

Rosalyn Higgins

Dame Rosalyn Higgins, DBE, QC; former President of the International Court of Justice in the Hague; Fellow of the British Academy; Fellow of the American Academy of Arts and Sciences

2007 Balzan Prize for International Law since 1945

For her outstanding contributions to the development of international law since the Second World War and her role as an academic, judge and Court President; for her clear, constructive as well as innovative and groundbreaking books, writings, articles and court decisions in defence of the rule of law and human rights; for her leading role in strengthening and enlarging modern international law.

Institution Administering Research Funds: The British Academy

Adviser for the Balzan General Prize Committee: Luzius Wildhaber

Oppenheim's International Law. A New Volume on the United Nations

Rosalyn Higgins' Balzan research project focuses on a comprehensive study of the main intergovernmental organizations, with the United Nations at the centre of the network. Directed by Dame Rosalyn, a group of young scholars (Dapo Akande, Sandesh Sivakumaran, James G. Sloan, Philippa Webb and Ralph Wilde) are carrying out the research work necessary to the realization of a new Oppenheim's International Law volume: *Oppenheim on International Organizations*. Philippa Webb has taken on the responsibilities of Project Manager.

The Balzan Oppenheim Project team had its first meeting in February 2008 in The Hague, The Netherlands. At this meeting, the team made extensive revisions to the original Outline of Contents for Oppenheim on International Organizations. It was early realised that it was physically impossible, in this ever expanding world, to cover the generality of international institutions, and our efforts would be directed to producing a work of great quality on the law of the United Nations. A broad assignment of topic areas was made and methodological issues and the approach to drafting in the 'Oppenheim style' were discussed. A second team meeting took place in Novem-

ber 2008 in The Hague during which preliminary research results on peacekeeping and human rights bodies were discussed. The meeting also considered outlines for research on UN immunities and legal personality of the UN at the domestic and international levels.

A third team meeting was held in November 2009 in The Hague. First drafts on the principal UN organs, the subsidiary organs, human rights, international criminal tribunals, financing and the role of the UN Secretariat were reviewed. The team had a fourth meeting in London in March 2010. At this meeting the first drafts on UN immunities and legal personality were discussed in detail. A fifth meeting was held in December 2010 in The Hague to consider first drafts on a range of topics and to review second drafts on peacekeeping, human rights, tribunals, principal and subsidiary UN organs, financing, the UN Secretariat, immunities and legal personality. A sixth meeting was convened in London in May 2011 to discuss a first draft on powers and a revised draft on the principal organs. The seventh meeting took place in London in March 2012 to examine first drafts on voting, the UNHCR, and disaster review as well as to consider revised drafts on tribunals, subsidiary organs, financing, UN Secretariat, peaceful settlement of disputes, the International Criminal Court, powers, and personality.

The eighth meeting was held in November 2013 in London to examine first drafts on the International Court of Justice (in part); Responsibility; Membership (in part); and Geneva-Vienna-New York relations. Substantive revisions are to be made to existing drafts on the UN High Commissioner for Refugees; Disaster Relief; Voting; Immunities; Hybrid Tribunals; Peacekeeping; Principal Organs; Subsidiary Bodies; the Security Council; Legal Personality; Powers; International Criminal Court; and the Peaceful Settlement of Disputes.

The ninth meeting will be held in November 2014 in London. It was agreed that the priority for the coming year would be new drafting. The ninth meeting will consider new drafts on the International Court of Justice (various aspects), Membership, Promoting International Law, the International Tribunal for the Law of the Sea, Protecting the Environment, and Sanctions.

This was always anticipated to be a major and long-term project. In the meantime, the research for the project has generated some important, related publications for the young academics taking part, such as:

Dapo Akande, 'The Effect of Security Council Resolutions and Domestic Proceedings on State Obligations to Cooperate with the ICC' (2012) 10 *Journal of International Criminal Justice* 299.

Sandesh Sivakumaran. 'How to Improve upon the Faulty Legal Regime of Internal Armed Conflicts'. In: A Cassese ed., *Realizing Utopia: The Future of International Law* Oxford University Press 2012, pp 525-538.

James Sloan and Hernandez, G. (2013) 'The Role of the International Court of Justice in the Development of the Institutional Law of the United Nations'. In: Tams, C.J. and Sloan, J. (eds.) *The Development of International Law by the International Court of Justice*. Oxford University Press, Oxford, pp. 197-233.

Philippa Webb, 'The Security Council Veto and the Use of Force' (2014) 19 *Journal of Conflict and Security Studies*.

Ralph Wilde, 'Human Rights Beyond Borders at the World Court: The Significance of the International Court of Justice's Jurisprudence on the Extraterritorial Application of International Human Rights Law Treaties' (2013) 12(4) *Chinese Journal of International Law* 639-677.

As for the project itself, over 700 pages of research now exist and Dame Rosalyn remains deeply grateful to the Balzan Foundation.

Researchers:

- Dapo Akande is Associate Professor of Public International Law in the Oxford Law Faculty, Yamani Fellow at St Peter's College and Co-Director of the Oxford Institute for Ethics, Law and Armed Conflict and the Oxford Martin Programme on Human Rights for Future Generations.
- Sandesh Sivakumaran is Professor of Public International Law at the School of Law, and Fellow of the Human Rights Law Centre of the University of Nottingham.
- James G. Sloan is Senior Lecturer in Public International Law at the School of Law of the University of Glasgow.

- Philippa Webb is former Special Assistant and Legal Officer to President Rosalyn Higgins at the International Court of Justice and, since September 2012, Lecturer in Public International Law at King's College London.
- Ralph Wilde is Reader at the Faculty of Laws, University College London. He participated in the research project 2008-2012.

Time has not stood still for our research team, and not only have they published widely but also received promotions in their universities and/or other forms of recognition.

Publications: *Oppenheim's International Law. A New Volume on International Organizations* is planned to be ready for publication in 2015/2016.