Survey

I. Concept .............................................................................................................. 1

II. Thematic Studies .......................................................................................... 99

1. The Exercise of Public Authority through Instruments Concerning Individuals .............................................................. 99
   1.1 Decisions ................................................................................. 99
   1.2 Recommendations .............................................................. 195
   1.3 Information ......................................................................... 227

2. The Exercise of Public Authority through Instruments Concerning Individual States ................................................... 269
   2.1 Decisions ............................................................................. 269
   2.2 Recommendations .............................................................. 341
   2.3 Information ......................................................................... 375

3. The Exercise of Public Authority through General Instruments ........................................................................... 437
   3.1 Secondary Law ................................................................. 437
   3.2 International Public Standards .......................................... 509

4. Public Authority through Private Law Instruments? ............ 573

III. Cross-Cutting Analyses .............................................................................. 659

IV. Context ......................................................................................................... 941

List of Contributors ........................................................................................ 1001
# Table of Contents

## I. Concept

*Armin von Bogdandy, Philipp Dann & Matthias Goldmann*
Developing the Publicness of Public International Law: Towards a Legal Framework for Global Governance Activities ..... 3

*Comment by Stefan Kadelbach*
From Public International Law to International Public Law: A Comment on the “Public Authority” of International Institutions and the “Publicness” of their Law ............................... 33

*Comment by Stephan Leibfried*
To Tame and to Frame ................................................................. 51

*Ingo Venzke*
International Bureaucracies from a Political Science Perspective – Agency, Authority and International Institutional Law ................................................................. 67

## II. Thematic Studies

*1. The Exercise of Public Authority through Instruments Concerning Individuals* ................................................................. 99

*1.1 Decisions* ............................................................................. 99

*Clemens A. Feinäugle*
<table>
<thead>
<tr>
<th>Author</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Karen Kaiser</td>
<td>WIPO’s International Registration of Trademarks: An International Administrative Act Subject to Examination by the Designated Contracting Parties</td>
<td>133</td>
</tr>
<tr>
<td>Maja Smrkolj</td>
<td>International Institutions and Individualized Decision-Making: An Example of UNHCR’s Refugee Status Determination</td>
<td>165</td>
</tr>
<tr>
<td></td>
<td>1.2 Recommendations</td>
<td>195</td>
</tr>
<tr>
<td>Gefion Schuler</td>
<td>Effective Governance through Decentralized Soft Implementation: The OECD Guidelines for Multinational Enterprises</td>
<td>197</td>
</tr>
<tr>
<td></td>
<td>1.3 Information</td>
<td>227</td>
</tr>
<tr>
<td>Bettina Schöndorf-Haubold</td>
<td>The Administration of Information in International Administrative Law – The Example of Interpol</td>
<td>229</td>
</tr>
<tr>
<td></td>
<td>2. The Exercise of Public Authority through Instruments Concerning Individual States</td>
<td>269</td>
</tr>
<tr>
<td></td>
<td>2.1 Decisions</td>
<td>269</td>
</tr>
<tr>
<td>Petra Lea Láncos</td>
<td>Flexibility and Legitimacy - The Emissions Trading System under the Kyoto Protocol</td>
<td>271</td>
</tr>
<tr>
<td>Diana Zacharias</td>
<td>The UNESCO Regime for the Protection of World Heritage as Prototype of an Autonomy-Gaining International Institution</td>
<td>301</td>
</tr>
<tr>
<td>Comment by Ute Mager</td>
<td>The UNESCO Regime for the Protection of World Heritage</td>
<td>337</td>
</tr>
</tbody>
</table>
2.2 Recommendations ........................................................................................................... 341

*Anuscheh Farahat*

Regulating Minority Issues through Standard-Setting and Mediation: The Case of the High Commissioner on National Minorities ................................................................. 343

2.3 Information ................................................................................................................... 375

*Erika de Wet*

Governance through Promotion and Persuasion: The 1998 ILO Declaration on Fundamental Principles and Rights at Work ................................................................. 377

*Joseph Windsor*

The WTO Committee on Trade in Financial Services: The Exercise of Public Authority within an Informational Forum .... 405

3. The Exercise of Public Authority through General Instruments ........................................ 437

3.1 Secondary Law ............................................................................................................ 437

*Isabel Feichtner*

The Administration of the Vocabulary of International Trade: The Adaptation of WTO Schedules to Changes in the Harmonized System .................................................. 439

*Christine Fuchs*

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) – Conservation Efforts Undermine the Legality Principle .................................................... 475

3.2 International Public Standards ........................................................................................ 509

*Jürgen Friedrich*

Legal Challenges of Non-binding Instruments: The Case of the FAO Code of Conduct for Responsible Fisheries ................. 511
Ravi Afonso Pereira
Why Would International Administrative Activity Be Any Less Legitimate? – A Study of the Codex Alimentarius Commission ................................................................. 541

4. Public Authority through Private Law Instruments? ............ 573

Matthias Hartwig
ICANN – Governance by Technical Necessity ............................. 575

Steven Less
International Administration of Holocaust Compensation:
The International Commission on Holocaust Era Insurance Claims (ICHEIC) ................................................................. 607

III. Cross-Cutting Analyses .......................................................... 659

Matthias Goldmann
Inside Relative Normativity: From Sources to Standard Instruments for the Exercise of International Public Authority ................................................................. 661

Comment by Jan Klabbers
Goldmann Variations ................................................................. 713

Armin von Bogdandy
General Principles of International Public Authority:
Sketching a Research Field .......................................................... 727

Comment by Sabino Cassese
Is There a Global Administrative Law? ................................. 761

Jochen von Bernstorff
Procedures of Decision-Making and the Role of Law in International Organizations ................................................................. 777

Comment by Christian Tietje
The Contributions by Jochen von Bernstorff and by Maja Smrkolj ................................................................. 807
Table of Contents

Volker Röben
The Enforcement Authority of International Institutions ............ 819

Comment by Dirk Hanschel
The Enforcement Authority of International Institutions –
Some Remarks and Suggestions for Further Analysis .................... 843

Erika de Wet
Holding International Institutions Accountable: The
Complementary Role of Non-Judicial Oversight Mechanisms
and Judicial Review ................................................................. 855

Armin von Bogdandy & Philipp Dann
International Composite Administration: Conceptualizing
Multi-Level and Network Aspects in the Exercise of
International Public Authority ..................................................... 883

Comment by Ute Mager
International Composite Administration .................................... 913

Rüdiger Wolfrum
Legitimacy of International Law and the Exercise of
Administrative Functions: The Example of the International
Seabed Authority, the International Maritime Organization
(IMO) and International Fisheries Organizations ....................... 917

IV. Context ................................................................................. 941

Eberhard Schmidt-Aßmann
The Internationalization of Administrative Relations as a
Challenge for Administrative Law Scholarship ......................... 943

Giacinto della Cananea
Procedural Due Process of Law Beyond the State ...................... 965

List of Contributors .................................................................... 1001
The Exercise of Public Authority by International Institutions
Advancing International Institutional Law
von Bogdandy, A.; Wolfrum, R.; von Bernstorff, J.; Dann, P.; Goldmann, M. (Eds.)
2010, XIII, 1008 p., Hardcover
ISBN: 978-3-642-04530-1