

## AUGUST REINISCH

### Publications

#### BOOKS:

*US-Exportkontrollrecht in Österreich* (Vienna, Manz-Verlag 1991) (= Vol. 16 Recht-Wirtschaft-Außenhandel, P. Doralt/H. Haschek, eds.), 146 pp.

with D. Hauck, K. Preslmayr, S. Znidaric, *Der Europäische Wirtschaftsraum* (Vienna, Vertrieb Orac-Verlag 1992), 63 pp.

*State Responsibility for Debts* (Vienna – Cologne – Weimar, Böhlau-Verlag 1995) (= Vol. 5 Europarecht – Internationales Wirtschafts-/Währungsrecht – Völkerrecht, ed. by Waldemar Hummer), 154 pp.

with Gerhard Hafner, *Staatensukzession und Schuldenübernahme beim “Zerfall” der Sowjetunion* (Vienna, Service Fachverlag 1995) (= vol. 9 FOWI-Schriftenreihe, ed. by Doralt), 168 pp.

*International Organizations before National Courts* (Cambridge, Cambridge University Press 2000) (= Vol. 10 Cambridge Studies in International and Comparative Law, ed. by James Crawford), 449 pp; reviewed in EJIL: <http://www.ejil.org/pdfs/12/3/1537.pdf>, and in AJIL by Malcolm N. Shaw: 98 AJIL 625 (2004).

*Recent Developments in International Investment Law* (Paris, Pedone 2009), 81 pp.

*Essential Questions in EU Law* (Cambridge, Cambridge University Press 2009), 255 pp.

with Christoph Schreuer, Loretta Malintoppi and Anthony Sinclair, *The ICSID Convention: A Commentary* (Cambridge, Cambridge University Press, 2<sup>nd</sup> ed., 2009), 1524 pp.

*Essentials of EU Law* (Cambridge, Cambridge University Press, 2<sup>nd</sup> ed., 2012), 281 pp.

with Marc Bungenberg, *Von bilateralen Schieds- und Investitionsgerichten zum multilateralen Investitionsgerichtshof. Optionen für die Institutionalisierung der Investor-Staat-Streitbeilegung* (Studies in International Investment Law Vol. 28, Baden-Baden, Nomos, 2018), pp. 308.

with Marc Bungenberg, *From Bilateral Arbitral Tribunals and Investment Courts to a Multilateral Investment Court. Options Regarding the Institutionalization of Investor-State Dispute Settlement* (Special Issue of European Yearbook of International Economic Law, Springer 2018), pp. 206.

with Marc Bungenberg, *From Bilateral Arbitral Tribunals and Investment Courts to a Multilateral Investment Court. Options Regarding the Institutionalization of Investor-State Dispute Settlement* (Special Issue of European Yearbook of International Economic Law, Springer, 2<sup>nd</sup> ed., 2020), pp. 222.

*Advanced Introduction to International Investment Law* (Cheltenham, UK –Northampton, MA, USA, Edward Elgar Publishing, 2020), pp. 136.

with Christoph Schreuer, *International Protection of Investments. The Substantive Standards* (Cambridge, Cambridge University Press 2020), pp. 1098.

**EDITOR:**

with Irmgard Marboe & Stephan Wittich, *Österreichischer Völkerrechtstag 2001. Favorita Papers 02/2002* (Vienna, Diplomatic Academy 2002) 228 pp.

with Ursula Kriebaum, *The Law of International Relations – Liber Amicorum Hanspeter Neuhold* (Utrecht, eleven international publishing 2007) 506 pp.

with Christina Knahr, *Aktuelle Probleme und Entwicklungen im Internationalen Investitionsrecht* (Stuttgart, Richard Boorberg Verlag 2008) 218 pp.

with Christina Knahr, *International Investment Law in Context* (Utrecht, eleven international publishing 2008) 207 pp.

with Josef Aicher and Erich Kussbach, *Decisions of the Arbitration Panel for In Rem Restitution, Vol. 1* (Vienna – Oxford and Portland Oregon, facultas.wuv – Hart Publishing 2008) 479 pp.

*Standards of Investment Protection* (Oxford, Oxford University Press 2008) 264 pp.

with Stephan Wittich/Andrea Gattini, *Österreichischer Völkerrechtstag 2008* (Frankfurt, Peter Lang – Internationaler Verlag der Wissenschaften 2009) 280 pp.

with Christina Binder/Ursula Kriebaum and Stephan Wittich, *International Investment Law in the 21st Century. Essays in Honour of Christoph Schreuer* (Oxford, Oxford University Press 2009) 970 pp.

with Josef Aicher and Erich Kussbach, *Entscheidungen der Schiedsinstanz für Naturalrestitution, Vol. 2* (Vienna – Oxford and Portland Oregon, facultas.wuv – Hart Publishing 2009) 427 pp.

with Christina Knahr, Christian Koller and Walter Rechberger, *Investment and Commercial Arbitration – Similarities and Divergences* (Utrecht, eleven international publishing, 2009) 197 pp.

with Josef Aicher and Erich Kussbach, *Entscheidungen der Schiedsinstanz für Naturalrestitution, Vol. 3* (Vienna – Oxford and Portland Oregon, facultas.wuv – Hart Publishing 2010) 567 pp.

*Challenging Acts of International Organizations Before National Courts* (Oxford, Oxford University Press 2010) 302 pp.

with Georg Kodek, *Staateninsolvenz* (Vienna/New York, Springer – Bank Verlag 2011) 208 pp.

with Josef Aicher and Erich Kussbach, *Entscheidungen der Schiedsinstanz für Naturalrestitution, Vol. 4* (Vienna – Oxford and Portland Oregon, facultas.wuv – Hart Publishing 2011) 589 pp.

with Andrea K. Bjorklund, *International Investment Law and Soft Law* (Cheltenham, UK – Northampton, MA, USA, Edward Elgar Publishing, 2012) 336 pp.

with Georg Kodek, *Staateninsolvenz* (Vienna/New York, Springer – Bank Verlag, 2<sup>nd</sup> ed., 2012) 339 pp.

with Josef Aicher and Erich Kussbach, *Entscheidungen der Schiedsinstanz für Naturalrestitution*, Vol. 5 (Vienna – Oxford and Portland Oregon, facultas.wuv – Hart Publishing 2012) 595 pp.

with Marc Bungenberg and Ch. Tietje, *EU and Investment Agreements – Open Questions and Remaining Challenges* (Baden-Baden – Oxford and Portland Oregon, Nomos – Hart Publishing, 2013) 200 pp.

*The Privileges and Immunities of International Organizations in Domestic Courts* (Oxford, Oxford University Press, 2013) 376 pp.

*Österreichisches Handbuch des Völkerrechts*. (Vienna, Manz Verlag, 5<sup>th</sup> ed., 2013) Vol. I 774 pp, Vol. II 812 pp.

*Classics in International Investment Law* (Cheltenham, UK – Northampton, MA, USA, Edward Elgar, 2014), two vols. 1344 pp.

with Marc Bungenberg as guest editors of the Special Issue, The Anatomy of the (Invisible) EU Model BIT, in: 15 *The Journal of World Investment and Trade* 375-704 (2014).

with Josef Aicher and Erich Kussbach, *Entscheidungen der Schiedsinstanz für Naturalrestitution*, Vol. 6 (Vienna – Oxford and Portland Oregon, facultas.wuv – Hart Publishing 2014) 625 pp.

with Andrea Bockley and Ursula Kriebaum, *Nichtstaatliche Akteure und Interventionsverbot. Beiträge zum 39. Österreichischen Völkerrechtstag 2014 in Klosterneuburg* (Frankfurt a.M., Peter Lang – Internationaler Verlag der Wissenschaften, 2015) 214 pp.

with Marc Bungenberg, Jörn Griebel und Stephan Hobe, *International Investment Law. A Handbook*. (C.H.BECK – Hart Publishing – Nomos, 2015) 1952 pp.

with Math Noortmann and Cedric Ryngaert, *Non-State Actors in International Law* (Oxford and Portland Oregon, Hart Publishing 2015) 406 pp.

with Nina Dethloff and Georg Nolte, *Freiheit und Regulierung in der Cyberwelt/Rechtsidentifikation zwischen Quelle und Gericht. Berichte der Deutschen Gesellschaft für Internationales Recht – vol 47* (Heidelberg, C. F. Müller Verlag 2016) 412 pp.

*The Conventions on the Privileges and Immunities of the United Nations and its Specialized Agencies. A Commentary* (Oxford, Oxford University Press, 2016) 1076 pp.

with Christina Binder and Mary Footer, *Select Proceedings of the European Society of International Law. "International Law and ..."* (Oxford and Portland Oregon, Hart Publishing, (2016) 543 pp.

with Josef Aicher and Erich Kussbach, *Entscheidungen der Schiedsinstanz für Naturalrestitution*, Vol. 7 (Vienna – Oxford and Portland Oregon, facultas.wuv – Hart Publishing 2017) 651 pp.

with Nina Dethloff and Georg Nolte, *Rückblick nach 100 Jahren und Ausblick Migrationsbewegungen. Berichte der Deutschen Gesellschaft für Internationales Recht* – vol 49 (Heidelberg, C. F. Müller Verlag 2018) 405 pp.

with André Nollkaemper, *International Law in Domestic Courts. A Casebook* (Oxford, Oxford University Press 2018) 705 pp.

with *Stephan Hobe, Eva-Maria Kieninger and Anne Peters*, *Unternehmensverantwortung und Internationales Recht. Berichte der Deutschen Gesellschaft für Internationales Recht* – vol 50 (Heidelberg: C. F. Müller Verlag 2020) 399 pp.

with Peter Hilpold: General Editor of *Völkerrecht, Europarecht und Internationales Wirtschaftsrecht* (Peter Lang – Europäischer Verlag der Wissenschaften since 2006).

with Marc Bungenberg, Stephan Hobe and Andreas Ziegler: General Editor of *Studien zum Internationalen Investitionsrecht* (Nomos since 2010).

with Andrea K. Bjorklund: General Editor of *Elgar International Investment Law* (Edward Elgar since 2013).

Member of the Scientific Board of *La ricerca del diritto nella comunità internazionale/Searching for Law in the International Community* (Editoriale Scientifica since 2013).

Member of the Editorial Board of *International Organizations Law Review* (Brill since 2004).

Corresponding Editor of *International Legal Materials*.

Member of the Editorial Board of *The Global Community: Yearbook of International Law and Jurisprudence*.

Member of the Editorial Board of *The Law and Practice of International Courts and Tribunals*

Member of the Editorial Board (and since 2014 co-editor in chief) of *Oxford Reports on International Law in Domestic Courts*.

Member of the Editorial Board of *The Journal of World Investment and Trade* (Brill since 2014).

Member of the Editorial Board of *The Yearbook of International Investment Law and Policy* (OUP since 2014).

## **BOOK CONTRIBUTIONS:**

‘Debt Restructuring and State Responsibility Issues’, in: D. Carreau/M. Shaw (eds.), *La dette extérieure/The External Debt* 537-605 (Dordrecht - Boston - London: Martinus Nijhoff Publishers, 1995).

Nachhaltige Entwicklung seit der Rio-Konferenz 1992, in: W. Raza (ed.), *Recht auf Umwelt oder Umwelt ohne Recht? Lateinamerika-Jahrbuch Vol. 4* 137-148 (2000).

with Brun-Otto Bryde, 'Articles 44-50', in: Bruno Simma (ed.), *The Charter of the United Nations: A Commentary* 764-788 (Oxford, Oxford University Press, 2<sup>nd</sup> ed., 2002).

'Selecting the Appropriate Forum for Investment Disputes', in: UNCTAD (ed.), *Handbook on Dispute Settlement* (2003). Available at [http://www.unctad.org/en/docs/edmmisc232add1\\_en.pdf](http://www.unctad.org/en/docs/edmmisc232add1_en.pdf)

Die Europäische Union, in: H. Neuhold/W. Hummer/C. Schreuer (eds.), *Österreichisches Handbuch des Völkerrechts* 209-227 (Vienna, Manz, 4<sup>th</sup> ed., 2004).

'[The Action of the EU to Combat International Terrorism](#)', in: Andrea Bianchi (ed.), *Enforcing International Law Norms Against Terrorism* 119-162 (Oxford and Portland Oregon, Hart 2004).

'[The Changing International Legal Framework for Dealing with Non-State Actors](#)', in: Philip Alston (ed.), *Non-State Actors and Human Rights. Collected Courses of the European Academy of Law* 37-89 (Oxford, Oxford University Press, 2005).

Art 23-27 EGV, in: Heinz Mayer (ed.), *Kommentar zu EU- und EG-Vertrag* (Vienna, Manz 2004).

Art 131-135 EGV, in: Heinz Mayer (ed.), *Kommentar zu EU- und EG-Vertrag* (Vienna, Manz 2004).

Ein multilaterales Investitionsabkommen im Rahmen der WTO?, in: Heribert-Franz Köck, Alina Lengauer and Georg Ress (eds.), *Festschrift für Peter Fischer* 415-434 (Vienna, Linde 2004).

'EU and US Attitudes towards the Singapore Issues', in: Hanspeter Neuhold (ed.), *Transatlantic Legal Issues – European Views. Favorita Papers No. 3* 55-64 (2005).

[Verfahrensrechtliche Aspekte der Rechtskontrolle von Organen der Staatengemeinschaft](#), in: R. Hofmann/A. Reinisch/T. Pfeiffer/S. Oeter/A. Stadler, *Die Rechtskontrolle von Organen der Staatengemeinschaft, 42 Berichte der Deutschen Gesellschaft für Völkerrecht 2005* 43-92 (Heidelberg, C.F. Müller 2007).

'[The International Relations of National Courts: A Discourse on International Law Norms on Jurisdictional and Enforcement Immunity](#)', in: August Reinisch and Ursula Kriebaum (ed.), *The Law of International Relations – Liber Amicorum Hanspeter Neuhold* 289-309 (Utrecht, eleven international publishing 2007).

'State Immunity from Enforcement Measures', in: Council of Europe and Gerhard Hafner, Marcelo Kohen and Susan Breau (eds.), *State Practice Regarding State Immunities/La Pratique des Etats concernant les Immunités des Etats* 151-166 (Leiden/Boston, Martinus Nijhoff Publishers 2006).

'[Investment and ... – the Broader Picture of Investment Law](#)', in: August Reinisch and Christina Knahr (eds.), *International Investment Law in Context* 201-207 (Utrecht, eleven international publishing 2008).

'[Expropriation](#)', in: Peter Muchlinski, Federico Ortino and Christoph Schreuer (eds.), *The Oxford Handbook of International Investment Law* 407-458 (Oxford, Oxford University Press 2008).

with Loretta Malintoppi, 'Methods of Dispute Resolution', in: Peter Muchlinski, Federico Ortino and Christoph Schreuer (eds.), *The Oxford Handbook of International Investment Law* 691-720 (Oxford, Oxford University Press 2008).

'[Legality of Expropriations](#)', in: August Reinisch (ed.), *Standards of Investment Protection* 171-204 (Oxford, Oxford University Press 2008).

Enteignung und Fair and Equitable Treatment, in: Christian Tietje (ed.), *International Investment Protection and Arbitration – Theoretical and Practical Perspectives* 119-138 (Berliner Wissenschafts-Verlag 2008).

'The Proliferation of International Dispute Settlement Mechanisms: The Threat of Fragmentation vs. the Promise of a More Effective System? – Some Reflections from the Perspective of Investment Arbitration', in: Isabelle Buffard, James Crawford, Alain Pellet, and Stephan Wittich (eds.), *International Law between Universalism and Fragmentation – Festschrift in Honour of Gerhard Hafner* 107-125 (Leiden – Boston, Martinus Nijhoff Publishers 2008); also available at [http://iis-db.stanford.edu/pubs/22660/Proliferation\\_of\\_DS\\_Mechanisms.pdf](http://iis-db.stanford.edu/pubs/22660/Proliferation_of_DS_Mechanisms.pdf).

'Administrative Tribunals and Questions of Jurisdiction and Immunity', in: UNAT (ed.), *International Administrative Tribunals in a Changing World. United Nations Administrative Tribunal Conference* 51-72 (London, Esperia Publications Ltd 2008).

'The Future of Investment Arbitration', in: Christina Binder, Ursula Kriebaum, August Reinisch and Stephan Wittich (eds.), *International Investment Law for the 21st Century. Essays in Honour of Christoph Schreuer* 894-916 (Oxford, Oxford University Press 2009).

Internationales Investitionsschutzrecht, in: Christian Tietje (ed.), *Internationales Wirtschaftsrecht* 346-374 (Berlin, De Gruyter Recht 2009).

Die Beilegung von Investitionsstreitigkeiten, in: Christian Tietje (ed.), *Internationales Wirtschaftsrecht* 801-817 (Berlin, De Gruyter Recht 2009).

Die internationale Handelsschiedsgerichtsbarkeit und andere Formen der Streitbeilegung im Internationalen Wirtschaftsrecht, in: Christian Tietje (ed.), *Internationales Wirtschaftsrecht* 745-762 (Berlin, De Gruyter Recht 2009).

'Decisions of the European Patent Organization Before National Courts', in: August Reinisch (ed.), *Challenging Acts of International Organizations Before National Courts* 137-156 (Oxford, Oxford University Press 2010).

'Enforcement of Investment Awards', in: Catherine Yannaca-Small (ed.), *Arbitration Under International Investment Agreements: A Guide to the Key Issues* 671-697 (Oxford, Oxford University Press 2010).

'Prospects of Investment Arbitration', in: Anne K. Hoffmann (ed.), *Protection of Foreign Investments through Modern Treaty Arbitration – Diversity and Harmonisation – ASA Special Series No. 34* 231-251 (May 2010).

with Jakob Wurm, '[International Financial Institutions before National Courts](#)', in: Daniel D. Bradlow and David B. Hunter (eds.), *International Financial Institutions and International Law* 103-135 (Kluwer Law International 2010).



‘The Issues Raised by Parallel Proceedings and Possible Solutions’, in: Michael Waibel, A. Kaushal, K.-H. L. Chung and C. Balchin (eds.), *The Backlash against Investment Arbitration: Perceptions and Reality* 113-126 (Kluwer Law International 2010).

with Christina Binder, ‘Economic Emergency Powers: A Comparative Law Perspective’, in: Stephan Schill (ed.), *International Investment Law and Comparative Public Law* 503-540 (Oxford, Oxford University Press, 2010).

‘The Division of Powers Between the EU and Its Member States “After Lisbon”’, in: Marc Bungenberg, Jörn Griebel and Stefan Hindelang (eds.), *Internationaler Investitionsschutz und Europarecht* 99-111 (2010).

‘GATT/WTO Law in the Austrian Legal Order’, in: Claudio Dordi (ed.), *The Absence of Direct Effect of WTO in the EC and in Other Countries* 261-273 (Torino, G. Giappichelli Editore 2010).

Ein völkerrechtlicher Staateninsolvenzmechanismus, in: Georg Kodek and August Reinisch (eds.), *Staateninsolvenz* 163-191 (Wien/New York, Springer – Bank Verlag 2011).

Art 28-33 AEUV, in: Heinz Mayer (ed.), *Kommentar zu EUV und AEUV* (Vienna, Manz 2011).

Art 205-207 AEUV, in: Heinz Mayer (ed.), *Kommentar zu EUV und AEUV* (Vienna, Manz 2011).

[‘A History of the Doctrine of Odious Debts: Serving Individual/Bilateral or Community Interests?’](#), in: Ulrich Fastenrath, Rudolf Geiger, Daniel-Erasmus Khan, Andreas Paulus, Sabine v. Schorlemer and Christoph Vedder (eds.), *From Bilateralism to Community Interest. Essays in Honour of Judge Bruno Simma* 1225-1240 (Oxford, Oxford University Press 2011).

‘Privileges and Immunities’, in: J. Klabbers/A. Wallendahl (eds.), *Research Handbook on the Law of International Organizations* 132-155 (Cheltenham, UK/Northampton, MA, USA, Edward Elgar 2011).

[Das Recht auf Zugang zu Gericht und völkerrechtliche Immunitäten in Österreich](#), in: Clemens Jabloner, Gabriele Kucsko-Stadlmayer, G. Muzak, Bettina Perthold-Stoitzner and K. Stöger (eds.), *Vom praktischen Wert der Methode. Festschrift Heinz Mayer zum 65. Geburtstag* 631-648 (Vienna, Manz 2011).

‘Historical Overview’, in: Catherine Kessedjian (ed.), *Le droit européen et l’arbitrage d’investissement – European Law and Investment Arbitration* 21-36 (Paris, Éditions Panthéon-Assas 2011).

with Gregor Novak, [‘Desirable Standards for the Design of Administrative Tribunals from the Perspective of Domestic Courts’](#), in: Olufemi Elias (ed.), *The Development and Effectiveness of International Administrative Law* 273-302 (Leiden/Boston, Martinus Nijhoff Publishers 2012).

Die Zuständigkeitsentscheidung im *Eureka*-Fall – Internationale Investitionstribunale und EU Institutionen auf Kollisionskurs?, in: Kirsten Schmalenbach (ed.), *Aktuelle Herausforderungen des Völkerrechts. Beiträge zum 36. Österreichischen Völkerrechtstag 2011* 3-22 (Frankfurt a.M., Peter Lang Verlag, 2012).

Ein schiedsrechtlicher Staateninsolvenzmechanismus?, in: Georg Kodek and August Reinisch (eds.), *Staateninsolvenz* 207-234 (Vienna/New York, Springer – Bank Verlag, 2<sup>nd</sup> ed., 2012).

‘Is expropriation ripe for codification? – The example of the non-discrimination requirement for lawful expropriations’, in: Andrea K. Bjorklund and August Reinisch (eds.), *International Investment Law and Soft Law* 271-304 (Cheltenham, UK/Northampton, MA, USA, Edward Elgar Publishing, 2012).

with Andrea K. Bjorklund, ‘Introduction: The ILA Study Group on the Role of Soft Law Instruments in International Investment Law’, in: Andrea K. Bjorklund and August Reinisch (eds.), *International Investment Law and Soft Law* 1-8 (Cheltenham, UK/Northampton, MA, USA, Edward Elgar Publishing, 2012).

with Andrea K. Bjorklund, ‘Soft Codification of International Investment Law’, in: Andrea K. Bjorklund and August Reinisch (eds.), *International Investment Law and Soft Law* 305-318 (Cheltenham, UK/Northampton, MA, USA, Edward Elgar Publishing, 2012).

Rechtliche und außerrechtliche Vereinbarungen in der rezenten außenpolitischen Praxis Österreichs, in: Gerhard Hafner, Franz Matscher, and Kirsten Schmalenbach (eds.), *Völkerrecht und die Dynamik der Menschenrechte. Liber Amicorum Wolfram Karl* 439-449 (Vienna, facultas.wuv 2012).

with Christina Knahr, ‘Conflict of Interest in International Investment Arbitration’, in: Anne Peters, Lukas Handschin and D. Hoegger (eds.), *Conflict of Interest in Governance – An Interdisciplinary Outlook on the Global, Public, Corporate and Financial Sphere* 103-124 (Cambridge, Cambridge University Press 2012).

[EU-Wettbewerbsrecht und internationale Organisationen](#), in: Florian Schuhmacher, P. Stockenhuber, Manfred Straube, Ulrich Torggler and Christian Zib (eds.), *Festschrift für Josef Aicher* 647-662 (Vienna, Verlag Österreich 2012).

with Gregor Novak, ‘Articles 44-50’, in: Bruno Simma, Daniel-Erasmus Khan, Georg Nolte and Andreas Paulus (eds.), *The Charter of the United Nations. A Commentary* 1356-1384 (Oxford, Oxford University Press, 3<sup>rd</sup> ed., 2012).

‘The Impact of International Law on IIA Interpretation’, in: Armand de Mestral and Céline Lévesque (eds.), *Improving International Investment Agreements* 323-341 (Abingdon/UK – New York/USA, Routledge 2013).

‘[Austria](#)’, in: Chester Brown (ed.), *Commentaries on Selected Model Investment Treaties* 15-51 (Oxford, Oxford University Press 2013).

Jurisdiction: Grenzen der Staatsgewalt, in: Fritz Schwind, Hans Hoyer and Helmut Ofner (eds.), *Festschrift – 50 Jahre ZfRV* 171-185 (Vienna, Manz 2013).

‘Transnational Judicial Conversations on the Personality, Privileges and Immunities of International Organizations – An Introduction’, in: August Reinisch (ed.), *The Privileges and Immunities of International Organizations in Domestic Courts* 1-16 (Oxford, Oxford University Press 2013).

with Gregor Novak, ‘Austria’, in: August Reinisch (ed.), *The Privileges and Immunities of International Organizations in Domestic Courts* 31-54 (Oxford, Oxford University Press 2013).

with Ralph Janik, ‘The Personality, Privileges and Immunities of International Organizations – Room for Dialogue’, August Reinisch (ed.), *The Privileges and Immunities of International Organizations in Domestic Courts* 329-337 (Oxford, Oxford University Press 2013).



with Hanspeter Neuhold, Grundlagen und Rahmenbedingungen des heutigen Völkerrechts, in: August Reinisch (ed.), *Österreichisches Handbuch des Völkerrechts. Vol. I: Textteil* 1-31 (Vienna, Manz Verlag, 5<sup>th</sup> ed., 2013).

with Ignaz Seidl-Hohenveldern, Waldemar Hummer und Heribert-Franz Köck, Die Staaten, in: August Reinisch (ed.), *Österreichisches Handbuch des Völkerrechts. Vol. I: Textteil* 150-204 (Vienna, Manz Verlag, 5<sup>th</sup> ed., 2013).

Die Europäische Union, in: August Reinisch (ed.), *Österreichisches Handbuch des Völkerrechts. Vol. I: Textteil* 250-275 (Vienna, Manz Verlag, 5<sup>th</sup> ed., 2013).

with Peter Fischer, Grundlagen des Internationalen Wirtschaftsrechts, in: August Reinisch (ed.), *Österreichisches Handbuch des Völkerrechts. Vol. I: Textteil* 547-560 (Vienna, Manz Verlag, 5<sup>th</sup> ed., 2013).

Welthandelsrecht – GATT/WTO, in: August Reinisch (ed.), *Österreichisches Handbuch des Völkerrechts. Vol. I: Textteil* 561-576 (Vienna, Manz Verlag, 5<sup>th</sup> ed., 2013).

Das Internationale Währungs- und Finanzrecht, in: August Reinisch (ed.), *Österreichisches Handbuch des Völkerrechts. Vol. I: Textteil* 577-587 (Vienna, Manz Verlag, 5<sup>th</sup> ed., 2013).

[Jurisdiction: Grenzen der Staatsgewalt und Verfahrensgerechtigkeit bei internationalen Prozessen](#), in: *Vienna Law Inauguration Lectures – Antrittsvorlesungen an der Rechtswissenschaftlichen Fakultät der Universität Wien, Vol. 3* 97-118 (Vienna, Manz Verlag 2014).

with Christina Binder, [‘Debts and State of Necessity’](#), in: Juan Pablo Bohoslavsky and Jernej Letnar Čerňič (eds.), *Making Sovereign Financing & Human Rights Work* 115-128 (Oxford and Portland Oregon, Hart 2014).

[‘The Interpretation of International Investment Agreements’](#), in: Marc Bungenberg, Jörn Griebel, Stephan Hobe, and August Reinisch (eds.), *International Investment Law. A Handbook* 372-410 (C.H.BECK – Hart Publishing – Nomos, 2015).

[‘Most-Favoured-Nation Treatment’](#), in: Marc Bungenberg, Jörn Griebel, Stephan Hobe, and August Reinisch (eds.), *International Investment Law. A Handbook* 807-845 (C.H.BECK – Hart Publishing – Nomos, 2015).

‘National Treatment’, in: Marc Bungenberg, Jörn Griebel, Stephan Hobe, and August Reinisch (eds.), *International Investment Law. A Handbook* 846-869 (C.H.BECK – Hart Publishing – Nomos, 2015).

‘The Likely Content of Future EU Investment Agreements’, in: Marc Bungenberg, Jörn Griebel, Stephan Hobe, and August Reinisch (eds.), *International Investment Law. A Handbook* 1884-1904 (C.H.BECK – Hart Publishing – Nomos, 2015).

Internationales Investitionsschutzrecht, in: Christian Tietje (ed.), *Internationales Wirtschaftsrecht* 925-946 (Berlin, De Gruyter Recht, 2<sup>nd</sup> ed, 2015).

Die Beilegung von Investitionsstreitigkeiten, in: Christian Tietje (ed.), *Internationales Wirtschaftsrecht* 801-817 (Berlin, De Gruyter Recht, 2<sup>nd</sup> ed, 2015).

‘Investors’, in: Math Noortmann, August Reinisch and Cedric Ryngaert (eds.), *Non-State Actors in International Law* 253-271 (Oxford and Portland Oregon, Hart, 2015).

[‘National Treatment – \*Bayindir v. Pakistan\*, ICSID Case No. ARB/03/29’](#), in: Meg Kinnear et al. (ed.), *Building International Investment Law. The First 50 Years of ICSID* 389-398 (Kluwer Law International, 2016).

‘Introduction to the General Convention’, in: August Reinisch (ed.), *The Conventions on the Privileges and Immunities of the United Nations and its Specialized Agencies. A Commentary* 3-13 (Oxford, Oxford University Press 2016).

‘Introduction to the Specialized Agencies Convention’, in: August Reinisch (ed.), *The Conventions on the Privileges and Immunities of the United Nations and its Specialized Agencies. A Commentary* 15-21 (Oxford, Oxford University Press 2016).

‘Immunity of Property, Funds and Assets (Article II Section 2 General Convention)’, in: August Reinisch (ed.), *The Conventions on the Privileges and Immunities of the United Nations and its Specialized Agencies. A Commentary* 63-98 (Oxford, Oxford University Press 2016).

‘Annex XII – International Maritime Organization (IMO)’, in: August Reinisch (ed.), *The Conventions on the Privileges and Immunities of the United Nations and its Specialized Agencies. A Commentary* 797-803 (Oxford, Oxford University Press 2016).

‘Annex XV – World Intellectual Property Organization (WIPO)’, in: August Reinisch (ed.), *The Conventions on the Privileges and Immunities of the United Nations and its Specialized Agencies. A Commentary* 817-823 (Oxford, Oxford University Press 2016).

‘Investment Disputes and Their Boundaries’, in: Société Française pour le Droit International (ed.), *Droit des frontières internationales – The Law of International Borders* 207-230 (Paris, Edition Pedone 2016).

with Lukas Stifter, ‘Expropriation in the Light of the UNCTAD Investment Policy Framework for Sustainable Development’, in: Steffen Hindelang and Markus Krajewski (eds.), *Shifting Paradigms in International Investment Law* 81-96 (Oxford, Oxford University Press, 2016).

‘The Rule of Law in International Investment Arbitration’, in: Photini Pazartzis and Maria Gavouneli et al. (eds.), *Reconceptualising the Rule of Law in Global Governance, Resources, Investment and Trade* 291-307 (Oxford and Portland Oregon, Hart, 2016).

‘The EU’s Foreign Investment Policy with Particular Regard to Investor-State Dispute Settlement’, in: Guiguo Wang et al. (eds.), *International Law Perspective of the Belt and Road Initiative* 208-218 (Zhejiang University Press 2016).

‘Elements of Conciliation in Dispute Settlement Procedures Relating to International Economic Law’, in: Christian Tomuschat, Riccardo Pisillo Mazzeschi and Daniel Thürer (eds.), *Conciliation in International Law* 116-132 (Leiden und Boston, Brill – Nijhoff 2016).

‘Privileges and Immunities’, in: Jacob Katz Cogan, Ian Hurd and Ian Johnstone (eds.), *The Oxford Handbook of International Organizations* 1048-1068 (Oxford, Oxford University Press 2016).

‘The European Union and Investor-State Dispute Settlement: From Investor-State Arbitration to a Permanent Investment Court’, in: Armand de Mestral (ed.), *Second Thoughts: Investor-State*

*Arbitration between Developed Democracies* 333-375 (Centre for International Governance Innovation 2017).

‘Rules for an Orderly Insolvency of States?’, in: Thomas Eger, Stefan Oeter, and Stefan Voigt (eds.), *International Law and the Rule of Law under Extreme Conditions. An Economic Perspective Contributions to the XIVth Travemünde Symposium on the Economic Analysis of Law (March 27–29, 2014)* 327-345 (Tübingen, Mohr Siebeck 2017).

‘Sources of International Organizations’ Law: Why Custom and General Principles are Crucial’, in: Samantha Besson and Jean d’Aspremont with Sévrine Knuchel (eds.), *The Oxford Handbook on the Sources of International Law* 1007-1024 (Oxford, Oxford University Press, 2017).

with Lars Gläser, ‘Austria’, in: Michael Lang, Jeffrey Owens, Pasquale Pistone, Alexander Rust, Josef Schuch and Claus Staringer (eds.), *The Impact of Bilateral Investment Treaties on Taxation* 71-98 (Amsterdam IBFD 2017).

‘Enforcement of Investment Awards’, in: Catherine Yannaca-Small (ed.), *Arbitration Under International Investment Agreements: A Guide to the Key Issues* 671-697 (Oxford, Oxford University Press, 2<sup>nd</sup> ed. 2018).

‘Human Rights Extraterritoriality: Controlling Companies Abroad’, in: Eyal Benvenisti and Georg Nolte (eds.), *Community Interests Across International Law* 396-413 (Oxford, Oxford University Press, 2018).

‘Jurisdiction and Admissibility in International Investment Law’, in: Andrea Gattini, Attila Tanzi and Filippo Fontanelli (eds.), *General Principles of Law and International Investment Arbitration* 130-151 (Brill Nijhoff, Boston Leiden 2018).

with Ursula Kriebaum, ‘Investitionsschiedsgerichtsbarkeit’, in: Czernich/Deixler-Hübner/Schauer (eds.), *Handbuch Schiedsverfahren* 1079-1139 (Vienna, Manz 2018).

‘Art 28-33 AEUV’, in: Thomas Jaeger and Karl Stöger (eds.), *Kommentar zu EUV und AEUV* (Wien, Manz 2018).

‘Art 206-207 AEUV’, Thomas Jaeger and Karl Stöger (eds.), *Kommentar zu EUV und AEUV* (Wien, Manz 2018).

with Céline Braumann, ‘Effet Utile’, in: Joseph Klingler, Yuri Parkhomenko and Constantinos Salonidis (eds.), *Between the Lines of the Vienna Convention?. Canons and Other Principles of Interpretation in Public International Law* 47-72 (Alphen an den Rijn, Kluwer Law International B.V. 2019).

with Gregor Novak, ‘International Organizations’, in: André Nollkaemper and August Reinisch with Ralph Janik and Florentina Simlinger (eds.), *International Law in Domestic Courts. A Casebook* 170-196 (Oxford, Oxford University Press 2018).

with Philip A. Janig, ‘General Principles and the Coherence of International Investment Law: Of *Res Judicata*, *Lis Pendens* and the Value of Precedents’, in: Attila Tanzi, Jan Wouters, and Mads Andenæs (eds.), *General Principles and the Coherence of International Law* 247-296 (Leiden, Brill 2019).

‘The Contribution of the ILO Administrative Tribunal to the Development of Staff Dispute Settlement Within International Organizations’, in George P. Politakis, Tomi Kohiyama and Thomas Lieby (eds.), *ILO100 – Law for Social Justice* 439-460 (Geneva, ILO 2019).

with Philip A. Janig, ‘Diplomatic Immunities in Austrian Courts’ in: Marko Novaković (ed.), *Diplomatic Immunity. Evolution and Recent Country Developments* 79-97 (Singapore, Palgrave Macmillan 2020).

with Johannes Tropper, ‘The Argentinian Crisis Arbitrations’ in: H. Ruiz Fabri/E. Stoppioni (eds.), *International Investment Law: An Analysis of the Major Decisions* (Oxford, Hart Publishing 2020) (forthcoming)

‘The Establishment of Mixed Arbitral Tribunals’, in Emanuel Castellarin and Andrea Hamann (eds.), *Le centenaire du Traité de Versailles* (forthcoming).

‘Investment Arbitration and the Rule of Law’, in: Andrea Bjorklund, Franco Ferrari and Stefan Kröll (eds.), *Cambridge Compendium of International Commercial and Investment Arbitration* (forthcoming).

‘Domestic Courts Looking Across Borders – A Comparative View on the Immunity of State Property from Enforcement Measures’, in: Vivian Curran (ed.) *Law’s Porosities* (forthcoming).

with Stefanie Schacherer, ‘Defining Investment and Investor’ in: Marie-Claire Cordonier Segger and Sean Stephenson (eds.), *Research Handbook on Investment Law & Sustainable Development* (forthcoming).

‘The New York Convention as an Instrument of International Law’, in: Franco Ferrari and Friedrich Rosenfeld (eds.), *Autonomous v. Domestic Concepts in the New York Convention* (forthcoming).

## **ARTICLES:**

How long is Uncle Sam’s Arm? Ein Überblick über die neuere amerikanische Rechtsprechung zur extraterritorialen Jurisdiktion, in: 3 *economy* 180-191 (1991).

Kritische Bemerkungen zum EWR-Gutachten des EuGH, in: 47 *Österreichische Juristen-Zeitung* 321-325 (1992).

Zur unmittelbaren Anwendbarkeit von EWR-Recht, in: 34 *Zeitschrift für Rechtsvergleichung, Int. Privatrecht und Europarecht* 11-30 (1993).

with Kathrin Hornbanger, Wiener Studenten zeigen im Plädoyer vor dem EuGH Europareife, in: 5 *economy* 122-124 (1993).

with Meinrad Handstanger, Die UN-Embargoresolution gegen Restjugoslawien, in: 5 *economy* 242-248 (1993).

‘The European Economic Area’, in: 18 *The Journal of Social, Political and Economic Studies* 279-309 (1993).

[‘The Need for an International Insolvency Tribunal’](#), in: 42 *Österreichisches Bank Archiv* 115-128 (1994).

‘The Maastricht Decision of the German Federal Constitutional Court’, in: 1 *Inter Alia* (University of Durham) 9-12 (1994).

Vom rechtspädagogischen Wert des European Law Moot Court, in: 5 *Juristische Ausbildung und Praxis* 214-216 (1994/95).

Das Jugoslawien-Tribunal der Vereinten Nationen und die Verfahrensgarantien des II. VN-Menschenrechtspaktes. Ein Beitrag zur Frage der Bindung der Vereinten Nationen an nicht-ratifiziertes Vertragsrecht (with English summary), in: 47 *Austrian Journal of Public and International Law* 173-213 (1995).

with Richard Regner, Zur Umsetzung der österreichischen Verpflichtungen gegenüber dem Jugoslawien-Tribunal der Vereinten Nationen, in: 50 *Österreichische Juristen-Zeitung* 543-560 (1995).

Wirtschaftssanktionen nach dem US-“Cuban Liberty and Democratic Solidarity Act”, in: 6 *ecolex* 499-502 (1996).

[‘The International Fact-Finding Commission According to Art. 90 Additional Protocol I to the Geneva Conventions and its Potential Enquiry Competence in the Yugoslav Conflict’](#), in: 65 *Nordic Journal of International Law* 241-255 (1996).

‘Widening the US Embargo Against Cuba Extraterritorially. A few public international law comments on the “Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996”’, in: 7 *European Journal of International Law* 545-562 (1996), available at <http://ejil.oxfordjournals.org/cgi/reprint/7/4/545>.

‘The Helms-Burton Act, European Responses and International Law’, in: *Proceedings of the 25th Annual Conference of the Canadian Council on International Law* 179-191 (1996).

[‘Trading the Yugoslavia War Crimes Tribunal for Peace?’](#), in: 49 *Revue Hellénique de Droit International* 89-106 (1996).

Das Schicksal des österreichisch-sowjetischen Investitionsschutzabkommens in den Wirren der Staatensukzession: Völkerrechtliche Theorie und zwischenstaatliche Praxis, in: 36 *Der Donauraum* 13-25 (1996).

Blockiermaßnahmen der EU gegen extraterritoriale Rechtsakte, in: 7 *ecolex* 900-904 (1997).

Rechtsgrundlage der "Blockierverordnung" gegen extraterritoriale Rechtsakte, in: 7 *ecolex* 991-994 (1997).

Die neuen Schiedsregeln der internationalen Handelskammer, in: 8 *ecolex* 280-283 (1998).

with Georg Cavallar, ‘Kant, Intervention, and the "Failed State"’, in: 2 *Kantian Review* 91-106 (1998).

NS-Verbrechen und „political questions“: Können deutsche Unternehmen von ehemaligen Zwangsarbeitern vor US-Gerichten verklagt werden? Anmerkungen zu *Burger-Fischer et al. v.*

*Degussa und Iwanowa v. Ford Motor Company and Ford Werke A.G.*, in: 20 *IPRax* 32-39 (2000).

Entschädigung für die unbeteiligten „Opfer“ des Hormon- und Bananenstreites nach Art. 288 II EGV? in: 11 *Europäische Zeitschrift für Wirtschaftsrecht* 42-51 (2000).

jointly with Niklas Schmidt, Die Foreign Sales Corporation vor der WTO, in: *ecolex* 594-599 (2000).

Das WTO-Streitbeilegungsverfahren, in: 11 *ecolex* 836-840 (2000).

with Paul Oberhammer, 'Restitution of Jewish Property in Austria', in: 60 *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht (ZaöRV)* 737-761 (2000). Available at [http://www.zaoerv.de/60\\_2000/60\\_2000\\_1\\_b\\_737\\_762.pdf](http://www.zaoerv.de/60_2000/60_2000_1_b_737_762.pdf)

Können Verletzungen von WTO-Recht durch einzelne Betroffene geltend gemacht werden? in: 11 *ecolex* 912-917 (2000).

with Paul Oberhammer, Zwangsarbeiter vor deutschen Gerichten, in: 21 *IPRax* 211-218 (2000).

'Securing the Accountability of International Organizations', 7 *Global Governance* 131-149 (2001); reprinted in: Jan Klabbers (ed.), *International Organizations. The Library of Essays in International Law* 535-553 (2005).

with Christina Irgel, 'The Participation of Non-governmental Organizations (NGOs) in the WTO Dispute Settlement System', in: 1 *Non-State Actors and International Law* 127-151 (2001).

['Developing a Human Rights and Humanitarian Law Accountability of the UN Security Council for the Imposition of Economic Sanctions'](#), in: 95 *American Journal of International Law* 851-872 (2001).

Richterrecht im Völkerrecht, in: 9 *Journal für Rechtspolitik* 294-303 (2001).

'Governance without Accountability', in: 44 *German Yearbook of International Law* 270-306 (2001).

Zur EG-wettbewerbsrechtlichen Zulässigkeit langfristiger Stromliefervereinbarungen in Österreich, in: 16 *Wirtschaftsrechtliche Blätter* 198-207 (2002).

Der Streit ums Forum oder: "Was gehört eigentlich vor WTO-Panels?", in: 48 *Recht der Internationalen Wirtschaft* 449-456 (2002).

with Isabelle Buffard, Les mesures de restitution de biens juifs en Autriche de 1945 à nos jours, in: 34 *Revue d'Allemagne* 175-197 (2002).

'Some Problematic Aspects of Recent EU Financial Anti-Terrorism Measures', in: 7 *Austrian Review of European and International Law* 111-146 (2002).

'The Use and Limits of *Res Judicata* and *Lis Pendens* as Procedural Tools to Avoid Conflicting Dispute Settlement Outcomes', in: 3 *The Law and Practice of International Courts and Tribunals* 37-77 (2004).



with Ulf Weber, '[In the Shadow of Waite and Kennedy – The Jurisdictional Immunity of International Organizations, the Individual's Right of Access to Courts and Administrative Tribunals as Alternative Means of Dispute Settlement](#)', in: 1 *International Organizations Law Review* 59-110 (2004); reprinted in Edward Kwakwa (ed.), *Globalization and International Organizations. The International Library of Essays on Globalization and Law* 327-378 (2011).

'[From Contested Jurisdiction to Indirect Expropriation and Fair and Equitable Treatment – Developments in ICSID Arbitration in 2004](#)', in: *The Global Community. Yearbook of International Law and Jurisprudence* 1653-1670 (2005).

'European Court Practice Concerning State Immunity from Enforcement Measures', in: 17 *European Journal of International Law* 803-836 (2006). Also available at <http://www.ejil.org/pdfs/17/4/100.pdf>

'Terrorism and Human Rights: EU Anti-Terrorism Measures from an ECHR Perspective', in: 6 *Baltic Yearbook of International Law* 249-261 (2006).

'Accountability of International Organizations According to National Law', in: 36 *Netherlands Yearbook of International Law* 119-167 (2005).

'[From the Intricacies of Ratione Personae Jurisdiction to Failed Justifications on the Merits under the Necessity Defence – ICSID Arbitration in 2005](#)', in: *The Global Community. Yearbook of International Law and Jurisprudence* 1449-1465 (2006).

'Necessity in International Investment Arbitration – An Unnecessary Split of Opinions in Recent ICSID Cases? Comments on *CMS v. Argentina* and *LG&E v. Argentina*', in: 8 *The Journal of World Investment and Trade* 191-214 (2007).

with Christina Knahr, '[Transparency versus Confidentiality in International Investment Arbitration – The Biwater Gauff Compromise](#)', in: 6 *The Law and Practice of International Courts and Tribunals* 97-118 (2007).

[Sachverständigengutachten zur Frage des Bestehens und der Wirkung des völkerrechtlichen Rechtfertigungsgrundes „Staatsnotstand“](#), in: 68 *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht ZaöRV – Heidelberg Journal of International Law* 3-34 (2008).

'[New Jurisdictional Hurdles, More on Investment Protection Standards and Novel Procedural Issues – ICSID Arbitration in 2006](#)', in: *The Global Community. Yearbook of International Law and Jurisprudence* 1799-1828 (2007).

'[The Role of Precedent in ICSID Arbitration](#)', in: *Austrian Arbitration Yearbook* 495-510 (2008); reprinted in: V.V.L. Gayathri (ed.), *International Investment Disputes – ADR Mechanisms* 1-22 (Icfai University Press, 2008-09).

'The Immunity of International Organizations and the Jurisdiction of Their Administrative Tribunals', IILJ Working Paper 2007/11, (Global Administrative Law Series), available at <http://iilj.org/publications/documents/2007-11.GAL.Reinisch.web.pdf>.

'[The Immunity of International Organizations and the Jurisdiction of their Administrative Tribunals](#)', in: 7 *Chinese Journal of International Law* 285-306 (2008).

with Christina Knahr, '[From the United Nations Administrative Tribunal to the United Nations Appeals Tribunal – Reform of the Justice System within the United Nations](#)', in: 12 *Max Planck Yearbook of United Nations Law* 447-486 (2008).

'Back to Basics: From the Notion of "Investment" to the Purpose of Annulment – ICSID Arbitration in 2007', in: *The Global Community. Yearbook of International Law and Jurisprudence* 1591-1614 (2008).

'[Should Judges Second-Guess the UN Security Council?](#)', in: 5 *International Organizations Law Review* 257-291 (2008).

'[Investment Protection and Dispute Settlement in Preferential Trade Agreements: A Challenge to BITs?](#)', in: 24 *ICSID Review – Foreign Investment Law Journal* 410-427 (2009).

'Protection of or Protection against Foreign Investment? – The Proposed Unbundling Rules of the EC Draft Energy Directives', in: *European Yearbook of International Economic Law* 53-75 (2010).

'From Novel Personal Jurisdiction Issues to Considerable Substance on Fair and Equitable Treatment—ICSID Arbitration in 2008', in: *The Global Community. Yearbook of International Law and Jurisprudence* 2009 749-770 (2010).

'[Aid or Assistance and Direction and Control between States and International Organizations in the Commission of Internationally Wrongful Acts](#)', in: 7 *International Organizations Law Review* 63-77 (2010).

'The Division of Powers Between the EU and Its Member States "After Lisbon"', in: *European Yearbook of International Economic Law – Special Issue: International Investment Law and EU Law* 43-54 (2011).

'[How Narrow are Narrow Dispute Settlement Clauses in Investment Treaties?](#)', in: 2 *Journal of International Dispute Settlement* 115-174 (2011).

'Necessity in Investment Arbitration', in: 41 *Netherlands Yearbook of International Law* 137-158 (2010).

'Value Conflicts within the United Nations Security Council', in: 14 *Austrian Review of European and International Law* 41-60 (2009).

'[From the Perennial Issue of the Notion of Investment Pursuant to Article 25 ICSID Convention and Narrow Dispute Settlement Provisions to Further Clarifications of Substantive Standards of Protection – ICSID Arbitration in 2009](#)', in: *The Global Community. Yearbook of International Law and Jurisprudence* 2010 839-856 (2012).

'The Rediscovery of Holocaust-Related Property Issues after 1989 – An Inside View of the Arbitration Panel for *In Rem* Restitution of Publicly-Owned Property', in: 14 *Austrian Review of European and International Law* 215-238 (2009).

'[Articles 30 and 59 of the Vienna Convention on the Law of Treaties in Action – The Decisions on Jurisdiction in the Eastern Sugar and Eureko Investment Arbitrations](#)', in: 39(2) *Legal Issues of Economic Integration* 157-177 (2012).

‘From Rediscovered Waiting Periods to Ever More Activist Annulment Committees – ICSID Arbitration in 2010’, in: *The Global Community. Yearbook of International Law and Jurisprudence 2011* 933-956 (2012).

[‘The Future Shape of EU Investment Agreements’](#), in: 28 *ICSID Review – Foreign Investment Law Journal* 179-196 (2013).

with Gregor Novak, [Privilegien und Immunitäten internationaler Organisationen in der Rechtsprechung österreichischer Gerichte](#), in: 68 *Österreichische Juristen-Zeitung* 429-500 (2013).

[‘The Scope of Investor-State Dispute Settlement in International Investment Agreements’](#), in: 21 *Asia Pacific Law Review* 3-26 (2013).

with Jane Hofbauer, ‘Jurisprudential Cross-Fertilization: Investment Arbitration and General International Adjudication and Arbitration’, in: *The Global Community. Yearbook of International Law and Jurisprudence 2012 (I)* 191-214 (2013).

‘From the Admission of the First Mass-Claims Case before ICSID to a Creeping Violation of the FET Standard – ICSID Arbitration in 2011’, in: *The Global Community. Yearbook of International Law and Jurisprudence 2012* 883-904 (2013).

[‘The EU on the Investment Path – Quo Vadis Europe? The Future of EU BITs and other Investment Agreements’](#), in: 12 *St. Clara Journal of International Law* 111-157 (2013).

[‘From Reshaping the Salini Criteria to Solidifying the Elements of Fair and Equitable Treatment – ICSID Arbitration in 2012’](#), in: *The Global Community. Yearbook of International Law & Jurisprudence 2013 (II)* 915-940 (2014).

[‘To What Extent Can and Should National Courts ‘Fill the Accountability Gap?’](#), in: 11 *International Organizations Law Review* 572-587 (2014).

[‘Putting the Pieces together ... an EU Model BIT?’](#), in: Marc Bungenberg and August Reinisch (guest eds.), *The Anatomy of the (Invisible) EU Model BIT*, 15 *The Journal of World Investment and Trade* 679-704 (2014).

[‘The Relevance of the UNIDROIT Principles of International Commercial Contracts in International Investment Arbitration’](#), in: 19(4) *Uniform Law Review* 609-622 (2014).

with Peter Bachmayer, ‘The Role of Judges at Austrian Courts in the Development of International Law’, in: 14 *The Law and Practice of International Courts and Tribunals* 151-170 (2015).

[‘From a “Salini-light” Test and New Disagreement on Waiting Periods to Clarifications on Expropriation and Fair and Equitable Treatment – ICSID Arbitration in 2013’](#), in: *The Global Community. Yearbook of International Law and Jurisprudence 2014 (II)* 837-866 (2015).

with Lukas Stifter, ‘What about ISDS in EU Investment Agreements?’ , in: 8 *Revista Internacional de Arbitragem e Concilacao* 7-34 (2015).

with Peter Bachmayer, [‘The Identification of Customary International Law in Austrian Courts’](#), in: 17 *Austrian Review of European and International Law* 1-48 (2015).

[‘From Clarifying Nationality and Legality Requirements to More Details on Expropriation Issues and the First ICSID Arbitrator Disqualification – ICSID Arbitration in 2014’](#), in: *The Global Community. Yearbook of International Law and Jurisprudence 2015 (II)* 801-819 (2016).

‘The European Union and Investor-State Dispute Settlement: From Investor-State Arbitration to a Permanent Investment Court’, in: Centre for International Governance Innovation (CIGI), Investor-State Arbitration Series, Paper No. 2 – March 2016, available at <https://www.cigionline.org/publications/european-union-and-investor-state-dispute-settlement-investor-state-arbitration-permane>.

with Jose Magnaye, ‘Revisiting *Res Judicata* and *Lis Pendens* in Investor-State Arbitration’, in: 15 *The Law and Practice of International Courts and Tribunals* 264-286 (2016).

‘Will the EU’s Proposal Concerning an Investment Court System for CETA and TTIP Lead to Enforceable Awards?—The Limits of Modifying the ICSID Convention and the Nature of Investment Arbitration’, 19 *Journal of International Economic Law* 761-786 (2016).

Zur Reichweite der Immunität der Schweizerischen Nationalbank vor österreichischen Zivilgerichten sowie von Zentralbanken im Allgemeinen (zu OGH, 17. 8. 2016 – 8 Ob 68/16g), in: 37 *IPRax* 298-308 (2017).

‘Jurisdiction and Admissibility in International Investment Law’, in: 16 *The Law and Practice of International Courts and Tribunals* 21-43 (2017).

‘From the First Bondholders’ Claim Held to be Outside the Jurisdiction of ICSID to the Legality Requirement for Lawful Expropriations and Various Elements of Fair and Equitable Treatment – ICSID Arbitration in 2015’, in: *The Global Community. Yearbook of International Law and Jurisprudence 2016* 713-733 (2017).

‘How to Distinguish ‘In Accordance With Host State Law’ Clauses From Similar International Investment Agreement Provisions?’, 7 *Indian Journal of Arbitration Law* 70-83 (2018).

‘From Thinning the *Salini* Criteria to the Relationship between Regulatory Powers and Indirect Expropriation as well as FET – ICSID Arbitration in 2016’, in: *The Global Community. Yearbook of International Law and Jurisprudence 2017* 705-716 (2018).

‘From Uncertainty About the *Ratione Personae* Requirements for Jurisdiction to the Friction Between Regulatory Measures and Investment Obligations – ICSID Arbitration in 2017’, in: *The Global Community. Yearbook of International Law and Jurisprudence 2018* 793-807 (2019).

‘Der Nichtdiskriminierungsstandard der Inländergleichbehandlung im Internationalen Investitionsrecht’, in: 74 *Zeitschrift für öffentliches Recht* 673-687 (2019).

## **SHORT CONTRIBUTIONS:**

"Uncitral" entwickelt internationales Recht von morgen, in: *Die Presse* vom 26.6.1991, 17.

Im Weltraum geht das Völkerrecht neue Wege, in: *Die Presse* vom 10.10.1991, 8.

Wenn die US-Regierung in Österreich Hoheitsakte setzt, in: *Die Presse* vom 4.5.1992, 11.

Jugoslawien Tribunal, in: 23 *Europäische Rundschau* (1995/3), 109-113.

'Domestic Courts and International Organizations', in: *ASIL Newsletter* (September -October 1996), 13-14.

APROPOS "BLOCKIERUNG": Blockiermaßnahmen der EU gegen extraterritoriale Rechtsakte, in: 7 *ecolex* (1997), 995.

jointly with *Bühler*, 'Austria: Supreme Court decision in *Republic of Croatia et al v. Girocredit Bank A.G. der Sparkassen*. Introductory note', in: 36 *ILM* 1520-1530 (1997). Also available at <http://www.asil.org/resources/international-legal-materials>.

'*Case of Waite and Kennedy v. Germany*, Application No. 26083/94; *Case of Beer and Regan v. Germany*, Application No. 28934/95, European Court of Human Rights, 18 February 1999', in: 93 *AJIL* 933-938 (1999).

['The Americanization of International Law'](#), in: 1 *Juridikum* 71-73 (2000).

'Exploring the Evolution of Purposes, Methods and Legitimacy: Accountability of Intergovernmental Organizations', in: 94 *ASIL Proceedings* 205-206 (2000).

'Introduction to Joint Declaration of Dr. Gerhard Hafner and Dr. August Reinisch *In Re Austrian and German Bank Holocaust Litigation*', in: 5 *Austrian Review of International and European Law* 271-290 (2002).

Ein Insolvenzrecht für Staaten? in: 50 *Wirtschaftspolitische Blätter* 285-289 (2003).

[Case note concerning LG Frankfurt/M. 14 March 2003 \(Wirksamkeit eines Arrestbefehls gegen den Staat Argentinien\)](#), in: 58 *Juristenzeitung* 1013-1016 (2003).

[Über die Verantwortlichkeit von NGOs als Sprachrohre der Zivilgesellschaft](#), in: 4 *Juridikum* 145-147 (2003).

["Handel und ..." – und was eigentlich?](#), in: 4 *Juridikum* 175-179 (2003).

'Good Governance in Public International Law – From Constitutional Blindness to International Legitimacy', in: *Le rôle du droit international et du droit européen dans la définition et la défense de la Démocratie, de l'état de droit et du respect des droits de l'homme* 22-25 (2004).

'Does US Hegemony Change the Nature of International Law? – A Reply to Professor Zemanek', in: 8 *Austrian Review of European and International Law* 153-162 (2003).

'ICSID: *Plama Consortium Limited v. Republic of Bulgaria*. Introductory Note', in: 44 *ILM* 717-720 (2005).

'Court of First Instance of the European Communities: *Yassin Abdullah Kadi v. Council of the European Union and Commission of the European Communities* (September 21, 2005) Introductory Note', in: 45 *ILM* 77-80 (2006).

['Editorial: How Necessary is Necessity for International Organizations?'](#), in: 3 *International Organizations Law Review* 177-183 (2006).



‘Introductory Note to International Centre for the Settlement of Investment Disputes (ICSID): LG&E Energy Corp., LG&E Capital Corp., LG&E International Inc. v. The Argentine Republic, ICSID Case No. ARB/02/1, Decision on Liability, 3 October 2006,’ in: 46 *ILM* 36-39 (2007).

‘State Insolvency – Consequences and Obligations under Investment Treaties’, Comment in: Rainer Hofmann and Christian J. Tams (eds.), *The International Convention for the Settlement of Investment Disputes (ICSID). Stocktaking After 40 Years* 175-178 (Nomos, 2007).

Einleitung zum Panel “Fragmentierung des Völkerrechts”, in: Georg Nolte and Peter Hilpold (eds.), *Auslandsinvestitionen – Entwicklung großer Kodifikationen – Fragmentierung des Völkerrechts – Status des Kosovo. Beiträge zum 31. Österreichischen Völkerrechtstag 2006 in München* 138-140 (Peter Lang Verlag, 2008).

‘[Maffezini](#)’, in: *Max Planck Encyclopedia of Public International Law* (OUP online, 2007).

‘[International Courts and Tribunals, Multiple Jurisdiction](#)’, in: *Max Planck Encyclopedia of Public International Law* (OUP online, 2008), available at <http://www.mpepil.com/>.

with Irmgard Marboe, ‘[Contracts between States and Foreign Private Law Persons](#)’, in: *Max Planck Encyclopedia of Public International Law* (OUP, online, 2008), available at <http://www.mpepil.com/>

‘[Contracts between International Organizations and Private Law Persons](#)’, in: *Max Planck Encyclopedia of Public International Law* (OUP, online, 2008), available at <http://www.mpepil.com/>

with Ursula Kriebaum, ‘[Property, Right to, International Protection](#)’, in: *Max Planck Encyclopedia of Public International Law* (OUP online, 2010).

‘Introduction to the Convention on the Privileges and Immunities of the United Nations and the Convention on the Privileges and Immunities of the Specialized Agencies’, in: United Nations (ed.), *Audiovisual Library of International Law*, available at <http://www.un.org/law/avl/>

‘European Court of Justice: *Yassin Abdullah Kadi v. Council of the European Union and Commission of the European Communities* (September 9, 2008) Introductory Note’, in: 47 *ILM* 923-926 (2008).

‘European Court of Justice: *Commission of the European Communities v. Austria and Sweden* (March 3, 2009) Introductory Note’, in: 48 *ILM* 470-472 (2009).

Restitution als Interdisziplinäre Herausforderung, in: Nationalfonds der Republik Österreich für Opfer des Nationalsozialismus/Allgemeiner Entschädigungsfonds der Republik Österreich für Opfer des Nationalsozialismus, *Geschäftsbericht 2008 – 2009* 72-74 (2010).

‘Comments on a Decade of Italian Case law on the Jurisdictional Immunity of International Organizations’, in: 19 *Italian Yearbook of International Law* 101-111 (2009).

with A.K. Bjorklund, ‘[Role of Soft-Law Instruments in International Investment Law, Interim Report](#)’, in: *ILA Conference – The Hague – 2010* 961-966 (2010).

with C. Knahr, ‘Austria’, in: *Bilateral Investment Treaty Overview – IC-OV 020 AT* (2010).



with A.K. Bjorklund, '[ILA Study Group on the Role of Soft-Law Instruments in International Investment Law, Report](#)', in: *ILA Conference – Sofia – 2012* (2012) 9 pp.

'Accountability of International Organizations for Human Rights Violations', in: Manfred Nowak, Karolina M. Januszewski, Tina Hofstätter (eds.), *All Human Rights for All. Vienna Manual on Human Rights* 283-288 (Vienna, Graz: intersentia, neuer wissenschaftlicher verlag 2012).

'International Economic Law and Human Rights', in: Manfred Nowak, Karolina M. Januszewski, Tina Hofstätter (eds.), *All Human Rights for All. Vienna Manual on Human Rights* 584-590 (Vienna, Graz: intersentia, neuer wissenschaftlicher verlag 2012).

'Comments on Privatization of the Settlement of International Disputes', in: Rüdiger Wolfrum and I. Gätzschmann (eds.), *International Dispute Settlement: Room for Innovations?* 345-347 (Heidelberg, New York, Dordrecht, London: Springer 2013).

'The challenge of fostering greater coherence in international investment law: an introduction', in: R. Echandi/P. Sauvé (eds.), *Prospects in International Investment Law and Policy* 236-239 (Cambridge: Cambridge University Press 2013).

with Markus Beham, 'Mitigating Risks: Inter-State Due Diligence Obligations in Case of Harmful Cyber-Incidents and Malicious Cyber-Activity – Obligations of the Transit State', in: 58 *German Yearbook of International Law* 101-112 (2015).

with Lukas Stifter, 'European Investment Policy and ISDS', in: *ELTE Law Journal* 11-25 (2015).

'Some general reflections on international organizations adapting to a rapidly changing world', Panel 'Adapting to Change: The Role of International Organizations', in: 109 *ASIL Proceedings* 283-286 (2015).

Podiumsdiskussion: Internationalisierung der Juristenausbildung und Relevanz des internationalen Rechts, in: Nina Dethloff, Georg Nolte and August Reinisch (eds.), *Freiheit und Regulierung in der Cyberwelt/Rechtsidentifikation zwischen Quelle und Gericht. Berichte der Deutschen Gesellschaft für Internationales Recht. Vol. 47.* 391-412 (Heidelberg: C. F. Müller 2016).

with Lukas Stifter, 'The EU's New "Investment Court System"', in: Ernest Gnan und Ralf Kronberger (eds.), *Schwerpunkt Außenwirtschaft 2015/2016. Transatlantische Handels- und Investitionspartnerschaft zwischen der EU und den USA (TTIP)* 235-246 (Vienna: facultas 2016).

'Fork-in-the-Road Provisions', in: Krista Nadakavukaren Schefer and Thomas Cottier (eds.), *Encyclopedia of International Economic Law* 290-281 (Cheltenham, UK Northampton, USA: Edward Elgar 2017).

'International Organizations and Dispute Settlement – A New Topic for the International Law Commission?' in: 15 *International Organizations Law Review* 1-7 (2018).

with Céline Braumann, 'Investment Court Systems', in: *Max Planck Encyclopedia of International Procedural Law* (forthcoming).

'The UN Concept of the Rule of Law', in: *ZEuS (Zeitschrift für Europarechtliche Studien)* 337-348 (2019).

‘The UNCITRAL Reform Process on ISDS. Comments from an Arbitrator’s Perspective on Corinne Montineri’, in: Stephan Hobe & Julian Scheu (eds.), *Evolution, Evaluation and Future Developments in International Investment Law* (Nomos – forthcoming).

**BOOK REVIEWS:**

Numerous book reviews and internal reviews, inter alia, for  
American Journal of International Law (AJIL),  
Austrian Journal of Public and International Law (AJPIL),  
Austrian Review of International and European Law (ARIEL),  
European Journal of International Law (EJIL),  
International Organizations Law Review (IOLR),  
Journal of International Economic Law (JIEL),  
The Journal of World Investment and Trade (JWIT),  
Global Governance,  
Österreichische Juristen-Zeitung (ÖJZ),  
Zeitschrift für Öffentliches Recht (ZÖR),  
Yearbook on International Investment Law and Policy.