

Teil II

Friedensvölkerrecht

§ 12 Wirtschaftsvölkerrecht

A. Wirtschaftliche Kooperation und Völkerrecht

Vertiefende Literatur zu A.: *P. Behrens*, Elemente eines Begriffs des Internationalen Wirtschaftsrechts, *RabelsZ* 50 (1986), 483; *S. Cho*, The Social Foundations of World Trade, 2015; *T. Cottier*, The Changing Structure of International Trade Law, *ZEuS* 2018, 421; *M. Cremona* u. a. (Hg.), Reflections on the Constitutionalisation of International Economic Law, 2014; *D. C. Dicke/T. Oppermann*, Fundamental Principles Governing the International Economic Order, 1988; *P. Fischer*, Das internationale Wirtschaftsrecht – Versuch einer Systematik, *GYIL* 19 (1976), 143; *S. Langer*, Grundlagen einer internationalen Wirtschaftsverfassung, 1995; *L. Martin* (Hg.), The Oxford Handbook of the Political Economy of International Trade, 2015; *K. M. Meessen*, Zu den Grundlagen des internationalen Wirtschaftsrechts, *AöR* 110 (1985), 398; *E.-J. Mestmäcker*, Staatliche Souveränität und offene Märkte, *RabelsZ* 52 (1988), 205; *V. Ruiz Abou-Nigm/K. McCall-Smith/D. French* (Hg.), Linkages and Boundaries in Private and Public International Law, 2018; *K. A. Schachtschneider* (Hg.), Rechtsfragen der Weltwirtschaft, 2002; *W. Shan/P. Simons/D. Singh* (Hg.), Redefining Sovereignty in International Economic Law, 2008; *P.-T. Stoll*, Le droit international économique face aux défis de la mondialisation, *RGDIP* 113 (2009), 273; *T. Vollmöller*, Die Globalisierung des öffentlichen Wirtschaftsrechts, 2001; *S. Zamora*, Is There Customary International Economic Law?, *GYIL* 32 (1989), 9.

B. Welthandelsrecht

Vertiefende Literatur zu B.: Allgemein. *D. Alessandrini*, Developing Countries and the Multilateral Trade Regime, 2010; *G. Baber*, Preferential Trade Agreements and International Law, 2019; *M. Beise*, Die Welthandelsorganisation (WTO), 2001; *L. Bartels/F. Ortino* (Hg.), Regional Trade Agreements and the WTO Legal System, 2006; *D. Cass*, The Constitutionalization of the World Trade Organization, 2005; *J. Chaisse/T. Lin* (Hg.), International Economic Law and Governance: Essays in Honour of Mitsuo Matsushita, 2016; *G. Cook*, A Digest of WTO Jurisprudence on Public International Law Concepts and Principles, 2015; *C. Correa*, Trade Related Aspects of Intellectual Property Rights, 2007; *ders.* (Hg.), Research Handbook On The Protection Of Intellectual Property Under WTO Rules, 2010; *ders.* (Hg.), Research Handbook On The Interpretation And Enforcement Of Intellectual Property Under WTO Rules, 2010; *T. Cottier*, The Changing Structure of International Trade Law, *ZEuS* 21 (2018), 421; *D. Gantz*, Regional Trade Arrangements, in: Bethlehem u. a. (Hg.), The Oxford Handbook of International Trade Law, 2009, 237, 255 ff; *ders.*, Liberalizing International Trade after Doha: Multilateral, Plurilateral, Regional and Unilateral Initiatives, 2013; *D. Gervais*, Intellectual Property, Trade and Development, 2007; *G. N. Horlick*, World Trade Organization and International Trade Law, 2014; *T. Hunter* u.a. (Hg.), Routledge Handbook of Energy Law, 2020; *J. Jackson*, The Jurisprudence of GATT and the WTO, 2000; *ders.*, The Changing Fundamentals of International Law and Ten Years of the WTO, *JIEL* 8 (2005), 3; *J. Klick/F. Tesón*, Global Justice and Trade, in: Carmody u. a. (Hg.), Global Justice and International Economic Law, 2012, 217; *M. Koehler*, Das Allgemeine Übereinkommen über den Handel mit Dienstleistungen, 1999; *M. Krajewski*, National Regulation and Trade Liberalization in Services, 2003; *J. Kurtz*, The WTO and International Investment Law, 2016; *J. Linarelli* (Hg.), Research Handbook On Global Justice And International Economic Law, 2013; *G. Marceau*, A History of Law and Lawyers in

the GATT/WTO, 2015; *dies.*, Evolutive Interpretation by the WTO Adjudicator, *JIEL* 21 (2018), 791; *A. Mattoo/R. Stern/G. Zanini* (Hg.), *A Handbook on International Trade in Services*, 2007; *P. Mavroidis*, *Trade in Goods*, 2. Aufl. 2012; *J. McMahon/M. G. Desta* (Hg.), *Research Handbook On The WTO Agriculture Agreement*, 2012; *M. Nettesheim/G. Sander* (Hg.), *WTO-Recht und Globalisierung*, 2003; *E-U. Petersmann*, *Welthandelsrecht als Freiheits- und Verfassungsordnung*, *ZaöRV* 65 (2005), 543; *S. J. Powell/T. Low*, *Is the WTO Quietly Fading Away? The New Regionalism and Global Trade Rules*, *GeorgeJLPP* 9 (2011), 261; *T. Rensmann* (Hg.), *Mega-Regional Trade Agreements*, 2017; *C. VanGrasstek*, *The History and Future of the World Trade Organization*, 2013; *J. Viñuales*, *The International Law of Energy*, 2022 (i.E.); *EYIEL* 7 (2016): *Critical Perspectives on International Economic Law* (= Part I); *Megaregionals and Plurilaterals* (= Part II); *Symposium: Challenges to Multilateralism in International Trade Law*, *IYIL* 29 (2019).

Zu III. und IV. *S. S. Agon*, *The Effectiveness of the WTO Dispute Settlement System*, 2019; *A. do Amaral Junior/L. M. de Oliveira/C. Lucena Carneiro* (Hg.), *The WTO Dispute Settlement Mechanism: A Developing Country Perspective*, 2019; *Y. Bonzon*, *Public Participation and Legitimacy in the WTO*, 2014; *J. Cameron/K. Campbell* (Hg.), *Dispute Resolution in the World Trade Organisation*, 1998; *T. Cottier*, *Dispute Settlement in the World Trade Organization*, *CMLR* 35 (1998), 325; *T. Ebner*, *Streitbeilegung im Welthandelsrecht: Maßnahmen zur Vermeidung von Jurisdiktionskonflikten*, 2005; *B. v. Engelhardt*, *Die Welthandelsorganisation (WTO) und demokratische Legitimität*, 2016; *M. Hahn*, *Die einseitige Aussetzung von GATT-Verpflichtungen als Repressalie*, 1996; *R. Howse* (Hg.), *The Legitimacy of International Trade Courts and Tribunals*, 2018; *A. Kaubisch*, *Die Beteiligung von amici curiae im Streitbeilegungsverfahren der WTO*, *ZVglRWiss* 106 (2007), 104; *E-U. Petersmann*, *The GATT/WTO Dispute Settlement System*, 1997; *A. Reinisch*, *Der Streit um das Forum – oder – Was gehört eigentlich vor WTO-Panels?*, *RIW* (2002), 449; *C. Schewe*, *Clearing Up? Transparency in the Dispute Settlement of International Trade Agreements*, *GYIL* 59 (2016), 391; *G. Umbricht*, *An ‘Amicus Curiae’ Brief on Amicus Curiae Briefs at the WTO*, *JIEL* 4 (2001), 773; *G. Vidigal*, *Living Without the Appellate Body: Multilateral, Bilateral and Plurilateral Solutions to the WTO Dispute Settlement Crisis*, *Journal of World Investment & Trade* 20 (2019), 862; *Yang Gouhua* u. a., *WTO Dispute Settlement Understanding*, 2005; *M. Yilmaz*, *Domestic Judicial Review of Trade Remedies*, 2013.

Zu V.1. bis 3. *C. Conrad*, *Processes and Production Methods (PPMs) in WTO Law*, 2014; *D. Coppins*, *WTO Disciplines on Subsidies and Countervailing Measures*, 2014; *N. Diebold*, *Non-Discrimination in International Trade in Services: ‘Likeness’ in WTO/GATS*, 2014; *D. Eisenhut*, *Sovereignty, National Security and International Treaty Law: The Standard of Review of International Courts and Tribunals with regard to ‘Security Exceptions’*, *AVR* 48 (2010), 431; *T. Epps/M. Trebilcock* (Hg.), *Research Handbook On The WTO And Technical Barriers To Trade*, 2013; *I. Feichtner*, *The Law and Politics of WTO Waivers*, 2011; *M. Hahn*, *Vital Interests and the Law of the GATT: An Analysis of GATT’s Security Exception*, *MichJIL* 12 (1991), 558; *Y.-S. Lee*, *Safeguard Measures in World Trade Law*, 2003; *N. Mizulin/H. Zhu*, *Non-tariff Barriers and Private Conduct: The Case of Labelling*, *EYIEL* 6 (2015), 137; *F. Müller*, *Schutzmaßnahmen gegen Warenimporte unter der Rechtsordnung der WTO*, 2006; *M. Panizzon*, *Good Faith in the Jurisprudence of the WTO*, 2006; *K. Pelc*, *Making and Bending International Rules: The Design of Exceptions and Escape Clauses in Trade Law*, 2016; *F. Piérola*, *The Challenge of Safeguards in the WTO*, 2014; *M. Reiterer*, *Article XXI GATT – Does the National Security Exception Permit ‘Anything under the Sun’?*, *ARIEL* 2 (1997), 191; *S. Simon*, *Liberalisierung von Dienstleistungen der Daseinsvorsorge im WTO- und EU-Recht*, 2009; *G. Singh*, *Subsidies in the Context of the WTO’s Free Trade System*, 2017; *C. Struck*, *Product Regulations and Standards in WTO Law*, 2014; *F. Sucker*, *Der Schutz und die Förderung kultureller Vielfalt im Welthandelsrecht: Eine völkerrechtliche Studie zum Stand und zu Verbesserungsmöglichkeiten am Beispiel audiovisueller Medien*, 2018; *C. Tietje*, *Normative Grundstrukturen der Behandlung nicht-tarifärer Handelshemmnisse in der WTO/GATT-Rechtsordnung*, 1998; *C.-H. Wu*, *Law and Politics on Export Restrictions: WTO and Beyond*, 2021; *J. Yoo/D. Ahn*, *Security Exceptions in the WTO System: Bridge or Bottle-Neck for Trade and Security?*, *JIEL* 19 (2016), 417.

Zu V.4. und 5. *F. Abbott/C. Breining-Kaufmann/T. Cottier* (Hg.), *International Trade and Human Rights*, 2006; *P. Aerni* u. a., *Climate Change and International Law: Exploring the Linkages Between Human Rights, Environment, Trade and Investment*, GYIL 53 (2010), 139; *H. Andersen*, *Protection of Non-Trade Values in WTO Appellate Body Jurisprudence*, JIEL 18 (2015), 383; *J. Bäumler*, *Nachhaltiges Wirtschaften in globalen Lieferketten: Gesetzliche Sorgfaltspflichten von Unternehmen im Lichte des WTO-Rechts*, AVR 58 (2020), 464; *L. Bartels*, *Article XX of GATT and the Problem of Extraterritorial Jurisdiction: The Case of Trade Measures for the Protection of Human Rights*, JWT 36 (2002), 353; *ders.*, *Trade and Human Rights*, MPEPIL (3/2013); *E. Brown Weiss/J. Jackson/N. Bernasconi-Osterwalder* (Hg.), *Reconciling Environment and Trade*, 2. Aufl. 2008; *G. Van Calster/D. Prévost* (Hg.), *Research Handbook On Environment, Health And The WTO*, 2013; *T. Cottier/J. Pauwelyn/E. Bürgi Bonanomi* (Hg.), *Human Rights and International Trade*, 2005; *A. Eliason*, *Using the WTO to Facilitate the Paris Agreement: A Tripartite Approach*, *VanderbiltJTL* 52 (2019), 545; *K. Faßbender*, *Welthandelsrecht und Menschenrechte – ein Gegensatz?*, JZ 2006, 1100; *C. Feddersen*, *Der ordre public in der WTO*, 2002; *I. Feichtner*, *Power and Purpose of Ecolabelling*, GYIL 57 (2014), 255; *K. Gallagher* (Hg.), *Handbook On Trade And The Environment*, 2008; *H. Gött* (Hg.), *Labour Standards in International Economic Law*, 2018; *M. Hilf/S. Hörmann*, *Die WTO – Eine Gefahr für die Verwirklichung von Menschenrechten?*, AVR 43 (2005), 397; *P. Hilpold*, *Human Rights and WTO Law: From Conflict to Coordination*, AVR 45 (2007), 484; *R. Howse*, *Non-tariff Barriers and Climate Policy*, EYIEL 6 (2015), 3; *S. Joseph*, *Blame it on the WTO? A Human Rights Critique*, 2011; *H. Lim*, *Trade and Human Rights: What’s at Issue?*, JWT 35 (2001), 275; *A. Lindroos/M. Mehling*, *From Autonomy to Integration? International Law, Free Trade and the Environment*, *NorJIL* 77 (2008), 253; *R. Pavoni*, *Mutual Supportiveness as a Principle of Interpretation and Law-Making: A Watershed for the ‘WTO-and-Competing-Regimes’ Debate?*, *EJIL* 21 (2010), 649; *E.-U. Petersmann*, *From “Negative” to “Positive” Integration in the WTO: Time for “Mainstreaming Human Rights” into WTO Law*, *CMLR* 37 (2000), 1363; *ders.*, *Human Rights, International Economic Law and ‘Constitutional Justice’*, *EJIL* 19 (2008), 769; *S. Puth*, *WTO und Umwelt: Die Produkt-Prozess-Doktrin*, 2003; *ders.*, *Der Umweltschutz im Recht der WTO*, 2005; *M. Schurmans*, *Sustainable Development is Emerging as a Core Tenet of WTO Case Law*, *EEELR* 24 (2015), 28; *D. Sifonios*, *Environmental Process and Production Methods (PPMs) in WTO Law*, 2018; *H. R. Trüeb*, *Umweltrecht in der WTO*, 2001; *J. Watson*, *The WTO and the Environment*, 2013; *A. Ziegler/B. Boie*, *The Relationship between International Trade Law and International Human Rights Law*, in: *De Wet/Vidmar* (Hg.), *Hierarchy in International Law*, 2012, 272.

C. Internationales Investitionsrecht

Vertiefende Literatur zu C.: Allgemein. *A. van Aaken*, *Fragmentation of International Law: The Case of International Investment Law*, *FYIL* 17 (2006), 91; *J. Alvarez*, *The Public International Law Regime Governing International Investment*, *RdC* 344 (2009), 193; *I. Alvik*, *Contracting with Sovereignty: State Contracts and International Arbitration*, 2011; *F. Baetens*, *Investment Law within International Law: Integrationist Perspectives*, 2016; *P. Behrens*, *Towards the Constitutionalization of International Investment Protection*, AVR 45 (2007), 152; *B. Beylage-Haarmann/L. Ghione*, „Privatisierung“ im Völkerrecht? Die Vermittlung von Rechtspositionen im Wirtschaftsvölkerrecht, *StudZR* 2011, 423; *C. Binder* u. a. (Hg.), *International Investment Law for the 21st Century (= FS Schreuer)*, 2009; *K.-H. Böckstiegel*, *Der Staat als Vertragspartner ausländischer Privatunternehmen*, 1971; *Z. Douglas* u. a. (Hg.), *The Foundations of International Investment Law: Bringing Theory into Practice*, 2014; *P. Dumberry*, *The Formation and Identification of Rules of Customary International Law in International Investment Law*, 2016; *A. Gattini/A. Tanzi/F. Fontanelli* (Hg.), *General Principles of Law and International Investment Arbitration*, 2018; *J. Hepburn*, *Domestic Law in International Investment Arbitration*, 2017; *S. Hindelang/M. Krajewski* (Hg.), *Shifting Paradigms in International Investment Law*, 2016; *A. Kulick*, *Global Public Interest in International Investment Law*, 2012; *C. McLachlan*, *Investment Treaties and General International*

Law, ICLQ 57 (2008), 361; *J.-F. Lalive*, Contrats entre Etats et entreprises étatiques et personnes privées – Développements récents, RdC 181 (1983), 9; *H. Merkt*, Investitionsschutz durch Stabilisierungsklauseln, 1990; *J. Müller*, Reformhindernisse im internationalen Investitionsrecht, 2020; *M. Paparinskis*, Investment Arbitration and the Law of Countermeasures, BYIL 79 (2008), 264; *M. Perkams*, Enteignungsrecht, internationales, in: Schöbener (Hg.), Völkerrecht, 2014, 78; *A. Rejnisch* (Hg.), Classics In International Investment Law, 2 Bde., 2014; *G. Sacerdoti*, Bilateral Treaties and Multilateral Instruments on Investment Protection, RdC 269 (1997), 251; *ders.* (Hg.), General Interests of Host States in International Investment Law 2014; *J. Salacuse*, The Emerging Global Regime for Investment, HarvILJ 51 (2010), 427; *O. Schachter*, Compensation for Expropriation, AJIL 78 (1984), 121; *M. Schäfer*, Der Entschädigungsstandard im allgemeinen Völkerrecht, RIW 1998, 199; *S. Schill*, The Multilateralization of International Investment Law, 2009; *ders.*, Internationales Investitionsschutzrecht und Vergleichendes Öffentliches Recht, ZaöRV 71 (2011), 247; *ders./C. Tams/R. Hofmann* (Hg.), International Investment Law and History, 2018; *D. Schneiderman*, Investment Law's Alibis: Colonialism, Imperialism, Debt and Development, 2022; *W. Shan* (Hg.), The Legal Protection of Foreign Investment: A Comparative Study, 2012; *J. Sprankling*, The International Law of Property, 2014; *J. Stoll*, Vereinbarungen zwischen Staat und ausländischem Investor, 1983; *P.-T. Stoll/T. P. Holterhus/H. Gött*, Investitionsschutz und Verfassung: Völkerrechtliche Investitionsschutzverträge aus der Perspektive des deutschen und europäischen Verfassungsrechts, 2017; *S. Subedi*, International Investment Law: Reconciling Policy and Principle, 3. Aufl. 2016; *C. Tams/S. Schill/R. Hofmann* (Hg.), International Investment Law and the Global Financial Architecture, 2017; *K. Vandevelde*, Bilateral Investment Treaties, 2010; *T. Weiler*, The Interpretation of International Investment Law: Equality, Discrimination and Minimum Standards of Treatment in Historical Context, 2013; *K. Wende*, The Application of Bilateral Investment Treaties in Annexed Territories: Whose BITs are Applicable in Crimea after its Annexation, HYIL 29 (2016), 133; *T. H. Yen*, The Interpretation of Investment Treaties, 2014.

Zu III. *W. Bayer/C. Ohler*, Staatsfonds ante portas, ZG 2008, 12; *J. Bonmitcha*, Substantive Protection under Investment Treaties: A Legal and Economic Analysis, 2016; *W. Burke-White/A. v. Staden*, Investment Protection in Extraordinary Times: The Interpretation and Application of Non-Precluded Measures Provisions in Bilateral Investment Treaties, VJIL 48 (2007), 307; *R. Chen*, A Contractual Approach to Investor-State Regulatory Disputes, Yale JIL 40 (2015), 295; *J. Cox*, Expropriation in Investment Treaty Arbitration, 2019; *J. Davis*, The Meaning of "Investment": IC-SID's Travaux and the Domain of International Investment Law, HarvILJ 51 (2010), 257; *J. Dereje*, Staatsnahe Unternehmen: Die Zurechnungsproblematik im Internationalen Investitionsrecht und weiteren Bereichen des Völkerrechts, 2016; *D. H. Deren*, Internationales Enteignungsrecht, 2015; *R. Dolzer*, Meistbegünstigungsklauseln in Investitionsschutzverträgen, FS Ress, 2005, 47; *ders.*, Fair and Equitable Treatment, IntLawyer 39 (2005), 87; *ders./T. Myers*, After *Tecmed*: Most-Favored Nation Clauses in Investment Protection Agreements, ICSIDRev 19 (2004), 49; *P. Dumberry*, Fair and Equitable Treatment: Its Interaction with the Minimum Standard and Its Customary Status, 2018; *P.-M. Dupuy/F. Francioni/E.-U. Petersmann* (Hg.), Human Rights in International Investment Law and Arbitration, 2009; *F. S. Eichberger*, Die Grenzen der Zulässigkeit des „nationality planning“ im Investitionsschutzrecht, AVR 58 (2020), 307; *I. Gätzschmann*, Die Meistbegünstigungsklausel in der WTO und im völkerrechtlichen Investitionsschutz, StudZR 2009, 241; *M. Gutbrod/S. Hindelang/Y. Kim*, Protection against Indirect Expropriation under National and International Legal Systems, GoJIL1 (2009), 291; *C. Hölken*, Systemische Integration von Investitionsschutzabkommen, 2017; *R. Islam*, The Fair and Equitable Treatment (FET) Standard in International Investment Arbitration: Developing Countries in Context, 2018; *C. Kern*, Schiedsgericht und Generalklausel: Zur Konkretisierung des Gebots des fair and equitable treatment in der internationalen Investitionsschiedsgerichtsbarkeit, 2017; *C. Knahr*, Indirect Expropriation in Recent Investment Arbitration, ARIEL 12 (2007), 85; *M. Krajewski/C. Ceyssens*, Internationaler Investitionsschutz und innerstaatliche Regulierung, AVR 45 (2007), 180; *S. Mantilla Blanco*, Full Protection and Security in International Investment Law, 2019; *P. Martinez-Fraga/C. R. Reetz*, Public Purpose in International Law: Rethinking Regulatory Sovereignty in the Global Era, 2015; *M. Martini*, Zu Gast bei Freunden? Staatsfonds als Herausforderung an das europäische und internationale

Recht, DÖV 2008, 314; C. McLachlan/L. Laurence Shore/M. Matthew Weiniger (Hg.), *International Investment Arbitration: Substantive Principles*, 2. Aufl. 2017; A. Opel, *Ausländische Agrarinvestitionen: „Land-Grabbing“ im Spannungsfeld zwischen Menschenrechtsschutz und Investitionsschutzrecht*, 2016; F. M. Palombino, *Fair and Equitable Treatment and the Fabric of General Principles*, 2018; L. M. Panosch, *Das Menschenrecht auf Wasser im internationalen Investitionsrecht*, 2021; M. Perkams, *Internationale Investitionsschutzabkommen im Spannungsfeld zwischen effektivem Investitionsschutz und staatlichem Gemeinwohl*, 2011; S. Ratner, *Regulatory Takings in Institutional Context*, AJIL 102 (2008), 475; ders., *Compensation for Expropriation in a World of Investment Treaties: Beyond the Lawful/Unlawful Distinction*, AJIL 111 (2017), 7; B. Sabahi, *Compensation and Restitution in Investor-State Arbitration*, 2011; M. Schäfer/T. Voland, *Staatsfonds: Die Kontrolle ausländischer Investitionen auf dem Prüfstand des Verfassungs-, Europa- und Welt handelsrechts*, EWS 2008, 166; J. Scheu, *Systematische Berücksichtigung von Menschenrechten in Investitionsschiedsverfahren*, 2017; B. Simma, *Foreign Investment Arbitration: A Place for Human Rights?*, ICLQ 60 (2011), 573; E. Sipiorski, *Good Faith in International Investment Arbitration*, 2019; L. Stifter/A. Reinisch, *Expropriation in the Light of the UNCTAD Investment Policy Framework for Sustainable Development*, in: Hindelang/Krajewski (Hg.), *Shifting Paradigms in International Investment Law*, 2016, 81; J. Stone, *Arbitrariness, the Fair and Equitable Treatment Standard, and the International Law of Investment*, LJIL 25 (2012), 77; P. Šturma, *Goodbye, Maffezini? On the Recent Developments of Most-Favoured-Nation Clause Interpretation in International Investment Law*, LPICT 15 (2016), 81; C. Tams/S. Schill/R. Hofmann (Hg.), *International Investment Law and General International Law: Radiating Effects?*, 2022 (i.V.); C. Tietje, *Beschränkungen ausländischer Unternehmensbeteiligungen zum Schutz vor „Staatsfonds“ – Rechtliche Grenzen eines neuen Interventionsprotektionismus*, 2007; I. Tudor, *The Fair and Equitable Treatment Standard in the International Law of Foreign Investment*, 2008; V. Vadi, *Proportionality, Reasonableness and Standards of Review in International Investment Law and Arbitration*, 2018; S. Vessel, *Clearing a Path Through a Tangled Jurisprudence: Most-favored-nation Clauses and Dispute Settlement Provisions in Bilateral Investment Treaties*, YaleJIL 32 (2007), 125; T. Wälde, *International Investment under the 1994 Energy Charter Treaty*, JWT 29 (1995), 5; P. Wiater, *Der Staat als Investor: Staatsfonds und die süße Frucht der Staatenimmunität*, AVR 55 (2017), 148; A. Wythes, *Investor–State Arbitrations: Can the “Fair and Equitable Treatment” Clause Consider International Human Rights Obligations?*, LJIL 23 (2010), 241; Beiträge zum Symposium: *Sovereign Wealth Funds*, AsianJIL 1 (2011), Heft 2.

Zu IV. C. Baltag (Hg.), *ICSID Convention After 50 Years: Unsettled Issues*, 2017; F. Boor, *Die Aufhebung der Yukos-Schiedssprüche des Court of Arbitration vor dem Bezirksgericht in Den Haag – nur der Anfang einer langen Vollstreckungsodyssee?*, AVR 54 (2016), 297; E. De Brabandere, *Investment Treaty Arbitration as Public International Law*, 2014; H. Bubrowski, *Internationale Investitionsschiedsverfahren und nationale Gerichte*, 2013; M. Bungenberg/A. Reinisch, *From Bilateral Arbitral Tribunals and Investment Courts to a Multilateral Investment Court: Options Regarding the Institutionalization of Investor-State Dispute Settlement*, 2018; P. Donath, *Proliferation und Legitimation der internationalen Investitionsschiedsgerichtsbarkeit. Grundzüge einer transnationalen judikativen Legitimitätskonzeption*, 2016; C. Dugan/N. Rubin/D. Wallace/B. Sabahi, *Investor-State Arbitration*, 2008; J. Fry/J. Repousis, *Towards a New World for Investor-State Arbitration Through Transparency*, NYUJILP 48 (2016), 795; I. Gätzschmann, *Der vorläufige Rechtsschutz in Schiedsverfahren nach der ICSID-Konvention*, 2015; C. Giannakopoulos, *Manifestations of Coherence and Investor-State Arbitration*, 2022 (i.E.); C. Giorgetti (Hg.), *Litigating International Investment Disputes*, 2014; G. van Harten, *Sovereign Choices and Sovereign Constraints: Judicial Restraint in Investment Treaty Arbitration*, 2013; N. Horn (Hg.), *Arbitrating Foreign Investment Disputes*, 2004; M. Kinnear u. a. (Hg.), *Building International Investment Law: The First 50 Years of ICSID*, 2016; C. Ohler, *Democratic Legitimacy and the Rule of Law in Investor-State Dispute Settlement under CETA*, EYIEL 8 (2017), 227; A. Parra, *The History of ICSID*, 2. Aufl. 2017; A. Reinisch, *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*, JIEL 19 (2016), 761; ders., *The European Union and Investor-State*

Dispute Settlement: From Investor-State Arbitration to a Permanent Investment Court, Investor-State Arbitration Series, Paper No. 2 (11.3.2016); A. Roberts, Incremental, Systemic, and Paradigmatic Reform of Investor-State Arbitration, AJIL 112 (2018), 410; T. Roe/M. Happold, Settlement of Investment Disputes under the Energy Charter Treaty, 2011; B. Sabahi/N. Rubins/D. Wallace (Hg.), Investor-State Arbitration, 2. Aufl. 2019; D. Sarooshi, Investment Treaty Arbitration and the World Trade Organization: What Role for Systemic Values in the Resolution of International Economic Disputes?, TexasILJ 49 (2014), 445; B. Schöbener/L. Markert, Das International Centre for Settlement of Investment Disputes (ICSID), ZVgIRWiss 105 (2006), 65; T. St. John, The Rise of Investor-State Arbitration: Politics, Law, and Unintended Consequences, 2018; H. Theodorou, Investitionsschutzverträge vor Schiedsgerichten, 2001; C. Tietje, Grundstrukturen und aktuelle Entwicklungen des Rechts der Beilegung internationaler Investitionsstreitigkeiten, 2003; ders., Investitionsschiedsgerichtsbarkeit in CETA und anderen Freihandelsabkommen der EU, ZEuS 19 (2016), 421; L. Trakman, Enhancing Standing Panels In Investor-State Arbitration: The Way Forward?, GeorgeJIL 48 (2017), 1145; S. Vöneky, Die Stellung von Unternehmen in der Investitionsschiedsgerichtsbarkeit (unter besonderer Berücksichtigung von Korruptionsproblemen), BDGVR 50 (2020), 339; T. Wälde, Energy Charter Treaty-based Investment Arbitration, JWI 5 (2004), 373; P. Wiater, Internationale Individualkläger: Ein Vergleich des Zugangs zu Gericht im Wirtschaftsvölkerrecht, 2020; Special Issue: Reforming International Investment Arbitration, LPICT 18 (2019).

D. Internationales Währungs- und Finanzrecht

Vertiefende Literatur zu D.: M. S. Barr, International Lawmaking by Hybrid Bodies: the Case of Financial Regulation, in: Brölmann/Radi (Hg.), Research Handbook on the Theory and Practice of International Lawmaking, 2016, 262; U. A. Barton, Rethinking Regulation of International Finance: Law, Policy and Institutions, 2018; M. K. Bode, Der IWF im Wandel – Rückkehr zu einem neuen System: Der Umgang des Internationalen Währungsfonds mit zukünftigen Finanz- und Währungskrisen, 2017; K. Boon, “Open for Business”: International Financial Institutions, Post-Conflict Economic Reform, and the Rule of Law, NYUJILP 39 (2007), 513; T. Cottier/J. Jackson/R. Lastra (Hg.), International Law in Financial Regulation and Monetary Affairs, 2012; M. Darrow, Between Light and Shadow: The World Bank, The International Monetary Fund and International Human Rights Law, 2003; E. Denters, Law and Policy of IMF Conditionality, 1996; D. Desierto, Public Policy in International Economic Law, 2015; A. Feibelman, Law in the Global Order: The IMF and Financial Regulation, NYUJILP 49 (2017), 687; J. B. Funk, Der Internationale Währungsfonds: Status, Funktion, Legitimation, 2018; S. Gadinis, Three Pathways to Global Standards: Private, Regulator, and Ministry Networks, AJIL 109 (2015), 1; F. Gianviti, The Reform of the International Monetary Fund (Conditionality and Surveillance), IntLawyer 34 (2000), 107; T. Giegerich (Hg.), Internationales Wirtschafts- und Finanzrecht in der Krise, 2011; M. Giovanoli (Hg.), International Monetary Law, 2000; M. Giovanoli, The Reform of International Financial Architecture After the Global Crisis, NYUJILP 42 (2009), 81; L. Gramlich, Eine neue internationale „Finanzarchitektur“ oder: Der IMF in der Krise?, AVR 38 (2000), 399; R. Grote/T. Marauhn (Hg.), The Regulation of International Financial Markets: Perspectives for Reform, 2006; H. J. Hahn/U. Häde, Währungsrecht, 2. Aufl. 2010; J. Horst, Transnationale Rechtserzeugung: Elemente einer normativen Theorie der Lex Financiaría, 2019; B. Kempen, Die Zukunft des Internationalen Währungsfonds, ZEuS 2000, 13; A. Kern/R. Dhumale (Hg.), Research Handbook On International Financial Regulation, 2012; R. Lastra, The Reform of the International Financial Architecture, 2001; dies., Legal Foundations of International Monetary Stability, 2006; dies., International Financial and Monetary Law, 2. Aufl. 2015; F. Lupo-Pasini, The Logic of Financial Nationalism: The Challenges of Cooperation and the Role of International Law, 2017; M. Ragazzi, Financial Institutions, International, MPEPIL (10/2017); M. Meng-Papantoni, Legal Aspects of the Memoranda of Understanding in the Greek Debt Crisis, ZEuS 18 (2015), 3; V. Paliouras, The Right to Restructure Sovereign Debt, JIEL 20 (2017), 115; T. Porter, Transnational Financial Regulation after the Crisis, 2014;

C. Proctor, Mann and Proctor on the Legal Aspect of Money, 8. Aufl. 2022 (i.E.); *E. Reimer*, Internationales Finanzrecht, in: Isensee/Kirchhof (Hg.), Handbuch des Staatsrecht XI, 3. Aufl. 2013, § 250; *D. Riddigkeit*, Das Mandat des IWF: Zur Kooperationspflicht internationaler Organisationen und Rechtsregime in der Weltfinanzarchitektur, 2013; *L. Satragno*, Monetary Stability as a Common Concern in International Law: Policy Cooperation and Coordination of Central Banks, 2022; *P. Savona*, The New Architecture of the International Monetary System, 2000; *H. Scott*, International Finance: Law and Regulation, 2004; *C. de Stefano*, Reforming the Governance of International Financial Law in the Era of Post-Globalization, JIEL 20 (2017), 509; *B. Steinhauer*, Die Auslegung, Kontrolle und Durchsetzung mitgliedstaatlicher Pflichten im Recht des Internationalen Währungsfonds und der Europäischen Gemeinschaft, 1997; *F. Strauß*, Soft Law als Steuerungsinstrument in der Bankenaufsicht: Eine Untersuchung im Völkerrecht, europäischen Unionsrecht und deutschen Verfassungsrecht am Beispiel der Basler Akkorde, 2016; *C. Tams/S. Schill/R. Hofmann* (Hg.), International Investment Law and the Global Financial Architecture, 2017; *C. Tietje*, Architektur der Weltfinanzordnung, 2011; *F. Vischer*, Geld- und Währungsrecht im nationalen und internationalen Kontext, 2010; *J. Walsh*, Institution-based Financial Regulation: A Third Paradigm, HarvILJ 49 (2008), 381; *N. Walter*, Lehren aus der Krise: ein neuer Ordnungsrahmen für robustere Finanzsysteme, FS Möschel, 2011, 969; *C. Zimmermann*, A Contemporary Concept of Monetary Sovereignty, 2013.