

CURRICULUM VITAE, SPEECHES & LIST OF PUBLICATIONS
Prof. Dr. P.H.P.H.M.C. (Piet Hein) van Kempen
1 August 2018

Personalalia

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Summary

Piet Hein van Kempen (1969) is full professor at the Faculty of Law of Radboud University, and holds the chair of Criminal Law and Criminal Procedure Law. He is the head of the department of Criminal law, criminal procedure law & criminology. From 2007 till 2011 he also held the chair of Human Rights Law. Piet Hein van Kempen studied Dutch law, majoring in criminal law, at Tilburg University (BLaw, MLaw). He was granted the highest obtainable distinction for both phases of the study programme. In 2003, he obtained his doctoral title with his PhD thesis 'Reopening of Procedures after Judgments by the European Court of Human Rights. Redress of violations of the European Convention on Human Rights in closed criminal trials as well as in closed civil and administrative cases'.

In 2010 Van Kempen was appointed as Secretary-General of the International Penal and Penitentiary Foundation (IPPF). He also has been a Justice (Judge) *ad litem* since fifteen years, as of 2008 in the Court of Appeals, criminal chamber, 's-Hertogenbosch, The Netherlands. Van Kempen has been a member of various editorial Boards, including that of Delikt & Delinkwnt, which is the major Dutch Journal on criminal law, criminal procedure law and criminology. He is furthermore a member of the Committee modernization of the Code of Criminal Procedure, which committee is established by the Minister of Justice and Security to advise the legislator.

Van Kempen (co)authored over 10 books, (co)edited over 20 books and (co)authored almost 200 articles, commentaries, case notes etcetera in the field of (national, international, European, transnational and comparative) criminal law and criminal procedural law, penitentiary law and human rights law.

In both research and teaching, Piet Hein van Kempen specializes in:

- The effect of European, international and transnational criminal law on national criminal justice systems and the interaction between international and national criminal law and procedure.
- Classical criminal procedural law topics, including: the basic principles of the criminal justice system, pre-trial detention, position of the defence, the public prosecutor, the courts and experts, and legal remedies such as appeal, cassation and revision.

- Classical substantive criminal law topics, including: legality, *mens rea*, justifications and excuses, and various criminal offenses.
- Human rights issues, including positive obligations, fair trial, deprivation of liberty, religion, the rights of prisoners, the position of legal persons
- Transnational criminal law, including in the area of terrorism, trafficking in human beings, drugs and cultural goods, often in combination with international public law.
- Fundamental legal questions and the dogmatics, foundations and principles of legal regimes and their systemic quality.

PhD and University Education

- PhD awarded at Tilburg University (then: Katholieke Universiteit Brabant) on 14 February 2003 (for the dissertation: Heropening van procedures na veroordelingen door het EHRM. Over redres van schendingen van het EVRM in afgesloten strafzaken alsook afgesloten civiele en bestuurszaken [*Reopening of Procedures after Judgments by the European Court of Human Rights. Redress of violations of the European Convention on Human Rights in closed criminal trials as well as in closed civil and administrative cases*], Nijmegen: Wolf Legal Publishers 2003, XXIV + 598 pp.) (supervisors: Prof. Dr. J. de Hullu and Dr. W.E.C.A. Valkenburg)
- Bachelor and Master in Dutch Law at Tilburg University (then: Katholieke Universiteit Brabant) 1991-1995, with a specialization in criminal law and criminal procedure law (both phases of the four year study programme *cum laude* = highest distinction).

Current Principal Positions

- Full Professor of Criminal Law and Criminal Procedure Law, Radboud University, Nijmegen, The Netherlands (as of 2007)
- Chair of the Department of Criminal Law, Criminal Procedure Law, and Criminology, Radboud University Nijmegen, The Netherlands (as of 2011)
- Dean of the Faculty of Law, Radboud University (as of 2018)

Current Additional Positions

- Secretary-General of the International Penal and Penitentiary Foundation (IPPF) (2010; since 2009 member)
- Member of the Committee modernization of the Code of Criminal Procedure, which committee is established by the Minister of Justice and Security.
- Part-time Justice in the Court of Appeals, criminal chamber, 's-Hertogenbosch, The Netherlands (as of 2008; and before that a part-time judge in a District Court from 2004)
- Member of the board of editors of *Delikt & Delinkwent*, the major Dutch Journal on criminal law, criminal procedure law and criminology (as of 2016)
- Annotator of the 'Nederlandse Jurisprudentie' (NJ) [Jurisprudence of the Netherlands] (as of 2012)
- Editor of the weekly section "Case law of the Supreme Court, Criminal Chamber" in the major Dutch legal journal *Nederlands Juristenblad* (since 8/2012).
- Member of the board of the Dutch Association for Comparative Law (at: <http://www.ejcl.org/general/nvvrhome.html>) (as of 2006)

Selection of Previous Positions (principal and additional)

- Full Professor of Human Rights, Department of International & European Law, Radboud University, The Netherlands (2007-2011) (0.2 fte)
- Vice dean (for research) of the Faculty of Law, Radboud University, The Netherlands (2017)
- Member of the board of editors of the book series on criminal law, *Studiepockets Strafrecht* (publisher: Wolters Kluwer) (2009-2015)
- Member of the board of editors of *Strafblad*, a Dutch Journal on criminal law, criminal procedure law and criminology (2011-2015)
- Member of the editorial board of *Nederlands Tijdschrift voor de Mensenrechten (NTM / NJCM bulletin)*, a Journal on human rights law (2005-2013)
- Member of the Board of Trustees (Council for International Legal Cooperation, RIJS) of the Center for International Legal Cooperation (CILC), The Hague, The Netherlands (2009-2013)

Supervision of PhD dissertations: completed (promoti)

1. Meryem Aksu, Straatsburgse kaders voor terrorisme bestrijding. EVRM, strafrecht en terrorisme [*Strasbourg frameworks for combating terrorism. ECHR, criminal law and terrorism*] (PhD thesis Radboud University), Nijmegen: Wolf Legal Publishers 2007, XIV + 218 pp. (co-supervisor prof. dr. Y. Buruma) (defended on: 6 November 2007)
2. Laurens Bakker, *Who Owns the Land? Looking for Law and Power in Reformasi East Kalimantan* (PhD thesis Radboud University), s.l.: S.n., 463 pp. (co-supervisors prof. dr. F.A.M. Hüsken en prof. mr. H.M.C. Slaats) (defended on: 23 November 2009)
3. David Nauta, voor onderzoek: *The International Responsibility of NATO and its Personnel during Military Operations* (PhD thesis Radboud University), Oisterwijk: Wolf Legal Publishers, 2016 (co-supervisors prof. dr. Y. Buruma, dr. S. Trifunovska) (defended on: 22 December 2016)
4. Thomas Kraniotis, Het vertrouwensbeginsel bij de interstatelijke samenwerking in strafzaken [*The principle of trust in interstate cooperation in criminal cases*] (PhD thesis Radboud University), Deventer: Wolters Kluwer, 2016, xvi + 465 pp. (defended on: 22 December 2016)
5. Marion Kors, Pleitbaar standpunt in het fiscale boete- en strafrecht [*The arguable position in fiscal penal law and in criminal law*] (PhD thesis Radboud University), Deventer: Wolters Kluwer, 2017, xxvi + 348 pp. (co-supervisor prof. dr. R. Niessen) (defended on: 23 February 2017).
6. D.A.G. (Dave) van Toor, Het schuldige geheugen? Een onderzoek naar het gebruik van hersenonderzoek als opsporingsmethode in het licht van eisen van instrumentaliteit en rechtsbescherming [*The guilty memory? An analysis of the application of brain research as an investigative method in perspective of demands of crime control and due process*] (PhD thesis Radboud University), Deventer: Wolters Kluwer 2017, xviii + 565 pp. (defended on: 20 April 2017)
7. E.C.M. (Eveline) Thoonen, *End of life in State custody. Obligations to prevent premature death of detainees and to investigate deaths of detainees pursuant to the European Convention on Human Rights* (PhD thesis Radboud University), Antwerpen, Apeldoorn: MAKLU 2017, 463 pp. (co-supervisor mw. prof. dr. W. Duijst) (defended on: 23 October 2017)
8. J.H.B. Bemelmans (cum laude = highest distinction), Totdat het tegendeel is bewezen. De onschuldpresumptie in rechtshistorisch, theoretisch, internationaalrechtelijk en Nederlands strafprocesrechtelijk perspectief [*Until the contrary is proven. The presumption of innocence in legal history, legal theory, international law and Dutch criminal law law*] (PhD thesis Radboud University), Deventer: Wolters Kluwer, 2018, xx + 623 pp. (defended on: 18 January 2018).
9. Geert Pesselse, Verlofstelsels in strafzaken. De toelaatbaarheid van het bezwaarvereiste, het verlofstelsel in hoger beroep en het selectiestelsel in cassatie onder de mensenrechten op beroep en een eerlijk proces [*Leave to appeal in criminal cases. The permissibility of the objection requirement, the leave system on appeal and the selection system in cassation under the human*

- rights to appeal and to a fair trial*] (PhD thesis Radboud University), Deventer: Wolters Kluwer 2018, x + 443 pp. (co-supervisor prof. dr. P.C. Vegter) (defended on: 16 February 2018)
10. Sjarai Lestrade, *De strafbaarstelling van arbeidsuitbuiting in Nederland. Een toetsing op basis van internationale mensenrechten, internationale en Europese anti-mensenhandelregelgeving en de grondslagen van het strafrecht [The criminalization of labor exploitation in the Netherlands. A review based on international human rights law, international and European anti-trafficking instruments and the core principles of criminal law]* (PhD thesis Radboud University), Deventer: Wolters Kluwer 2018, xii + 371 pp. (defended on: 8 March 2018)
 11. Mikhel Timmerman, *Legality in Europe. On the principle nullum crimen, nulla poena sine lege in EU law and under the ECHR* (diss. European University Institute, Florence), Cambridge, Antwerp, Portland: Intersentia 2018, xii + 350 pp. (defended on: 21 June 2018 at the European University Institute, Florence) (co-supervisor prof. dr. B. de Witte)

Supervision of PhD dissertations: ongoing

- Presently involved in the supervision of 12 PhD projects in the field of criminal law, international and European law and criminology: Van der Staak (privacy in criminal law investigation), Krommendijk (decision making on the application of special investigation methods), Klaar (Moral judging by the courts), Wardaya (implementation of international criminal law in Indonesia with a view to redressing gross human rights violations), Veenbrink (the influence of criminal law concepts on the enforcement of national and European competition law), Pahladsingh (crimmigration law in the European Union), Kort (how police officers, prosecutors and judges think about criminal justice), Nab (preventive criminal justice: criminal Law in the pre-harm phase), Eggen (criminal law dependence on administrative law), Groenhuijsen (offences that can be prosecuted on complaint only), Kremers (the conceptual basis of prosecution), and Geurts (violent crimes).

Main Publications

- See attached list below

Main National and International Speeches, Lectures and Paper Presentations

- Paper presentation, *Possibilities to legalize or decriminalize cultivation, sale and purchase of cannabis in national jurisdictions on the basis of international positive human rights obligations*, Invitees only international Expert Seminar on International Law and Drug Policy Reform, organized by The Global Drug Policy Observatory, International Centre on Human Rights and Drug Policy, Transnational Institute, and the Washington Office on Latin America, 27-28 October 2017, Amsterdam.
- Keynote speech, *Defendants with psychiatric disturbances or otherwise limited mental abilities during pre-trial inquiry and at trial: fair procedure*, international 4-day conference 'Defendants and detainees with psychiatric disturbances in the criminal process and in the prison system', Ponta Delgada, St. Miguel Island, Azores, Portugal (5-8 June 2017)
- Paper presentation, *Criminalization of human trafficking*, Expert working group "What is Wrong with Human Trafficking? Interdisciplinary Perspectives on the Crime in Europe and Beyond", Universität Tübingen/Max-Planck-Institut, Tübingen, Germany (26-27 January 2017)
- Speech, *Fundamental Issues of Criminal Law and Human Rights*, Kazguu University and L.N. Gumilyov Eurasian National University, 6 October 2016, Astana, Kazakhstan.

- Speech, *Positive human rights obligations and legalisation of cannabis cultivation and sale* (in Dutch), meeting of Mayors, Aldermen and officials of thirty Dutch municipalities, 23 May 2016, Utrecht, Nederland.
- Speech, *Strengthening investigation and prosecution capacities in Montenegro – Use of bargaining instruments for efficient investigation*, organized by the Centre for Monitoring and Research (CeMI), Montenegro, 6-8 Oktober 2015, Montenegro.
- Speech, *Capita Selecta Criminal Law and Criminal Procedure Law in The Netherlands and in the European Union*, Ministry of Justice Republic of China (Taiwan), 20 May 2015, Taipei, Taiwan.
- Speech, *Institutional Corruption and Fraud, Criminalization and the Problem of Imprisonment*, Ancillary meeting “Systemic institutional fraud and corruption” of the Thirteenth United Nations Congress of Crime Prevention and Criminal Justice, 13 april 2015, Doha, Qatar
- Short speech, *The death penalty and rehabilitation*, Ancillary meeting “Perfecting the safeguards on the way to the moratorium on death penalty” of the Thirteenth United Nations Congress of Crime Prevention and Criminal Justice, 15 april 2015, Doha, Qatar
- Introductory speech, *International legal boundaries and possibilities to legalize or decriminalize cultivation, sale and purchase of cannabis in national jurisdictions*, Invitees only international Expert Seminar on International Law and Drug Policy Reform, organized by The Global Drug Policy Observatory, International Centre on Human Rights and Drug Policy, Transnational Institute, and the Washington Office on Latin America, 17-18 October 2014, Washington, DC, USA.
- Paper presentation, *The Regulation of Cannabis Cultivation for Recreational Use: National Challenges versus International Law*, Research Seminar Series Autumn 2014, University of Sussex, Sussex Law School, 8 October 2014, Brighton, England.
- Key note speech, *International Cooperation as a Means to Advance the Use of Non-Custodial Measures in Criminal Cases*, at the three day international conference ‘ASEAN +3 Conference on Probation and Non-custodial Measures’ of the Association of Southeast Asian Nations (ASEAN), 17-19 August 2014, Cha-am, Thailand.
- Key note closing speech, *Women in Prison: problems and prospects in a comparative perspective*, at the international four day congress ‘Women in Prison. The Bangkok Rules and Beyond’ of the International Penal and Penitentiary Foundation (IPPF), 6 March 2014, Bangkok, Thailand.
- Keynote speech, *Pre-trial detention*, at the international annual conference of Europris, 21 November 2012, Rome, Italy.
- Speech, *DNA research powers and large scale DNA research in criminal investigations*, National Taiwan University, 14 December 2012, Taipei, Taiwan.
- Keynote speech, *Risks to the use of expert evidence* (in Dutch), at the national congress of the Dutch Appeal Courts’ Centre on Environmental and Health Issues, ’s-Hertogenbosch, the Netherlands (13 April 2012)
- Speech, *Four Concepts of Security. A Human Rights Perspective*, at the five day international colloquium of the International forum ‘U.N. Minimum Rules/U.N. World Security University’, Bellagio, Italy (4-8 April 2011)
- Keynote speech, *Defense rights during pre-trial investigation* (in Dutch), at the two day national congress of the Dutch Association of Defence Council, Maastricht, the Netherlands (10-11 December 2010)
- Keynote speech, *Religious marriages between Human Rights and Substantive Criminal Law*, at the three day international conference ‘Human Rights and Religion’, Nijmegen, the Netherlands (8-10 December 2010)
- Speech, *Sharia and substantive criminal law in the Netherlands*, in reaction to the public keynote speech of prof. John Witte at Radboud University Nijmegen, Nijmegen, the Netherlands (7 December 2010)

- Speech, *Criminal Liability of Corporations and Human Rights*, op het seven day 'XVIIIth International Congress of Comparative Law' of the International Academy of Comparative Law Washington, United States (25 July-1 August 2010)
- Speech, *The defendant as human being* (in Dutch), at the national congress 'Human image, representation and Human Rights, Tilburg University, Tilburg, the Netherlands (1 juli 2010)
- Keynote speech, *Remand Detention in Domestic Law Systems and in International Human Rights Law*, at the international four day congress 'Pre-trial Detention' of the International Penal and Penitentiary Foundation (IPPF), Cape Town/Stellenbosch, South Africa (15-18 February 2010)
- Speech, *A Commissioner for human rights for the Kingdom of the Netherlands* (in Dutch), The Ministry of the Interior and Kingdom Relations, Conference 'The Future of the Kingdom. Mutual values in the Kingdom', The Hague, the Netherlands (2 December 2009)
- Speech, *Positive obligations and criminal law: an Intrusion on Negative Liberty*, International Ius Commune Conference, Maastricht University (26 November 2009)
- Lecture, *Pre-trial detention in Europe*, National Taiwan University and the Taiwanese Bar Association, Taiwan, Taipei (13 November 2009)
- Lecture, *Human rights in remand house and prison. A focus on rehabilitation*, National Taiwan University and the Ministry of Justice of Taiwan, Taiwan, Taipei (11 November 2009)
- Lecture, *The fight against terrorism in Europe. A focus on substantive criminal law*, National Taiwan University and the Taiwanese Judicial Yuan, Taiwan, Taipei (9 November 2009)
- Speech, *The significance of the European Court of Human Rights' case law for the Legislator* (in Dutch), Senate of the Netherlands, Conference '60 years of the Council of Europe, 50 years of the European Court of Human Rights', The Hague, Senate Building (2 November 2009)
- Lecture, *The human right to family life of prisoners: a duty for the authorities to fund family visits?*, for the Bureau of the Assembly of States Parties of the International Criminal Court (The Hague Working Group), see document ICC-ASP/8/42, 29 October 2009, Assembly of States Parties, Eight session, The Hague, 18-26 November 2009 (zie: <http://www.icc-cpi.int/NR/rdonlyres/FCA438AA-6778-48F7-AF21-4B6F44D12644/0/ICCASP842ENG.pdf>) (the lecture was on 27 May 2009).
- Speech, *Limits to the ability of the ECHR to uniformize criminal procedure law in Europe*, at the three day world congress on comparative law on 'The impact of Uniform Law in National Law. Limits and Possibilities' of the International Academy of Comparative Law, Mexico City, Mexico (13-15 November 2008)
- Keynote, *Religion, Human Rights and Criminal Law*, at the three day international conference 'Human Rights and Religion' of the Faculty of Religious Studies, Radboud University Nijmegen (9-11 October 2008)
- Keynote, *International human rights instruments and their impact on the rights of prisoners*, at the three day international conference 'Prison policy and prisoners' rights' of the International Penal and Penitentiary Foundation (IPPF), Stavern, Norway (25-27 June 2008)
- Lecture, *Standards for Implementation of EU Criminal Law*, (in cooperation with prof. F.G.H. Kristen), one of the main lectures at the two day European congress 'DNA-data exchange in Europe. European Conference on international DNA data exchange in criminal justice', Maastricht/Heerlen, The Netherlands (5-6 June 2008)
- Reading as a Rapporteur, *The implementation of European law concerning the police in the law of The Netherlands, Germany, and England* (in Dutch), at the public assembly of the Dutch Association for Comparative Law, Utrecht, The Netherlands (29 February 2008)
- Lecture, *Criminal Law in the European Union*, and two lectures on the same topic, Universitas Atma Jaya, Jakarta, Indonesia (11-17 April 2007)
- Lecture, *Terrorism cases and the ECHR* (in Dutch), at the symposium 'Terrorism cases: a guideline for prosecutors, judges and lawyers', organized by the NJCM (the Dutch section of the International Commission of Jurists (ICJ)), Utrecht, The Netherlands (12 March 2007)

- Lecture, *Implementation of framework decisions in a dynamic field of the law* (in Dutch), at the symposium 'Implementation of framework decisions in the Dutch criminal law, Tilburg, The Netherlands (7 December 2005).
- Lecture, *A general Framework for a National Redress Procedure*, at the international symposium 'European Court of Human Rights: Remedies and execution of Judgments', organised by the British Institute of International and Comparative Law, London, England (28 October 2003)
- Lecture *Application of the ECHR in the criminal law* (in Dutch), national criminal law day, Tilburg, The Netherlands (31 March 2000)
- Rapporteur, *The Consequences of Judgments of the European Court of Human Rights for the National Legal Order with Regard to Criminal Law* (in Dutch), at the assembly of the Dutch and Belgian Association for the Comparison of the Law of The Netherlands and Belgium, Zutphen, The Netherlands (20-21 November 1998)
- Lecture, *Execution of Strasburg decisions in Dutch criminal cases*, at the international congress 'Execution of Strasburg decisions in the Dutch legal order, Leiden, The Netherlands (14 November 1997)
- Lecture, *Human Rights Protection under National Constitutions and the European Convention*, at the international conference 'Human Rights as Constitutional Rights', Dutch Institute for Advanced Studies (NIAS), Wassenaar, The Netherlands (19 September 1996).

Selection of Publications

Piet Hein van Kempen (co)authored over 10 books, (co)edited over 20 books and (co)authored almost 200 articles, chapters, commentaries and case notes in the field of – national, international, European, transnational and comparative – criminal law and criminal procedural law, penitentiary law and human rights law. In addition, various publications focus on other legal disciplines (including administrative law and civil procedural law) or legal theory, while there are also publications the research for which has been done in cooperation with criminologists or other social scientists. The vast majority of publications is in English or in Dutch; in addition, there are some publications in Chinese and some in French.

Note: the following list is not the complete list of publications. For example, non-scientific publications (so called professional publications), annotations and extensive case notes have not been included.

10 Key Publications (chronological order)

- P.H.P.H.M.C. van Kempen, 'The Right to Fair Preliminary Investigation and Trial for Vulnerable Defendants: The Case of the Netherlands', in: Ronnie Mackay & Warren Brookbanks (eds.), *Fitness to Plead: International and Comparative Perspectives*, Oxford: Oxford University Press 2018, p. 231-253.
- P.H.P.H.M.C. van Kempen, 'Mensenhandel?' [*Human trafficking?*], *Delikt en Delinkwent* 2017, p. 397-411.
- P.H.P.H.M.C. van Kempen & M.I. Fedorova, Internationaal recht en cannabis II. Regulering van cannabisteelt en -handel voor recreatief gebruik: positieve mensenrechtenverplichtingen versus VN-drugsverdragen [*International Law and Cannabis II. Regulation of Cannabis Cultivation and Trade for Recreational Use: Positive Human Rights Obligations versus UN Narcotic Drugs Conventions*], Deventer: Wolters Kluwer 2016, pp. XVIII + 373.
- P.H.P.H.M.C. van Kempen, 'Four Concepts of Security – A Human Rights Perspective', *Human Rights Law Review* 2013, vol. 13(1), p. 1-23.
- P.H.P.H.M.C. van Kempen (ed.), *Pre-trial detention. Human rights, criminal procedural law and penitentiary law, comparative law/Détention avant jugement. Droits de l'homme, droit de la procédure pénale et droit pénitentiaire, droit comparé*, Cambridge/Antwerp/Portland: Intersentia 2012, XXX + 822 pp.
- P.H.P.H.M.C. van Kempen, 'Freedom of Religion and Criminal Law: a Legal Appraisal. From the Principle of Separation of Church and State to the Principle of Pluralist Democracy?', in J.A. van der Ven & H.-G. Ziebertz (eds.), *Tensions within and between Religions and Human Rights*, Leiden/Boston: Brill 2012, p. 27-66.
- P.H.P.H.M.C. van Kempen, 'The Recognition of Legal Persons in International Human Rights Instruments: Protection Against and Through Criminal Justice?', in: M. Pieth & R. Ivory (eds.), *Corporate Criminal Liability. Emergence, Convergence, and Risk*, Ius Gentium: Comparative Perspectives on Law and Justice 9, New York/Dordrecht/Heidelberg/London: Springer 2011, p. 355-389.
- P.H.P.H.M.C. van Kempen, 'Drie basisvereisten voor noodweer. Een pleidooi voor subsidiariteit als de centrale voorwaarde' [*Three basic requirements for self-defence. A plea for necessity as the central condition*], in: P.H.P.H.M.C. van Kempen, A.J. Machielse, H.J.B. Sackers & P.C. Vegter (ed.), *Levend Strafrecht. Strafrechtelijke vernieuwingen in een maatschappelijke context* [*Criminal Law Alive. Criminal Law Innovations in a Societal Context*], Deventer: Kluwer 2011, p. 303-321.
- P.H.P.H.M.C. van Kempen, *Repressie door mensenrechten. Over positieve verplichtingen tot aanwending van strafrecht ter bescherming van fundamentele rechten* [*Repression by Human*

Rights. On Positive Obligations to Apply Criminal Law in Order to Protect Fundamental Rights], Nijmegen: Wolf Legal Publishers 2008, 98 pp.

- P.H.P.H.M.C. van Kempen, 'Waarborgen tegen de ontwrichtende werking van Eurostrafrecht. Over de bedreiging van het Nederlandse materieelstrafrechtelijke systeem, een Europees "Algemeen Deel" en een speciale nationale wet voor het strafrecht uit de Europese Unie' [*Guarantees against disruptive consequences of European criminal law for national substantive criminal law*], in: M.S. Groenhuijsen & J.B.H.M. Simmelink (eds), *Glijdende Schalen*, Nijmegen 2003, p. 247-266.

Forthcoming

- P.H.P.H.M.C. van Kempen & M.I. Fedorova, 'Regulated legalization of cannabis through positive human rights obligations and *inter se* treaty modification', *International Community Law Review* 2018 (appr. 30 pp) (accepted for publication, forthcoming 2018).
- P.H.P.H.M.C. van Kempen & S.M.A. Lestrade, 'Criminalization of human trafficking versus economic development': in: Rita Haverkamp, Ester Herlin-Karnell & Claes Lernestedt, *What is Wrong with Human Trafficking? Critical Perspectives on the Law*, Oxford: Hart publishers (accepted for publication, forthcoming 2018/2019).
- P.H.P.H.M.C. van Kempen, 'Strafrechtelijke verdragsbescherming van cultuuroederen: enige materieelrechtelijke bijzonderheden, kritische observaties en uitgangspunten voor transnationaal strafrecht' [*Criminal law treaty protection of cultural property: some substantive law peculiarities, critical comments and basic principles for transnational criminal law*], *Delikt en Delinkwent* 2018 (accepted for publication, forthcoming 2018/2019).
- P.H.P.H.M.C. van Kempen & M.I. Fedorova, *International Law and Cannabis II. Regulation of Cannabis Cultivation and Trade for Recreational Use: Positive Human Rights Obligations versus UN Narcotic Drugs Conventions*, Cambridge/Antwerp/Portland: Intersentia, 2018, appr. 400 pp (revision and up-date of publication in Dutch).
- P.H.P.H.M.C. van Kempen & M.I. Fedorova, *International Law and Cannabis I. Regulation of Cannabis Cultivation for Recreational Use under the UN Narcotic Drugs Conventions and the EU Legal Instruments in Anti-Drugs Policy*, Cambridge/Antwerp/Portland: Intersentia, 2018, appr. 300 pp. (revision and up-date of publication in Dutch).
- P.H.P.H.M.C. van Kempen, S. Brinkhoff & M.J.M. Krabbe (eds), *The criminal justice system of the Netherlands. Substantive criminal law, Criminal procedure law and Sanction law*, Cambridge/Antwerp/Portland: Intersentia, 2018, appr. 400 pp.
- P.H.P.H.M.C. van Kempen & M. Jendly (eds.), *Overuse in the criminal justice system: on criminalization, prosecution and imprisonment*, Cambridge/Antwerp/Portland: Intersentia, 2018/2019, appr. 300 pp.
- P.H.P.H.M.C. van Kempen & M.J.M. Krabbe (eds.), *Defendants and detainees with psychiatric disturbances*, Cambridge/Antwerp/Portland: Intersentia, 2019, appr. 350 pp.

Publications Realized

Author or co-author of the following books

- P.H.P.H.M.C. van Kempen & M.I. Fedorova, *Internationaal recht en cannabis II. Regulering van cannabisteelt en -handel voor recreatief gebruik: positieve mensenrechtenverplichtingen versus VN-drugsverdragen* [*International Law and Cannabis II. Regulation of Cannabis Cultivation and Trade for Recreational Use: Positive Human Rights Obligations versus UN Narcotic Drugs Conventions*], Deventer: Wolters Kluwer 2016, pp. XVIII + 373.
- P.H.P.H.M.C. van Kempen & M.I. Fedorova, 'Foreign terrorist fighters': strafbaarstelling van verblijf op een terroristisch grondgebied? Een toetsing aan materieel strafrechtelijke,

mensenrechtelijke en volkenrechtelijke parameters [*Foreign Terrorist Fighters': Criminalising stay in a terrorist territory? An evaluation in light of criminal law, human rights and public international law parameters*], Deventer: Wolters Kluwer 2015, pp. XII + 215.

- P.H.P.H.M.C. van Kempen & M.I. Fedorova, Internationaal recht en cannabis. Een beoordeling op basis van VN-drugsverdragen en EU-drugsregelgeving van gemeentelijke en buitenlandse opvattingen pro regulering van cannabisteelt voor recreatief gebruik [*International law and cannabis. An assessment of municipal and foreign views in favour of regulating cannabis cultivation for recreational use based on UN Narcotic Drugs Conventions and the EU legal instruments in anti-drugs policy*], Deventer: Kluwer 2014, xiv + 258 pp.
- P.H.P.H.M.C. van Kempen & M.G.J.M. van der Staak, Een meewerkverplichting bij grootschalig DNA-onderzoek in strafzaken? [*An obligation to participate in mass DNA screening in criminal cases?*], Deventer: Kluwer 2013, viii + 238 pp.
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