

Curriculum Vitae Prof. André Klip

Andries Huibert KLIP, born 13 January 1965, married, two children (2000 and 2003)

Education

André Klip was trained and graduated in law, in addition he studied Portuguese for some years.

- 1994 Doctorate: Buitenlandse getuigen in strafzaken/ Witnesses abroad in criminal matters, Supervisor (Prof. Bert Swart (Member Royal Academy of Science) and Prof. mr. Peter Baauw (former President European Bar Association, Utrecht University)
- 1989 Degree in law, specialisation criminal law, Utrecht University, the Netherlands
- 1989 Student Institut de Droit de l'homme, Strasbourg, France
- 1988 Student Universität Bayreuth, Germany
- 1986 Student Universidade de Lisboa, Portugal

Experience

André Klip was appointed as Professor of Transnational Aspects of Criminal Law at Maastricht University in 2001 and subsequently as Professor of Criminal Law and Criminal Procedure in 2002. Before that he conducted research at the Yale Law School, New Haven and the Max Planck Institute in Freiburg im Breisgau.

- Since Feb. 2003 Judge at the 's-Hertogenbosch Court of Appeal (criminal division), raadsheer-plaatsvervanger, honorary
- 2003-2007 Head of the department of criminal law (vakgroepvoorzitter)
- Since Aug. 2002 Professor of Criminal Law and Criminal Procedure (0.8 fte) tenured term, Maastricht University
- Since Sept. 2001 Professor of International Criminal Law (0.2 fte) tenured term, Maastricht University
- Aug. 1998 – Aug. 2002 – senior lecturer criminal law (uhd) tenured term, Utrecht University
- 1997-2001, Member Board of Supervision, Amsterdam Airport Border Prison, Commissie van Toezicht Grenshospitium, honorary
- Since 1996 Judge at the Utrecht District Court (criminal division), rechter-plaatsvervanger, honorary
- May 1994 – Aug. 1998 – lecturer criminal law (ud) tenured term, Utrecht University
- 1990-1994, PhD student, Utrecht University (fixed-term)
- 1989 teacher criminal law, Utrecht University (fixed-term)
- 1988-1990 acting registrar, Wageningen First Instance Court (fixed-term)

Throughout his career, Prof. Klip has been frequently involved in national and international legal practice. As of-counsel for various law firms he has been involved in litigation and advise relating to cases before the Court of Justice, the European Commission of Human Rights, the International Criminal Tribunal for the Former Yugoslavia, the Supreme Court of the Netherlands and many first and second instance cases.

Scientific leadership

Prof. Klip has an outstanding record in identifying new research areas, building research teams, and leading them in new directions, seeking synergies with international research groups. As head of the department Prof. Klip changed the research perspective towards European and International criminal law and was able, together with Prof. Taru Spronken to build the largest research group on European Criminal Law.

Prof. Klip is founder and editor of the leading series on the case law of international criminal tribunals *Annotated Leading Cases of International Criminal Tribunals*, (with Prof. Göran Sluiter, University of Amsterdam). This series, to which hundreds of distinguished scholars

have contributed, is present (or with online access) in all law school libraries across the world and referred to thousands of times in legal literature. On the national level, Prof. Klip is founder and editor of the leading commentary on *International Cooperation in Criminal Matters in the Netherlands* (together with the late Prof. Bert Swart (lately Judge Lebanon Tribunal, formerly Yugoslavia Tribunal) and Prof. Harmen van der Wilt).

Prof. Klip created a large research project *Towards a General Part of Criminal Law for the European Union* for which around a million euro was raised. Four PhD students commenced in 2007 and will finalise their theses in 2011/2. The book *European Criminal Law* (2nd edition 2012) is thus far its most prominent output and is used as a text book at various universities (bestseller for publisher Intersentia since end of 2009).¹ The book is recognised as the first integrative and transfrontier approach to criminal law in the setting of the EU. Prof. Klip always combines various disciplines in his research: international law, EU law, criminal law and uses a comparative approach.

For the project Evaluation and Monitoring European Cooperation in Criminal Matters, Prof. Klip was able to bring together high ranking civil servants of all the Member States (including the incoming Swedish Presidency, Secretary Magnus Graner, Fundamental Rights Agency director Morten Kjaerum and the Dutch Minister for Justice Ernst Hirsch Ballin), academics, the Council and the Commission, at a conference at Maastricht University on 2-3 June 2009. The multidisciplinary (politicological and legal) studies conducted by Prof. Klip and others eventually contributed to the adoption of a section on evaluation and monitoring in the Stockholm programme (par. 3.2.5).

The academic standing of Prof. Klip is indicated under *Professional activities* below, and also expressed by the fact that Prof. Klip organised a conference on Substantive Criminal Law of the European Union with high profile speakers and participants at Maastricht University on 20 and 21 January 2011, at which Viviane Reding, Commissioner for Justice and Vice-President of the European Commission delivered an Opening Address. The conference led to a book on EU Substantive Criminal Law which came out in 2011.

The international recognition of Prof. Klip is further expressed by his election to the Board of Directors of the International Association of Penal Law (IAPL), the world organisation for criminal law with UN-observer status and by his nomination as General Rapporteur for the 2014 Penal Congress of the IAPL. Prof. Klip is regularly invited to speak at conferences and meetings organised by the European Commission, Eurojust,² the European Judicial Training Network, the European Academy of Law, as well as by universities across the world.

As a PhD supervisor Prof. Klip concluded the following projects: 2000 Lamp, Proceeds from crime in international criminal law; 2004 Sanders, Transfer of the execution of criminal judgments; 2010 Mibenge, Position of women in international crimes; 2010 Claessen, Crime and punishment; 2011 Zwiers, The European Public Prosecutor's Office; 2011 Veegens, Anti-Terrorism Measures in Criminal Law. Pending PhD-projects supervised by Prof. Klip are with expected year of completion: Dana, *Nulla Poena Sine Lege* in International Criminal Justice (2012); Krabbe, Defences and Excuses for International Crimes (2012); Blomsma, *Mens Rea* and Justifications in European Criminal Law (2012); Keiler, *Actus Reus* and Participation in European Criminal Law (2012); Freeland, International Environmental Criminal Law (2012); Peristeridou, Legality in European Criminal Law (2012); Massa, Jurisdiction in European Criminal Law (2013); Moerland, Rwandan Genocide (2012); ter Haar, Selfdefence and Provocation (2013).

¹ See Review by Neagu in 35 *European Law Review* 2010, p. 450: "I consider the book a must read for those interested in the field of criminal law, both at national and European level."

² Aled Williams, President of Eurojust invited Prof. Klip to speak at the Strategic seminar on the future of Eurojust on 21 September 2010.

1. Top 10 publications³

1. European Criminal Law, An Integrative Approach, Intersentia Cambridge-Antwerpen, 2nd Edition 2012, 573 p;⁴
2. Substantive Criminal Law in the European Union, Maklu Antwerpen 2011 (includes a contribution of Commissioner Viviane Reding);
3. An additional evaluation mechanism in the field of EU judicial cooperation mechanisms in the field of EU judicial cooperation in criminal matters to strengthen mutual trust, (with dr. N.M. Dane), Celsus Juridische Uitgeverij 2009, 330 p.;
4. Regional Report for Europe on the Principle of Universal Jurisdiction, XVIII International Congress of the AIDP, Colloquium of section IV Xi⁷An, 79 Revue Internationale de Droit Pénal/ International Review of Penal Law 2008, p. 173-196;
5. European integration and harmonisation and criminal law, Four Contributions on the Interplay between European Integration and European and National Law 2006, p.109-153⁵ (=translation of Europese integratie en harmonisatie en het strafrecht, Preadvies Nederlandse Juristenvereniging, 136^e Handelingen NJV 2006-I, p. 105-153;⁶
6. Criminal Law of the European Union/ Uniestrafrecht/ Le Droit Pénal de l'Union Européenne/ Strafrecht in der Europäischen Union, inaugural lecture/ oratie/ Antrittsrede/ discours inaugural, 89 p. Kluwer 2005.⁷ (published in Dutch, English, French and German);
7. Complementarity and Concurrent Jurisdiction, 19 Nouvelles Etudes Pénales 2004, p.173-197;
8. Netherlands' report for the International Association of Penal Law on Ne bis in idem, (with H.G. van der Wilt), 73 Revue Internationale de Droit Pénal/ International Review of Penal Law 2002, p.1091-1137;
9. Harmonisation and Harmonising Measures in Criminal Law, (with H.G. van der Wilt), Royal Academy of Science Series/ Koninklijke Nederlandse Akademie van Wetenschappen, Verhandelingen, Afd. Letterkunde, Nieuwe Reeks, deel 186, Amsterdam 2002, 119 p. ISBN 90-6984-371-4;⁸
10. Annotated Leading Cases of International Criminal Tribunals, 29 Volumes since 1999, Intersentia Antwerpen, in total ± 29.000 pages (with Prof. Göran Sluiter).

2. Research Monographs, chapters in collective volumes and translations

11. The Future of International and European Criminal Law, contribution to the Hague Institute for the Internationalisation of the Law Series, Law of the Future, forthcoming 2011;
12. Repensar o Direito penal europeu, Estudos em Homenagem ao Professor Doutor Jorge de Figueiredo Dias, Coimbra Editora 2009, Vol. I, p. 717-732;
13. Special Issue on European Criminal Law of the Maastricht Journal of European and Comparative Law 2005, Vol.12, number 2, p.113-213;
14. Strafrecht in der Europäischen Union, Zeitschrift für die gesamte Strafrechtswissenschaft 2005, p. 889-911;
15. Conditions for a European Corpus Juris Criminalis, in: Michael Faure, Jan Smits en

³ Unfortunately in law, no citation indexes are conducted. Prof. Klip publishes in Dutch, English, German and Portuguese.

⁴ Reviews on the first edition of 2009: J. Vogel, *Goltdammer's Archiv für Strafrecht* 2009, p. 606-608; T. Spronken, *De Europese stoomtrein, Nieuwsbrief strafrecht* 2009, p. 696-700; M.J. Borgers, *Delikt en Delinkwent* 2010, p. 303-313; M. Fletcher, *The Edinburgh Law Review* 2010, p. 349-351; N. Neagu, *European Law Journal* 2010, p. 447-450; J. Spencer, *47 Common Market Law Review* 2010, p. 1557-1559.

⁵ Review: E. Hughes, *Criminal Law Forum* 2006, p. 361-365.

⁶ Review: Y. Buruma, *NJB* 2006, p.1198-2002; B.J. Drijber, *Europese integratie: bottom up of top down?*, *NJB* 2006, p.1418-1422; *Staatscourant* 8 september 2006, nr. 175, p. 2.

⁷ Review: J. Simonis, *Opportuun maart* 2005, p.21; G.J.M. Corstens, *Rechtsgeleerd Magazijn Themis* 2006, p.69-71; G.A.M. Strijards, *Delikt en Delinkwent* 2006, p. 432-435.

⁸ Review: H. Satzger, *Europäische Strafrechtsharmonisierung, Strafverteidiger* 2005, p. 469-470; J. Jekewitz in *Goltdammer's Archiv für Strafrecht* 2005, p. 64-65.

- Hildegard Schneider (eds.), *Towards a European Ius Commune in Legal Education and Research*, Maastricht 2002, p. 109-123;
16. *European Cooperation between Tax, Customs and Judicial Authorities*, European Monographs 32, 2002, 302 p. (with prof. J.A.E. Vervaele). ISBN 90-411-1747-4. (=translation of *Administratieve en strafrechtelijke samenwerking inzake fraudebestrijding tussen justitiële en bestuurlijke instanties van de EU-lidstaten*, WODC-reeks *Onderzoek en Beleid*, 2001, nr. 188, 326 p. ISBN 90-74797-15-6,⁹ also **translated into Spanish**: *Normas supranacionales reguladores de la cooperación en materia administrativa y penal*, p. 357-420; *Cooperación administrativa y judicial en Francia*, p. 421-456, in : J.A.E. Vervaele, *El Derecho Penal Europeo, Del Derecho Penal Económico y Financiero a un Derecho Penal Federal*, Editorial UBIJUS, Lima Peru 2006;
 17. *Die EMRK und die internationale Zusammenarbeit in Strafsachen*, in: Joachim Renzikowski (Hrsg.), *Die EMRK im Privat-, Straf- und Öffentlichen Recht, Grundlagen einer europäischen Rechtskultur*, Manz/ Nomos/ Schulthess, Zürich/ Basel/ Genf 2004, p.123-143;
 18. *State Security and Obtaining Evidence Independently by the Defence*, H. Roggemann and Petar Sarčević (red.), *National Security and International Criminal Justice*, Kluwer Law International 2002, p.127-146;
 19. *Etude du Corpus Juris Suivi, Rapport du Point de contact des Pays Bas*, in: M. Delmas-Marty and J.A.E. Vervaele (eds.), *The Implementation of the Corpus Juris in the Member States*, 2001, Vol. III, p. 637-678; 2001, Vol. IV, p. 345-360 (with prof. J.A.E. Vervaele).

3. Invited presentations to peer-reviewed, internationally established conference and/ or international advanced schools (selection)

2011: Immunities and international crimes, Université de Luxembourg ; Evidence in the EU, Bologna University; International Criminal Law in Africa, University of Kwa-Zulu-Natal, Durban South Africa; European Criminal Law, courses at the District Courts of Amsterdam, Groningen and Maastricht, and the Court of Appeal Arnhem.

2010: *Droit de l'homme et droit pénal international*, Université de Genève; Future of European Criminal Law, ERA Trier; guest lecturer University of Kwazulu-Natal, Pietermaritzburg and Durban, South Africa; Pennsylvania State University, International and European Criminal Law; Strategic Seminar on Eurojust and the Lisbon Treaty, College of Europe, Brugge; European Criminal Law for national courts and prosecutors, European Judicial Training Network, National Academy Prosecutors Cracow; Guest lecturer, Universidade Eduardo Mondlane, Maputo, Moçambique; Conference of European courts competent for European Arrest Warrant organised by Amsterdam District Court.

2009: Stockholm Programme, European Academy of Law, Trier; European Criminal Law summer course, Brussels, Université Libre de Bruxelles; Pennsylvania State University, International Criminal Justice.

2008: Treaty of Lisbon and the European Public Prosecutor, Bologna and Ravenna; Forum European Criminal Law, European Academy of Law, Trier.

2007: Evolving definition of human rights in international criminal justice, Europäische Rechtsakademie Trier; Post Conflict Justice, ISISC Siracusa; Comparative Criminal Law, Summerschool Pennstate University, Dickinson School of Law, Luxemburg; Mutual recognition, Europäische Rechtsakademie Trier; European Criminal law summerschool, Institut Droit Europeen Bruxelles; Universal Jurisdiction, North Western University Xi'An, China; European Cooperation in Penal Matters, Siracusa; Quel controle juridictionnel dans l'espace pénal européen ?, Université de Luxembourg; Mutual recognition, Europäische Rechtsakademie Trier; Illegal Trafficking in Human Beings, Brussels.

2006: Doctrinal Perspectives of International Criminal Law, ISISC Siracusa.

2005: Expert Meeting on Global Justice in Amsterdam on Justice in East Timor; Guest Professor at Aberdeen University, Scotland; Conference of the Netherlands Public Prosecutorial Service on Joint Investigation Teams in Europe, Utrecht; Siracusa Conference on International Criminal Law, Sicily.

⁹ Review: E. de Busser, *Panopticon* 2002, p.183-185.

4. Organisation of International Conferences

2011 Conference on Substantive Criminal Law of the European Union (Chair organizing committee and conference chair), see further under 1(a).

2009 Evaluation and Monitoring European Cooperation in Criminal Matters (Chair organizing committee and conference chair), see further under 1(a).

2008 The European Public Prosecutor's Service 23 April 2008 (Member organizing committee and conference chair).

5. International Prizes/ Awards/ Academy Memberships

Member of the Board of Directors of the International Association of Penal Law

Prof. Klip is a referee on various projects of the Dutch Science Foundation (NWO); of the Fonds Wetenschappelijk Onderzoek Vlaanderen (FWO) and of the Royal Netherlands Academy of Sciences (KNAW).

6. Memberships to Editorial Boards of International Journals

- Founder and Editor of Annotated Leading Cases of International Criminal Tribunals (since 1999); As of 30 November 2011, 29 volumes have been published. Forthcoming are volumes 28-40 in 2012 and 2013;

- Member of the Editorial Board of the Maastricht Journal on European and Comparative Law (2003-2005);

- Member of the Editorial Board of the International Criminal Law Review (since 2004);

- Editor-in-chief of the European Journal on Crime, Criminal Law and Criminal Justice (since 2011);

- Founder and Editor of the Commentary on International and Interregional Cooperation in Criminal Matters (Internationale en interregionale samenwerking in strafzaken) since 2002.