

Professeur Marcelo Kohen

Rapport administratif 2015

A) Publications:

a) Livre:

Las Malvinas entre el Derecho y la Historia, Buenos Aires, Editorial Universitaria de Buenos Aires (Eudeba), 2015, 301p. (co-auteur avec Facundo Rodríguez)

b) Rapports :

“State Succession in Matters of International Responsibility. Provisional Report”, *Annuaire de l’Institut de Droit international*, Session de Tokyo, 2013, vol. 75, pp. 123-178.

“State Succession in Matters of International Responsibility. Final Report”, *Institut de Droit international*, Session de Tallin, 2015, 104p :

http://www.justitiaetpace.org/idiE/annuaireE/2015/IDI_14_2015-06-30.pdf

c) Autres publications:

International Court of Justice, *Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)*, “La revendication de souveraineté du Nicaragua est tardive, sans fondement et visant à cacher son comportement illicite” (translation: “Nicaragua’s claim of sovereignty is untimely, baseless and intended to conceal its wrongful conduct”), CR 2015/2, original: pp. 46-73; translation: pp. 40-65.

International Court of Justice, *Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)*, pleadings: “La revendication de souveraineté du Nicaragua est tardive, sans fondement et visant à cacher son comportement illicite” (translation: “Nicaragua’s claim of sovereignty is untimely, baseless and intended to conceal its wrongful conduct”), CR 2015/2, original: pp. 46-73; translation: pp. 40-65.

International Court of Justice, The Hague, *Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)*, pleadings: “Remèdes: une simple constatation n’est pas suffisante” (translation: “Remedies: a simple declaration is not enough”), CR 2015/4, original: pp. 34-44; translation: pp. 28-37.

International Court of Justice, *Construction of a Road in Costa Rica along the San Juan River (Nicaragua v. Costa Rica)*, pleadings: “L’absence de violation du traité de 1858, de la souveraineté territoriale du Nicaragua et de l’obligation d’effectuer et notifier une étude d’impact environnemental” (translation: “There has been no breach of the 1858 Treaty, or of Nicaragua’s territorial sovereignty, or of the obligation to carry out and notify an environmental impact study”), CR 2015/11, original: pp. 37-59; translation: pp. 31-51.

International Court of Justice, *Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)*, pleadings: “Le Nicaragua est incapable d’articuler une

revendication sérieuse de souveraineté et se prépare déjà pour la phase suivante de l'affaire” (translation: “Nicaragua is unable to articulate a genuine claim to sovereignty and is already preparing for the next phase of the proceedings”), CR 2015/14, original: pp. 23-39.

International Court of Justice, *Construction of a Road in Costa Rica along the San Juan River (Nicaragua v. Costa Rica)*, pleadings: “L’absence de la violation de la souveraineté territoriale du Nicaragua et de l’obligation d’effectuer et notifier une étude d’impact environnemental” (translation: “There has been no breach of Nicaragua’s territorial sovereignty or the obligation to carry out and notify an environmental impact assessment”) (CR 2015/17, original: pp. 33-43; translation: pp. 28-38).

B) Conférences et exposés

28 January-1 February, Moscow, The Philip C. Jessup International Law Moot Court Competition, Championship Round Judge

30 January, Moscow, Moscow State University, Law Faculty, Lecture : The Falklands/Malvinas Dispute : an International Law Perspective »

6 April, Buenos Aires, Consejo Argentino para las Relaciones Internacionales (CARI): « La cuestión de las Islas Malvinas y el derecho de libre determinación de los pueblos »

14 April, The Hague, International Court of Justice, *Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)*, pleadings: “La revendication de souveraineté du Nicaragua est tardive, sans fondement et visant à cacher son comportement illicite” (translation: “Nicaragua’s claim of sovereignty is untimely, baseless and intended to conceal its wrongful conduct”) (CR 2015/2, original: pp. 46-73; translation: pp. 40-65; video public hearings at 00:01:58”).

14 April, The Hague, International Court of Justice, *Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)*, pleadings: “La revendication de souveraineté du Nicaragua est tardive, sans fondement et visant à cacher son comportement illicite” (translation: “Nicaragua’s claim of sovereignty is untimely, baseless and intended to conceal its wrongful conduct”) (CR 2015/2, original: pp. 46-73; translation: pp. 40-65; video public hearings at 00:01:58”).

15 April, The Hague, International Court of Justice, The Hague, *Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)*, pleadings: “Remèdes: une simple constatation n’est pas suffisante” (translation: “Remedies: a simple declaration is not enough”) (CR 2015/4, original: pp. 34-44; translation: pp. 28-37; video public hearings at 00:57:33”).

20 April, The Hague, International Court of Justice, *Construction of a Road in Costa Rica along the San Juan River (Nicaragua v. Costa Rica)*, "Cross examination to the scientific expert appointed by Nicaragua Dr Sheate" (CR 2015/9, original: pp. 36-43; translation: pp. 29-37; video public hearings at 1:16:44”).

23 April, The Hague, International Court of Justice, *Construction of a Road in Costa Rica along the San Juan River (Nicaragua v. Costa Rica)*, pleadings: “L’absence de violation du

traité de 1858, de la souveraineté territoriale du Nicaragua et de l'obligation d'effectuer et notifier une étude d'impact environnemental" (translation: "There has been no breach of the 1858 Treaty, or of Nicaragua's territorial sovereignty, or of the obligation to carry out and notify an environmental impact study") (CR 2015/11, original: pp. 37-59; translation: pp. 31-51; video public hearings at 1:15:10").

24 April, The Hague, *Construction of a Road in Costa Rica along the San Juan River (Nicaragua v. Costa Rica)*, "Answer to the question raised by Judges Bennouna and Greenwood" (CR 2015/13, original: pp. 54-57; translation: pp. 50-53).

28 April, The Hague, International Court of Justice, *Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)*, pleadings: "Le Nicaragua est incapable d'articuler une revendication sérieuse de souveraineté et se prépare déjà pour la phase suivante de l'affaire" (translation: "Nicaragua is unable to articulate a genuine claim to sovereignty and is already preparing for the next phase of the proceedings") (CR 2015/14, original: pp. 23-39; translation: pp. 16-31; video public hearings at 00:34:43").

28 April, The Hague, Club de droit international, "The Principle of Territorial Integrity and the Right of Peoples to Self-Determination : Their Application in the International Relations".

1 May, The Hague, International Court of Justice, *Construction of a Road in Costa Rica along the San Juan River (Nicaragua v. Costa Rica)*, pleadings: "L'absence de la violation de la souveraineté territoriale du Nicaragua et de l'obligation d'effectuer et notifier une étude d'impact environnemental" (translation: "There has been no breach of Nicaragua's territorial sovereignty or the obligation to carry out and notify an environmental impact assessment") (CR 2015/17, original: pp. 33-43; translation: pp. 28-38; video public hearings at 00:58:25").

16 mai, Genève, « Histoire et Cité. Construire la paix. Festival d'histoire de Genève », Présentation du livre de Mamadou Hébié *Souveraineté territoriale par traité : une étude des accords entre puissances coloniales et entités politiques locales* », discutant.

27 mai, Strasbourg, Rencontre mondiale des sociétés de droit international, participant au panel : « Perspectives de coopération entre sociétés »

28-30 mai, Strasbourg, Colloque annuel de la Société française pour le droit international, « Le précédent en droit international », exposant à la table ronde « Discussion sur la formation ou non d'un précédent de la Cour internationale de Justice autour des affaires *Yerodia et Djibouti c. France* »

12-13 June, Geneva, Graduate Institute, Conference « International Law and Time », panelist in the opening roundtable « Time in International Law and International Law over Time » ; chair in Panel 6 « Dealing with the Past : Legacy, Retroactivity and Beyond ».

15 June, Geneva, UNESCO-International Bureau of Education, Panelist in Roundtable « Countering Intolerance and Discrimination through Education : Challenges and Prospects »

13-14-15 August, Rio de Janeiro, Meeting 2015 of the Latin American Society of International Law: "América Latina: escuela del pensamiento en Derecho Internacional", Co-convenir, panellist in the opening panel: "Los nuevos rumbos del Derecho Internacional en América Latina"

19 August, Bakou, Center of Strategies Studies under the President of the Republic of Azerbaijan, Lecture: “The Malvinas/Falkland Islands Dispute and International Law”

22-29 August, Tallinn, Institut de Droit international, 76e session, rapporteur: “State Succession in matters of International Responsibility”, élu secrétaire general de l’Institut

10-12 September, Oslo, European Society of International Law Annual Conference 2015: “The Judicialization of International Law- A Mixed Blessing?”, Panel: “Squaring the Circle? International Courts, Sovereignty and Subsidiarity”: speaker

13 October, Lisboa, ISCTE-Instituto universitario de Lisboa, lecture: “O direito dos povos à autodeterminação: a questão das ilhas Malvinas”

20 October, Geneva, Inter-Parliamentary Union, 133rd IPU Assembly, panellist in the Standing Committee on UN Affairs, talk about the International Court of Justice

2 November, New York, Asian African Legal Consultative Organisation, Panel: “A Dialog with International Law Practioners: Dispute Adjudication”, speaker

2-3 November, New York, United Nations, Participant as Secretary-General of the Institute of International law at at the Conference of the 26th meeting of Legal Advisers “Globalization: International Law and the Global Citizen”

4 November, New York, United Nations, side event organized by the Swiss Mission: “Meet the Institute of International Law”, presentation as Secretary General of the Institute of International Law

6 November, New York, Fordham University School of Law, International Law Weekend: “Global Problems, Legal Solutions: Challenges for Contemporary International Lawyers panel: “Ethics for Counsel in International Adjudication”, speaker

25 November, Geneva, MIDS/CIDS 'International Dispute Settlement at the Crossroads of Public and Private International Law', panel: Public and Private Paradigms in Investment Treaty Arbitration », chair

C) Projets de recherche :

Rapporteur of the *Institut de droit international's* Commission on State Succession in Matters of International Responsibility. Présentation du rapport final et approbation de la Résolution. http://www.justitiaetpace.org/idiE/annuaireE/2015/IDI_14_2015-06-30.pdf http://www.justitiaetpace.org/idiF/resolutionsF/2015_Tallinn_14_fr.pdf, http://www.justitiaetpace.org/idiE/resolutionsE/2015_Tallinn_14_en.pdf

D) Responsabilités scientifiques :

1. Director-General of the Latin American Society of International Law (LASIL-SLADI)
2. Member of the Council of the French Society for International Law
3. Member of the Scientific Council of the *Belgian Review of International Law*,
4. Member of the Scientific Council of the *Colombian Yearbook of International Law*

5. Member of the Scientific Council of the *Journal of International Dispute Settlement*
6. Member of the Advisory Board of the *Journal of Territorial and Maritime Studies*
7. Secretary General of the Institute of International Law (31 August 2015-)

E) Responsabilités et autres tâches à l'IHEID :

1. Member of the Board of Directors of the Geneva LLM in International Dispute Settlement (MIDS)
2. Member of the Standing Committee on Renewal and Promotion
3. Member of the Library Commission