

## List of publications

### Monographs

1. Philipp Janig, *The Theory and Methodology of General Principles of Law: Formalizing the Non-Formal* (in peer review).

### Editorships

2. with Manfred Nowak, Christina Binder and Jane A Hofbauer (eds), *Elgar Encyclopedia of Human Rights* (Edward Elgar Publishing 2022) 4 volumes, 2,348 pp <[www.elgaronline.com/view/book/9781789903621/9781789903621.xml](http://www.elgaronline.com/view/book/9781789903621/9781789903621.xml)>.
3. *Austrian Review for International and European Law* (ARIEL), Editorial Assistant (Vol 17-19), Managing Editor (Vol 20-28).
4. *University of Vienna Law Review* (VLR), Member of the Editorial Team (Vol 1-5, 2017- 2022).

### Contributions in Periodicals and Books

1. ‘State Immunity from Non-Judicial Measures of Constraint’ (in peer review).
2. ‘Article 8 ACHR – Right to a Fair Trial’ in Jonathan Barnett and Christoph Liebscher (eds), *The Healthy Award: Challenge in International Commercial Arbitration* (2nd edn, forthcoming; Kluwer), with Christina Binder.
3. ‘The European Union’s Participation in the Creation of Customary International Law and its Impact on Member State Sovereignty’ (forthcoming 2024) *European Papers*, with Christina Binder.
4. ‘X v OPEC’ (forthcoming 2024) 118(2) *American Journal of International Law*.
5. ‘General Principles of Procedural Law’ in Joanna Gomula and Stephan Wittich (eds), *Research Handbook on International Procedural Law* (Edward Elgar Publishing 2024) 53-72.
6. ‘Staatennachfolge in Auslandsvermögen (UdSSR)’ [2024] *Österreichische Jurist:innenzeitung* 233-238, with Jane A Hofbauer.
7. ‘The Substantive Protection of intra-EU Investors under International Investment Law and EU Law: Convergence and Divergence on the Protection of Property and Legitimate Expectations’ in Marc Bungenberg and August Reinisch (eds), *New Frontiers for EU Investment Policy: Internal and External Dimensions* (Springer 2023) 97-124, with Christina Binder.
8. ‘Peacekeeping in the Anthropocene: The Effects of Climate Change and Positive Human Rights Obligations in “Protection of Civilians” Mandates’ (2023) 26 *Max Planck Yearbook of United Nations Law* 602-630, with Jane A. Hofbauer and Christina Binder.

9. 'WTO-Abkommen über Fischereisubventionen' (2022) 2(4) Nachhaltigkeitsrecht: Zeitschrift für das Recht der nachhaltigen Entwicklung 501-504.
10. 'Abuse of Rights' in Christina Binder, Manfred Nowak, Jane A Hofbauer and Philipp Janig (eds), *Elgar Encyclopedia of Human Rights*, Vol I (Edward Elgar Publishing 2022) 13-20.
11. 'Extraterritorial Application of Human Rights' in *ibid*, Vol 2, 180-191.
12. 'General Principles of Law' in *ibid*, Vol 2, 321-330.
13. 'State Responsibility' in *ibid*, Vol 4, 320-327, with Jane A. Hofbauer,
14. 'The ECHR as a constitutional rights catalogue: Compliance in Austria' in Rainer Grote, Mariela Morales Antoniazzi and Davide Paris (eds), *Research Handbook on Compliance in International Human Rights Law* (Edward Elgar Publishing 2021) 42-57, with Christina Binder.
15. 'Cynicism and Nationality Planning in International Investment Law' in Björnsterne Baade *et al* (eds), *Cynical International Law? Abuse and Circumvention in Public International and European Law* (Springer 2021) 309-325.
16. 'Allgemeine Rechtsgrundsätze des Völkerrechts (*general principles of international law*): Entwirrung eines enigmatischen Konzepts' in August Reinisch and Astrid Reisinger Coracini (eds), *Zurück zu den Quellen des Völkerrechts: Beiträge zum 44. Österreichischen Völkerrechtstag 2019 in Rust am Neusiedlersee* (Peter Lang 2021) 211-236.
17. '1978 – The 1978 Vienna Convention, the Clean Slate Doctrine and the Decolonization of Sources' (2018; published 2021) 23 *Austrian Review of International and European Law* 143-161.
18. 'The Effect of Armed Hostilities on Investment Treaty Obligations: A Case of *Force Majeure*?' in Tobias Ackermann and Sebastian Wuschka (eds), *Investments in Conflict Zones: The Role of International Investment Law in Armed Conflicts, Disputed Territories, and 'Frozen' Conflicts* (Brill 2020) 112-135, with Christina Binder.
19. '40 Jahre UN-Menschenrechtspakte und Österreich – Der Internationale Pakt über wirtschaftliche, soziale und kulturelle Rechte' in Katharina Pabel and Markus Vasek (eds), *Menschenrechte 1948/1958: Die Entwicklung und Bedeutung der Menschenrechte in Österreich* (Verlag Österreich 2020) 109-162, with Christina Binder.
20. 'Stateless People and Social Rights' in Christina Binder, Jane A Hofbauer, Flávia Piovesan and Amaya Úbeda de Torres (eds), *Research Handbook on International Law and Social Rights* (Edward Elgar Publishing 2020) 236-249, with Marija Dobrić.
21. 'Diplomatic Immunities in Austrian Courts' in Marko Novaković (ed), *Diplomatic Immunity: Evolution and Recent Country Developments* (Palgrave Macmillan 2020) 79-97, with August Reinisch.

22. 'The General Principle of 'Abuse of Rights': Its Roots in Domestic Law and Impact on Investment Arbitration' in Marko Novaković (ed), *The Common Law and the Civil Law Today – Convergence and Divergence* (Vernon Press 2019) 221-246.
23. 'Investment Agreements and Financial Crisis' in Markus Krajewski and Rhea Hoffmann (eds), *Research Handbook on Foreign Direct Investment* (Edward Elgar Publishing 2019) 646-684, with Christina Binder.
24. 'General Principles and the Coherence of International Investment Law: Of *Res Judicata*, *Lis Pendens* and the Value of Precedents' in Malgosia Fitzmaurice, Mads Andenas, Attila Tanzi and Jan Wouters (eds), *General Principles of Law and the Coherence of International Law* (Brill 2019) 247-296, with August Reinisch.
25. 'Certain Iranian Assets: The Limits of Anti-Terrorism Measures in Light of State Immunity and Standards of Treatment' (2016) 59 *German Yearbook of International Law* 355-390, with Sara Mansour Fallah.
26. 'The Legal Structures of Ombudsman and Similar Public Institutions in Asia – Legal Comparative Analysis' in Gabriele Kucsko-Stadlmayer and Ursula Kriebaum (eds), *Asian Ombudsman Institutions: A comparative legal analysis* (Verlag Österreich 2016) 1-59, with Thomas Stephan Eder, Gabriele Kucsko-Stadlmayer and Ursula Kriebaum.
27. 'Bahrain' in *ibid* 63-75.
28. 'Bangladesh' in *ibid* 76-82.
29. 'India' in *ibid* 99-139.
30. 'Iran' in *ibid* 148-158.
31. 'Jordan' in *ibid* 169-176.
32. 'Pakistan' in *ibid* 191-240.
33. "'Azad Jammu and Kashmir" (Pakistan-administered Kashmir)' in *ibid* 241-249.
34. 'Sri Lanka' in *ibid* 268-276.
35. 'Julian's Golden Cage: Julian Assange, the UN Working Group on Arbitrary Detention and the Quest for Scholarly Diligence' (2013; published in 2016) 18 *Austrian Review of International and European Law* 155-178.
36. 'The Chinese Notion of 'Responsible Protection' – Distraction or Contribution?' in Vasilka Sancin (ed), *Responsibility to Protect: Where Do We Stand Ten Years After?* (Ljubljana 2015) 349-364.

### **Collections of Practice**

1. 'Austrian Judicial Decisions Involving Questions of International Law/Österreichische Judikatur zum internationalen Recht' (2022; published 2024) 27 *Austrian Review of International and European Law* 321-406, with Martin Baumgartner, Viktoria Ritter, Maximilian Weninger and Stephan Wittich.

2. *International Bank for Reconstruction and Development (IBRD) Court Fees Case*, 201 ILR (2023) 402-422.
3. 'Austrian Judicial Decisions Involving Questions of International Law/Österreichische Judikatur zum internationalen Recht' (2021) 26 *Austrian Review of International and European Law*, with Martin Baumgartner, Jane A Hofbauer, Viktoria Ritter, Markus Stemeseder and Stephan Wittich.
4. 'Austrian Judicial Decisions Involving Questions of International Law/Österreichische Judikatur zum internationalen Recht' (2020; published in 2022) 25 *Austrian Review of International and European Law* 255-537, with Jane A Hofbauer, Viktoria Ritter, Markus Stemeseder and Stephan Wittich.
5. *United States Embassy Employee Case*, 200 ILR (2022) 334-345.
6. 'Austrian Judicial Decisions Involving Questions of International Law/Österreichische Judikatur zum internationalen Recht' (2019; published in 2021) 24 *Austrian Review of International and European Law* 179-358, with Jane A Hofbauer, Viktoria Ritter, Markus Stemeseder and Stephan Wittich.
7. 'Austrian Judicial Decisions Involving Questions of International Law/Österreichische Judikatur zum internationalen Recht' (2018; published in 2021) 23 *Austrian Review of International and European Law* 241-365, with Jane A Hofbauer, Viktoria Ritter and Stephan Wittich.
8. *Crimea Annexation Case*, 188 ILR (2020) 350-355; *Russian National Extradition Case*, 185 ILR (2020) 185-193.
9. 'Austrian Judicial Decisions Involving Questions of International Law/Österreichische Judikatur zum internationalen Recht' (2017; published in 2019) 22 *Austrian Review of International and European Law* 235-305, with Jane A Hofbauer, Michael J Moffatt and Stephan Wittich.
10. *W v. Prince of Liechtenstein (Illegitimate Child of the Prince of Liechtenstein Case)*, 182 ILR (2019) 497-505; *Holocaust Freedom of Expression Case*, 182 ILR (2019) 511-523; *International Atomic Energy Agency Immunity Case*, 182 ILR (2019) 524-528; *Greek Government Bonds Immunity Case*, 182 ILR (2019) 506-510.
11. 'Austrian Judicial Decisions Involving Questions of International Law/Österreichische Judikatur zum internationalen Recht' (2016; published in 2019) 21 *Austrian Review of International and European Law* 179-309, with Jane A Hofbauer, Michael J Moffatt and Stephan Wittich.
12. *Yugoslavian Airstrike Immunity Case*, 178 ILR (2018) 434-436; *Same-Sex Partnership Artificial Insemination Case*, 178 ILR (2018) 437-444; *Semmering Railway World Heritage Case*, 178 ILR (2018) 445-453; *Swiss National Bank Immunity Case*, 174 ILR (2018) 482-487.
13. 'Austrian Judicial Decisions Involving Questions of International Law/Österreichische Judikatur zum internationalen Recht' (2015; published in 2018) 20 *Austrian Review of International and European Law* 277-363, with Jane A Hofbauer, Michael J Moffatt and Stephan Wittich.

14. 'Austrian Judicial Decisions Involving Questions of International Law/Österreichische Judikatur zum internationalen Recht' (2014; published in 2017) 19 *Austrian Review of International and European Law* 209-304, with Jane A Hofbauer, Sara Mansour Fallah and Stephan Wittich.
15. 'Austrian Judicial Decisions Involving Questions of International Law/Österreichische Judikatur zum internationalen Recht' (2013; published in 2016) 18 *Austrian Review of International and European Law* 195-312, with Jane A Hofbauer, Sara Mansour Fallah and Stephan Wittich.

### **Book Reviews**

1. 'Mario Gervasi, Prevention of Environmental Harm under General International Law: An Alternative Reconstruction' (2023) 3(4) *Nachhaltigkeitsrecht: Zeitschrift für das Recht der nachhaltigen Entwicklung* 502-503.
2. 'Beham, Markus P.: State Interest and the Sources of International Law. Doctrine, Morality, and Non-Treaty Law.' (2020) 80(4) *ZaöRV* 1021-1027.

### **Miscellaneous**

1. 'Soziale Menschenrechte' (*Interesse*, 2019/4) 3, with Christina Binder.
2. 'Was tun mit Rückkehrern aus dem IS-Kampf?: Über die völkerrechtlichen Grenzen zum Entzug der Staatsbürgerschaft' (*Wiener Zeitung*, 22 March 2019) 19, with Christina Binder.