
Speakers: Luisa Affuso, PwC; Justin Alford,
Capsticks; Kate Collyer, Competition
Commission; Catherine Davies, Monitor;
Nelson Jung, Office of Fair Trading; Andrew
Taylor, Aldwych Partners

11 November 2013

*Is Privacy a Competition and Consumer
issue?*
Chair: Bernardine Adkins, Wragge and Co
Speakers: Damien Geradin, Covington and
Burling LLP, Professor, Tilburg University and
William Cook Global Law Professor at the
University of Michigan Law School; Bojana
Ignjatovic, RBB Economics; David Perry,
Office of Fair Trading

9 January 2014

*Disruptive Competition: What role for
competition policy?*
Keynote Address: John Fingleton, CEO,
Fingleton Associates
Chair: Phil Evans, FIPRA and Competition
Commission; Giles Andrews, CEO Zopa,
Peer-2-Peer Finance Network; Hanne Melin,
eBay Policy Lab; Corey Owens, Global
Head of Public Policy, Uber Provocateur/
Lead Questioner; Simon Bishop, Co-
Founder and Partner, RBB Economics

21 January 2014

11th Annual Merger Conference (Brussels)
Speakers: Giulio Federico, European
Commission; Clara Ingen-Housz, Linklaters
Hong Kong; Nelson Jung, Office of
Fair Trading; Edyth Kyegombe, Shell;
Andrea Lofaro, RBB Economics; Johannes
Luebking, European Commission; Adrian
Majumdar, RBB Economics; Philip Marsden,
BIICL; Simon Pritchard, Linklaters; Emily
Roche, Rio Tinto; Gregory Werden, US
Department of Justice (Antitrust Division)

Topics covered at this conference included:
Screens and inferences in mergers: has DG
Comp opened the Pandora's box of price
pressure tests?
Remedies and Efficiencies: what Really
Compensates for the Loss of Competition?
Hot topics: Minority Stakes, Procedural
Simplification, the Rise of MOFCOM

Investment Treaty Law Forum

Director: N Jansen Calamita

The Investment Treaty Forum (ITF), currently directed by Jansen Calamita, was founded in 2004. Its aim is to provide a global centre for serious, high-level debate in the field of international investment law. The Forum is a membership-based group, bringing together some of the most experienced and expert lawyers, business managers, policy advisers, academics and government officials working in the field. Like BIICL itself, the Forum shares a reputation for independence, even-handedness and academic rigour.



At present, there are 18 institutional members of the ITF, drawn from among the largest and most prominent law firms in the field. There are 13 individual members, comprising leading barristers, arbitrators and individual practitioners. In 2013, the ITF added two institutional members (Volterra Fietta LLP and Allen & Overy) and two individual members (Professor Dan Sarooshi, University of Oxford & Essex Court Chambers and Professor Jean Kalicki, Arnold & Porter & Georgetown University).

In 2013, Jansen convened two public meetings of the Investment Treaty Forum, bringing together leading figures in the field from practice, academia, government and non-governmental organizations: 'The Litigation of Public Law Concepts in Investor-State Arbitration,' London (10 May 2013) and 'The Economic and Financial Aspects of Investor-State Arbitration,' London (24 October 2013).

The activities of the Investment Treaty Forum are varied and may be distinguished between Public Conferences and Seminars and By-Invitation Meetings. The former are held twice annually, at which discussion is open to the public for the benefit of all those interested in the field.

The principal focus of the Forum's activities is bringing the Forum's membership together with invited-guests to participate in the free exchange and debate of ideas on the most important issues in the field of international investment law. These meetings take place under the "Chatham House Rule" and provide a unique and valuable opportunity to discuss issues with colleagues, policy-makers and other participants in International Investment Law in a less formal setting than a classic conference.

The Institute also co-hosts the Annual WTO Conference with Georgetown University and the Society for International Economic Law (SIEL). In May 2013, the Institute and Georgetown organized the 13th WTO Conference, featuring a two-day programme devoted to exploring both the most important developments at the WTO in the previous year and global trends.

Public Meetings:

10 May 2013

The Litigation of Public Law Concepts in Investor-State Arbitration

Participants: Sam Wordsworth QC, Essex Court Chambers; Tim Eicke QC, Essex Court Chambers; Claudia Annacker, Cleary Gottlieb Hamilton & Steen; Christophe Douaire de Bondy, Canadian Depts. of Justice and Foreign Affairs and International Trade; William W. Burke-White, University of Pennsylvania; N Jansen Calamita, British Institute of International and Comparative Law; University of Birmingham; Silvia Marchilli, King & Spalding; Federico Ortino, King's College London; Judd Kessler, Porter & Wright; Martins Paparinskis, University College London; Lluís Paradell, Freshfields Bruckhaus Deringer; Stephan Schill, Max Planck Institute; Muthucumaraswamy Sornarajah, National University of Singapore; Valentina Vadi, University of Maastricht; Robert Volterra, Volterra Fietta LLP.

24 October 2013

The Economic and Financial Aspects of Investor-State Arbitration

Participants: Karl-Heinz Bockstiegel, University of Cologne; Emma Aisbett, University of Hamburg; Charles Claypoole, Latham & Watkins; Eric De Brabandere, University of Leiden; Susan Franck, Washington & Lee University; Hamid Gharavi, Derains & Gharavi; Kathryn Gordon, Organization for Economic Cooperation and Development (OECD); Gavan Griffith QC, 20 Essex Street Chambers; Wendy Miles, Wilmer Hale LLP; Lucy Reed, Freshfields Bruckhaus Deringer; Victoria Shannon, Washington & Lee University; Hussein Haeri, Eversheds LLP; Michael Waibel, University of Cambridge

By Invitation Only:

28 February, 2013

Arbitral Agreements, Awards and Enforcement: A nexus between Commercial and Investment Treaty Arbitration?

Convened in partnership with Eversheds LLP, Paris.

Participants: N Jansen Calamita, British Institute of International and Comparative Law; University of Birmingham; Andrea Carlevaris, Secretary General of the ICC International Court of Arbitration; Hussein Haeri, Eversheds LLP; Loretta Malintoppi, Eversheds LLP, Paris; Brigitte Stern, Université Paris 1 Panthéon-Sorbonne; Guglielmo Verdirame, King's College London, 20 Essex Street Chambers

17 December 2013

Crossing the "Public/Private" Divide: Saipem v. Bangladesh and Other Crossover Cases Convened in partnership with Wilmer Hale LLP, London.

Participants: Jose Alvarez, New York University; Gary Born, Wilmer Hale LLP; Lord Collins of Mapesbury, Essex Court Chambers; Loukas Mistelis, Queen Mary University of London.

Conference:

15-16 May 2013

Annual WTO Conference

The Institute co-hosts the Annual WTO Conference with Georgetown University and the Society for International Economic Law (SIEL). In May 2013, the Institute and Georgetown organized the 13th WTO Conference, featuring a two-day programme devoted to exploring both the most important developments at the WTO in the previous year and global trends. The focus of the two days was split between (a) The WTO in the 21st Century and (b) Global Finance and Recent Developments in WTO Jurisprudence. The event was sponsored by Sidley Austin LLP, Steptoe Johnson LLP and White & Case LLP.

Investment Treaty Law Forum Members

Investment Treaty Forum Advisory Board

Professor A Vaughan Lowe, All Souls
College Oxford and Essex Court Chambers
Loretta Malintoppi, Eversheds, Paris
Lucy Reed, Freshfields Bruckhaus Deringer
LLP, New York
Audley Sheppard Clifford Chance LLP,
London
Robert Volterra, Volterra Fietta LLP, London

Inga Martinkute, LAWIN, Vilnius
Professor Emeritus Maurice Mendelson QC,
Blackstone Chambers, London
David A. Pawlak, David A. Pawlak LLC,
Warsaw & Washington, D.C.
Iain Quirk, Essex Court Chambers, London
Professor Dan Sarooshi, University of
Oxford; Essex Court Chambers
Ana Stanic, E&A Law, London
Dr Todd Grierson Weiler, NAFTAClaims.com

Forum Members

Organisations

Allen & Overy
Baker & McKenzie LLP
Baker Botts LLP
Clifford Chance LLP
Covington & Burling LLP
Dentons
DLA Piper Rudnick Gray Cary LLP
Eversheds LLP
Freshfields Bruckhaus Deringer LLP
Herbert Smith Freehills LLP
Latham & Watkins LLP
Lalive Avocats
Linklaters LLP
Hogan Lovells LLP
Mannheimer Swartling
Volterra Fietta
White & Case LLP
Wilmer Hale LLP

Individuals

Sir Franklin Berman QC, Essex Court
Chambers, London
Dr Alejandro Carballo, Cuatrecasas,
Gonzalves Pereira, Madrid
Yuliya Chernykh, Arbitrade, Kiev
Luis Gonzales Garcia, Matrix Chambers,
London
Professor Hans Van Houtte, Katholieke
Universiteit Leuven, Belgium
Jean Kalicki, Arnold & Porter, Georgetown
University Law Center
Professor Mark Kantor, Arbitrator/Mediator;
Adjunct Professor, Georgetown University
Law Center, Washington, D.C.

Consultative Forum Members

Organisations

The United Kingdom Foreign and
Commonwealth Office
The International Institute for Sustainable
Development
The Organisation for Economic Cooperation
and Development
The Permanent Court of Arbitration
The International Law Programme,
Chatham House
The United Nations Conference on Trade
and Development

Individuals

Professor James Crawford SC, University of
Cambridge and Matrix Chambers
Norah Gallagher, Queen Mary University
Judge Christopher Greenwood QC,
International Court of Justice
Professor Peter Muchlinski, School of
Oriental and African Studies, University of
London
Dr Federico Ortino, School of Law, King's
College London
Antonio Parra, Visiting Professor, University
College London and former Deputy
Secretary General, ICSID
Dr Karl P Sauvant, Columbia University Law
School
Professor Dr Christoph Schreuer, University
of Vienna
Judge Stephen Schwebel
Professor M Sornarajah, University of
Singapore
Adrian Winstanley, London Court of
International Arbitration

Product Liability Forum

Director: Dr Duncan Fairgrieve

The Product Liability Forum (PLF) allows the practical application of policy and developments in product liability and safety law to be considered by leading lawyers in private practice, industry, academia, regulatory bodies and senior business managers, consumer representatives, public servants, public affairs professionals and other specialist practitioners. Its role is to analyse and improve the conduct of policy and practice in the spheres of product liability, product safety and mass torts.

The academic credentials of the PLF set it apart from other bodies. It is not designed as a lobby group, nor is it to be identified with any particular perspective or sector.

Product Liability Research

The status of the PLF as a leader in the product liability and safety area has been recognized by the European Commission which requested our participation in the review process of the Product Liability Directive. We have also been working with the European Council E-Justice Working group on the Product Liability Database (see below).

We also produce, together with our partner Linex Legal, the Product Liability Alerter, a fortnightly e-mail alerter which examines the latest developments in the sector and is sent out to thousands of in-house counsel specializing in this area, including Forum members. Every two weeks this product liability updater service reaches over 1500 recipients around the globe, including law firms in China, South Korea, Japan, Australia and South Africa. The idea behind the alerter is a merger of the practice and academic legal worlds with a strong international presence.

Product Liability Database

There is an innovative web-based database of legislation and judicial decisions on product liability, aiming to bring together all judgments under the European Product Liability Directive in all the Member States. Each country report includes an analysis of domestic tort and contract law, the relevant procedural background, as well as the implementation of the Directive, supplemented by case reports of major decisions with commentary. This is a major research effort; no similar tool exists. We already have a large number of countries online. This database is viewable from the PLF webpage (members' access only): www.biicl.org/plf.

Due to the work of Ghislain Guillaume, a renewed effort is being undertaken to develop and improve the PLF Database. In May 2013, the PLF Database was showcased at a meeting of the European Council E-Justice Working group, bringing together representatives from the European Council and from Member States across Europe.

Product Liability Forum Events 2012-13

Public Events:

21 May 2013

Going East: Product Liability in China

This conference, organized jointly with Professor Eleonora Rajneri, Università del Piemonte Orientale, gathered European and Chinese specialists of product liability such as Professor Gianmaria Ajani, University of Torino, Professor Lihong Zhang, East China University of Political Science and Law, Dr Shenkuo Wu, University of Verona, Dr Paolo Beconcini, Cbm International Llp, Beijing, Professor Ignazio Castellucci, University of Trento and Professor Geraint Howells, University of Manchester.

15 January 2014

BIICL Rapid Response Seminar

Suing the Military: Tracing the Contours of Legal Liability of the Armed Services

Speakers included: Dr Jonathan Morgan, Corpus Christi College, Cambridge University; Robert Weir QC, Devereux Chambers.

28 Jan 2014

Latest Developments in the Law of Reparations

Speakers: included Peter Van der Auweraert, Head of the Land, Property and Reparations Division, International Organization for Migration (IOM); Dr Francesca Capone, Sant' Anna School of Advanced Studies; Carla Ferstman, Director, REDRESS; Daniel Leader, Leigh Day & Co.

14 Oct 2013

The Commission Recommendation on Collective Redress

Speakers included: Alexander Layton QC, 20 Essex Street; David Burstyner, Omni Bridgeway, Litigation Funder; Diana Wallis, President of the European Law Institute and former Vice-President of the European Parliament; Georg Kodek, University of Vienna and Austrian Supreme Court; Hélène

van Lith, Sciences Po, Paris; Jacek Garstka, European Commission; John Sorabji, the Legal Adviser to the Master of the Rolls; Kate Wellington, Which?; Professor Astrid Stadler, University of Konstanz, University of Rotterdam; Rob Murray, Mishcon de Reya; Vincent Smith, Sheppard & Smith, British Institute of International and Comparative Law.

11 June 2013

Righting Private Wrongs: Competition Law, Investor Claims and Mass Litigation in the EU

Speakers included: The Hon Mr Justice Barling, President, Competition Appeal Tribunal; Professor Laura Ervo, Örebro University, Sweden; Sandrine Giroud, Lalive, Geneva; Professor Axel Halfmeier, Leuphana University Lüneburg; Nicholas Khan, Legal Service, European Commission; Douglas Lahnborg, Orrick; Dr Eva Lein, British Institute of International and Comparative Law; Elizabeth Morony, Clifford Chance; Professor Renato Nazzini, King's College, London; Henrik Saugmandsgaard Øe, Danish Consumer Ombudsman; Vincent Smith, Sheppard & Smith; British Institute of International and Comparative Law; Diana Wallis, Former MEP and Vice President European Parliament.

Forum seminars:

19 March 2013

Emerging Risks in Product Liability and Mass Tort Cases

Speakers included: Professor Ina Ebert, Munich Re; Tim Smith, CBM International Lawyers LLP; Samuel Sebree, Shook Hardy Bacon.

10 June 2013

Medical Devices in the EU and US

Joint event with MHRA.

Chaired by Sir Gordon Duff, Chairman, MHRA.

Speakers included: John Wilkinson, Director of Devices, MHRA; Pamela Furman Forrest, King & Spalding, Washington DC, an expert on US Devices regulations & liability.

2 October 2013

Product Safety and Market Surveillance Package: Cross Perspectives on the Commission Proposal

Speakers included: Peter Bischoff-Everding, European Commission, DG SANCO; Phil Earl, Department for Business Innovation and Skills (BIS); Claire Taylor, Hogan Lovells, London Office; Professor Geraint Howells, University of Manchester; and Sylvie Gallage-Alwis, Hogan Lovells, Paris Office.

12 November 2013

Oral Contraceptives: Medical, Regulatory and Legal Perspectives

Joint event with MHRA.

Chaired by Professor Sir Alasdair Breckenridge CBE, former Chairman, MHRA.

Speakers included: Dr June Raine, head of Pharmacovigilance at the MHRA; Professor Phil Hannaford, NHS Grampian Chair of Primary Care and Vice Principal of Research and Knowledge Exchange, Aberdeen University; Wendy Fleishman, Lieff Cabraser New York; Professor Mark Mildred, Nottingham Law School; Peter Feldschreiber, MHRA; 4 New Square; and Professor Richard Goldberg, University of Durham.

6 February 2014

Accountability Strategies in relation to Regulatory and Product Liability issues with Food and Drink Products

Joint event with the Food Law Group.

Chaired by Roger Gardner, former Legal Director for General Mills Europe.

Speakers included: William Hibbert, Henderson Chambers and Professor Alfred H. Meyer, German lawyer at Meyer Rechtsanwaelte.

20 March 2014

PLF Seminar on Punitive Damages in Europe

Chaired by Dr Solène Rowan (LSE).

Speakers included: Professor Erdem Büyüksagis (Fribourg University, Switzerland), Tim Cowen (Sidley Austin), Professor Ina Ebert (Munich Re), Dr Francesco Quarta (University of Bologna).

Research Projects

Access To Judicial Remedy: Ensuring Redress for Victims of Corporate Related Human Rights Abuses

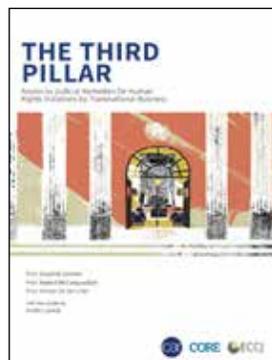
The UN Guiding Principles on Business and Human Rights rest on three pillars: the State duty to protect human rights; the corporate responsibility to respect human rights; and access to remedy for those whose rights have been violated. This research examined the third of these pillars, by identifying and analysing the barriers to access to judicial remedies for victims of human rights abuses, especially in relation to human rights violations by a corporation in developing states (and one without the rule of law) where the case is being brought in a developed state. The research was funded by three civil society bodies: the International Corporate Accountability Roundtable; CORE (the Corporate Responsibility Coalition); and the European Coalition for Corporate Justice.

The approach taken was to conduct consultations - in person and through the use of questionnaires - with key practitioners and experts, and to set out a range of case studies. The focus was on the situation in those industrialised states with large numbers of transnational corporations operating around the world, being Canada, France, Germany, the Netherlands, Switzerland, the United Kingdom and the United States.

The conclusions were that there are many legal and practical barriers that prevent victims from accessing effective remedies. Such barriers exist across all jurisdictions, despite differences in legislation, the approaches of courts, human rights protections at the national level, and legal traditions. In some jurisdictions, legislatures and judiciaries have developed law that has functioned to shield businesses from liability for harm or to make it more difficult for victims to seek effective remedy. These barriers have been overcome in only some instances and, in those cases, usually as a result of innovative approaches adopted by lawyers, the

Project Director:
Robert McCorquodale

Research Fellow:
Lara Blecher



patience of victims, and a willingness to engage by perceptive judges. The research included a range of recommendations to states, both general and specific, setting out legislative and policy changes regarding the greatest of these barriers.

The research was published as a report: "The Third Pillar: Access to Judicial Remedies for Human Rights Violations by Transnational Business".

The Report was written in partnership with Gwynne Skinner, Olivier De Schutter and Andie Lambe. It is available at:

www.accountabilityroundtable.org/wp-content/uploads/2013/02/The-Third-Pillar-FINAL.pdf

It was launched at the World Business and Human Rights Forum in December 2013 and has led to considerable interest, events and active engagement by a wide range of stakeholders.

Best Treaty Practice

BIICL has been working with the Centre for International Law Singapore (CIL) on a joint project to carry out training and research on treaty law and practice. Treaty experts with extensive practical treaty experience in government and international organisations have been engaged to provide advice and contribute to the training programme.

The project began with an International Workshop on Treaty Law and Practice for government and secretariat officials from the Southeast Asian region, which took place in Singapore.

The two bodies are working together to publish a book on treaty practice for a broad readership worldwide in governments, international organisations and beyond, and have received offers from leading publishers. Further workshops in the Southeast Asian region are also planned.

The project has created an online compilation of constitutional and legislative provisions on treaty practice, which has been updated this year. This Compilation covers all ASEAN member States and ASEAN itself, as well as selected other States and international organisations. It is available on the BIICL website at

www.biicl.org/treatypractice/compilation

and on the website of CIL at

www.cil.nus.edu.sg.

Bibliographies and other materials have been added to this resource, which will accompany the book and also provide a useful research tool in its own right for users and scholars of treaty practice worldwide.

Project Directors:

Jill Barrett (for BIICL)

Robert Beckman (for CIL)

Citizenship and the Rule of Law

In December 2013 the Bingham Centre was awarded a generous grant of £100,000 from the Legal Education Foundation for a project on Citizenship Education and the Rule of Law.

Aimed at Key Stage 3 pupils (aged 12-14 years), the project will develop a suite of resources and provide support for teachers to build rule of law issues into the national citizenship curriculum. The resources will explain thought-provoking rule of law concepts in a way that informs how students think about complex contemporary debates on the rights and duties of being a citizen.

It is especially timely as the 2013 government review of the citizenship curriculum resulted in a heavier focus on understanding law and democracy. Against this backdrop, this complementary and innovative course of study will provide a vehicle for understanding law, democracy, rights and responsibilities in the UK and abroad. The flexible programme of work will incorporate print-based, audio-visual and web-based materials as well as case studies that bring rule of law concepts to life.

The project commenced in February 2014 and will run over 18 months.

Project Directors:

Lawrence McNamara
Naina Patel

Research Fellow:

Xiao Hiu Eng

Climate Change and its Impacts on Security and Survival

This research project, funded by the Commonwealth Secretariat, consists of an assessment of the adequacy of legal frameworks in the Commonwealth applicable to populations displaced due to climate change, both within States and between States, and their access to vital (ie subsistence) natural resources, especially to water. The research covers all six regions of the Commonwealth (Africa, Americas, Asia, Caribbean, Europe, Pacific), with a focus on the situation in small island developing states, as well as other states which are particularly vulnerable to the impact of climate change on population displacement and access to water, including coastal states.

In order to consider the adequacy of the current legal frameworks, the research examines the relevant international and regional legal principles, instruments and other arrangements (such as cooperation mechanisms), as well as investigating the legislation, legal policies and practices at national level. It considers the issues of access to subsistence resources and climate-related forced migration in the Commonwealth and the adequacy of the legal frameworks applicable within the Commonwealth on these issues.

A first report was submitted in August 2013 to the Commonwealth Secretariat. Following its presentation at the Commonwealth Senior Law Officials meeting, which took place in September 2013 in London, the team finalised its report which will now be presented to the Commonwealth Law Ministers Meetings in Botswana in May 2014.

More information can be found here:
www.biicl.org/research/climatechange

Project Team:

Robert McCorquodale
Lara Blecher
Kristin Hausler

External Advisor:

Malcolm Forster

Comparative Statutory Provisions and the Retention of the Common Law

This was a study undertaken in early 2014 in comparative statutory interpretation with application to a business and human rights issue in West Africa. The project examined the approach of Commonwealth jurisdictions to the historical incorporation of English Common Law, its retention and development as domestic common law, and the principles applied by the courts when interpreting legislation which potentially overlaps with the common law.

The study was commissioned within a short timeframe and five relevant Commonwealth jurisdictions were selected for review: Australia, Ghana, India, Malaysia and South Africa. The study found significant commonalities in both the status of the common law and in the general principles and presumptions of statutory interpretation in these jurisdictions.

Project Director:

Robert McCorquodale

Research Fellow:

Jan van Zyl Smit

Constitutional Awareness in Burma

The Bingham Centre has continued to be active in Myanmar, building on work there prior to this year.

The Constitutional Awareness Manual

In September 2013, at the request of the Burmese parliamentary committee on the Rule of Law, we wrote a Manual on Constitutional Options. It was produced in English, and translated into Burmese and published by Lexis Nexis. This 28-page guide to the Constitution and constitutional reform covered three main areas:

- What is a constitution?
- Key provisions of the current Burmese Constitution
- Possible areas for reform

Constitutional Awareness - Myanmar (in English) can be downloaded at:

www.biicl.org/files/6646_burma_constitutional_awareness_booklet_-_english_version_%28%29.pdf

Constitutional Awareness workshops in Myanmar

The Centre sent staff to Myanmar on two occasions in October and November 2013.

The first visit provided training for around 90 lawyers and there were meetings with relevant parliamentary committees. The second visit ran for ten days with the Centre providing two staff touring ten cities with the Myanmar Lawyers Association to run workshops with local groups.

The visits facilitated the writing by local groups of

Project Director:

Jeffrey Jowell
Naina Patel

Consultant:

Alex Goodman

200 submissions on the reform of the Myanmar Constitution and with local lawyers then continuing the training a further 300 submissions were made. These were delivered to the parliamentary committee as part of the reform process. Plans are already in place for staff to return again to continue this and related work on constitutional options.



Constitutional Awareness Workshops in Burma

Focus on Collective Redress

The “Focus on Collective Redress” Project is European Commission funded (JUST/2011-2012/JCIV/AG/3398) and officially started in January 2013.

It aims at developing a comprehensive European and cross-national study on collective redress, through a European Network of academics, practitioners, policy-makers, consumers and SME representative bodies. The project will serve as a resource for practitioners and academics, but also for European legislatures seeking to develop appropriate laws on collective redress.

The core of the project is a comprehensive website providing cross-national comparisons on collective redress mechanisms and case law in the EU, underlining issues of commonality and difference, informing about progress on legislation at the EU level and on difficulties of cross-border collective redress.

The website has been established and is available here:

www.collectiveredress.org



A screenshot from the new website

Research Fellows:

Eva Lein
Duncan Fairgrieve

Consultants:

Marta Otero Crespo
Vincent Smith

Steering Committee:

Vincent Smith, Sheppard and Smith and BIICL;
Dr Eva Lein, BIICL
Dr Marta Otero Crespo, Universidade de Santiago de Compostela and BIICL;
Dr Duncan Fairgrieve, BIICL
Professor Astrid Stadler, Universities of Konstanz and Rotterdam;
Professor Rachael Mulheron, Queen Mary University of London;
Professor Richard Fentiman, University of Cambridge;
Hélène van Lith, Sciences Po, Paris; Paul Lomas, Freshfields
David Burstyner, Omnibridgeway;
Alexander Layton, 20 Essex Street

The project also comprises meetings, seminars and publications. Recent seminars included: the BIICL Annual Conference “Righting Private Wrongs: Competition Law, Investor Claims and Mass Litigation in the EU” in which speakers reflected on current developments in UK competition law, on the options of involving public bodies in private actions and on cross-border investor claims; and “The Commission Recommendation on Collective Redress” . This seminar addressed the principles established by the Recommendation for national collective redress mechanisms in the Member States to achieve EU wide coherency; debated which actions need to be taken by the Member States, especially the UK; and reflected on the impact that these changes will have on citizens and their rights to redress.

A publication is planned for the end of 2014.

BIICL works on this project with the following partner institutions:

- Wirtschaftsuniversität Wien (AT)
- Universidade de Santiago de Compostela (ES)
- Istituto Universitario di Studi Europei (IT)
- Vilniaus Universiteas Teises Fakultetas (LT)
- Faculdade de direito da Universidade de Coimbra (PT)
- Juridium, Institutionen for Juridik, Psykologi och Socialt Arbete (SE)
- Stichting Katholieke Universiteit Brabant (NL).



**With financial support
from the Civil Justice
Programme of the
European Union**

Education and International Law in Conflict and Insecurity

Since the publication of “Protecting Education in Insecurity and Armed Conflict: An International Law Handbook” in 2012, a number of developments have occurred in the protection of education in insecurity and armed conflict under international law. To keep the Handbook current, BIICL will publish yearly briefings containing the relevant updates in the area.

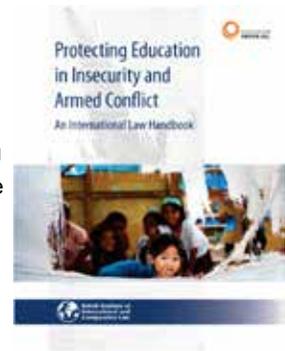
The first briefing, which contains the 2013 international legal developments relating to this topic, was published in early 2014, and is also available to download for free from our website:

www.biicl.org/research/education

In addition, the Handbook has been an essential aspect in the provision of training on the legal frameworks protecting education in times of insecurity and armed conflict. It was the key tool in a regional forum organised by the UN OHCHR for the MENA region and PEIC, at the Dead Sea in Jordan in January 2014, at which BIICL provided some training.

Research Team:

Robert McCorquodale
Kristin Hausler
Nicole Urban



Factors Influencing International Litigants' Decisions to Bring Commercial Disputes to London Courts

BIICL has been commissioned by the UK Ministry of Justice to conduct a survey on factors influencing litigants' decisions to bring commercial disputes to London based courts. The work will assist the Ministry of Justice in developing an evidence base on the drivers behind decisions to bring commercial litigation and where to seek redress.

The project involves a broad fieldwork process including an online survey and qualitative interviews with legal practitioners and litigants in the UK and abroad who assess the advantages and disadvantages of litigation in the UK. The assessment includes the reasons for choice of court agreements in favour of English courts and choice of law clauses in favour of English law; the competitiveness of English courts as compared to other jurisdictions and arbitration; and the impact that increased court fees might have on the UK as a forum for the litigation of commercial claims.

Within the context of this project an event was organised in March 2014 entitled "Litigating in the UK – Why or Why Not?".

Project Directors:

Robert McCorquodale
Eva Lein
Lawrence McNamara

Research Fellows:

Jose Maria del Rio
Hayk Kupelyants

Immigration Detention and the Rule of Law

The Bingham Centre was awarded a research grant by the Nuffield Foundation in July 2012 to undertake a study on Immigration Detention and the Rule of Law.

This project considered the problems and challenges of immigration detention and the question of appropriate rule of law standards considering law and practice from domestic, regional (EU and ECHR), international and comparative sources. The product of the research was a set of Safeguarding Principles for use by decision-makers, policy-makers, individuals currently in detention or facing detention proceedings, and their advisors. In addition to considering international and regional standards, the study benefits from a selection of national reports from focus States, chosen according to annual inflows of foreign nationals.

A major part of the project consisted of an expert workshop, in which civil society, members of the judiciary and practitioners from across Europe provided commentary and critique on a set of draft Safeguarding Principles. The Centre received a considerable amount of useful and important input both at the workshop and afterwards, which substantially influenced the final Safeguarding Principles and Commentary.

The Safeguarding Principles and accompanying commentary were drafted by Michael Fordham QC and Research Fellows, Justine Stefanelli and Sophie Eser.

'Immigration Detention and the Rule of Law: Safeguarding Principles' and the national reports can be downloaded at:

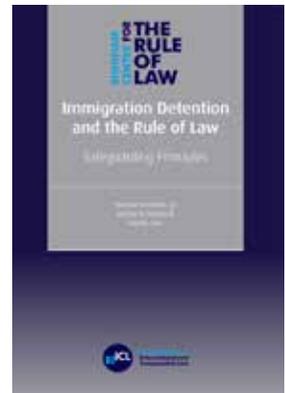
www.biicl.org/binhamcentre/activities/immigrationdetention/final_documents

Project Directors:

Michael Fordham QC
Justine Stefanelli

Research Fellow:

Sophie Eser



International Humanitarian Law and Media Professionals

In 2012 BIICL commenced a project, commissioned by the British Red Cross, undertaking research into the legal position of media professionals in armed conflict.

A Handbook and a Field Guide for media professionals on dangerous professional missions in conflict zones will be published this year. These publications will provide information to members of the media about how International Humanitarian Law (IHL) protects them in conflict zones and also the IHL responsibilities of media professionals. This research builds on the ongoing work of the British Red Cross aimed at increasing awareness and understanding of IHL among media professionals.

BIICL has consulted widely among members of the media with conflict reporting experience. A Media Panel, comprising several media experts with experience in conflicts, was established to advise on the practical requirements of the publications in order to enhance their usability in conflict situations.

Research Team:

Nicole Urban
Andraž Zidar

Judicial Review, Legal Aid and the Rule of Law

In late 2012 the UK government embarked on a series of major reforms to judicial review, including proposing changes to legal aid funding for judicial review. These reforms raised significant rule of law issues.

The Bingham Centre engaged extensively with the reform proposals. Responses were submitted to each of the four Ministry of Justice consultations in 2013. Evidence was given to the Joint Committee on Human Rights Inquiry into the reforms, including oral evidence given at the Committee's invitation. The proposed reforms were modified by the Government over time, including in several ways along the lines suggested by the Centre.

In October 2013 the Centre established an independent review into judicial review procedures. Michael Fordham QC headed the review with a team of three barristers, Martin Chamberlain QC, Iain Steele and Zahra Al-Rikabi. In February 2014 the team delivered its 43-page report, making 25 recommendations regarding the possible ways of improving judicial review procedures in the Administrative Court, to save and protect public funds, in a manner consistent with the rule of law.

The report attracted attention immediately on its release. When the House of Commons Public Bill Committee was considering the reforms in March 2014, the Streamlining Judicial Review report was discussed frequently by both Committee members and those giving evidence to the Committee. We hope it will continue to have an impact and our web site will provide updates on progress.

Project Directors:

Jeffrey Jowell
Michael Fordham QC

Research Fellows:

Lawrence McNamara
Lucy Moxham

External Fellows:

Dr Mark Elliott
Stephen Grosz QC
Dr Tom Hickman

Reparations for Education-Related Violations of International Law

In 2013, BIICL published a report on the law and practice of reparations for education-related violations of international law. This project followed up on the research already completed by the Institute on the protection of education in insecurity and armed conflict, which culminated in the publication of “Protecting Education in Insecurity and Armed Conflict: an International Law Handbook”.

This new Report considers how attacks on education during insecurity and armed conflict have been redressed in the past and may be redressed in the future. In identifying innovative approaches and new trends in the field of reparation, it reflects on how education can be used as a means of reparation and as a means to minimise the risk of conflicts recurring. In doing so, the research that forms the publication brings together wide-ranging examples of law and practice from the international, regional and domestic spheres through an analysis of the relevant law in each sphere. This approach provides a strong foundation for recommendations for relevant future legal and policy decisions. These will assist those involved in the field in strengthening the right to reparation for education-related violations, as well as promoting the use of education as a means to repair the harm caused by other kinds of wrongful acts.

The Report is accompanied by a concise Summary written specifically for non-legal audiences. Electronic and downloadable copies (in PDF) of the Report and the Summary are available here:

www.biicl.org/research/reparations/

This project was commissioned by Protect Education in Insecurity and Conflict (PEIC), a Qatar-based organisation. The Report was first launched in Doha on 31 October 2013, as part of the World Innovation Summit for Education (WISE) Conference. It was then launched in London on 28 January 2014 as part of a seminar on the latest developments in the field of reparations.

Research Team:

Francesca Capone
Kristin Hausler
Duncan Fairgrieve

External Consultant:

Conor McCarthy



Safeguarding the Rule of Law, Democracy and Fundamental Rights: A Monitoring Model for the EU

Research Fellows:

Justine Stefanelli

Lucy Moxham

The Bingham Centre was funded by the Open Society European Policy Institute (OSEPI) to conduct research into possible models of enforcement at EU- level aimed at safeguarding and promoting the fundamental EU values of the rule of law, democracy and fundamental rights. The Report reviews a selection of existing monitoring mechanisms in the European Union, Council of Europe and United Nations, and proposes ideal characteristics that any monitoring mechanism should possess. It also specifically discusses the EU's competence to create such a mechanism and evaluates several legal issues that are likely to surface during the EU's consultation process on these matters.

In addition to creating a dialogue around these issues, the purpose of the report is to feed into the European Commission's public consultation. To that end, it was submitted to the European Commission's recent consultation on the future justice policy of the European Union.

Following publication of the report and submission to the Commission's Assises de la Justice forum, a closed expert workshop was held in Brussels under the Chatham House Rule. The workshop was hosted by the Open Society European Policy Institute and the Bingham Centre for the Rule of Law, and was attended by representatives from the Commission, Parliament, the Council of Europe, the UN OHCHR, several member states and civil society organisations. The purpose of the meeting was to initiate a dialogue surrounding the conclusions of this report, with a view toward more firmly identifying issues that should be considered by the EU when determining what type of human rights monitoring mechanism should be developed at EU level. Several aspects discussed at the workshop will be incorporated into the report, and an updated version will be available online in May 2014.

The current version can be downloaded at:

www.biicl.org/files/6758_main_report_15_11_2013_commission_consultation.pdf

The Role of Regional Courts in Africa

The role of supranational courts in setting standards of the rule of law is important in many different areas of the world, and Africa is no exception. With the generous support of White and Case LLP, the Bingham Centre is engaged in research to examine the contribution that regional courts have made to the rule of law in this continent, including the African Court and Commission on Human and Peoples' Rights as well the Court of the Economic Community of West Africa (ECOWAS), the East African Court of Justice and the tribunal of the Southern African Development Community (SADC).

Following an initial meeting with experts in London, Jeffrey Jowell and former research fellow, Mia Swart, presented their interim findings at the 2013 Commonwealth Law Association conference in Cape Town. Research Fellow, Jan van Zyl Smit, has held further discussions with experts in South Africa and is completing a report which will deal with recent developments including the controversy surrounding the decision of Southern African heads of state to abolish the right of individual access to the SADC tribunal.

Project Director:

Jeffrey Jowell

Research Fellow:

Jan van Zyl Smit

International and Comparative Law Quarterly



General Editors:

Professor Robert McCorquodale, Director of BIICL
Professor Malcolm Evans OBE, University of Bristol

Editorial Board Members:

Professor Ian Cram, University of Leeds
Professor James Fawcett, University of Nottingham
Professor Paula Giliker, University of Bristol
Professor Dominic McGoldrick, University of Nottingham
Dr Louise Merrett, University of Cambridge
Professor Christine Gray, University of Cambridge
Professor Joanne Scott, University College London

Assistant Editor:

Anna Riddell

When founded in 1952, the ICLQ was the only journal which offered the reader coverage of comparative law as well as public and private international law. Since then it has maintained its pre-eminence as one of the most important journals of its kind and it continues to offer practitioners and academics wide topical coverage without compromising rigorous editorial standards.

Under the general editorship of Malcolm Evans OBE and Professor Robert McCorquodale, the journal continues to attract scholarship of the highest standard from around the world. The Editors continue to welcome contributions which are selected on the basis of excellence, reflecting the independence of the ICLQ and BIICL as a whole.

In 2013 the ICLQ moved to an online submissions system via ScholarOne, and to FirstView, which publishes articles online as soon as they are ready, for later collation in a print issue, allowing us to ensure prompt online publication of time-sensitive pieces. It also helps ensure the ICLQ is published within the cover month.

We are also delighted to have risen ten places in the Thomson Reuters Impact Factor assessment in 2013, and we now occupy 54th place, becoming the second highest-ranked international law journal on the list. This reflects the growing recognition by the citation index of the prestige of the ICLQ amongst scholars internationally.

The Annual Lecture on 15 April 2013 was given by Dr Myriam Hunter-Henin on religious freedom in France, and the 2012 Young Scholar Prize was awarded to Ugljesa Grusic of Nottingham University, due to the generosity of Cambridge University Press.

Membership of BIICL brings with it a free subscription to the ICLQ, or it is available as a personal annual subscription from the distributor Cambridge University Press. More details are available at: www.biicl.org/subscriptions

Books

This year BIICL has published three books, two being the culmination of research projects, and a third the proceedings of one of our most popular conferences on the anniversary of ten years of operation of the International Criminal Court, edited by one of our Senior Research Fellows, Andraž Zidar.

Two of these titles, 'Immigration Detention and the Rule of Law', produced by the Bingham Centre, and 'Education and the Law of Reparations in Insecurity and Armed Conflict' produced by BIICL are available to download in full for free on our website. There is also a summary document available for each report. To access these reports please visit our Publications page and click on 'Reports and Other Publications'.

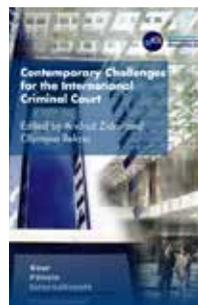
Contemporary Challenges for the International Criminal Court

Andraž Zidar and Olympia Bekou (Eds)

Published April 2014

This title examines the first ten years of operation of the International Criminal Court, the difficulties it has faced and how it has overcome them, looking forwards to future challenges and possible approaches. It features a preface by Professor M Cherif Bassiouni and a Foreword by Judge Howard Morrison, and its contributors are leading specialists in the field of international criminal justice.

Member £51 **Non-Member** £85



Education and the Law of Reparations in Insecurity and Armed Conflict

Francesca Capone, Kristin Hausler, Duncan Fairgrieve and Conor McCarthy

Published October 2013

This book details how redress for attacks on education has been provided in the past, and how it could be in the future, identifying innovative approaches and new trends in the field of reparations. Electronic and downloadable copies (in PDF) of the Handbook and the Summary are available on our website.

Member Free **Non-Member** Free



Immigration Detention and the Rule of Law: Safeguarding Principles

Michael Fordham QC, Justine Stefanelli and Sophie Eser

Published October 2013

This book produced by the Bingham Centre for the Rule of Law takes a fresh look at immigration detention, and produces 25 safeguarding principles to promote accountability under the rule of law.

It is available to download for free on our website in full or summary format.

Member Free **Non-Member** Free



Events

The Institute has organised over 50 events in the period covered by this Report. The events have covered diverse subject areas, including 'Do Our Tax Systems Meet the Rule of Law?', 'International Law and Cyber Security' and 'Global Health Law'. Once again we organised a number of Rapid Response Seminars at short notice, on highly relevant topics, such as 'Suing the Military' and 'Humanitarian Intervention, International Law and Syria'. Throughout the year we have held several successful events in the Arthur Watts public international law seminar series sponsored by Volterra Fietta, as well as events in the Temple Garden Chambers International Adjudication Seminar Series.

BIICL's Annual Conference took place in June 2013 entitled, 'Righting Private Wrongs: Competition Law, Investor Claims and Mass Litigation in the EU'. This was followed by the Annual Grotius Lecture and Dinner. The Lecture was delivered by Lord Phillips of Worth Matravers KG PC on the topic, 'Group Litigation and Limitation: Who Knows What When?'

In September 2013 we ran - for the first time - a four day short course on International Law in Practice. The course was aimed at individuals in the early years of legal practice, those working in governmental and non-governmental organisations with legal elements to their work, and post graduate students studying international law. The



programme provided a concise introduction to key issues across a broad range of aspects of international and comparative law – from public to private and from commercial to human rights - and was led by many of the Institute's leading researchers and practitioners. The course was fully booked and a success. The Institute will continue to run short courses with the next "International Law in Practice" planned for April 2014.



Participants on the International Law in Practice Course with Dame Rosalyn Higgins

In January 2014 we held the Annual Merger Conference. Now in its 11th year, the decision was taken to hold the event in Brussels. This was to enable us to reach interested attendees from the continent more easily and to raise the profile of the Institute amongst the business and student sectors there. The conference was well attended throughout, with much positive feedback received on the range of topics covered.



Sir Christopher Greenwood delivering the 2014 Grotius Lecture at the Law Society

Law’.

In early February 2014 we held another major event. This year we moved away from having an Annual Conference, and held the Annual Grotius Lecture and Dinner in the impressive surroundings of the Law Society building. Sir Christopher Greenwood CMG of the International Court of Justice delivered the Lecture to a sell-out audience on the topic ‘The Contribution of National Courts to the Development of International

The Lecture was chaired by our President, Rosalyn Higgins. The speaker at the Dinner was Guy Martin of Carter-Ruck, who has been acting for Sheikh Yassin Abdullah Kadi, whose cases have challenged the UN/EU legal relationship arising from sanctions.



Chairman of the Board of Trustees Sir Franklin Berman (L) and Director of BIICL Professor Robert McCorquodale (R) with Chair of the Annual Grotius Lecture and President of BIICL, Dame Rosalyn Higgins and our speaker, Sir Christopher Greenwood

Marketing

Over the past year the marketing function has taken a strategic approach towards planning and implementing marketing activity that has concentrated on increasing membership numbers and event customer care and quality. It has also focused energies on enhancing knowledge and understanding of BIICL's achievements, what it offers and what it does, to all of its target audiences – to help ensure BIICL remains an authoritative voice in all areas of international and comparative law.

Brand refresh

In October 2012, BIICL commissioned the design agency, Howdy, to review and refresh its visual brand and deliver a related, but distinctive, brand for the Bingham Centre. BIICL worked closely with the agency to deliver a contemporary and professional brand identity, aligned to the organisation's values and mission. The new identity retained elements from the previous version to ensure continuity but also to signal BIICL's development as an organisation.

The last six months has seen the new brand selectively rolled out across internal and external communications and materials. Staff have been supported to implement the new Brand Guidelines, ensuring consistent communication to various audiences. The brand will continue to grow from strength to strength. Consistent branding will improve the perception of the Institute as a progressive and contemporary organisation, reinforce institutional strengths, and raise awareness of BIICL and the profile of its work. It will also aid future development by attracting new supporters and funding.

New website

The new website will be launched in April 2014. The design is user friendly, attractive and dynamic; and the site will act as a communication tool to showcase BIICL's expertise and activities. The site has the flexibility to keep pace with rapidly changing technology and support the Institute's growing needs by supporting service processes, marketing and event objectives. It will also encourage the generation of additional income for our work via fundraising and other external support.

New database

In 2012 we invested in effective customer relationship management (CRM) software and has since focused efforts on moving data and processes to the new database system. The software has extensive and powerful functionality and will help BIICL to better understand the people that matter to the organisation. The CRM is integrated with financial systems and able to analyse marketing communication activities. The new system has so far been used to improve the quality of mailings sent to database contacts, better manage event activities and payments, process membership renewals and

aid effective and regular engagement with BIICL members and those that attend our events. In future it will also be utilised as a fundraising tool by the Development team.

Membership campaign

BIICL has been focusing on communicating more clearly the 'added value' of membership to members and non-members alike. In August 2013, a comprehensive analysis of membership was conducted from all aspects and channels, to gather new information. All current members were invited to complete an online survey. The survey provided members with an opportunity to update their information, tell us what matters to them, how we are performing, what member benefits they find most beneficial and whether they will continue as members. Lapsed members were also asked to complete a survey to improve our understanding as to why they choose not to renew their membership.

The responses to both surveys provided valuable insight into the key areas that need to be addressed to enhance the member experience, and have had a direct impact on how we structure membership retention and growth activity. We will communicate any improvements or new processes to members so they know that their feedback has been taken on board. For comparison purposes, another membership survey will be carried out in late 2014.

Additional marketing highlights include:

- A range of professional and consistently branded marketing materials have been produced, including leaflets, brochures and flyers to effectively promote events and the work of the Institute, the most recent being A4 and A5 flyers promoting the Citizen Education and the Rule of Law project and an update of the Bingham Centre Appeal brochure.
- New branded, high quality signage has been placed in BIICL's areas of Clore House featuring the BIICL and Bingham Centre logos.
- A proactive approach has been taken to update press contacts, develop media relations and invite the press to BIICL and Bingham Centre events. This has led to a notable increase in media exposure.
- A number of print adverts promoting events and membership have been placed in relevant law publications, including Solicitors Journal, Tax Journal and the UK Student Guide. Online ads have also been placed on the Law Society, PaRR and Young Lawyer websites.
- Active use of social media platforms such as Twitter, LinkedIn and Facebook have provided the opportunity to engage with new audiences and promote BIICL's activities on a global scale.

Development

To ensure the sustainability of BIICL, our development team, directors and researchers are working constantly to secure unrestricted funding, project funding and sponsorship. By supporting our work donors and funders have an opportunity to make a profound and prolonged contribution to the development of the world in which we live.

Research Support

We are delighted to announce further major support for our research activities. The Dorset Foundation has kindly agreed to support the Dorset Senior Research Fellowship in Public International Law for a further 4 years. Herbert Smith Freehills LLP will continue to support the Senior Research Fellow in Private International Law for a further 3 years. In addition, we are extremely fortunate to have had the continued support of the Vivmar Foundation in relation to the Maurice Wohl Fellow in European Law.

Sponsor of the Year Award

The Annual Sponsor of the Year Award 2014 was presented to Freshfields Bruckhaus Deringer LLP, in recognition of their support since 2009 which has been transformative for BIICL.

BIICL Fund

This Fund provides an opportunity for members and friends to support BIICL and enhance its status as a leading independent research Institute. The Fund concentrates on raising unrestricted funds to ensure that there are resources available to support BIICL's core priorities and the flexibility to meet urgent needs.

The Bingham Appeal

The Bingham Centre for the Rule of Law was launched in 2010 and is devoted to the promotion and enhancement of the rule of law worldwide. The First Phase of the Appeal raised nearly £2.25 million, which enabled us to establish and launch the Centre. Under the Second Phase, the Bingham Appeal is aiming to raise £5m to fund the Centre's growing network of talented research fellows and a significant portfolio of applied research projects. Since the launch of the Second Phase, over £500,000 of unrestricted support has been received or pledged, including grants from the David and Elaine Potter Foundation and the Sigrid Rausing Trust.

We are extremely grateful to all of those donors who have contributed both in funds and through their time and effort to the Bingham Appeal. Space prohibits mentioning all of our donors but those who have given at a level of £500 and above are listed opposite.

Major Donors to the Bingham Appeal

£50,000 and above:

Ashurst LLP
Berwin Leighton Paisner LLP
The Rt Hon Lord Bingham of Cornhill KG
BP plc
Clifford Chance LLP
Freshfields Bruckhaus Deringer
Hogan Lovells LLP
Linklaters LLP
Macfarlanes LLP
The David & Elaine Potter Foundation
Shell International Ltd
Sidley Austin LLP
Sigrid Rausing Trust
Simmons and Simmons LLP
Slaughter and May (current and retired partners)
Vivmar Foundation

£10,000 and above

3 Verulam Buildings
Robin Allen QC
Allen & Overy LLP
Sir Christopher Bellamy QC
Kate Bingham
Lady Bingham
The Rt Hon Sir Henry Brooke
The Hon Charles N Brower
The Peter Cruddas Foundation
DLA Piper LLP
Barbara Dohmann QC
Fountain Court Chambers
Lady Fox CMG QC
Richard Godden
IBA Charitable Trust
The Law Society
Alexander Layton QC
Iain Milligan QC
David Perry QC
The Pilgrim Trust
The Salih Family
White & Case LLP
Timothy Young QC

£1,000 and above

The Rt Hon Sir Richard Aikens
The Hon Sir Robert Akenhead
Dame Mary Arden DBE QC
David Anderson QC
Clare Armstrong
The Hon Sir Richard Arnold
The Hon Sir David Bean
The Hon Sir Rodger Bell
Michael Beloff QC
Christopher (Kit) Bingham
The Hon Sir William Blair
Michael Brindle QC
Lord and Lady Browne-Wilkinson
The Hon Sir Roger Buckley
The Rt Hon Sir Richard Buxton
Monica Carrs-Frisk QC
The Rt Hon Sir John Chadwick
The Hon Sir Christopher Clarke
The Rt Hon Sir Anthony Clarke
Christopher Coombe
The Hon Sir Ross Cranston
Rhodri Davies QC
Eamonn Doran
The Drapers' Company
The Hon Sir Richard Field
Michael Fordham QC
Professor Malcolm Forster
The Rt Hon Sir Peter Gibson
The Rt Hon Sir Iain Glidewell
The Golden Bottle Trust
Professor Sir Roy Goode CBE LLD FBA QC
& Lady Goode
James Goudie QC
The Rt Hon Lord Griffiths MC
The Rt Hon Baroness Hale of Richmond
The Hon Sir Launcelot Henderson
Sir Christopher Hogg
The Rt Hon Lord Hope of Craighead
Michael Hutchings OBE
The Rt Hon Sir Michael Hutchison
The Rt Hon Lord Hutton
The Rt Hon Robin Jacob
Sir Francis Jacobs KCMG QC
The Hon Sir Edwin Jowitt

The Rt Hon Sir David Keene
The Rt Hon Sir Paul Kennedy Sir Jeremy
Lever KCMG QC
Clive Lewis QC
The Hon Sir Kim Lewison
Lord Lloyd of Berwick DL
The Rt Hon Sir Andrew Longmore
The Rt Hon Lord Mackay of Clashfern KT
The Estate of F A Mann
Gavin Millar QC
Richard Miller QC
The Rt Hon Sir Martin Moore-Bick
Guy Morton
The Rt Hon Sir John Mummery
Sir Torquil Norman
Timothy Oty QC
Tim Owen QC
The Hon Sir Robert and Lady Owen
The Rt Hon Lord Phillips of Worth Matravers
KG PC
Gavin Phillipson
The Rt Hon Sir Mark Potter
The Rt Hon Sir Stephen Richards
The Rt Hon Sir Bernard Rix
The Hon Mr Justice Roth QC
Peter Scott CBE QC
The Hon Mr Justice Singh
The Hon Sir Andrew Smith
Rhodri Thompson QC
V V Veeder QC
Sir Timothy Walker
The Rt Hon Lord Walker of Gestingthorpe
The Rt Hon Sir Mark Waller
Dame Juliet Wheldon DCB QC
The Rt Hon Lord Wilson of Culworth PC
The Hon Sir Roderic Wood
The Hon Sir Michael Wright

£500 and above

Daniel Alexander QC The Artemis Trust
The Rt Hon the Lord Brown of Eaton-under-
Heywood
Guy Beringer
The Rt Hon Sir Anthony Campbell
The Rt Hon Lord Carnwath of Notting Hill
CVO
The Rt Hon Lord Justice Coghlin
Julia Dias QC
The Rt Hon Lord Dyson MR
Sir William Gage
Robert Gasford
The Rt Hon Lord Justice Girvan
Peter Goodwin
Sir Charles Gray
Sir Michael Harrison
The HSM Trust
The Rt Hon Lord Justice Rupert Jackson
The Kariba Trust
The Rt Hon the Lord Kerr of Tonaghmore
Sir David Maddison
The Hon Mr Justice Bernard McCloskey
Sir Andrew Morritt
The Rt Hon Sir Roger Parker
Professor Gavin Phillipson
Stephen Powell
The Rt Hon Lady Justice Rafferty DBE
The Rt Hon Sir Christopher Rose
Nick Rumsby
The Hon Mr Justice Philip Sales
The Rt Hon Sir Christopher John Slade
The Rt Hon Sir Murray Stuart-Smith
The Rt Hon Lord Justice Underhill
Andrew Whittaker

The Arthur Watts Appeal

BIICL's Appeal for the Arthur Watts Senior Research Fellowship in Public International Law was founded in memory of the late Sir Arthur Watts, one of the leading international lawyers of his generation. The establishment of the Fellowship has been made possible by the generosity of numerous benefactors, including leading international lawyers and governments. BIICL is particularly indebted to Mr Allan Myers, AO QC of Melbourne, for his significant personal donation.

The Appeal was officially launched on 29 January 2013, and we pleased to report that nearly £400,000 has been raised towards the initial target of £500,000, including further support from the Binks Trust. We also continue our partnership with Melbourne Law School, including interns and Visiting Fellows. We are grateful to all of those donors listed below for their generous support of the initial phase of the Arthur Watts Appeal.

Dame Mary Arden DBE QC	HE Ms Dell Higgie
David Bentley	Dame Rosalyn Higgins DBE FBA QC
Sir Franklin Berman KCMG QC	Colin Keating
Sir Daniel Bethlehem KCMG QC	Professor Sir Elihu Lauterpacht CBE QC
The Binks Trust	HSH Prince Hans-Adam II of Liechtenstein
The Hon Charles N Brower	Professor Vaughan Lowe QC
Government of Brunei Darussalam	Professor Maurice Mendelson QC
Jeremy Carver CBE	Allan Myers AO QC
The Rt Hon Lord Collins of Mapesbury	Nigel Parker
David M Craig QC	The Hon Sir Richard Plender
Professor James Crawford SC LLD FBA	Professor Philippe Sands QC
David M Edwards CMG	VV Veeder QC
Sir Gerald and Lady Elliot	The Watts Family
Sir Michael Fay	Professor Stephen Weatherill
Foreign & Commonwealth Office	David Williams QC
Lady Fox CMG QC	Sir Michael Wood KCMG
Cecilia Gillett	Samuel Wordsworth QC
HE Judge Sir Christopher Greenwood CMG QC	2 anonymous donors

Sponsorship of Major Events

BIICL organises many events including conferences, lectures and seminars. There are sponsorship opportunities associated with these which enable organisations to raise their profile and connect with many senior practitioners and others working in the field. We are grateful to firms and organisations that have sponsored events during 2013/14. Sponsors in the UK and internationally have included:-

Brodies LLP	Mark Clough QC
Carter-Ruck Solicitors	Mayer Brown LLP
Carroll Burdick & McDonough LLP	Ministry of Justice
Civil Justice Programme of the EU	RBB Economics LLP
Education Above All Foundation	Shell International BV
Embassy of Japan in the UK	Shackleton & Associates Ltd
Faculty of Advocates	Temple Garden Chambers
Fondazione Cariplo	The Rt Hon Lord Lloyd of Berwick
Hausfeld & Co LLP	Volterra Fietta
Linklaters LLP	White & Case LLP
Herbert Smith Freehills LLP	Van Bael & Bellis

Funding Opportunities

In addition to the BIICL Fund, Bingham Appeal, Arthur Watts Appeal and sponsorship of events, we can offer the following opportunities to support our work and make a difference to the world in which we live.

Senior Research Fellowships

An annual donation of £100,000 over 5 years would enable a named Senior Research Fellow to be appointed. This provides an excellent opportunity for law firms and companies to raise their profile throughout the BIICL network of legal practitioners, judges, in-house counsel, government officials, consultants, academics and students world-wide.

Research Fellowships

An annual donation of £65,000 over 5 years would enable a named Research Fellow (a highly qualified researcher but not as experienced as a Senior Research Fellow) to be appointed.

Research Projects

A donation to support a particular research project could be made e.g. on business and human rights, corporate decision-making in foreign direct investment, intellectual property and international law, or sanctions and the rule of law. The amount required would depend on the extent and length of the project.

Internship Programme

Funding is vital to enable BIICL to attract the brightest interns from around the world, to contribute to its important programme of research and activities. An annual donation of £5,000 for five years would enable a named Internship Programme to be established.

How to Donate

European donors and funders

Organisations and individuals resident in Germany, Ireland and Netherlands can now donate to BIICL through Transnational Giving Europe which facilitates tax effective cross border giving in Europe. We hope to add other countries to this list in 2014. To make a donation via this scheme, please contact Keith Jeffries at Charities Aid Foundation (tge@cafonline.org) or call +44 (0)3000 123 380.

US donors and funders

Individuals, legal firms, corporates, trusts and foundations in the US who would like to support our work can now do so through the International Rule of Law Project Inc, a recently recognised 501 (c) (3) US public charity. Please contact BIICL's Deputy Director (p.ambrose@biicl.org) for further information.

Donations may also be made online by visiting www.biicl.org/support-us

If you have any questions about supporting BIICL's work, please contact the Development Office on 020 7862 5151 or s.horsley@biicl.org.

Staff, Consultants, Fellows and Interns

Director



Professor Robert McCorquodale
BIICL Director



Ghislain Guillaume
Research Fellow in Comparative Law

Bingham Centre



Professor Sir Jeffrey Jowell
KCMG QC
Director, Bingham Centre for the Rule of Law



Kristin Hausler
Associate Senior Research Fellow in Public International Law

Research



Jill Barrett
Arthur Watts Senior Research Fellow in Public International Law



Dr Eva Lein
Herbert Smith Freehills Senior Research Fellow in Private International Law



Lara Blecher
Research Fellow



Dr Philip Marsden
Senior Research Fellow and Director, Competition Law Forum



N. Jansen Calamita
Senior Research Fellow in International Trade and Investment Law and Director, Investment Treaty Forum



Dr Lawrence McNamara
Senior Research Fellow and Deputy Director, Bingham Centre for the Rule of Law



Francesca Capone
Research Fellow in Reparations



Lucy Moxham
Research Fellow in the Rule of Law



Sophie Eser
Research Fellow in Detention and Rule of Law



Naina Patel
Director of Education and Training, Bingham Centre for the Rule of Law



Dr Duncan Fairgrieve
Senior Research Fellow in Comparative Law and Director, Product Liability Forum



Justine Stefanelli
Maurice Wohl Associate Senior Research Fellow in European Law



Dr Jan van Zyl Smit
Research Fellow in the Rule of Law



Sandra Homewood
Bingham Centre Administrator



Dr Andraž Zidar
Dorset Senior Research Fellow in Public International Law



Bart Kolarski
Database and Technical Support Administrator

Publishing:



Professor Malcolm Evans
ICLQ Co-General Editor



Claudia Mansaray
Marketing Manager



Anna Riddell
Publications Editor



Alice Reynolds
Development Director



Geoffrey Sautner
General Manager

Administration:



Patricia Ambrose
Deputy Director



Darryl Seaman
Director of Finance



Stephen Hains
Administrative Assistant (from Aug 2013)



Jayantha Sivanathan
Finance Officer



Gabriella De Sena
Development Administrator (Nov 2012- Aug 2013)



Dave Sutton
Conference and Events Coordinator (from Nov 2013)



Suzie Horsley
Development Administrator (from Aug 2013)



Danielle Wright
Conference and Events Coordinator (to June 2013)

Consultants:

John Adenitire, Bingham Centre
Felix Anselm van Lier, Bingham Centre
Samuel Barnes, Statutory Provisions Project
Paul Barnett, Best Treaties Practice Project
Lara Blecher, Climate Change and Access to
Judicial Remedies Projects
Colm O’Cinneide, Bingham Centre
Alexis Cooke, Bingham Centre
Jose Maria Del Rio Villo, Ministry of Justice
Courts Project
Marta Otero Crespo, Collective Redress
Project
Gabriella De Sena, Development
Administrator
Mark Elliott, Bingham Centre
Dr Duncan Fairgrieve, Senior Research
Fellow
Ivan Hare, Bingham Centre
James Hoodless, Events Assistant
Alex Goodman, Bingham Centre
Hayk Kupelyants, Ministry of Justice Courts
Project
Anisa Mahmoudi, Statutory Provisions
Project
Conor McCarthy, Reparations Project
Eric Metcalfe, Bingham Centre
Naina Patel, Bingham Centre
Alice Reynolds, Development Director
Vincent Smith, Collective Redress Project
Magdalena Tulibacka, Collective Redress
Project
Nicole Urban, EAA and British Red Cross
Projects

Bingham Centre Fellows:

Professor Anton Cooray
Dr Mark Elliott
Michael Fordham QC
Stephen Grosz QC
Dr Tom Hickman
Julianne Hughes-Jennett
Maya Lester
Dr Eric Metcalfe
Peter Oliver
Professor Adam Tomkins
Philip Wood QC

Visiting Research Fellows:

Dr Abayomi Al-Ameen
Dr George Barker
Paul Barnett
Dr Giulio Bartolini
Alex Batesmith
Marta Bo
Claire Bright
Elena Consiglio
Tim Cowen
Dr Stephanie Dagrón
Andrew Dickinson
Huong Duong
Dimitrij Euler
Malcolm Forster
Francesco Gelmetti
Besim Hatinoğlu
Simone Hutter
Dr Agnieszka Jachec-Neale
Professor Cally Jordan
Jinsoo Jung
Soomi Kim
Professor Matthias Lehmann
Professor Chao-Chun Lin
Artemis Malliaropoulou
Daragh Mc Greal
Prof Carolina Mesa Marrero
Dr Norman Mugarurua
Dr Csongor Nagy
Koji Nishimoto
Leonello Perugini
Javier Valls Prieto
Professor Sam Ricketson
Franco Alunno Rossetti
Luis Velarde Saffer
Barrie Sander
Ikumi Sato
Professor Sabine Schlemmer-Schulte
Dr Heba Shahein
Vincent Smith
Professor Jane Stapleton
Roxana Vornicu
Jane Welch
Sarah Williams
Julius Zaleskis

Honorary Fellows:

Professor Don Greig
Professor Alan Boyle
Lady Hazel Fox CMG QC
Professor Margot Horspool

Interns

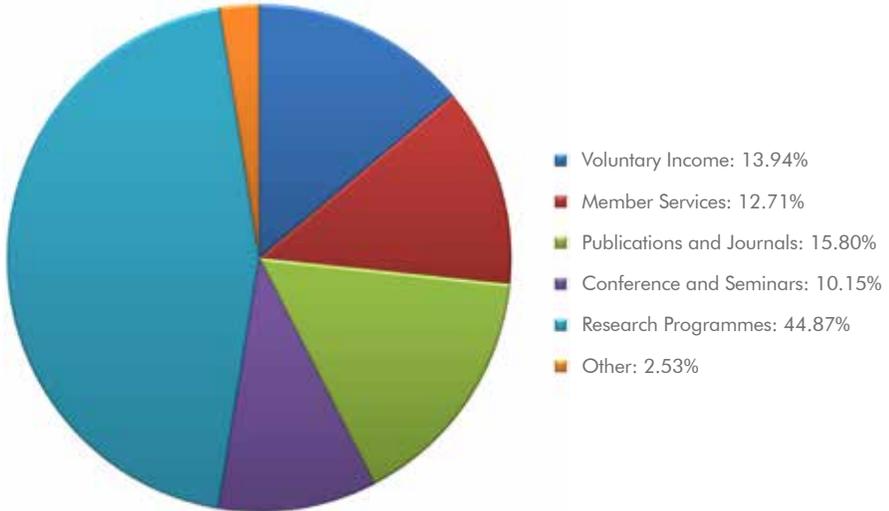
John Adenitire
Felix Anselm van Lier
Paula Atienza
Ali Auda
Audrey Bachert
Peta-Louise Bagott
Iago Banobre
Samuel Barnes
Diana Brown
Dominic Bright
Diana Brown
Meritxell Burcet
Andrew Butler
Alyssa Curry
Claudine Dalinghaus
Jose Maria Del Rio Villo
Myriam Denieul
Kerala Drew
Sadaf Etemadi
Yuwen Fan
Faran Foley
Sam Fowles
Nerea Goyoaga
Clemence Grenier
Kio Gwilliam
Andrina Hayden
Elena Ivanova
Noor Kadhim
Ruth Kennedy
Ali Khan
Elina Kyselchuk
Ernesto LaMassa
Nicholas Reed Langen
Sotiris Lekkas
Berenice Lemoine
Nina Levarska
David Liao
Yi Liao
Anisa Mahmoudi
Francesca Cristina Marino
Gareth McAloon

Aletta van der Merwe
Alice Morstyn
Chris Murnane
Okello Eugene Pacelli
Nicola Peart
Marguerite Perin
Nicholas Petrie
Ines Pierre de la Briere
Cheuk-man Poon
Amanda Reeves
Patricia Regules
Celia Rooney
Teresa Rudolph
Christine Ryan
Emma Luce Scali
Christoph Schmon
Richard Mackenzie Gray Scott
Jahangir Shafi
Catie Shavin
Naomi Snider
Shehara de Soysa
Natalia Spyridaki
Seetha Sriraman
Laurens Victor Steinmetz
Alice Taylor
Hadrian Tulk
Daniel Watson
Leo Zhi Wei
James White
Maria Xiouri
Monika Zajdler

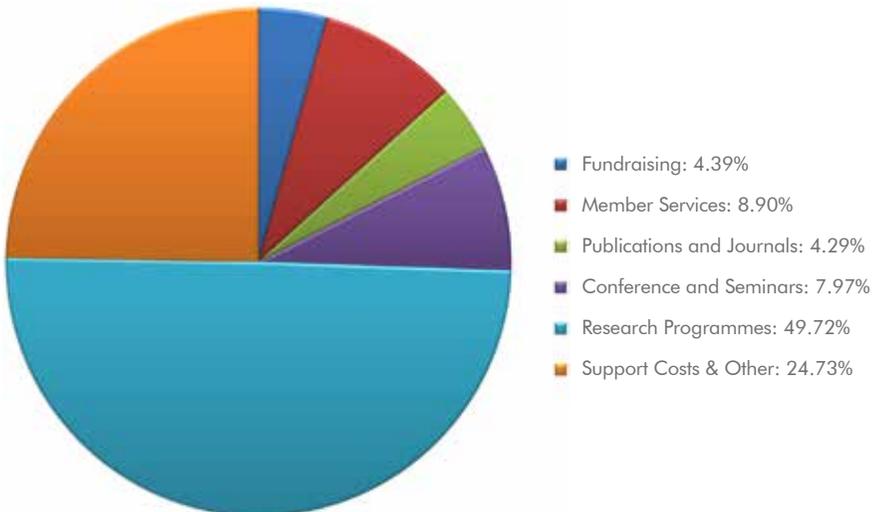
Summarised Financial Statements

For the year ended 31 December 2013

2013 Income



2013 Expenditure



**Summarised Statement of Financial Activities
(Incorporating an Income & Expenditure Account)
For the year ended 31 December 2013**

	2013	2012	2013	2013 Total	2012 Total
	Unrestricted & Endowment Funds (£)	Unrestricted & Endowment Funds (£)	Restricted Funds (£)	(£)	(£)
Incoming Resources					
Incoming resources from generated funds:					
Voluntary Income	1,337	1,388	231,397	232,734	248,373
Activities for generating funds:					
Fundraising grant income	-	50,000	-	-	50,000
Rental income	15,375	10,795	-	15,375	10,795
Investment and other income	20,191	19,513	6,580	26,771	29,973
Incoming resources from charitable activities:					
Member services	212,116	243,579	-	212,116	243,579
Publications and journals	257,115	240,738	6,529	263,644	245,150
Conferences and seminars	169,355	154,467	-	169,355	154,467
Research programmes	429,300	508,459	319,606	748,906	519,772
Total incoming resources	1,104,789	1,228,939	564,112	1,668,901	1,502,109
Resources Expended					
Costs of generating funds:					
Fundraising costs	16,665	47,648	61,201	77,866	69,921
Charitable activities:					
Member services	157,922	147,999	-	157,922	147,999
Publications and journals	76,222	67,888	-	76,222	67,888
Conferences and seminars	141,563	158,386	-	141,563	158,386
Research programmes	326,612	440,702	556,114	882,726	779,659
Support costs: Staff costs	247,558	191,959	-	247,558	191,959
Support costs:					
Premises & other costs	75,193	68,295	92,331	167,524	117,937
Support costs:					
Exceptional item	-	117,000	-	-	117,000
Depreciation & loss on disposals	15,449	8,549	-	15,449	8,549
Governance costs	8,580	8,148	-	8,580	8,148
Total resources expended	1,065,764	1,256,574	709,646	1,775,410	1,667,446
Net incoming / (outgoing) resources before other recognised gains and losses					
	39,025	(27,635)	(145,534)	(106,509)	(165,337)
Other movements in funds	13,497	36,112	20,037	33,534	11,160
Net movement in funds	52,522	8,477	(125,497)	(72,975)	(154,177)
Reconciliation of funds					
Total funds brought forward	1,174,461	1,165,984	975,996	2,150,457	2,304,634
Total funds carried forward	1,226,983	1,174,461	850,499	2,077,482	2,150,457

All of the above results are derived from continuing activities. There were no other recognised gains or losses other than those stated above.

Summarised balance sheet As at 31 December 2013

	(£)	2013 (£)	2012(£)
Fixed Assets			
Tangible assets	98,713		83,366
Investments	306,217		264,428
		404,930	347,794
Current Assets			
Stocks	5,859		5,130
Debtors	303,548		198,767
Cash at bank and in hand	1,984,678		2,333,351
	2,294,085		2,537,248
Creditors:			
amounts falling due within one year	(621,533)		(734,585)
Net Current Assets		1,672,552	1,802,663
Total Assets Less Current Liabilities		2,077,482	2,150,457
Endowment Funds			
Sunley – Percy Rugg Endowment Fund	140,255		140,255
Sunley – Sebag Shaw Endowment Fund	140,255		140,255
Barnett Shine Charitable Foundation Fund	121,532		121,532
		402,042	402,042
Restricted Funds		850,499	975,996
Unrestricted Funds			
General Fund	702,374		639,945
Fixed Assets Fund	98,713		83,366
Revaluation Reserve Fund	23,854		49,108
		824,941	772,419
		2,077,482	2,150,457

These summarised accounts have been prepared from the draft full annual accounts of the British Institute of International and Comparative Law. As such these accounts have not been extracted from the final full annual accounts and therefore have not been audited.

Their purpose is therefore to provide limited financial information as to the financial activities and results of the Institute for the year ended 31 December 2013 together with its financial position as at 31 December 2013. They may not contain sufficient information to allow for a full understanding of the financial affairs of the charity.

For further information, copies of the full audited accounts can be obtained from the British Institute of International and Comparative Law, Charles Clore House, 17 Russell Square, London WC1B 5JP.

