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From New York to Libya and from Singapore to Burma, as well as back in London, the Institute has been very active during 2012 and into 2013. Our research projects, events and publications continue to deal with some of the most interesting contemporary issues in international and comparative law. Our strengths range across – and between – public international law, private international law, comparative law and the rule of law, including collective redress, competition law, European law, international human rights law, international humanitarian law, investment treaty law, media law and product liability law.

Some of the highlights for me over this period have been:

• Jeffrey Jowell, Lucy Moxham and Sandie Homewood organising a meeting at the United Nations to discuss the rule of law, from which a General Assembly Resolution was passed.

• In the same week, my chairing of a meeting of leaders of a number of the key United Nations organisations and treaty bodies interested in protecting education in insecurity and armed conflict, in an event organised for and led by Sheikha Moza bint Nasser of Qatar to launch the book on this topic by Kristin Hausler, Nicole Urban and me.

• The appointment of a Deputy Director of the Institute, Patricia Ambrose, whose experience in administrative management has already proven to be invaluable.

• Our research project on collective redress, led by Duncan Fairgrieve and Eva Lein, and budgeted by Darryl Seaman and Jayantha Sivanathan, being successful in gaining funding from the European Commission.

• Exciting conferences on new topics led by Jansen Calamita, Philip Marsden and Andraž Zidar, and organised by Danielle Wright, Bart Kolerski (and previously Mike Hall) and our various events managers after Jane Nicholson-Biss left, initially on maternity leave.

• Submissions to the International and Comparative Law Quarterly being entirely on-line and with publication on time, due to the efforts of Anna Riddell and my Co-General Editor Catherine Redgwell and then Malcolm Evans.

• Naina Patel and her team giving seminars to Libyans on the drafting of new constitutions and the rule of law, and training treaty officials from South East Asia on treaty law and practice by Jill Barrett in collaboration with a centre in Singapore.

• Fascinating consultations with legal practitioners, government officials, NGOs and academics on key issues such as business and human rights, and immigration detention and the rule of law, thanks to the efforts of Lara Blecher and Justine Stefanelli.

• The enthusiasm of new Research Fellows, Francesca Capone, Ghislain Guillaume and Sophie Palmer, as well as the new Marketing Manager, Claudia Mansaray, as supported by Geoffrey Sautner and our administrative team.

• The official inauguration of the Arthur Watts Senior Research Fellowship in Public International Law and the first Bingham Centre Annual Lecture, organised by Alice Reynolds and Gaby de Sena (replacing Rosie Dickinson), with Sir Franklin Berman and the Bingham Appeal Board’s assistance.

• Celebrating 10 years of the Competition Law Forum.

• Engaged and interested Trustees considering our three year Strategic Plan and financial progress.

• Visiting Fellows from around the world, including the first Arthur Watts Visiting Fellows from the University of Melbourne, and excellent interns.

The above are just highlights from a busy period, which also included many other research projects and activities, including a visit to Burma by Jeffrey Jowell to speak on the rule of law with Aung San Suu Kyi. This Report sets out some of the main activities.

The Institute continues to do well in all its activities despite the on-going difficult economic climate, while the interest in international and comparative issues grows. I greatly appreciate all the support of its many members, participants, funders and others who recognise the real need for the Institute, as an independent applied research body, in these times.

This Report covers the period of 2012 and until the middle of 2013.

Professor Robert McCorquodale
Institute Director
Chairman of the Board of Trustees Report

The Trustees look back on the period under review with considerable satisfaction but at the same time with a sober assessment of the challenges facing the Institute in difficult times for all similar institutions.

Amongst these challenges the financial situation occupies a prominent place. The Institute’s finances ended 2012 better than expected, and in surplus overall. But in reviewing the Budget for the current year, the Board was reminded once again that, without fixed income or a substantial capital endowment (and even an endowment of that kind would now have been generating a far more meagre investment return), survival and success depend critically on research sponsorship and income-producing events. A new and unexpected, but sizeable, challenge emerged in the shape of an (as yet unquantified) liability to the University of London for a share of the cost of the staged refurbishment of Charles Clore House. The burden will fall unevenly over a number of future years, and the Board intends to make prudent and realistic budgetary and accounting arrangements for it to be met. The Trustees are all too well aware of the constant burden that this situation imposes on our staff, and grateful to them and to the Director, Robert McCorquodale, for their efforts to respond. A thoroughgoing study led by Susan Bright of the Institute’s policy towards organising and charging for events, was completed during the year and approved by the Board, and should help materially in that regard.

Against that must however be set a number of factors. Prime amongst them are the ever-improving arrangements for the Institute’s financial management. In addition to the role of the Director and his staff, the Trustees are particularly grateful to the Finance and Audit Committee, under the chairmanship of Ian Hobbs, for their invaluable service. There are notable enhancements, too, to the Institute’s internal management capability. The arrival of Patricia Ambrose to the new role of Deputy Director was warmly welcomed, and her experience in the field of higher education has already shown concrete results in the Institute’s accreditation as an Independent Research Organisation eligible for UK Research Council funding.

In the meanwhile the programmes of both the Bingham Centre and the Watts Fellow are forging ahead, and a very successful launch event for the latter was held in the presence of Lady Watts and many of Sir Arthur’s close associates. The Bingham Centre has a reconstituted appeal board under the joint chairmanship of Guy Morton and Guy Beringer.

Research output across the entire range of the Institute’s activities has been prodigious, and has led to an impressive range of publications, some of them under the Institute’s own imprint. A particular source of pride has been the continued success of the Institute’s flagship publication, the International and Comparative Law Quarterly, which holds its position as one of the leading journals in the field published by Cambridge University Press. A great share of that has been attributable to the dedication of Professor Catherine Redgwell as one of the two General Editors, who has now stepped down from the post on her election to the Chichele Chair in Oxford, and leaves with the Institute’s deep appreciation. She has been succeeded by Professor Malcolm Evans.

The year ahead is accordingly full of promise, with every confidence in the prospect that this will be realised.

Sir Franklin Berman KCMG QC
Chairman of the Board of Trustees
Impacts of BIICL Research in 2012-13

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

Meeting leading UN and treaty body leaders on protecting education in insecurity and armed conflict at the time of the UN General Assembly in 2012, which has led to changes in the understanding of the importance of these issues during and after both insecurity and armed conflict for the long-term sustainable development of the State, and the protection of human rights and humanitarian protection. This has had impacts regionally, especially in the Middle East and North Africa, due to the support of the Qatari based Education Above All Foundation, and in future work on reparations for those victims affected through education-related violations.

Direct impacts on in-house counsel and senior management working in the oil and gas sector from our research on applying the UN Guiding Principles on business and human rights in that sector. This was expressly applauded by the President of the Association of International Petroleum Negotiators and by other senior people in the sector.

Consultations with legal practitioners and civil society across many jurisdictions, including the UK, the US and continental Europe, on access to judicial remedies, which has given comparative information of encouragement and awareness to enable new ideas and opportunities for protecting victims around the world from violations of human rights by corporations.

Assisting Commonwealth States, especially small island developing States, to understand the impacts of climate change on their survival and security. This was affirmed at the meeting of Commonwealth Law Ministers, who then sought further research from the Institute on these issues.

The Institute’s Bingham Centre was instrumental in the convening of a United Nations meeting that led to an important declaration by the General Assembly on the rule of law.

The Institute’s response to a UK government consultation on private actions in competition law was influential in a change of government policy.

A submission was made by Steering Committee members of the Collective Redress Project in respect of the UK Government’s Consultation Paper on Private Actions in Competition Law (February 2013). It was focused specifically on the issue of collective settlements and the resultant Government Response made reference to it on a number of occasions.

Philip Marsden trained over 80 Bulgarian national and appellate level judges over three visits in 2012, on behalf of the European Commission.

Two Competition Law Forum meetings were held at the request of, and with the involvement of, the UK Government, considering aspects of the reforms to British competition law, including removal of the dishonest requirement for the cartel offence, and institutional changes to the decision-making system for antitrust cases.

Training and information was provided to government officials from the Association of South East Asian Nations (ASEAN) to enhance their knowledge and practice in relation to treaty law and practice.
The work of the Institute in clarifying international and comparative law through research, publications and events, and thereby assisting barristers in cases, was acknowledged with the appointment of Robert McCorquodale as a Bencher of Middle Temple, one of the oldest Inns of Court in London.

The high regard for the Institute and its impacts was recognised by the granting to the Institute of eligibility to apply for funding in its own name by the relevant UK higher education research councils: the Economic and Social Research Council and the Arts and Humanities Research Council.

The renewal of the publishing contract for the International and Comparative Law Quarterly by Cambridge University Press, showed the very high regard in which this Institute publication is held, as a leading journal in the world, which is also increasing its subscribers even in the difficult global financial climate.

The European Union approved guidelines on dealing with disaster responses and specifically mentioned the importance of the study on this area undertaken for the Commission and the Red Cross by the Institute.

A series of training courses on human rights and the rule of law for commercial judges were undertaken in St Petersburg, funded by the FCO.

Eva Lein is involved with a university in Seville in a research conference on reform of the Spanish Civil Code.

Jansen Calamita participated in a course on international arbitration for Sudanese lawyers.

The first decision of the International Criminal Court in Lubanga received submissions based on the Institute’s initial research on reparations in education.

One of our consultants on a research project, Conor McCarthy, won the prize for best article in the Journal of International Criminal Justice, which was written while he was a Visiting Fellow here.

The range of events and publications by the Institute enables increased public knowledge and awareness of important issues of international law, comparative law and the rule of law.

Training and information sessions were provided to enable capacity building in Libya in terms of constitutional changes. Naina Patel partnered with Lawyers for Justice in Libya, an independent NGO committed to promoting democracy, human rights, and the rule of law, to create a manual of training materials for their Destoori (“My Constitution” in Arabic) campaign. The manuals were used to introduce the public to constitutional opinions in the course of the Rehlat Watan Constitutional Bus Tour across the country, and hence will directly help broaden public knowledge of the constitution-making process.

The Competition Law Forum celebrated ten years of influence on law and policy domestically, in Europe and globally in 2012.
Robert has been involved as researcher, supervisor and in obtaining funding for a number of research projects, including protecting education in insecurity and armed conflict, and follow-on research on reparations; climate change and its impacts on security and survival; and two different business and human rights projects. He also assists as organiser, chair and sometimes panellist in Institute events, as well as providing advice and support to others.

He leads and manages the Institute, undertakes research, and has financial and development strategic responsibilities. In addition, he is the Co-General Editor of the International and Comparative Law Quarterly.

**Publications:**
- Protecting Education in Insecurity and Armed Conflict (BIICL, 2012) (with K Hausler and N Urban)
- ‘Human Rights Responsibilities in the Oil and Gas Sector: Applying the UN Guiding Principles’ Journal of World Energy Law and Business 1 (2013) 65 (with R Lindsay, L Blecher, J Bonnitcha, A Crockett and A Sheppard)

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Jeffrey is leading many of the Bingham Centre’s projects, including developing rule of law standards in Africa, improving conditions for freedom of expression in Bahrain, and responding to Ministry of Justice proposals on reforms to Judicial Review and Legal Aid. He has also provided evidence to a number of Parliamentary committees, including to the recent report of the House of Lords Constitution Committee on the Pre-emption of Parliament.

In September 2012, Jeffrey gave the Helen Suzman Lecture in Johannesburg on the appointment responsibilities of judges. In October 2012, he spoke at a one-day symposium and mock trial at Renmin University Law School focusing on rule of law issues, in which the senior Chinese minister responsible for legal reforms also participated. Jeffrey spoke at a seminar in Burma with Nobel Peace laureate Aung San Suu Kyi in February 2013, offering practical advice on the implementation of the rule of law, and how it will shape the country’s future development.

**Publications:**
- The seventh edition of the classic text, de Smith’s Judicial Review (which he authors with Lord Woolf and others) will appear in June 2013.
- Jeffrey has written opinion pieces in various newspapers.
Jill Barrett
Arthur Watts Senior Research Fellow in Public International Law

Jill is currently collaborating with the Centre for International Law, Singapore, on a project to carry out research and training in Treaty Law and Practice. It began with an International Workshop on Treaty Law and Practice for government and secretariat officials from the Southeast Asian region, in Singapore in January 2012. The two Institutes 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 is also developing a new collaborative relationship between the Institute and Melbourne Law School, Australia, as part of the Watts Programme.

The Arthur Watts Fellowship was formally inaugurated in January 2013, at an event at which Jill spoke about the aims and activities of the Watts Programme.

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.

She 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.

Activities:
• In June 2012 she visited Melbourne Law School to plan future projects, participated in the Antarctic Treaty meeting in Hobart, visited the Treaty Office of the Department of Foreign Affairs and Trade and the Parliament of Australia in connection with her research on treaty practice and delivered a public lecture at the Australian National University in Canberra.
• She has been appointed Visiting Professor in Public International Law at Kobe University, Japan.

Lara Blecher
Research Fellow

Completed in late 2012, the research by Lara and others on the UN Guiding Principles has been published on the website of project sponsor, the Association of International Petroleum Negotiators (AIPN). This is one of the first in-depth analyses of the scope of the newly developed Guiding Principles on Business and Human Rights. Though newly released, it has been well-received by a range of commentators and is included in a forthcoming scholarly piece on the topic, and likely to be used in applied research.

Additionally, Lara has been working on research regarding access to judicial remedies for victims of abuse stemming from acts of business enterprises.

Since August 2012, Lara has also conducted research on behalf of the Commonwealth Secretariat to assess the implications of climate change impacts for human migration and access to subsistence resources. This project, which will conclude in September 2013, will offer suggestions for Commonwealth law ministers on how to account for climate change impacts in domestic, regional and international legal frameworks.

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 a 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.

Publications:
• ‘Human Rights Responsibilities in the Oil and Gas Sector: Applying the UN Guiding Principles’ 6 Journal of World Energy Law and Business 1 (2013) 65 (with R Lindsay, R McCorquodale, J Bonnitcha, A Crockett and A Sheppard)
Jansen’s work divides among the public, the practical and the academic. As Director of the Investment Treaty Forum, Jansen’s work includes management of the Forum and its public activities.

Another component of Jansen’s work is consulting with sovereign governments in formulating international investment policy and international dispute settlement strategies and legislation. In 2012 this involved consulting with governments engaged in the process of reviewing international investment treaty policy, revising domestic legislation on international commercial arbitration and considering accession to multilateral conventions.

In 2012 much of Jansen’s research has addressed the role of legal infrastructure on economic development and foreign direct investment. Jansen also has conducted research on the interpretation and application of most-favored-nation clauses with particular reference to state treaty-making practice.

Publications:

Francesca’s work has focused on the Law of reparations for education-related violations. The aim is for the research 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.

She contributed to organising the Rapid Response Seminar on the Lubanga decision, held at BIICL in September 2012; and the evening seminar on the role and responsibilities of non-state actors in relation to education-related violations, which was held at Freshfields Bruckhaus Deringer LLP in May 2013.

She has been a guest lecturer on reparations for IHRL and IHL violations at the MA in Understanding and Securing Human Rights (Institute Of Commonwealth Studies, London School of Advanced Study).

Publications:
Dr Duncan Fairgrieve
Senior Research Fellow in Comparative Law and Director, Product Liability Forum and Tort Law Centre

Duncan has been responsible for a variety of projects at the Institute, including a major project on Collective Redress funded by the European Commission (with Dr Eva Lein), as well as heading up a project on reparations in international law (with Kristin Hausler and Francesca Capone). He is also working on a product liability project with academics at the University of Turin, and funded by the CARIPLO foundation.

The work of the Product Liability Forum continues to develop. The Forum continues to work with the UK Medicines regulator, the MHRA, on a number of topics, in particular facilitating interdisciplinary thinking on the regulation of medicines by bringing together scientist, regulators and lawyers. In May 2013, the Product Liability Forum Database was showcased at a meeting of the European Council E-Justice Working group.

Dr Fairgrieve is a comparative lawyer, and his research interests span both comparative private and public law.

In the sphere of comparative private law, Dr Fairgrieve works on a variety of topics, in particular the law of obligations and product liability.

In the sphere of public law, he has particular expertise in the liability of public authorities in tort law. He has also an interest in the comparison of Anglo-French public law. His work has been cited by the courts, both in the United Kingdom and as well as in France.

In addition to his work at the Institute, Duncan Fairgrieve is also a Maître de Conférences at Sciences Po, Paris, and is 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.

Duncan Fairgrieve has also been appointed as co-rapporteur for France for the Common Core project on Product Liability.

Publications:

Ghislain Guillaume
Research Fellow in Comparative Law

Since he arrived at the Institute, Ghislain has been involved in a number of projects. Besides assisting Dr 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, he co-organised with Dr Duncan Fairgrieve a conference on the role of Good Faith in English Contract Law after Yam Seng PTE Ltd 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 a follow up to this he is writing with Dr Duncan Fairgrieve and Professor Dr Thomas Riehm about the concept of good faith within a comparative perspective highlighting its procedural implications.

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.

Publications:
Kristin Hausler
Research Fellow in Public International Law

Kristin developed the three funded projects she is currently working on. These projects cover the protection of education, reparations for human rights violations and climate change issues. In September 2012, she participated in the launch of the Handbook on the protection of education she co-authored. In February 2013, she was also invited to present the Handbook by the Human Rights Law Centre at Nottingham University.

Over the past year, she has also given presentations on her personal research interests. She spoke on ‘Culture and Evidence in Indigenous Land Disputes’ at an Indigenous rights expert seminar organised by the Brunel Law School Human Rights Centre and the UN OHCHR. She spoke about claims for Indigenous cultural objects at a conference on art and heritage disputes in Maastricht, as well as on trade and stewardship issues associated with Indigenous sacred objects at a conference on cultural heritage in Leicester.

Publications:
• Protecting Education in Insecurity and Armed Conflict – an International Law Handbook (BIICL 2012) (with N Urban and R McCorquodale).

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.

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

Eva finalised two multi-contributor publications: ‘The Brussels I Review Proposal’ and ‘Extraterritoriality and Collective Redress’. In addition she directed and supervised the Commission funded project Focus on Collective Redress which aims at developing 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.

Publications:
• The Brussels I Review Proposal Uncovered, (BIICL 2012).
• Extraterritoriality and Collective Redress, (OUP 2012) (with D Fairgrieve).
• Book Review: T Thiede, Internationale Persönlichkeitsrechtsverletzungen durch Massenmedien (Jan Sramek Verlag, 2010), Journal of European Tort Law 2011, 212.

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 Private Enforcement of Competition Law–The relevant Brussels I jurisdiction rules at the Law Society of England and Wales/ERA; Assignment and the Rome I Regulation at the University Autonoma, Madrid; and the new EU Succession Regulation at the Universidad de Sevilla, and at the International Family Law Conference, ERA, Trier.

She also lectured international litigation at Queen Mary, University of London, and at the Séminaire de droit européen 2012, Urbino; conflict of laws at Queen Mary, Paris; and European Business Law at ESCP, London.
Dr Philip Marsden
Director Competition Law Forum And Senior Research Fellow

This past year, Philip’s report for the International Development Research Council, on Competition and development, was delivered to the global International Competition network’s annual conference, 2012, reaching hundreds of competition authorities and advisors.

His research also focused on competition issues in the retail supply chain, resulting in two publications co-authored with Justine Stefanelli. He also prepared articles on international enforcement cooperation and public and private enforcement models.

This year BIICL took part in a judicial training tender programme for the Government of Bulgaria and funded by the European Commission. Philip organised and led three training workshops in Bulgaria for national and appellate judges.

Philip is a competition lawyer with a particular interest in abuse of dominance, consumer welfare, and international competition issues. He is Non-executive Director on the Boards of the UK Office of Fair Trading and the Channel Island Competition and Regulatory Authorities, and Visiting Professor at the College of Europe, Bruges, teaching the core LL.M. 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.

Publications:

Lucy Moxham
Research Fellow in the Rule of Law

Lucy was responsible for the Bingham Centre’s engagement with a new United Nations’ initiative on the Rule of Law at National and International Levels, and submitted comments on various drafts of a Declaration, which was agreed by States at a High-Level Meeting in New York in 2012. This work also explored the prospects for promoting a strong rule of law perspective in the post-2015 development agenda that will succeed the current Millennium Development Goals.

Recent research has also included examining access to justice issues in a national security context, including extensive requests under the Freedom of Information Act 2000, on topics such as intercept evidence, public interest immunity and the UK’s Justice and Security Act.

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 and human rights.

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 a 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.

Activities:
• Lucy organised a panel at the Institute’s Annual Conference in October 2012, which focused on the rule of law in relation to the “Arab Spring”.
• She also worked with the Human Rights Lawyers Association to organise a seminar, ‘A UK Without Convention Rights: Freedom or Danger? A Comparative Conversation’ which was held in mid-May 2013.
Sophie Palmer
Research Fellow in Detention and the Rule of Law

Sophie worked with Justine Stefanelli and Michael Fordham QC on the Nuffield Foundation funded Immigration Detention Project. The final report is due for publication in 2013.

In addition in 2012 Sophie began the founding stages of ‘The Rule of Law in Schools’, a project to teach Lord Bingham’s eight rule of law principles to school age children. The project will seek to disseminate the importance of the rule of law, initially in secondary schools across the UK, with a pilot in 2013.

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 (currently being edited for final submission), 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 and Punishment with a particular focus on prisons and immigration detention, prisoners’ rights, the role of the State in the management and administration of punishment and the privatisation of criminal justice services.

Publications:

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

Since 2011, Naina has been working alongside Professor Sir Jeffrey Jowell to advise the Libyan Progress Initiative on constitutional options for Libya. Research paid particular reference to recent constitutional settlements elsewhere in the Arab and Islamic world, as well as such relevant issues of religion, equality, decentralisation, and natural resource management. The final paper was presented at a launch event in London in December 2011, opening up a forum for future debate.

In spring 2012, she was approached by Lawyers for Justice in Libya help train Libyan lawyers on how to inform citizens on the constitution-making process. Upon completion of a comprehensive training manual on the key aspects of constitutions and the processes by which they are made, Naina travelled to Tunis in September 2012 to implement the training. The ambassadors for the project then toured 35 Libyan communities between November and December 2012, holding events to engage citizens and foster a sense of connection to the nascent constitution.

Naina was also part of a Bingham Centre delegation that visited Bahrain in January 2013.

Publications:
• ‘The Rule of Law and International Development’ (Department for International Development 2013) (with C Roseveare, W Evans and T O’Neill)
Justine’s research focus has been two-fold. She examined existing law and policy to combat unfair commercial trading practices between food retailers and suppliers in the Member States, with a view toward suggesting possible ways in which the EU may choose to regulate these issues at a regional level.

In addition to that study, she undertook a project on the rule of law and immigration detention in Europe, which examines and identifies existing standards of protection of migrant detainees against Lord Bingham’s rule of law framework, and will suggest a series of rule of law principles for use by decision-makers, courts, lawyers and detainees.

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 also spent the majority of 2012 working on two studies which examined unfair trading practices between business in the food retail sector.

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:
- M Horspool and M Humphreys, European Union Law, 7th ed (OUP 2012) [contributor].

Nicole’s research has focused on international humanitarian law (IHL). The book ‘Protecting Education in Insecurity and Armed Conflict: An International Law Handbook’, commissioned by Education Above All, was launched at a high level meeting in New York in September to coincide with the opening of the UN General Assembly.

Nicole has also been working closely with the British Red Cross which has commissioned research on the legal position of media professionals in armed conflict. The publications will consider the IHL protection and responsibilities of media professionals and their employers and will be used by media professionals in conflict zones. As part of this project Nicole has been consulting with media security specialists and media professionals with extensive experience of reporting from dangerous situations.

Publications:
In 2012 Andraž organized an international conference on the 10th anniversary of the International Criminal Court (ICC) and coordinated the 2012 Annual Conference and Grotius Lecture. He also initiated a series of evening seminars on international adjudication sponsored by Temple Garden Chambers.

His main research projects are global health law and a book of collected contributions on contemporary challenges of the ICC. Andraž gave presentations on Vitoria’s concept of international law at a workshop in Zaragoza, Spain, and on the rule of law and the notion of authority at the Second Central European Symposium in London. Andraž also sat on the bench as a judge in the UK finals of the Jessup Moot Court competition.

Publications:

In December 2012, the Bingham Centre for the Rule of Law celebrated its 2nd Anniversary. The year saw the development of important research, training and events. These included: exploring constitutional options in Libya, participating and contributing to the High Level Meeting on the Rule of Law in the UN General Assembly in New York in September, and participating in a mock trial in China.

The Director and staff have also responded to UK developments such as the Justice and Security Bill and threats to access to justice and judicial review. We have a number of important projects in hand, including about principles guiding immigration detention, a programme of rule of law training in schools, and a guide to the rule of law determinants of foreign direct investment.

The Centre has welcomed new research fellows, and a number of outstanding visiting fellows; leading practitioners and academics, who significantly expand the Centre’s capacity.

We are pleased that the Bingham Centre has gained momentum. In particular we are grateful to our supporters and donors and will continue to address key issues that will promote and enhance the rule of law worldwide.

Professor Sir Jeffrey Jowell KCMG QC
Director
Bingham Centre for the Rule of Law
The Bingham Centre is attracting an increasingly high public profile in the UK and abroad, and the impact of its work is beginning to emerge. Its inaugural newsletter was published in Spring 2013 and it contains more detailed information about the Centre’s activities. Among the points of note are:

• The Centre was profiled in The Times on 6 December 2012 with a full-page piece by their legal affairs correspondent Frances Gibb. The piece was titled, ‘Why we must protect the rule of law.’

• The Centre delivered training for lawyers in Russia and Libya, and produced an accompanying training manual for each. These programmes help ensure that there are on-the-ground efforts towards the protection of rights in those countries. It also continues to build the international profile and track record which has seen the Bingham centre asked to participate in legal training, legislative change and constitutional reform in other countries including Bahrain and Burma where there are ongoing projects which we hope and expect will have effects in those countries.

• The Director gave evidence to the Parliamentary Select Committee on the Constitution on 27 February 2013 in its inquiry into the pre-emption of parliament. This evidence was quoted in the report published on 1 May 2013 and directly informed the recommendations of the Select Committee.

The Centre is generously supported by over 350 donors (listed in the Development section of this report).

Research Projects

The Bingham Centre has been engaged in a wide range of projects that address rule of law issues in the UK and abroad. More information on two projects - The Rule of Law and Immigration Detention and the UN Guiding Principles on Business and Human Rights - can be found in the research section of this Report. In addition to the projects below, the Centre has made responses to law reform proposals, including those relating to the Criminal Enterprise Act 2002 and the Ministry of Justice consultation on judicial review reforms.

Corporate Decision-Making in Foreign Direct Investment

This unique study seeks to discover, via a survey of executive opinion, which factors multinational corporates consider in selecting where to invest internationally, examining especially how legal environment and rule of law considerations affect FDI decisions. This study is supported by Hogan Lovells and Visiting Fellow Julianne Hughes-Jennett, and led by the Director of the Institute’s Investment Treaty Forum N. Jansen Calamita and Research Fellow Justine Stefanelli.

African Regional and Sub-Regional Courts

The Bingham Centre is undertaking an in-depth study on ‘The Impact of Regional African Courts in Setting Standards for the Rule of Law in Domestic Jurisdictions in Africa’. Aspects of this study were presented by the Centre’s Director and former Research Fellow Mia Swart at the Commonwealth Law Conference in April 2013 in Cape Town.

Justice and Security Bill Submission

The Bingham Centre was very active in its response to the Government’s consultation on the Justice and Security Green Paper. A working paper in January 2012 was followed by briefing papers on the Bill for the House of Lords in July 2012 and for the House of Commons in December 2012. The Bingham’s Centre’s contribution was acknowledged by Lord Wallace of Tankerness, on behalf of the government, who stated in the House of Lords: “I am particularly grateful to the Bingham Centre for taking time to scrutinise the Bill and for writing to me and asking the Government to rethink. The Centre is an important legal research institute and the Government welcome its contribution to make sure that the Bill is suitably drafted”. The Bill became an Act of Parliament in April 2013. This project has been led by Visiting Fellows Dr Tom Hickman and Professor Adam Tomkins.

Government Lawyers and Independence

The President of the Commonwealth Lawyers Association has asked the Bingham Centre to develop a code of practice on the role and independence of government lawyers. We are seeking funding for this project. Aspects of this study were presented by the Centre’s Director at the Commonwealth Law Conference in April 2013 in Cape Town. Research Fellow Justine Stefanelli is leading this programme of work.

Cross-Border Resolution of Financial Institutions

The Bingham Centre, collaborating with Harvard Law School and Queen Mary University of London, and with the assistance of the American Law Institute, has held two symposia on the subject of Cross-Border Resolution and the dangers to the rule of law from the uncertainties surrounding cross border insolvencies, despite recent legislation in the US (the Dodd-Frank Act) and Europe. Sullivan and Cromwell kindly hosted the first event, and Slaughter and May the second. A paper is forthcoming.

UN, Rule of Law and Development

In September 2012, the UN General Assembly held the first-ever High-Level Meeting on the Rule of Law at the National and International Levels. The Bingham Centre is participating in this new UN initiative and submitted comments on various drafts of the Declaration which was agreed by States at the High-Level Meeting.
The Republic of Senegal together with the Open Society Foundations and the Bingham Centre for the Rule of Law hosted a side event that week at the UN Headquarters in New York on the ‘The Rule of Law and the Post-2015 Agenda’, which explored the prospects for promoting a strong rule of law perspective in the post-2015 development agenda that will succeed the UN Millennium Development Goals. Research Fellow Lucy Moxham is continuing to lead this programme of work.

Events

The Centre hosted and co-hosted several events in London and abroad. Issues addressed included sanctions, cross-border dispute resolution, the rule of law as a practical concept, the UN’s Post-2015 Development Agenda, cartel offences, the codification of good administrative practice in the EU, and whether the UK’s taxation system meets rule of law standards. Partners and co-hosts included the Foreign and Commonwealth Office, the Venice Commission, the Republic of Senegal, New York University, Harvard Law School, the Italian Council of State (Consiglio di Stato), Open Society Foundations, and numerous firms including Ashurst, Berwin Leighton Paisner, Carter Ruck, and Slaughter & May.

The Centre was also a key participant in several external events. Among them, the Centre’s Director led a seminar on the ‘Rule of Law in Myanmar: Perspectives and Prospects’ with Daw Aung San Suu Kyi (Chair of the Myanmar Parliamentary Rule of Law Committee) and others. The Director also participated in a one-day symposium and mock trial at Renmin University Law School Beijing, and lectured at the Supreme Court of Taiwan.

Education and Training

Constitutional Options for Libya (LPI and LFJL)
The Centre prepared a manual of training materials (kindly supported by White and Case) for a new campaign called Destoori (‘My Constitution’) launched by Lawyers for Justice in Libya, which has employed the manual in country-wide discussions introducing the public to constitutional opinions. In September 2012, the Centre’s Director of Training and Education, Naina Patel, went to Tunis to “train the trainers”, who then took the manuals around Libya.

Rule of Law Training in Russia

In March 2012, the Bingham Centre delivered a training programme in St Petersburg, Russia, relating to the rule of law. Courses aimed at judges, students and administrators took place over a fortnight. Under the direction of Jonathan Cooper OBE, our then Director of Education and Training, the Centre developed a training manual, ‘Building Human Rights into Practice’, which it is hoped will form the basis of future training projects.

Freedom of Expression in Bahrain

The Bingham Centre has been assisting Bahrain to comply with international human rights standards on freedom of expression. A delegation visited Bahrain in January 2013 to conduct a scoping study and will return shortly.

Rule of Law Education for Schools and the Public

Research Fellow Sophie Palmer and Director of Education and Training Naina Patel are in the founding stages of a project to teach Tom Bingham’s eight rule of law principles to school age children. The project will seek to disseminate the importance of the rule of law, initially in secondary schools across the UK, with a pilot during this academic year.

International Human Rights Training for Law Firms

The Bingham Centre delivered a webinar series on ‘International Human Rights in Practice’ for lawyers at Linklaters. Topics included the UN Framework and Human Rights, the EU Framework and Human Rights, International Women’s Rights, International Children’s Rights, Economic and Social Rights, and War and Human Rights. This followed a similar series at Freshfields Bruckhaus Deringer and further training is planned at other firms. The aim is to better equip lawyers for engagement in pro bono projects worldwide.
The Competition Law Forum (CLF) of the British Institute of International and Comparative Law this year celebrates its ten year anniversary as a centre of excellence for European competition policy. It provides a forum in which the practical application of competition policy is considered by lawyers, economists, senior business managers, 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.

In addition to applied research, in 2012-13, the Director organised several public workshops, conferences and Forum meetings, focused on extremely topical issues, including agency decision-making; private actions; disclosure and leniency; the struggle in the EU for the soul of competition policy, and the removal of the Cartel Offence (this latter involved collaboration between CLF and the Rule of Law centre and resulted in a submission to the House of Lords), as well as the Tenth Anniversary Annual Merger Conference in October.
The Investment Treaty Forum (ITF) at the British Institute of International and Comparative Law 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 insightful 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.

Public Conferences and By-Invitation Meetings
The activities of the Investment Treaty Forum are varied and may be distinguished between Public Conferences (discussion open to all for the benefit of those interested in the field) and Seminars and By-Invitation Meetings. As the Investment Treaty Forum is a membership-based organisation, a principle 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. As a rule, the Forum holds between three and four such By-Invitation meetings each year, conducted under the ‘Chatham House Rule’. These meetings 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.

Other Seminars and Conferences
In addition to seminars and conferences addressed specifically to the international law of investment, the Institute also undertakes a number of other activities within the areas of international trade law.

The Institute co-hosts the Annual WTO Conference with Georgetown University and the Society for International Economic Law (SIEL). In May 2012, the Institute and Georgetown organized the 12th 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 event was sponsored by Sidley Austin LLP, Steptoe Johnson LLP and White & Case LLP

Government Training & Consultations
The Director of the ITF also provides training and consultations with national governments on matters relating to international investment law. In 2012 the ITF Director held consultations with national governments in a number of countries in the Middle East and North Africa.

All the Forum’s events of 2012 are listed opposite.

21 February 2012
Judicial Interference with Arbitration
Speakers and Chairs: Alejandro Escobar, Baker Botts LLP; Stephen Fietto, Volterra Fietta LLP; Dame Rosalyn Higgins; Dan Sarooshi, University of Oxford.

11 May 2012
18th Public Conference – Recent Developments in Investor-State Arbitration
Participants: Sir Frank Berman KCMB QC, Essex Court Chambers (Keynote); Zachary Douglas, Matrix Chambers, Graduate Institute of International and Development Studies, Geneva; Kai Hobér, Manheimer Swartling, University of Uppsala; H.E. Veenastra-Kios, University of Amsterdam; Céline Lévesaque, University of Ottawa; Maurice Mendelson QC, Blackstone Chambers; Lucy Reed, Freshfields Bruckhaus Deringer LLP; Sergey Ripinsky, UNCTAD; Matthew Saunders, DLA Piper; Christina Schutez, Clifford Chance; S.I. Strong, University of Missouri; Guglielmo Verdirame, 20 Essex Street Chambers, King’s College London; Gaétan Verhoosel, Covington & Burling.

25 June 2012
The Uneasy Relationship between Green Growth and International Economic Law
Speakers and Chairs: David Gaukrodger, Organization for Economic Cooperation & Development (OECD); Werner Hofer, Stephenson Institute for Renewable Energy, University of Liverpool; Ralf Krueger, United Nations Conference on Trade & Development (UNCTAD); Mahnaz Malik, 12 Gray’s Inn; Mavudla Sattorova, University of Liverpool; Ben Stansfield, Clifford Chance; Ludvina Tamitio, WTO Secretariat.

16/17 May 2012
Annual WTO Conference
Participants: Kern Alexander, Queen Mary University; Pablo Bentes, Steptoe & Johnson; Sadeq Bigdeli, Faculty of Law, University of Waikato; Jan Bohanes, Advisory Centre on WTO Law; Chris Brummer, Georgetown Law; Sungjoon Cho, IIT Chicago-Kent College of Law; John Cooke, TheCityUK; James Flett, European Commission; Mike Gadbow, Georgetown Law; David Hartridge, White & Case; Mark Herlihy, Georgetown Law; Gary Horlick, Geazekown Law; John H. Jackson, Georgetown Law; Sir Francis Jacobs KCMG QC, LSE; Timothy Keele, Mayer Brown; Andrew Long, LSE; Rosa Lastra, Queen Mary University; Yaroslav Lissovskiy, Deutsche Bank Russia; Brendan McGivern, White & Case; Hunter Nottage, Advisory Centre on WTO Law; Julia Yo Qin, Wayne State University; Charles Randell, Slaughter & May; John Riley, New Zealand High Commission; Luca Rubini, University of Birmingham; Alejandro Sanchez, Advisory Centre on WTO Law; Iain Sanford, Sidney Austin; Robert Thompson, Georgetown Law; Michael Wailbel, Cambridge University; Brett Williams, Sydney Law School, University of Sydney; Jan Wouters, Katholieke Universiteit, Leuven; Chen Yusong, Department of Treaty and Law, Ministry of Commerce, Peoples Republic of China.

14 September 2012
19th Public Conference - The Regionalization of International Investment Treaties
Participants: Hi-Taek Shin, Seoul National University, Korea (Keynote); Rukia Baruti, Africa International Legal Awareness; George Burn, Solans LLP; Alejandro Escobar (Baker Botts LLP); Zhao Hong, China Permanent Mission to the WTO; Anna Joubin-Bret, Foley Hoag (Paris); Amokura Kawharu, University of Auckland, New Zealand; James Mendenhall, Sidney Austin LLP (Washington); Peter Muchlinski, School of African and Oriental Studies; Koji Nishimoto, Senshu University, Japan; Chantal Ononaiwu, Caribbean Community and Common Market (CARICOM); José Manuel Garcia Represa, Dechert LLP (Paris); Surya Subedi, University of Leeds; Dirk Willem te Velde, Overseas Development Institute.

19 October 2012
Global Crisis and International Economic Law
Speakers and Chairs: Alejandro Escobar, Baker Botts LLP; Stephen Fietto, Volterra Fietta LLP; Dame Rosalyn Higgins; Dan Sarooshi, University of Oxford.
Product Liability Forum & Tort Law Centre
Director: Dr Duncan Fairgrieve

The Product Liability Forum 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 Product Liability Forum 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 Product Liability Forum 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. In the Fourth review of the Directive, the European Commission made reference to the work of the Forum and the PLF Database as a point for information on cross-border product liability issues.

Product Liability Database
The Tort Law Centre continues to run 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. This is then supplemented by case reports of all the major decisions in the country under the implemented Directive. Commentary on each decision is provided by a team of national experts drawn from both academia and practice. This is a major research effort; no similar tool exists. We already have a 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 Members States across Europe.

Forum Events
Over the past year, a number of seminars have been organized under the aegis of the Forum, bringing together practitioners, academics and policymakers to examine the practical application of policy and developments in product liability and safety law.
**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.

**20 November 2012**  
Thalidomide: Legal & Medical Perspectives  
Chairied by: Professor Sir Alasdair Breckenridge CBE, Chairman, MHRA.  
Speakers included: Dr Mike Emanuel, Centre for Health, Medicine and Society, Oxford Brookes University; Professor Mark Mildred, Nottingham Law School; Caroline Moore, Hogan Lovells; June Raine, head of Pharmacovigilance at the MHRA.

**14 June 2012**  
Joint PLF Event with MHRA. Medical Devices Regulation & Liability  
Chairied by: Professor Sir Alasdair Breckenridge CBE, Chairman, MHRA.  
Speakers included: John Wilkinson, Director of Devices, MHRA; Anne Ware Kennedys; Dr Peter Feldschreiber, MHRA/4 New Square.

**2 April 2012**  
Joint Meeting with The Food Law Group. Comparative Perspectives on Food Regulation  
Speakers included: Claire Andrews, Gough Square Chambers; Gilles Boin, Hogan Lovells, France; Dr Barbara Klaus, Meyer Rechtanwaite, Italy; Levke Yoss, Meyer Rechtanwaite, Germany.

**8 February 2012**  
Access to Justice in Product Liability Cases: European Comparisons  
Speakers included: Marco Bona, Studio Legale Bona Oliva & Associati, Turin; Stefan Lenze, British Institute of International and Comparative Law & Rechtsanwalt, Germany; Marta Otero Crespo, University of Santiago de Compostela, Spain; José Luis Prieto, Freshfields Bruckhaus Deringer LLP Madrid.

**Public Events:**

**20 March 2013**  
The role of good faith in English contract law after Yam Seng PTE Ltd v International Trade Corporation Ltd  
Chairied by Diana Wallis, former vice-president of the European Parliament.  
Speakers included: Professor Hugh Collins, London School of Economics; Professor Roger Halson, University of Leeds; Professor Dr Thomas Riehm, University of Marburg; Dr Duncan Fairgrieve, British Institute of International and Comparative Law.

**12 February 2013**  
Settlements and Alternative Mechanisms in Collective Redress  
Speakers included: Nicholas Blaney, Department for Business Innovation and Skills; Professor Richard Fentiman, University of Cambridge; Sandrine Giroud, Lalive, Geneva; Alexander Layton QC, 20 Essex Street; Dr Helene van Lith, Sciences Po Law School Paris; Paul Lomas, Partner, Freshfields Bruckhaus Deringer; Professor Rachael Mulheron, Queen Mary, University of London; Professor Astrid Stadler, University of Konstanz; University of Rotterdam.

**31 January 2013**  
Comparative Torts before the Courts  
Chairied by Lady Justice Arden.  
Speakers included: Avvocato Marco Bona, Studio Legale Bona Oliva, Turin; Professor Andrew Dickinson, Visiting Fellow, British Institute of International and Comparative Law; University of Sydney; Marie Louise Kinsler, 2 Temple Gardens; Maître Carole Sportes, Cabinet BOPS, Paris; Robert Weir QC, Devereux Chambers.

**28 September 2012**  
Proportionality: A Transversal Principle?  
By Invitation only. Organised by French and British judges and academics at the Supreme Court

**27 September 2012**  
The Reform of EU Directives on Public Procurement  
Speakers included: Professor Daniel I. Gordon, The George Washington University Law School; Michael Bowsher QC, Monckton Chambers; Professor Dr Martin Burgi, Research Center for Public Procurement Law, University of Bochum/University of Munich, Germany; Professor Roberto Caranto, Turin University, Italy; Professor Oacian Dragos, Babes Bolyai University, Romania.

**2 September 2012**  
Reparations to Victims: The Recent International Criminal Court Decision and Beyond  
Speakers included: Carla Ferstman, REDRESS; Mia Swart, British Institute of International and Comparative Law.

**9 May 2012**  
Private actions in UK competition law: BIS’s proposed options for reform  
Chairied by: Professor Rachael Mulheron, Queen Mary, University of London.  
Speakers included: Jon Lawrence, Freshfields Bruckhaus Deringer LLP; Iain Mansfield, Department for Business, Innovation and Skills; Vincent Smith, Sheppard & Smith; Visiting Fellow BIICL; Kieron Beal QC, Blackstone Chambers; Gunnar Niels, Oxera. Beconcini, CBM International LLP, Beijing; Prof. Ignazio Castellucci, University of Trento and Prof. Geraint Howells, University of Manchester.
Access To Judicial Remedies For Business Violations Of Human Rights

One of the three pillars of the UN Guiding Principles on Business and Human Rights is that there should be access to a remedy for victims of human rights violations by business. These remedies can be judicial and non-judicial, the latter of which includes grievance mechanisms provided by business.

This research project explores the reality of access to judicial remedies for these victims, especially for human rights violations by a corporation outside the forum state (i.e. the state in which the case is being brought). This access is part of a state’s duty to protect human rights, as states should ensure that victims have access to judicial remedies within their jurisdictions. However, many states in which corporations operate do not have, or are not yet able to provide, a judicial system that can deal with such cases and so claims are being brought in industrialised states for these extraterritorial activities by their corporate nationals.

This project is funded by the European Coalition for Corporate Justice, the International Corporate Accountability Roundtable, and the Corporate Responsibility Coalition. Three experts were appointed, being Prof Olivier De Schutter, Prof Gwynne Skinner and Prof Robert McCorquodale, who will draft the report.

The project undertakes consultations in the United States, United Kingdom and continental Europe to compare the position in different jurisdictions. These consultations are based on questionnaires issued to a wide range of those involved in these issues, including NGOs, private practitioners, government lawyers and judges. It seeks to clarify the common barriers to judicial remedy and to identify the most feasible solutions to improve access to judicial remedies.

Research Projects

Project Director:
Robert McCorquodale

Research Fellow:
Lara Blecher

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 experience in dealing with treaties 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 in January 2012. An executive summary of the Workshop and the full report are available on our website.

The two institutes are now 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.

The project has also created an online compilation of constitutional and legislative provisions on treaty practice. 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 and on the website of CIL at: www.cil.nus.edu.sg.

These materials will continue to be developed as an online resource, which we hope will provide a useful research tool for users and scholars of treaty practice worldwide.

Project Directors:
Jill Barrett (for BIICL)
Robert Beckman (for CIL)
Climate Change, Displacement and Access to Water in the Commonwealth

This research project is funded by the Commonwealth Secretariat and is 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 (i.e. subsistence) natural resources, especially to water. The research covers all six regions of the Commonwealth (Africa, Americas, Asia, Caribbean, Europe, South 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 (but not island) states.

This study, which started in June 2012, is a follow-up project to a BIICL scoping study which had been published by the Commonwealth Law Bulletin as Climate change and its impact on security and survival by Kristin Hausler and Robert McCorquodale. This paper had been previously successfully presented at the Commonwealth Law Ministers meetings, which took place in Sydney in July 2011. At the time, the Law Ministers adopted the recommendations presented by BIICL, which led to an extension of the mandate of the Commonwealth Secretariat in the area of climate change.

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 will consider 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.

The project will conclude in August 2013 with a report for the Commonwealth Secretariat, with a view to presenting it at the next Commonwealth Senior Law Officials meeting.

Project Director: Robert McCorquodale
Research Fellows: Lara Blecher, Kristin Hausler
External Advisor: Malcolm Forster

Focus on Collective Redress

This project is European Commission funded (Commission implementing decision of 22.10.2012 on the award of grants for specific transnational projects within the framework of the specific programme Civil Justice (call for proposals 2011-2012) 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 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; on cross-border issues and on funding of collective actions.

The project also comprises meetings, seminars and publications. The project shall serve as a resource for practitioners and academics, but also for European legislatures seeking to develop appropriate laws on collective redress. The national reports have now been completed and the website structure is currently established.

BIICL works with the following partner institutions:
• Wirtschaftsuniversität Wien (AT)
• Universidade de Santiago de Compostela (ES)
• Istituto Universitario di Studi Europei (IT)
• Vilniaus Universitete 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).

Related activities:
A submission was made by Steering Committee members in respect of the UK Government’s Consultation Paper on Private Actions in Competition Law (February 2013). The submission focused on the issue of collective settlements and the resultant Government Response made a number of references to it.

Research Fellows: Eva Lein, Duncan Fairgrieve
Consultants: Marta Otero Crespo, Vincent Smith
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With financial support from the Civil Justice Programme of the European Union
Human Rights Responsibilities in the Oil and Gas Sector: Applying the UN Guiding Principles

In 2012 the Institute, through the Bingham Centre for the Rule of Law, completed a major research project on the implications of the United Nations Guiding Principles for the international oil and gas industry. It worked in close partnership with Clifford Chance LLP in this project, having obtained a grant from the Association of International Petroleum Negotiators.

The project examined the Guiding Principles on Business and Human Rights as approved by the UN Human Rights Council. The stated objective of the Guiding Principles is to enhance ‘standards and practices with regard to business and human rights so as to achieve tangible results for affected individuals and communities’. The Guiding Principles are based on three pillars:

• A state duty to protect human rights;
• A business responsibility to respect human rights; and
• Effective judicial and non-judicial remedies.

While the Guiding Principles purported not to impose new legal obligations on states or businesses, they have important legal implications, including in relation to the rule of law and its application to business, and there are considerable legal risks associated with corporate activity affecting human rights. The research analysed what is required for business in this sector, including contractual and compliance matters, in order to comply with the Guiding Principles. In order to assist in its practical application, the research included a survey of, and interviews with, oil and gas company representatives.

The research was completed with the publication of a long article in the Journal of World Energy Law and Business. There was also an event held in May 2013 to discuss the research, with nearly 300 people attending.

Immigration Detention and the Rule of Law

The Bingham Centre was awarded a generous grant by the Nuffield Foundation to fund its study on ‘The Rule of Law and Immigration Detention’. There is much evidence that, both in the UK and beyond, immigration detainees are deprived of their liberty in accordance with procedures, and under criteria and conditions which fall short of rule of law standards.

Research Fellows Justine Stefanelli and Sophie Palmer are working with Visiting Fellow Michael Fordham QC to produce a set of Safeguarding Principles for use by judges and lawyers during the immigration detention process. The Principles are based on Lord Bingham’s eight rule of law principles and are primarily focused on the procedures used to determine whether to detain an individual.

The study included a stakeholder workshop on 1 May 2013, with participants from a number of Council of Europe States, who were allowed opportunity to comment on an advance draft of the Safeguarding Principles and its accompanying commentary. Comments offered during the workshop and thereafter were taken into consideration in the drafting of the final Safeguarding Principles. The principles will be published over the summer of 2013 and will be formally launched in the autumn.

Project Director: Robert McCorquodale
Research Fellows: Lara Blecher Jonathan Bonnitcha

Project Director: Michael Fordham QC
Research Fellow: Justine Stefanelli
Sophie Palmer
Protecting Education in Insecurity and Armed Conflict

This Project has now entered its second phase, which consists of further dissemination efforts, as well as an updating process. The end of the first phase of the research led to the publication of Protecting Education in Insecurity and Armed Conflict: An International Law Handbook, which was formally launched on 21 September 2012 in New York City, during the UN General Assembly meetings. This was an event organized by Education Above All (EAA), the Qatar-based policy, research, and advocacy organization, which funded the project. The meeting, chaired by Professor McCorquodale, the Institute’s Director, gathered many high level representatives of governments, UN bodies and international NGOs. The discussion panel included Her Highness Sheikha Moza bint Nasser, who chairs EAA, Fatou Bensouda, the International Criminal Court Prosecutor, and Ivan Šimonović, the Assistant Secretary-General of the UN Office of the High Commissioner for Human Rights.

The Handbook is a meaningful step within the longer process towards ensuring the protection of education during insecurity and armed conflict. Dame Rosalyn Higgins DBE, QC considers this publication to be “an unusual and important Handbook ... [offering] depth and conceptual clarity”. EAA and BIICL hope that this publication will be widely utilised by those in the legal community with an interest in protecting against violations of education in international law.

This new publication fills a gap in the legal literature by examining how international human rights law, international humanitarian law, and international criminal law protect education during situations of insecurity and armed conflict. It also highlights how other provisions of international law protect students and educational staff, as well as educational facilities.

On 6 February 2013, the authors of the Handbook (Kristin Hausler, Nicole Urban and Robert McCorquodale) participated in a roundtable organised by the International Humanitarian Law Unit of the Human Rights Law Centre at Nottingham University. At this event, faculty members, graduate students and the authors discussed the main themes and topics raised in the Handbook. In addition to a detailed analysis of the protection of education under international human rights law, humanitarian law and criminal law, the Handbook has been praised as an excellent tool to teach international law.

The Handbook is accompanied by a concise Summary written specifically for non-legal audiences. Electronic and downloadable copies (in PDF) of the Handbook and the Summary are available on the BIICL website. A Braille version of the Summary is also available.
International Humanitarian Law and Media Professionals

In September 2012, BIICL commenced a project, commissioned by the British Red Cross, undertaking research into the legal position of media professionals in armed conflict. This research examines how International Humanitarian Law (IHL) protects the media in conflict zones. It also considers the IHL responsibilities of those media professionals that report from armed conflict.

The research will result in the publication of a Handbook and a Field Guide for media professionals on dangerous professional missions in conflict zones. These publications will provide information to members of the media about their legal position under IHL. 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 also consulted widely among members of the media with conflict reporting experience. A Media Panel, comprised of media experts, has been set up to advise on the project.

Project Director:
Nicole Urban

Senior Research Fellow:
Andraž Zidar

Law and Practice of Reparations for Education-Related Violations of International Law

In July 2012, BIICL started a comparative study of the law and practice of reparations for education-related violations of international law. This project is a follow-up to the research already completed by the Institute for Education Above All, a Qatar-based NGO, 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, authored by Kristin Hausler, Nicole Urban and Robert McCorquodale.

The current research consists of a thorough analysis of national, regional and international perspectives, and encompasses reparations for violations of international criminal law, international humanitarian law and international human rights law. The aim is to combine a scholarly approach, based upon original research, with a practical aspect, so as to render the research useful for all those seeking reparations for education-related violations, including practitioners, victims and their representatives, NGOs, and policy makers.

The research team consists of Francesca Capone, Dr Duncan Fairgrieve, Kristin Hausler and Dr Conor McCarthy, who is an external consultant on this project. BIICL has also set up a large network of external advisors, including experts on the topic of reparations, who will assist with the review of the Report.

The publication of a report is planned for summer 2013, followed by a launch in the autumn.

Project Director:
Duncan Fairgrieve

Research Fellows:
Francesca Capone
Kristin Hausler
Unfair Trading Practices in the Food Supply Chain

This project comprised the publication of two studies examining unfair trading practices in EU Member States along the food supply chain. The first study consisted of an examination of the practice in 16 EU Member States regarding unfair commercial practices of food retailers against suppliers located within and outside of the EU. The study was aimed at informing the European Commission (via Traidcraft and the UK National Farmers Union, the project funders) as to the most appropriate method of regulating the relationships between food retailers and suppliers at the EU level, in order to protect the rights of small suppliers who have been put at a disadvantage by large retailers, and who do not have adequate mechanisms for redress. Justine Stefanelli presented the findings of the study in Brussels to an MEP Working Group and a High-Level Working Group in the European Commission.

The second study built on the findings in the first, and focused on making recommendations to the EU institutions as to the exact form that EU regulation of these issues might take. This study was presented to a closed working group in Brussels in October 2012 and was finalized in March 2013 for submission to the EU institutions for consideration during their policy-making exercise.

Project Director:
Philip Marsden

Research Fellow:
Justine Stefanelli

International and Comparative Law Quarterly

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When founded in 1952, the ICLQ was the only journal which offered coverage of comparative law as well as public and private international law. Since then it has maintained its pre-eminence as one of the global leading journals of its kind and it continues to offer practitioners and academics wide topical coverage without compromising rigorous editorial standards, attracting scholarship of the highest standard from around the world.

In 2012 the ICLQ commemorated its 60th Anniversary, in what proved to be a year of significant changes for the Journal.

Change of Co-General Editor
In October our longstanding Co-General Editor, Catherine Redgwell, stepped down from the position which she has held since 2007. We are grateful to Catherine for her work and wish her well with her new appointment, the Chichele Professorship in Public International Law at the University of Oxford. In June 2013 Catherine also stepped down from the Editorial Board.

Professor Malcolm Evans OBE of the University of Bristol, already a long standing Editorial Board member, was appointed Catherine’s successor and commenced in early October 2012.

Changes to the Editorial Board
There have been some changes in the composition of the Editorial Board. Louise Merrett of Cambridge University joined the Board in September 2012, and Dominic McGoldrick of Nottingham University joined in June 2013.

Change of Assistant Editor
Anna Riddell joined BIICL as the Assistant Editor of the ICLQ in 2012.
Move to Online Submissions
Another significant change for the ICLQ occurred in October 2012 – the move to an online submissions system. With the help and support of Cambridge University Press who publish the Journal, our Publications Editor Anna Riddell optimised the ‘ScholarOne’ system for the ICLQ, and since October we have only accepted submissions via this online system. In the months following its implementation, the length of time between submission and final decision has been considerably reduced, and despite an unusually high level of submissions due to the ending of the REF period, the editorial team has coped well.

ICLQ Annual Lectures
On 10 May 2012, the British Institute of International and Comparative Law hosted the 2nd Annual ICLQ Lecture: ‘Assignment of Contractual Claims under the Rome I Regulation: Choice of Law for Third-Party Rights,’ sponsored by Cambridge University Press. Professor Trevor Hartley addressed and engaged a large audience of academics, practitioners and students.

On 15 April 2013, Dr Myriam Hunter-Henin gave a well-attended lecture entitled: ‘Why the French Don’t Like the Burqa: Laïcité, National Identity and Religious Freedom’. The Lecture was generously sponsored by Cambridge University Press. Professor Trevor Hartley addressed and engaged a large audience of academics, practitioners and students.

Young Scholar Prize
The Annual Lecture now incorporates the award ceremony for The Young Scholar’s Prize, given annually to the author of an article published in the ICLQ aged 35 or under at the time of submission. For 2011 the prize was awarded to Nicholas Diebold of Switzerland, for his article ‘The Principle of Non-discrimination in International Economic Law’. The 2012 Young Scholar Prize was awarded at the 2013 Annual Lecture to Ugljesa Grusic of Nottingham University for his article ‘Jurisdiction in Employment Matters under Brussels 1: A Reassessment.’ Both authors received £250 worth of their choice of Cambridge University Press books.

Publications
Publications at the Institute have had a good year, with the release of two very successful books edited by BIICL Research Fellows. ‘The Brussels I Review Proposal Uncovered’ has already been re-printed and the newly-published fourth volume of the Current Issues in Investment Treaty law, ‘The Future of ICSID and the Place of Investment Treaties in International Law’ is looking likely to have a second print run.

In addition to the books for sale, the Institute produced ‘Protecting Education in Insecurity and Armed Conflict – An International Law Handbook’. This has been widely distributed by our partner organisation and is also available to download from our website.

The Brussels I Review Proposal Uncovered
Eva Lein
Published June 2012
The Review Proposal by the European Commission of the Brussels I Regulation (EC) No 44/2001 is analysed and debated in this book by academics and practitioners from various Member States and institutions.  
Member £30  
Non-Member £50

Protecting Education in Insecurity and Armed Conflict
Kristin Hausler, Nicole Urban and Robert McCorquodale
Published September 2012
This Handbook fills a gap in the legal literature by examining how international human rights law, international humanitarian law, and international criminal law protect education during situations of insecurity and armed conflict.  
The Handbook is accompanied by a concise Summary written specifically for non-legal audiences. Electronic and downloadable copies (in PDF) of the Handbook and the Summary are available on our website.  
Member Free  
Non-Member Free

The Future of ICSID and the Place of Investment Treaties in International Law
N. Jansen Calamita, David Earnest and Markus Burgstaller
Published April 2013
From the Foreword by Judge Sir David Edward KCMG QC: “This book offers a rich exploration of important and timely themes. Not only are the contributions from some of the most experienced and astute thinkers in the field, but they shed new light on a host of emerging issues”.  
Member £48  
Non-Member £80
The Institute has organised over 60 events in the period covered by this Report. These have been on diverse topics, from targeted drone killings to product liability in China. Our Rapid Response Series saw four seminars organised at short notice to discuss pressing topics as they arose, and included discussions on reparations to victims in the ICC; private actions in UK competition law following the BIS-proposed options for reform; the Lubanga judgment of the ICC; and the ICJ Judgment in Germany v Italy (Jurisdictional Immunities of the State).

The Annual Conference was held in October 2012 entitled ‘International Law, the Rule of Law and Constitutional Change’, followed by the Grotius Lecture and Dinner. The Grotius Lecture was given by Professor M. Cherif Bassiouni on the topic of ‘The Arab Spring, the Arab Awakening or the Ongoing Arab Revolution?’. Continuing the theme of the Annual Conference, he focused on the dramatic events of the past eighteen months in the Arab world.

2012 marked the first year that we have held an event in Northern Ireland. In November the Law Society of Northern Ireland hosted an event commemorating the 30th anniversary of the opening for signature of the United Nations Convention on the Law of the Sea. It began with a warm welcome from Right Honourable Sir Declan Morgan, Lord Chief Justice of Northern Ireland, and Mr Justice Mark Horner, a Judge of the High Court. The conference brought together more than 20 speakers and 100 delegates from all over the world to discuss recent developments and future challenges for the law of the sea. The proceedings of the conference are due to be published in a book: ‘Law of the Sea – UNCLOS at 30 and Beyond’ in late 2013.

We also held a very successful event to mark the 10th anniversary of the creation of the International Criminal Court on 1 July 2012, at the Foreign and Commonwealth Office. The event brought together 25 distinguished speakers with expertise in international criminal law, including Judge Sir Adrian Fulford who gave the closing address, and more than 100 delegates. The program included theoretical and practical perspectives on the achievements of the court in its first decade and reflected on prospects for the future. Participants, including legal practitioners, ICC staff, NGOs, members of the academic community, and government representatives, engaged in constructive debates which provided many insights and suggestions for the Court on how to move forward.
During 2012, the Institute’s Development Appeal has continued to focus primarily on raising funds for the Bingham Centre for the Rule of Law and the Arthur Watts Senior Research Fellowship in Public International Law. A report on the progress of each Appeal is provided below.

We are also extremely fortunate to have had the continued support of Herbert Smith Freehills LLP in relation to the Herbert Smith Freehills Senior Research Fellow in Private International Law and The Dorset Foundation, whose generosity over the years has provided funding to support the posts of the Dorset Senior Research Fellow in Public International Law, and the Institute’s Development Director. In addition, we are immensely grateful to the Vivmar Foundation for so generously supporting the Maurice Wohl Fellow in European Law.

The Bingham Appeal
Nearly £2.25m has been raised in the First Phase of the Appeal which has enabled us to establish and launch the Bingham Centre. The Centre has enjoyed extensive support from the legal community, charitable trusts, companies and individual donors. The Institute wishes to thank the members of the Bingham Appeal Board and, in particular, its initial Chairman, Sir Christopher Bellamy QC, who led the fundraising for the First Phase of the Appeal.

Since it was established in 2010, the Bingham Centre has already built up an impressive range of projects. It is clear that no other bodies are doing the kinds of work in which it specialises. Our aim is to ensure that the Centre is properly resourced to make a major impact and become world-leading in its field. We therefore need more funds to ensure sufficient capital to support the longer-term sustainability of the Centre.

To this end, the Second Phase of the Bingham Appeal, was formally launched on 9 May 2013 at the Centre’s Inaugural Lecture and Dinner. Under this Phase, the Bingham Centre is looking to double its initial resources to at least £5m by 2015, with the aspiration to achieve overall resources of at least £10m over the longer term. This will fund both the Centre’s growing network of talented research fellows and a significant portfolio of applied research projects. We are delighted to have both Guy Morton and Guy Beringer as Co-Chairmen of the Appeal Board leading this next Phase of the Appeal.

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

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The Arthur Watts Appeal

The Institute’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 this generation, whose career spanned senior government service, successful private practice, and a substantial scholarly output in public international law. Its purpose is to secure the practical application of public international law permanently at the heart of the work of the British Institute of International and Comparative Law.

The Inauguration of the Watts Fellowship was held on 29 January 2013, kindly hosted by Freshfields Bruckhaus Deringer. With the appointment of Jill Barrett, the Inaugural Fellow, who had worked with Arthur Watts, tangible results have already begun to flow. We are especially pleased by the establishment of effective working partnerships with the Law School at Melbourne University and the Centre of International Law in Singapore.

The establishment of the Fellowship has been made possible by the generosity of numerous benefactors, including leading international lawyers and governments. The Institute is particularly indebted to Mr Allan Myers, AO QC of Melbourne, for his significant personal donation.

Our aim is to secure the remaining £110,000 by the end of 2013 to meet the £500,000 target to support the fellowship and its associated activities. To date, £390,260 has been raised.

The Institute wishes to thank Sir Franklin Berman KCMG QC who has led the fundraising for this Fellowship.

We are grateful to all of those donors listed below for their generous support of the initial phase of the Arthur Watts Appeal.

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The Law Society of Northern Ireland
Volterra Fietta
White & Case LLP

In addition to the Bingham and Arthur Watts Appeals, there are a number of opportunities for law firms and companies to support the Institute. These include funding research activities in priority areas across private and public international law. We also have an extensive events programme which offers interesting sponsorship opportunities for law firms and companies. Sponsors receive institution and event recognition thereby helping to raise their organisation’s profile and deepening its engagement with the British Institute of International and Comparative Law community.

If you wish to support or learn more about any aspect of the Institute’s work including the Bingham Appeal and Arthur Watts Appeal, please contact the Development Office on 0207 862 5151 or a.reynolds@biicl.org. Donations may also be made online by visiting www.biicl.org/development/support

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Lara Blecher
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N. Jansen Calamita
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Kristin Hausler
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Research Fellow in International Humanitarian Law

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University of Cambridge

**Michael Fordham QC**
Blackstone Chambers

**Dr Tom Hickman**
Blackstone Chambers

**Julianne Hughes-Jennett**
Hogan Lovells

**Maya Lester**
Brick Court

**Dr Eric Metcalfe**
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**Professor Adam Tomkins**
University of Glasgow

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EAA Project

**Prof Mashood Baderin**
EAA Project

**Paul Barnett**
Best Treaties Practice Project

**Alex Bates**
EAA Project

**Nicholas Bowen QC**
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**Jessica Boyd**
Destoooi Project

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Collective Redress Project

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<th>Visiting Research Fellows:</th>
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<tr>
<td>Dr Abayomi Al-Ameen</td>
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<td>Paul Barnett</td>
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<td>Dr George Barker</td>
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<td>Alex Bates</td>
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<td>Marto Bo</td>
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<td>Andrea Camargo</td>
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<td>Dr Elena Consiglio</td>
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<td>Tim Cowen</td>
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<td>Andrew Dickinson</td>
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<td>Elena Fasoli</td>
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<tr>
<td>Prof Malcolm Forster</td>
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<tr>
<td>Ferdinando Franceschelli</td>
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<td>Francesco Gelmetti</td>
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<tr>
<td>Prof Francisco Toscano Gil</td>
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<td>Besim Hatipoglu</td>
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<tr>
<td>Prof Margot Horspool</td>
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<tr>
<td>Simone Hutter</td>
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<tr>
<td>Prof Colly Jordan (Watts Visiting Fellow)</td>
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<td>Naoyuki Kanno</td>
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<td>Eunyoung Kim</td>
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<td>Soomi Kim</td>
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<td>Younsik Kim</td>
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<td>Toru Kodama</td>
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<td>Annabel Lee</td>
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<td>Prof Matthias Lehmann</td>
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<td>Prof Reyes Sanchez Leria</td>
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<td>Dr Jackson Nyamuya Maagoto</td>
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<td>Dr Cosgor Nagy</td>
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<td>Prof Koji Nishimoto</td>
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<td>Canio Pierro</td>
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<td>Dr Antonios E. Platsas</td>
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<td>Barrie Sander</td>
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<td>Prof Sabine Schlemmer-Schulte</td>
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<td>Dr Heba Shahein</td>
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<td>Vincent Smith</td>
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<td>Prof Jane Stapleton</td>
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<td>Jane Welch</td>
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<td>Dr Sarah Williams</td>
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<td>Honorary Fellows:</td>
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<td>Prof Don Greig</td>
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<td>Prof Alan Boyle</td>
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<td>Lady Hazel Fox CMG QC</td>
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<td>Interns</td>
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<td>Theodora Valkanou</td>
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<td>Aletta van der Merwe</td>
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<td>Daniel Wand</td>
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<td>Rachael Wrafter</td>
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<tr>
<td>Deborah Yang</td>
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<td>Monika Zadiljer</td>
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</table>

## Summarised Financial Statements

**For the year ended 31 December 2012**

### 2012 Income

- Voluntary Income: 16.54%
- Fundraising: 3.33%
- Member Services: 16.22%
- Publications and Journals: 16.32%
- Conference and Seminars: 10.28%
- Research Programmes: 34.60%
- Other: 2.71%

### 2012 Expenditure

- Fundraising: 4.19%
- Member Services: 8.88%
- Publications and Journals: 4.07%
- Conference and Seminars: 9.50%
- Research Programmes: 46.76%
- Support Costs & Other: 26.60%
Summarised Statement of Financial Activities (Incorporating an Income & Expenditure Account)
For the year ended 31 December 2012

Unrestricted Funds (£) Restricted Funds (£) Endowment Funds (£) Total 2012 (£) Total 2011 (£)

Incoming Resources
Incoming resources from generated funds:
Voluntary Income 1,388 246,985 - 248,373 524,723

Activities for generating funds:
Fundraising grant income 50,000 - - 50,000 50,000
Rental income 10,795 - - 10,795 20,698
Investment and other income 19,513 10,460 - 29,973 26,478

Incoming resources from charitable activities:
Member services 243,579 - - 243,579 243,579
Publications and journals 240,738 4,412 - 245,150 254,270
Conferences and seminars 154,467 - - 154,467 221,895
Research programmes 508,459 - 11,313 519,772 464,059

Total incoming resources 1,228,939 273,170 - 1,502,109 1,836,392

Resources Expended
Costs of generating funds:
Fundraising costs 47,648 22,273 - 69,921 84,416
Charitable activities:
Member services 147,999 - - 147,999 162,155
Publications and journals 67,888 - - 67,888 68,736
Conferences and seminars 158,386 - - 158,386 194,578
Research programmes 440,702 338,957 - 779,659 628,177
Support costs: Staff costs 191,959 - - 191,959 186,088
Support costs:
Premises & other costs 68,295 49,642 - 117,937 155,970
Support costs: Exceptional item 117,000 - - 117,000 -
Depreciation & loss on disposals 8,549 - - 8,549 12,678
Governance costs 8,148 - - 8,148 7,933
Total resources expended 1,256,574 410,872 - 1,667,446 1,500,131

Net (outgoing) / incoming resources before other recognised gains and losses (27,635) (137,702) - (165,337) 336,261

Gross transfers between funds 24,952 (24,952) - - -

Other recognised gains and losses
Unrealised net gains / (losses) on investments 11,160 - - 11,160 (7,219)
Net movement in funds 8,477 (162,654) - (154,177) 329,042

Reconciliation of funds
Total funds brought forward 763,942 1,138,650 402,042 2,304,634
Total funds carried forward 772,419 975,996 402,042 2,150,457 2,304,634

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 2012

Fixed Assets (£) 2012 (£) 2011 (£)
Tangible assets 83,366 73,580
Investments 264,428 245,865 347,794 319,445

Current Assets
Stocks 5,130 6,588
Debtors 198,767 305,814
Cash at bank and in hand 2,333,351 2,274,384 2,537,248 2,586,786

Creditors: amounts falling due within one year (734,585) (601,597)

Net Current Assets 1,802,663 1,985,189

Total Assets Less Current Liabilities 2,150,457 2,304,634

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

Restricted Funds 975,996 1,138,650 402,042 402,042

Unrestricted Funds
General Fund 639,945 652,414
Fixed Assets Fund 83,366 73,580
Revaluation Reserve Fund 49,108 37,948 772,419 763,942

402,042 2,150,457 2,304,634

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 2012 together with its financial position as at 31 December 2012. 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.
The mission of the British Institute of International and Comparative Law is to advance the understanding of international and comparative law and to promote their application and development through research, publications and events.

As an independent legal research institute with charitable status, unaffiliated to any university, the Institute is the only such body in the UK and one of very few in the world, and has a very high international reputation for its work. It brings together scholars and practitioners, serving as an invaluable focal point and network for its members, experts, the general public and others who participate in its work.

The Institute provides an excellent environment for valuable and helpful discussions between those advising governments, corporations and others, and the academic community. It works with some of the leading scholars, judges and practitioners in their fields. Its high-quality research projects and seminars encompass almost all areas of international law (both public and private) and comparative law, including European law, and it is at the forefront of discussions on the many contemporary issues of international and comparative law. The Bingham Centre for the Rule of Law, which aims to be the foremost institution of its kind specifically devoted to this important issue worldwide, has had a very successful 2012-3 expanding its reputation and research.

This Annual Report provides details of the Institute’s core activities, which include:

- Scholarly research and analysis
- Publication of the International and Comparative Law Quarterly, and a range of books on international and comparative law
- A diverse programme of distinguished lectures, conferences, seminars and workshops on highly relevant legal issues and developments