

Dr. Jane A. Hofbauer, LL.M.

A) Monographs

1. Jane Hofbauer, *Sovereignty in the Exercise of the Right to Self-Determination* (Brill Nijhoff 2016) (379 p.).

B) Editorships

1. Co-editor of *Austrian Review of International and European Law* (Vol. 20-23)
Previously editorial assistant Vol. 12-15, managing editor Vol. 16-19
2. with Manfred Nowak, Christina Binder and Philipp Janig (eds.), *Encyclopedia of Human Rights* (IV volumes) (Edward Elgar Publishing 2021). [forthcoming]
3. with Christina Binder, Flávia Piovesan, Amaya Úbeda de Torres (eds.), *Research Handbook on International Law and Social Rights* (Edward Elgar Publishing 2020). [forthcoming]
4. with Christina Binder, Flávia Piovesan, Anna-Zoe Steiner and Elisabeth Steiner (eds.), *Social Rights in the Case Law of Regional Human Rights Monitoring Institutions – The European Court of Human Rights, the Inter-American Court of Human Rights and the African Commission on Human and Peoples' Rights* (Intersentia/NWV 2016) (531 p.).
5. with Łukasz Bojarski and Natalia Mileszyk (eds.), *The European Charter of Fundamental Rights as a Living Instrument – Guidelines for Civil Society* (Facultas 2014) (36 p.).
6. with Manfred Nowak and Tina Hofstätter (eds.), *COST – The Role of the EU in UN Human Rights Reform* (Intersentia/NWV 2013) (216 p.).

C) Articles/Chapters

1. Jane Hofbauer, 'Gemeinwohltopoi im Völkerrecht', in Christian Hiebaum (ed.), *Handbuch Gemeinwohl* (Springer). [forthcoming]
2. with Christina Binder, 'The Temporal Scope of Application of Investment Treaties and the Effects on General International Law', in Stephan Schill, Christian Tams and Rainer Hoffmann (eds.), *Investment Law as a Motor of Legal Development: Assessing Radiating Effects in General International Law* (Edward Elgar Publishing 2019) [forthcoming].
3. with Christina Binder, 'The *Pacta Sunt Servanda* Principle or the Limits of Interpretation: the *Gabčíkovo-Nagymaros* case revisited', in Serena Forlati, Makane Mbengue and Brian McGarry (eds.), *The Gabčíkovo-Nagymaros Judgment and its Contribution to the Development of International Law* (Brill 2019) [forthcoming].
4. with Christina Binder, 'Article 3. Scope of application', in Cecily Rose, Michael Kubiciel, and Oliver Landwehr (eds.), *The United Nations Conventions Against Corruption – A Commentary* pp. 35-41 (OUP 2019).

List of Publications (as of May 2019)

5. with Christina Binder, 'Teaching International Human Rights Law – A Textbook Review', 28(4) *European Journal of International Law* pp. 1397-1414 (2018).
6. with Christina Binder, 'The Perception of the EU Legal Order in International Law: An In- and Outside View', 8 *European Yearbook of International Economic Law* pp. 139-203 (2017).
7. Jane Hofbauer, 'Operationalizing Extraterritorial Obligations in the Context of Climate Project Finance – The Barro Blanco Case', 8(1) *Journal of Human Rights and the Environment* pp. 98-118 (Edward Elgar 2017).
8. with Wolfgang Obergassel, Lauri Peterson, Florian Mersmann, Jeanette Schade and Monika Mayrhofer, 'Human Rights and the Clean Development Mechanism: Lessons Learned From Three Case Studies', 8(1) *Journal of Human Rights and the Environment* pp. 51-71 (Edward Elgar 2017).
9. with Christina Binder, 'The EU Charter of Fundamental Rights Seized by the National Judges – National Report Austria', in Laurence Burgogues-Larsen (ed.), *La Charte des droits fondamentaux de l'Union européenne saisie par les juges en Europe. The Charter of Fundamental Rights as Apprehended by Judges in Europe* pp. 99-124 (Pedone 2017).
10. with Christina Binder, 'Goal 3: Good health and well-being. Ensure healthy lives and promote well-being for all', in P. Durán y Laguna, C. Díaz Barrado, C. Fernández Liesa (eds.), *International Society and Sustainable Development Goals* pp. 201-229 (Thomson-Reuters 2016).
11. with Beatriz Felipe Pérez, Monika Mayrhofer and Paola Villavicencio Calzadilla, 'Rethinking the Role of Development Banks in Climate Finance: Panama's Barro Blanco CDM Project and Human Rights', 12(1) *Law, Environment and Development Journal (LEAD)* pp. 1-17 (2016), available at <http://www.lead-journal.org/content/16001.pdf>.
12. Jane Hofbauer, 'Foreign Investments Meet Free, Prior and Informed Consent (FPIC) – Whose Sovereignty?', 18 *Austrian Review of International and European Law* pp. 71-98 (Brill Nijhoff 2016).
13. with Christina Binder, Flávia Piovesan, Anna-Zoe Steiner and Elisabeth Steiner, 'Introduction', in Christina Binder, Jane Hofbauer, Flávia Piovesan, Anna-Zoe Steiner and Elisabeth Steiner (eds.), *Social Rights in the Case Law of Regional Human Rights Monitoring Institutions – The European Court of Human Rights, the Inter-American Court of Human Rights and the African Commission on Human and Peoples' Rights* pp. 21-28 (Intersentia/NWV 2016).
14. Jane Hofbauer, 'The African Commission and African Court on Human and Peoples' Rights and Social Rights: Social Rights Jurisprudence', in Christina Binder, Jane Hofbauer, Flávia Piovesan, Anna-Zoe Steiner and Elisabeth Steiner (eds.), *Social Rights in the Case Law of Regional Human Rights Monitoring Institutions – The European Court of Human Rights, the Inter-American Court of Human Rights and the African Commission on Human and Peoples' Rights* pp. 415-500 (Intersentia/NWV 2016).
15. with Manfred Nowak and Karolina Januszewski, 'R2P and the prohibition of torture', in Peter Hilpold (ed.), *Responsibility to Protect* pp. 293-308 (Brill 2014).
16. with Stephan Wittich, 'Pouring oil onto troubled water – and then setting it alight.. The Abyei arbitration and the continuing dispute in Sudan', 5(4) *International Journal of Arab Arbitration* pp. 3-37 (Kluwer 2014).

List of Publications (as of May 2019)

17. with Fritz Kroiss, 'Umsetzung der EU-Richtlinie zum Umweltstrafrecht in Österreich und Kroatien', *RdU – Recht der Umwelt* 2013/06, 230 (Manz'sche Verlags- und Universitätsbuchhandlung 2013).
18. with August Reinisch, 'Jurisprudential Cross-Fertilization: Investment Arbitration and General International Adjudication and Arbitration', *The Global Community – Yearbook of International Law and Jurisprudence* 2012 pp. 191-213 (OUP 2013).
19. with Katharina Häusler, 'Palmas Island Arbitration', in Rüdinger Wolfrum (ed.), *The Max Planck Encyclopedia of International Law* (Vol. VIII), pp. 34-36 (OUP 2012).
20. with Katharina Häusler, 'Territorial Dispute Case (Libyan Arab Jamahiriya/Chad)', in Rüdinger Wolfrum (ed.), *The Max Planck Encyclopedia of International Law* (Vol. IX) pp. 356-357 (OUP 2012).

D) Reports and Studies

1. with Monika Mayrhofer, Margit Ammer, Florian Mersmann, Wolfgang Obergassel, Jeanette Schade, 'Human Rights Accountability of the EU and Austria for Climate Policies in Third Countries and Their Possible Effects on Migration – Final Report of the Research Project to the Austrian Climate and Energy Fund (Vienna, 2016), available at <https://www.klimafonds.gv.at/assets/Uploads/Projektberichte/ACRP-2013/20162112ClimAccountACRP6EBB368596KR13AC6K11043.pdf> (35 p.).
2. with Christina Binder, *Glamis Gold v the United States*, Case Comment for the South African Report of the ILA Committee on the Implementation of the Rights of Indigenous Peoples (2016), available at <http://www.ila-hq.org/en/committees/index.cfm/cid/1048> (10 p.).
3. with Christina Binder, *Burlington Resources Inc. v Ecuador/Sarayaku v Ecuador*, Case Comment for the South African Report of the ILA Committee on the Implementation of the Rights of Indigenous Peoples (2016), available at <http://www.ila-hq.org/en/committees/index.cfm/cid/1048> (11 p.).
4. with Margit Ammer, Monika Mayrhofer, Florian Mersmann, Wolfgang Obergassel and Jeanette Schade, 'Human Rights Performance in EU Climate Policy – The Role of European States in Climate Measures and Access to Justice for Affected Populations: Synthesis Report' (2016), available at <http://bim.lbg.ac.at/en> (114 p.).
5. with Monika Mayrhofer, Florian Mersmann and Jeanette Schade, 'Improving Human Rights Performance in EU Climate Policy – The Role of European States in Climate Measures and Access to Justice for Affected Populations' (Policy Brief 2016), available at <http://bim.lbg.ac.at/en> (16 p.).
6. with Monika Mayrhofer, 'Panama "Barro Blanco" Case Report', COMCAD Working Papers Series on Environmental Degradation and Migration No. 144 (2016) (119 p.).
7. Jane Hofbauer, 'Climate-Policy Induced Migration – Bridging Categories', Working Paper Series in the context of ClimAccount – Human Rights Accountability of the EU and Austria for Climate Policies in Third Countries and their possible Effects on Migration (2016), available at SSRN (42 p.).

List of Publications (as of May 2019)

8. with Birgit Schmidhuber, Wildnisschutz in Österreich: Internationale, europäische und nationale Vorgaben – eine rechtliche Analyse (Entwurf eines österreichischen Wildnisgesetzes) (*ÖKOBÜRO Studie im Auftrag von WWF Österreich*, 2013), available at www.oekobuero.at (106 p.).
9. with Christian Konrad, Energy Efficiency – Legislation and Policies: Austria (*Justice & Environment*, 2011), available at <http://www.justiceandenvironment.org/>.
10. Jane Hofbauer, The Principle of Permanent Sovereignty over Natural Resources and its Modern Implications (LL.M. Thesis University of Iceland (International Environmental Law and Natural Resources Law), 2009), available at http://skemman.is/stream/get/1946/4602/13279/1/Jane_Hofbauer.pdf.

E) Teaching Materials

1. with Christina Binder, *Non-Discrimination, International Law* (Justus-Liebig-Universität Giessen 2016) (37 p.) [accepted].
2. with Christina Binder, *Investment Law, International Law* (Justus-Liebig-Universität Giessen 2016) (32 p.) [accepted].
3. with Markus Beham and Phillip Hödl, *Ergänzungsskriptum Völkerrecht – Relevante Entwicklungen* (2nd edition, Facultas WUV 2012) [reprinted 2013 and 2014] (101 p.).
4. with Markus Beham and Phillip Hödl, *Ergänzungsskriptum Völkerrecht – Prüfungsrelevante Entwicklungen* (Facultas WUV 2012) (100 p.).

F) Collections of Practice

1. with Philipp Janig, Michael J. Moffatt, and Stephan Wittich, 'Austrian Judicial Decisions Involving Questions of International Law/Österreichische Judikatur zum internationalen Recht', 22 *Austrian Review of International and European Law* (Brill Nijhoff 2019).
2. with Philipp Janig, Michael J. Moffatt, and Stephan Wittich, 'Austrian Judicial Decisions Involving Questions of International Law/Österreichische Judikatur zum internationalen Recht', 21 *Austrian Review of International and European Law* (Brill Nijhoff 2018).
3. with Philipp Janig, Michael J. Moffatt, and Stephan Wittich, 'Austrian Judicial Decisions Involving Questions of International Law/Österreichische Judikatur zum internationalen Recht', 20 *Austrian Review of International and European Law* pp. 277-364 (Brill Nijhoff 2018).
4. with Philipp Janig, Sara Mansour Fallah, and Stephan Wittich, 'Austrian Judicial Decisions Involving Questions of International Law/Österreichische Judikatur zum internationalen Recht', 19 *Austrian Review of International and European Law* pp. 209-304 (Brill Nijhoff 2017).
5. with Lukas Stifter, 'Legal Maxims: Summaries and Extracts from Selected Case Law: ICSID', *The Global Community – Yearbook of International Law and Jurisprudence 2015* (Vol. II), pp. 821-880 (Oceana 2017).

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6. with Philipp Janig, Sara Mansour Fallah, and Stephan Wittich, 'Austrian Judicial Decisions Involving Questions of International Law/Österreichische Judikatur zum internationalen Recht', 18 *Austrian Review of International and European Law* pp. 195-312 (Brill Nijhoff 2016).
7. with Lukas Stifter, 'Legal Maxims: Summaries and Extracts from Selected Case Law: ICSID', *The Global Community – Yearbook of International Law and Jurisprudence 2014* (Vol. II), pp. 867-954 (Oceana 2015).
8. with Markus Beham, Andrea Bockley, Lukas Stifter and Stephan Wittich, 'Austrian Judicial Decisions Involving Questions of International Law/Österreichische Judikatur zum internationalen Recht', 16 *Austrian Review of International and European Law* pp. 315-426 (Brill Nijhoff 2014).
9. Jane Hofbauer, 'Legal Maxims: Summaries and Extracts from Selected Case Law: ICSID', *The Global Community – Yearbook of International Law and Jurisprudence 2013* (Vol. II), pp. 941-1018 (Oceana 2014).
10. Jane Hofbauer, 'Legal Maxims: Summaries and Extracts from Selected Case Law: ICSID', *The Global Community – Yearbook of International Law and Jurisprudence 2012* (Vol. II), pp. 905-993 (Oceana 2013).
11. with Ralph Janik and Stephan Wittich, 'Austrian Judicial Decisions Involving Questions of International Law/Österreichische Judikatur zum internationalen Recht', 15 *Austrian Review of International and European Law* pp. 243-338 (Brill Nijhoff 2013).
12. with Melanie Fink, Ralph Janik and Stephan Wittich, 'Austrian Judicial Decisions Involving Questions of International Law/Österreichische Judikatur zum internationalen Recht', 14 *Austrian Review of International and European Law* pp. 327-500 (Brill Nijhoff 2013).
13. Jane Hofbauer, 'Legal Maxims: Summaries and Extracts from Selected Case Law: ICSID', *The Global Community – Yearbook of International Law and Jurisprudence 2011* (Vol. II), pp. 957-1027 (Oceana 2012).
14. with Christina Knahr, 'Legal Maxims: Summaries and Extracts from Selected Case Law: ICSID', *The Global Community – Yearbook of International Law and Jurisprudence 2010* (Vol. II), pp. 857-917 (Oceana 2012).
15. with Katharina Häusler and Stephan Wittich, 'Austrian Judicial Decisions Involving Questions of International Law/Österreichische Judikatur zum internationalen Recht', 13 *Austrian Review of International and European Law* pp. 171-354 (Brill Nijhoff 2011).
16. with Stephan Wittich, 'Austrian Judicial Decisions Involving Questions of International Law/Österreichische Judikatur zum internationalen Recht', 12 *Austrian Review of International and European Law* pp. 197-292 (Brill Nijhoff 2010).

G) Miscellaneous

1. Jane Hofbauer, 'Book note on: Hazel Fox and Philippa Webb, *The Law of State Immunity*. Oxford University Press, Oxford *et al.*, 2013', 19 *Austrian Review of International and European Law* pp. 421-422 (Brill Nijhoff 2017).
2. Co-author in Łukasz Bojarski, Dieter Schindlauer and Katrin Wladasch (eds.), *The Charter of Fundamental Rights as a Living Instrument – Manual* (Facultas 2014) (142 p.)

List of Publications (as of May 2019)

3. Jane Hofbauer, 'Review of: Stephan Allen/Alexandra Xanthaki (eds.), *Reflections on the UN Declaration on the Rights of Indigenous Peoples*. Hart Publishing, Oxford and Portland, 2011', 16 *Austrian Review of International and European Law* pp. 545-546 (Brill Nijhoff 2014).
4. Jane Hofbauer, 'Review of: Marc Weller/Katherine Nobbs (eds.), *Political Participation of Minorities: A Commentary on International Standards and Practice*. Oxford University Press, Oxford, 2010', 15 *Austrian Review of International and European Law* pp. 525-527 (Brill Nijhoff 2013).
5. Jane Hofbauer, 'Review of: Federico Lenzerini (ed.), *Reparations for Indigenous Peoples: International and Comparative Perspectives*. Oxford University Press, Oxford, 2008', 14 *Austrian Review of International and European Law* pp. 656-659 (Brill Nijhoff 2013).
6. Manfred Nowak, Karolina Januszewski and Tina Hofstätter (eds.), *All Human Rights for All – Vienna Manual on Human Rights* (Intersentia/NWV 2012) (672 p.). (Editorial Office)
7. Rudolf Dolzer and Christoph Schreuer, *Principles of International Investment Law* (2nd edition, OUP 2012). (Compilation of Table of Cases)
8. Jane Hofbauer, Übersetzung der Feststellungen und Empfehlungen des Aarhus Compliance Committees hinsichtlich der Beschwerde ACCC/C/2010/48 in Bezug auf die Erfüllung der Konvention durch Österreich (2012), verfügbar auf <http://www.oekobuero.at/>.
9. Assistance with: Thomas Alge, *Environmental Law Enforcement in Austria (Enforcement of the new Environmental Protection Act harmonized with EU legislation in cases of criminal offences against the environment, 2012)*.
10. with Markus Beham and Phillip Hödl, 'Mayflies or thicker webs' (*Juristl*, 06/2012).
11. with Markus Beham and Phillip Hödl, 'Westfalen schlägt zurück' (*Juristl*, 03/2012).

Numerous reviews for publishing houses (*inter alia*: Stuart Bell *et al.*, *Environmental Law*. Oxford University Press, Oxford, 2013; Margot Horspool/Matthew Humphreys, *European Union Law*. Oxford University Press, 2012; Jörg Fisch (ed.), *Die Verteilung der Welt – Selbstbestimmung und das Selbstbestimmungsrecht der Völker*. R. Oldenbourg Verlag München, München, 2011...)