

curriculum vitae - current as of 3 March 2008

Stephan Wittich



Personal

Date of birth: 1 August 1969
Place of birth: Mittersill, Salzburg, Austria
Citizenship: Austrian
Languages: German (native), English, French
Civil status: married, one daughter

Education:

Degree courses: University of Vienna, Magister iuris, 1995, Vienna, Austria; University of Vienna, Doctor iuris, 2001, Vienna, Austria.

Other courses, extra-curricular, etc.: Course in International Environmental Law, COPERNICUS Programme, University of Budapest, July 1996; Summer Session of the Hague Academy of International Law, July/August 1995 and July/August 1997; Seminar of the United Nations International Law Commission, Geneva, July/August 2001

Employment:

Current: Assistant Professor (with tenure) of international law, Faculty of Law, Department of International Law, University of Vienna (2001-present); professorial lecturer in international law and international organizations, Vienna School of International Studies/Diplomatic Academy Vienna (2003-present);

2001-2008 Senior lecturer in international law, Faculty of Law, Department of International Law, University of Vienna.

1997-2001 University assistant, Faculty of Law, Department of International Law, University of Vienna.

1996-1997 Law clerk, Regional Court for Civil Matters, Vienna.

1995-1996 Research and teaching assistant, Faculty of Law, Department of International Law, University of Vienna.

1995 Law clerk, District Court for Criminal Matters, Vienna.

Professorial lecturer:

2004-present Vienna School of International Studies
2007-present Bratislava University of Law (Bratislavská vysoká škola práva)

Visiting lecturer:

- 2005** Law Faculty University of Padua-Treviso
- 2005** Vienna Course for Military Legal Advisers from Central and Eastern Europe, Federal Ministry of Defence and Austrian Committee of the Red Cross
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Additional work experience:

- April/May 1997** Participation on behalf of the International Commission on Environment at the session of the Commission on Crime Prevention, Vienna International Centre
- November 1998** Member of the Austrian delegation to the Second Conference of the Parties of the United Nations Convention to Combat Desertification, Dakar, Senegal
- 1998-2001** Correspondent to the ILC Special Rapporteur on State Responsibility, Prof. James Crawford, covering the German language doctrine on the law of the international responsibility of States
- 2001-2003** Co-author of expert opinion in the UNCITRAL arbitration proceedings concerning *CME Czech Republic B.V. (The Netherlands) v. The Czech Republic* (Prof. Christoph Schreuer and Prof. August Reinisch)
- 2001-2004** Legal adviser for the Principality of Liechtenstein in the *Certain Property* case (Liechtenstein v. Germany) in the International Court of Justice
- 2003-2004** Legal assistant to Prof. Gerhard Hafner in his function as member of the UNCLOS Arbitral Tribunal in the *Mox Plant* case (Ireland v. United Kingdom)

Numerous unpublished expert opinions on questions of international law

Research focus:

- Procedure before international courts and tribunals
 - Party autonomy in the International Court of Justice
 - Responsibility for internationally wrongful acts
 - International treaty law
 - Law of international immunities
 - Law of International Organizations
 - State practice, especially judicial decisions of domestic courts involving questions of international law
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Membership in associations, etc.:

- European Society of International Law
- Austrian Society of International Law
- American Society of International Law
- International Law Association
- International Commission on Environment

Select List of Papers and Lectures

- 'The Issue of Party Status in the Genocide case', Symposium of the European Journal of International Law and the European University Institute, Florence: *Genocide, Human Rights and the ICJ*, Florence, June 2007
- 'Intervention and Problems of Party Autonomy', Symposium of the University of Padua/Treviso: *The International Court of Justice in Theory and Practice*, Treviso, November 2005
- 'Domestic Implementation and its Impact on the Unity and Diversity of International Law', Symposium of the Walther-Schücking-Institute of International Law, Kiel: *The Unity and Diversity in International Law*, Kiel, November 2004
- 'Is There Any Future for Austria's Neutrality?', Vienna School of International Studies and Institut d'études politiques de Paris à Nancy, Vienna, April 2004
- 'The War in Iraq and Its Consequences from an International Law Perspective', Symposium of the Austrian Students Association: *USA v. UN: Rule of Force versus Rule of Law?*, Vienna, May 2003
- 'State of Necessity and the Concept of the Injured State in the ILC Draft on State Responsibility', 26th Annual Meeting of the Austrian Society of International Law, Vienna, June 2001
- 'The Austrian Experience with the Alpine Convention', Symposium of the Fondazione di Courmayeur: *La montagne et l'environnement: Dix ans après Rio*, Courmayeur, June 2002
- 'Environment and Security: Legal and Institutional Issues in the Field of Dispute Settlement', Symposium by the Austrian Federal Ministry for the Environment: *Environment and Security*, March 1998
- 'The Current Understanding of Neutrality in Austria', Symposium of the Charles University of Prague: *The Meaning of Neutrality in Today's Europe – Austria as an Example*, Prague, December 1997
- 'Punitive Damages in the Law of State Responsibility', 22nd Annual Meeting of the Austrian Society of International Law, Traunkirchen (Austria), June 1997
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Select List of Publications

Books and monographs:

Non-Material Damage and Its Reparation in International Law, 350p., to be published by Martinus Nijhoff Publishers, Leiden (forthcoming 2009)

Privileges and Immunities of International Organizations and Facilities in Austria, 290p., (in German, together with R. Regner), to be published by Springer, Vienna (forthcoming 2009)

Edited volumes:

Proceedings of the Austrian Society of International Law 2001: Forced Labour and Restitution – Dispute Settlement in International Economic Law – State Responsibility, Manz, Vienna, 2002 (in German, together with I. Marboe and A. Reinisch)

Austrian Review of International and European Law, executive editor (2002-present), assistant editorial manager (1999-2002); edited volumes: 6 (2001), 7 (2002), 8 (2003), 9 (2004), 10 (2005), 11 (2006)

Contributions in books:

'Inter Se Agreements to Constituent Treaties of International Organizations and Problems of Derogation', in I. Buffard / J. Crawford / A. Pellet / S. Wittich (eds.), *International Law Between Fragmentation and Universalism*, Martinus Nijhoff (forthcoming 2008) 25 p.

'The Definition of Commercial Acts/La définition des actes commerciaux', in S. Breau / G. Hafner / M. Kohen (eds.), *State Practice Regarding State Immunities/La Pratique des Etats concernant les Immunités des Etats*, Martinus Nijhoff Publishers, Leiden (2006) 21-47

'Domestic Implementation and the Unity of International Law', in A. Zimmermann / R. Hofmann (eds.), *Unity and Diversity in International Law. Proceedings of an International Symposium of the Kiel Walther*

Schücking Institute of International Law, Duncker und Humblot, Berlin (2006) 345-372

'The Concept of the Injured State: Determining *Ius Standi* Pursuant to the ILC Draft on State Responsibility With Particular Regard to the Breach of Obligations *Erga Omnes*', in I. Marboe / A. Reinisch / S. Wittich (eds.), *Proceedings of the Austrian Society of International Law 2001*, Manz, Vienna (2002) 167-188 (in German)

'Lusitania v. Rainbow Warrior. Punitive Damages in the Law of State Responsibility', in H. F. Köck (ed.), *Rechtsfragen an der Jahrtausendwende. Akten des 22. Österreichischen Völkerrechtstages*, Linde, Vienna (1998) 247-283 (in German)

'The Permanent Discussion on Austria's Neutrality' (together with M. A. Reiterer), *Collection of Conference Papers of the University of Prague*, Právnická fakulta UK, Prague (1998) 60-86

Articles in journals and yearbooks:

'Procedural Aspects of the ICJ's Judgment in the *Genocide* case', *Archiv des Völkerrechts* 46 (forthcoming 2008, in German) 30p.

'The Principle of *Res Judicata* as Applied to Judgments of the International Court of Justice', to be submitted to *The Law and Practice of International Courts and Tribunals* (forthcoming 2008) 25p.

'Mandatory Rules in the Procedural Law of the International Court of Justice', to be submitted to the *British Year Book of International Law* (forthcoming 2008) 60p.

'Permissible Derogation from Mandatory Rules? The Problem of Party Status in the *Genocide* case', *European Journal of International Law* 18 (2007) 591-618

'Conditions and Limitations of the Danube Convention for River Information Services and Systems' (together with R. Regner), *Zeitschrift für öffentliches Recht* 61 (2006) 223-243 (in German)

- 'Declaratory Judgments in the International Court of Justice', *Archiv des Völkerrechts* 44 (2006) 1-32 (in German)
- 'Non-Material Damage and Monetary Reparation in International Law', *Finnish Yearbook of International Law* 15 (2004) 321-368
- 'Recent Austrian Cases on Questions of Jurisdictional Immunities', *Austrian Review of International and European Law* 8 (2003) 309-321
- 'The International Law Commission's Articles on the Responsibility of States for Internationally Wrongful Acts Adopted on Second Reading', *Leiden Journal of International Law* 15 (2002) 891-919
- 'State Responsibility and the Individual', *Leiden Journal of International Law* 15 (2002) 456-470
- 'Direct Injury and the Incidence of the Local Remedies Rule', *Austrian Review of International and European Law* 5 (2000) 121-187
- 'Awe of the Gods and Fear of the Priests: Punitive Damages and the Law of State Responsibility', *Austrian Review of International and European Law* 3 (1998) 101-157

Contributions in textbooks and encyclopaedias:

- 'Barcelona Traction Case', in R. Wolfrum (ed.), *Max Planck Encyclopedia of Public International Law* (forthcoming 2008) 10p.
- 'Compensation', in R. Wolfrum (ed.), *Max Planck Encyclopedia of Public International Law* (forthcoming 2008) 15p.
- 'United States Diplomatic and Consular Staff in Teheran Case' (together with I. Buffard), in R. Wolfrum (ed.), *Max Planck Encyclopedia of Public International Law* (forthcoming 2008) 10p.
- 'Les dommages et intérêts punitifs (chapitre 44) / Punitive Damages (Chapter 44)', in J. Crawford and A. Pellet, *Droit de la responsabilité internationale*, Pedone Paris and CUP Cambridge (forthcoming 2008) 10p.
- 'International Responsibility and Sanctions in International Law' (together with K. Zemanek and

G. Hafner), in H. Neuhold / W. Hummer / C. Schreuer (eds.), *Austrian Manual of International Law*, Manz, Vienna, 4th edition (2004) 505-532 (in German)

- 'Unilateral Acts' (together with H. Miehsler and G. Hafner), in H. Neuhold / W. Hummer / C. Schreuer (eds.), *Austrian Manual of International Law*, Manz, Vienna, 4th edition (2004) 93-100 (in German)

Shorter articles and case notes:

- 'Airport Linz v. United States of America', *American Journal of International Law* 99 (2005) 248-252
- 'Immunity v. Accountability: The ICJ's Judgment in the Yerodia case' (together with C. Schreuer), *International Law Forum du droit international* 4 (2002) 117-120
- 'Responsibility of States for Internationally Wrongful Acts. The Result of the Work of the United Nations International Law Commission - Introduction' (together with G. Hafner), in I. Marboe / A. Reinisch / S. Wittich (eds.), *Proceedings of the Austrian Society of International Law 2001*, Manz, Vienna (2002) 140-143 (in German)
- 'International Law as a Language for International Relations', *Austrian Review of International and European Law* 3 (1998) 305-309

Austrian Digest of International Law:

- 'Austrian Judicial Decisions Involving Questions of International Law', *Austrian Review of International and European Law* 11 (forthcoming 2008)
- 'Austrian Judicial Decisions Involving Questions of International Law', *Austrian Review of International and European Law* 10 (2005) 183-252
- 'Austrian Judicial Decisions Involving Questions of International Law' (together with A. Breitegger / L. Lange und J. Wurm), *Austrian Review of International and European Law* 9 (2004) 231-330
- 'Austrian Judicial Decisions Involving Questions of International Law' (together with M. Schoiswohl),

- Austrian Review of International and European Law 8 (2003) 423-502
- 'Austrian Judicial Decisions Involving Questions of International Law' (together with M. Schoiswohl), Austrian Review of International and European Law 7 (2002) 257-302
- 'Austrian Judicial Decisions Involving Questions of International Law' (together with K.G. Bühler, O. Dietrich and M. Schoiswohl), Austrian Review of International and European Law 6 (2001) 281-360 (2001)
- 'Austrian Judicial Decisions Involving Questions of International Law' (together with K.G. Bühler, O. Dietrich and U. Kriebaum), Austrian Review of International and European Law 5 (2000) 311-373
- 'Austrian Judicial Decisions Involving Questions of Public International Law' (together with K.G. Bühler, O. Dietrich and U. Kriebaum), Austrian Review of International and European Law 4 (1999) 302-369
- 'Austrian Judicial Decisions Involving Questions of Public International Law' (together with K.G. Bühler, O. Dietrich and U. Kriebaum), Austrian Review of International and European Law 3 (1998) 437-509
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- Book reviews and book notes:**
- V. Gowlland-Debbas, *National Implementation of United Nations Sanctions. A Comparative Study* (2004), Austrian Review of International and European Law 11 (forthcoming 2008)
- J. Allain, *A Century of International Adjudication* (2000), Netherlands International Law Review 53 (2006) 141-145
- Andreas L. Paulus, *Die internationale Gemeinschaft im Völkerrecht. Eine Untersuchung zur Entwicklung des Völkerrechts im Zeitalter der Globalisierung* (2001), Austrian Review of International and European Law 10 (2005) 367-369
- Jan Klabbers, *An Introduction to International Institutional Law* (2002), Austrian Review of International and European Law 10 (2005) 364-365
- James Crawford, *The International Law Commission's Articles on State Responsibility. Introduction, Text and Commentaries* (2001), Austrian Review of International and European Law 9 (2004) 461
- Ineta Ziemele (ed.), *Baltic Yearbook of International Law*, vols. 1-3 (2001-2003), Austrian Review of International and European Law 9 (2004) 466
- D. Shelton, *Remedies in International Human Rights Law* (1999), Austrian Review of International and European Law 7 (2002) 413-417
- L. Boisson de Chazournes/V. Gowlland-Debbas (eds.), *The International Legal System in Quest of Equity and Universality. L'ordre juridique international, un système en quête d'équité et d'universalité. Liber Amicorum Georges Abi-Saab* (2001), Austrian Review of International and European Law 7 (2002) 429
- Otto Triffterer (ed.), *Commentary on the Rome Statute of the International Criminal Court. Observers' Notes, Article by Article* (1999); Christian Rosbaud/Otto Triffterer (eds.), *Rome Statute of the International Criminal Court Including the Final Act. Statut de Rome de la Cour Pénale Internationale – Estatuto de Roma de la Corte Penal Internacional – Römisches Statut des Internationalen Strafgerichtshofs* (2000), Austrian Review of International and European Law 7 (2002) 434
- Wesley Newcomb Hohfeld, *Fundamental Legal Conceptions as Applied in Judicial Reasoning*, edited by David Campbell & Philip Thomas (2001), Austrian Review of International and European Law 7 (2002) 433
- M. Faure/H. Koziol (eds.), *Cases on Medical Malpractice in a Comparative Perspective* (2001); W. V. Horton Rogers (ed.), *Damages for Non-Pecuniary Loss in a Comparative Perspective* (2001), Austrian Review of International and European Law 7 (2002) 396-399
- J. Drolshammer/M. Pfeifer (eds.), *The Internationalization of the Practice of Law* (2001),

- Austrian Review of International and European Law 7 (2002) 431-432
- M. Pyles (ed.), *Dispute Resolution in Asia* (1997), Austrian Review of International and European Law 6 (2001) 472
- C. Peck/R. S. Lee (eds.), *Increasing the Effectiveness of the International Court of Justice* (1997), in Austrian Review of International and European Law 6 (2001) 469-470
- B. Conforti et al. (eds.), *Italian Yearbook of International Law*, volumes IX (1999) and X (2000), in Austrian Review of International and European Law 6 (2001) 465-466
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- Miscellaneous publications:**
- International and European Law Parameters for the Operation of River Information Services. Study commissioned by via donau (together with R. Regner), July 2005, 77 p., available at [http://www.its-austria.info/fileadmin/Image_Archive/its/Downloads/LP01_Rechtsrahmen DoRIS_Endbericht.pdf](http://www.its-austria.info/fileadmin/Image_Archive/its/Downloads/LP01_Rechtsrahmen_DoRIS_Endbericht.pdf) (in German)
- State Immunity and the Commercial Transaction Exception, Analytical Report commissioned by the Committee of Legal Advisers on Public International Law (CAHDI) in the context of the Pilot Project of the Council of Europe on State Practice regarding State Immunity, September 2004, 27 p.
- Part Three: Joint Tortfeasors, in CME Czech Republic B.V. (The Netherlands) v. The Czech Republic, UNCITRAL Arbitration Proceedings – Quantum Proceedings, Legal Opinion Prepared by Christoph Schreuer and August Reinisch, 75-89, available at http://www.univie.ac.at/intlaw/pdf/cmequant_2.pdf
- Non-Material Damage and Its Reparation in International Law, Dissertation, University of Vienna, June 2001, 328 p.
- Report by Austria on Measures Taken to Support the Implementation of the Convention to Combat Desertification in Affected African Country Parties. Submitted pursuant to article 26 of the UN Convention to Combat Desertification. Published by the Austrian Federal Ministry for Foreign Affairs and the Federal Ministry for the Environment, Youth and Family, July 1999, 25 p., available at <http://www.unccd.int/cop/reports/developed/1999/austria-eng.pdf>
- Legal Provisions and Their Impact on Cultivated Landscape. An Analysis of the Process of Implementing International Environmental Law in the Domestic Sphere. Study commissioned by the Austrian Federal Ministries of Science and Education, of Agriculture and Forestry and of the Environment (together with R. Pohoryles, R. Tronner, G. Loibl, and M. Reiterer), January 1999, 287 p. (in German), information available at http://www.klf.at/html/prj/klf1_15.html
- Environment and Security: Legal and Institutional Issues in the Field of Dispute Settlement, study commissioned by the Austrian Federal Ministry of the Environment (together with M. Reiterer), March 1998, 85 p.
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