

**Date of the seminar:**

Wednesday 19<sup>th</sup> January 2011 from 12h45 to 13h45  
(sandwich included during the conference)

**Location of the seminar:**

Faculty of Law, Economics and Finance  
BRC 2.01 (2<sup>nd</sup> floor)  
148, avenue de la Faïencerie  
L-2511 Luxembourg

**Language:**

English

**Registrations:**

- Free seminar
- Maximum number of registrations: 40
- **Registrations** by email:  
[fdef-colloques@uni.lu](mailto:fdef-colloques@uni.lu) (Last name, first name, institution)

**Information:**

Tel: +352 46 66 44 6619  
Contact person: Mrs Armelle Arnould

Lunchtime Seminar

**The ICJ's Advisory Opinion  
on Kosovo's Declaration of  
Independence –  
Too Much or Too Little?**

By Emer. Prof. Dr. Dr. h.c. Heribert Franz Koeck,  
M.C.L., of the Johannes Kepler University of Linz

### **Lunchtime “Work in progress” Seminar**

This research seminar is intended to bring together legal scholars interested in debating recent research and work in progress in the area of law.

#### **The format:**

- The meetings will be held at lunch time – from 12h45 till no later than 14h00, on the campus of the university, in the meeting room in the Batiment Soupert, 148, Av de la Faiencerie)
- Sandwiches and drinks will be provided by the University for all participants.
- A speaker presents for 30 Minutes followed by a discussion with the participants.
- The meetings will take place several times per semester. At each event a chosen speaker will present a paper of his or her most recent work or of his or her work in progress. The participants engage in an active discussion from the point of view of their diverse background and specialities.

#### **The speakers:**

- Speakers will be invited to present from people working in Luxembourg and from external visitors. The decisive issue is the cutting edge of their research and the potential to generate an interesting debate.
- Suggestions for speakers should be sent to Professor Matthew Happold ([matthew.happold@uni.lu](mailto:matthew.happold@uni.lu))

#### **The aim of the seminar:**

- The goal is to achieve a lively and fruitful discussion for both the presenter and for all participants. This will contribute to a culture of interested debate in new ideas and approaches to the law at the University and in Luxembourg in general.

#### **General information:**

- The programme of the meetings and invitations will be distributed amongst all potentially interested researchers in Luxembourg.
- The language of the meetings is French, English and German. The programme sent to interested recipients will indicate the speaker's language of choice for presentation. Comments will be welcome also in any of the other languages.

### **The ICJ's Advisory Opinion on Kosovo' Declaration of Independence – Too Much or Too Less?**

**By Heribert Franz Koeck**

The seminar will discuss the Advisory Opinion of the International Court of Justice of 22 July 2010 concerning the Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo in the light of the declarations, separate opinions and dissenting opinions attached by a majority of judges. Did the Court step over the lines drawn by judicial restraint? Or did the Court understand judicial restraint not as a formal but as a substantive principle, permitting it to speak out but preventing it from saying more than it did? Did the Court stick to an out-dated concept of sovereignty or to an obsolete understanding of the principle of territorial integrity? Or did the Court merely try to reach the desired result without raising any contentious question that would, in its opinion, better be avoided? Was it wise for the Court to proceed as it did or did it miss an opportunity to make a contribution to the progressive development of international law? The lecture will also touch upon the question of what relevance can be attributed to the Security Council's failure, for particular reasons, to decide a matter before it.