

# Guidelines for Authors

Ver. 1.0 22 July 2021

## Part 1: General Remarks

### I. Submission of Manuscripts

All contributions are to be produced with a standard word processing programme and submitted as either Corel Wordperfect or Microsoft Word documents, with minimal formatting

Make sure that your headings are recognisable as headings, but otherwise, refrain from 'designing' your manuscript. The manuscripts differ from the final printable version of the book. The less formatting you add, the easier it will be for the typesetter to copy-edit your contribution. Please do not use page breaks of any sort.

Turn off automatic hyphenation functions. Otherwise discretionary hyphens might become fixed in the proofs which can be troublesome later in the proofreading stage.

The index to the textbook will be compiled by the publisher. All authors should submit a second version of their chapters with highlighted terms for the index. The index should only allow one sublevel.

Should you insert comments or questions within your text, please make sure to highlight them in red and mark them with a '#' symbol so that they will not accidentally be mistaken for text and printed verbatim in your proofs.

Graphs and charts can be incorporated into the final version but have to be submitted as separate files in PDF or JPG format with high resolutions (300 dpi or higher). If you would like to include graphs or charts, please communicate early about styles and formatting. The PDF or JPG files should be clearly marked, e.g. "Emmert Chart 3-1", and their positioning in the text should be marked with identical terms, e.g. "#insert Chart 3-1 here".

### II. Use of Emphasis and Abbreviations in the Textbook

Some **important terms** should be marked in bold type in the text file to enable readers to find them quickly. However, authors should limit the number of terms and should not mark entire sentences in bold type. The editors make the final decision on which terms remain in bold type. First and last names should not be set in italics.

**Special abbreviations** which are only used in a particular contribution and are not universally applicable should not be included in the general list of abbreviations. In this case, the standard procedure applies: The term should be written out once or twice, and thereafter abbreviated in the text. Abbreviations of journals should be compiled and included in the general list of abbreviations.

### III. Quotations

In general, quotes that are less than 240 characters long should be cited within the text of the manuscript. They should be marked with single quotation marks (double quotation marks should be used only for quotations within these quotations). Quotes which are longer than three lines should be set as a separate paragraph, typed in a smaller font and placed in double-indented, single-spaced paragraphs (block quotation). No quotation marks are necessary for these citations unless there are quotations within the block quotation. In this case, single quotation marks should be used.

#### **IV. Paragraphs and Marginal Numbers**

Each new line of thought should be introduced in a new paragraph. Paragraphs should not be indented. A marginal number will be assigned to each paragraph. This will be done by the publisher at the proofreading stage.

#### **V. Cross-References**

When using cross-references, rather than referring to a page you should preferably cite the marginal number. You may use 'mn.' as abbreviation for 'marginal number'. If you would like to make cross-references within your contribution, you may choose to insert marginal numbers for this purpose. However, please be aware that these marginal numbers may not equal the final numbering of marginal notes in the book and may be adjusted accordingly in the proofing stage.

Therefore, **make sure that every single cross-reference is marked with so-called #hashmarks# before and after the cross-reference.** If you want to refer to another author's contribution, you may put a substitute cross-reference in hashmarks, e.g. 'cf. #contribution J. Smith#'. **Please make sure to put these references in hashmarks ##** so that they will easily be spotted at the proofing stage.

#### **VI. Further Details on the Format of the Individual Contributions**

##### **1. General**

Use one kind of font throughout your manuscript averaging 4,000 characters per printed page including spaces and footnotes. Please remember to turn off automatic hyphenation and automatic justification. Do not use page breaks.

##### **2. Spelling**

The textbook uses British English in principle, unless non-British citations, acts, laws, judgments, etc. are quoted.

##### **3. Headings and Subheadings**

Each contribution should be organised using a consistent and logical hierarchy for headings and subheadings. Headings and subheadings will not be followed by a full stop. The numerals for titles and subtitles are:

- A. ... ..
- I. ... ..
- 1. ... ..
- a) ... ..
- aa) ... ..

Please avoid using more than five levels of headings. Always use capital letters for nouns, verbs and adjectives in headings.

#### 4. Dates

Since different countries use different ways of referencing dates, a purely numerical reference may be confusing. For example, a reference to “3/7/21” would be understood as a reference to the 3<sup>rd</sup> of July 2021 in many countries, including Continental Europe, while it would be understood as a reference to the 7<sup>th</sup> of March 2021 in the U.S. Therefore, we ask that you always spell out date references as follows:

day – Month (written out) – year (four digits).  
single digits should not be preceded by 0 (e.g. ‘1 January 2021’ rather than ‘01 January 21’).

#### VII. Schedule

Please submit your draft chapters by **31 October 2021**. We envisage to have at least a complete draft of all chapters of the textbook by the end of 2021.

After the submission of your contribution you will be kept up to date on the production schedule. Please keep us informed about your availability while the textbook is being produced. In particular, please inform us about longer periods of absence after the submission of the initial manuscript as during this production period you will be asked to respond to copy-editing issues, to proofread and to approve changes made to your manuscript.

After submission, your final manuscript will be reviewed by the editors. If necessary, the manuscripts will subsequently be returned to you for revision and approval (‘tidy up’ stage). You will be granted approximately four weeks to deal with any queries that may have come up in the process. For this, you will be given advance notice of the date and deadline. **Please note that all substantive changes have to be made at the latest during this tidy up phase.**

Furthermore, all amendments and corrections have to be made electronically. To minimise the error rate, handwritten revisions will not be accepted by the editors or the publisher. Therefore, you will receive the proofs of your contribution in two identical files, one of them a Microsoft Word file and the other one a PDF file. All revisions will have to be made in the Microsoft Word file **using the track change mode**. Please use the track change mode provided by Microsoft Word rather than document comparison programmes such as e.g. DeltaView. **Revisions that have not been made in track change mode do not have to be considered by the editors or the publisher.**

After you have given your approval, the manuscripts will be handed to the editors who will collate the individual contributions. Subsequently, all manuscripts will be turned over to the publisher who will then conduct the final formatting and copy-editing and generate proof versions. You will have a final chance to check the proofs before they go into production. Again, you will be notified ahead of time of this production step as well as the deadline. At this stage, corrections will be restricted to typing errors, typesetting errors, and incorrect information. You will be given approximately two weeks to check your proofs. Should you not return your proofs by the indicated deadline the editors will approve any changes on your behalf.

## **Part 2: Citation Style (Literature and Case Law)**

**References to literature and case law** should be placed in footnotes, not in the text. Footnotes should be printed at the bottom of each page, not at the end of the whole contribution. They should be single-spaced and numbered consecutively throughout your chapter. Footnotes should not be indented. Each footnote begins with a capital letter and concludes with a full stop.

Where not only one page or paragraph is referred to:

- "f." should be used if only one further page/paragraph is meant
- "ff." should be used if more than one following page/paragraph is meant.

As a rule, authors' first and last names should be cited in the bibliography. Although each entry starts with the author's/editor's first name, the bibliography shall be arranged alphabetically by surname. In the footnotes, only the last name appears. Where confusion is likely because of the same or similar last names, the first initial of the author's first name should be included followed by a full stop (e.g. 'J. Smith'). Authors' names should **not be marked in italics**.

When citing titles written by two authors, the names are separated by 'and'.

Three or more authors in **bibliography**:

Their names are separated by comma (with 'and' between the last two authors).

Three or more authors in **footnotes**:

The first author's last name is cited followed by "et al."

The title of the article or book should follow the same style as our headers, i.e. nouns, verbs and adjectives start with capital letters.

Authors may choose to include the title of a source in **shortened form in footnotes**. If sources have a main title and a sub-title, only the main title shall be mentioned in the footnotes. In the **bibliography**, however, the sources appear with full main title and subtitle.

The general rule to be followed is that citations/footnotes should be professional, useful and consistent. Professional means they have to be correct in style and substance; useful means that they have to enable the reader to verify the source; consistent means that the author takes care of consistency, rather than imposing on the editors to clean up the footnotes.

If multiple references are included to the same work, "Ibid." shall be used for a footnote immediately following another reference to the same work and page. "Ibid. at p. xx" shall be used for a footnote immediately following another reference to the same work but to a different page. More than two "Ibid." in a row shall be avoided. If a reference is included to a work that has been cited earlier, but not in a footnote immediately preceding the new reference, an abbreviated style shall be used, for example, "Miller, → fn. 14, p. xx". However, the abbreviated style shall only be used if the earlier reference is in the same chapter and nearby, i.e. requires only turning back a page or two. If a work has been cited much before, a full new citation shall be used that does not require the reader to go on a wild goose chase to find the source. For the same reason, citations such as "Miller, op cit." shall be absolutely avoided.

### **1. Monographs**

#### **a) In the bibliography:**

Author(s), *Title in Italics* (edition, Publisher, Place of publication, year of publication)

If it is a citation of the 1<sup>st</sup> edition and there are no further editions, the edition does not have to be mentioned.

Examples:

Andrew Evans, *European Community Law of State Aid* (2<sup>nd</sup> ed, Oxford University Press, Oxford 1997)

Nigel Blackaby, Constantine Partasides, Alan Redfern and Martin Hunter, *Redfern and Hunter on International Arbitration* (6<sup>th</sup> ed, Oxford University Press, Oxford 2015)

**b) In footnotes to the text:**

Author (if applicable: abbreviated first name only if very common last name, e.g. Miller or Wagner, followed by last name), *Title in Italics* (year), page/paragraph

Example: <sup>6</sup> Evans, *European Community Law of State Aid* (1997), p. 236.

When citing titles written by more than one author, the names are separated by 'and'

Example: <sup>6</sup> Strunk and White, *The Elements of Style* (1979), p. 16.

If there are more than three authors, the first author's last name is cited followed by "et al."

Example: <sup>6</sup> Blackaby et al., *Redfern and Hunter on International Arbitration* (2015), para. 10.56

**2. Contributions in Books (Papers and Chapters), Contributions in Festschriften (Liber Amicorum)**

**a) In the bibliography:**

Author(s), *Title of the Contribution in Italics*, in Last Name(s) of Editor(s) (ed/eds), 'Title of the Book in Quotation Marks' (edition, publisher, place of publication, year of publication), first and last page (pinpoint)

If it is a citation of the 1<sup>st</sup> edition and there are no further editions, the edition does not have to be mentioned.

Example: Andrea K. Bjorklund and Jonathan Brosseau, *Sources of Inherent Powers* in Franco Ferrari and Friedrich Rosenfeld (eds), 'Inherent Powers of Arbitrators' (JurisNet, USA 2019), pp. 1-49

Eloise Obadia and Frauke Nitschke, *Institutional Arbitration and the Role of the Secretariat* in Chiara Giorgetti (ed), 'Litigating International Investment Disputes – A Practitioner's Guide' (Brill Nijhoff, Leiden/Boston 2014), pp. 80-144

**b) In footnotes to the text:**

Last Name of Author(s), *Title of Contribution in Italics* in Editor (ed/eds), '*Title of Book in Quotation Marks*' (Year of Publication), first page of contribution (pinpoint)

Examples:

Bjorklund and Brosseau, *Sources of Inherent Powers* in Ferrari and Rosenfeld (eds), 'Inherent Powers of Arbitrators' (2019), pp. 1-49 (13).

Obadia and Nitschke, *Institutional Arbitration and the Role of the Secretariat* in Giorgetti (ed), 'Litigating International Investment Disputes – A Practitioner's Guide' (2014), pp. 80-144 (84).

The page which is being specifically referred to (the pinpoint) is added (in round brackets) after the page range of the contribution.

**3. Articles in Journals**

**a) In the bibliography**

Author(s), *Title of Article in Italics* (year in round brackets) Volume, Title of Journal (use abbreviations in the list of abbreviations), first and last page (pinpoint)

Example:

Frank Edelman and Michael Smith, *Tribute to Professor Birks* (2004) 4 *OUCLJ*, pp. 139-141.

**b) In the footnotes**

Author's last name(s), *Title of Article in Italics* (year in round brackets) Volume, Title of Journal (use abbreviations in the list of abbreviations), first and last page (pinpoint).

Example:

Edelman and Smith, 'Tribute to Professor Birks' (2004) 4 *OUCLJ*, pp. 139-141 (141).

**4. Commentaries, Digests, Loose Leaf Services**

Works should be cited according to the citation style in the original quoted commentary. A volume in a multivolume work should be marked with a Roman numeral.

**a) Commentaries and Loose Leaf Services**

**In the bibliography:**

Name of editor (ed/eds), *Title of Commentary in Italics* (volume of multivolume work in Roman numeral if applicable) (edition, Publisher, Place of publication, year of publication)

Example: Matthias Pechstein, Carsten Nowak and Ulrich Häde (eds), *Frankfurter Kommentar EUV/GRC/AEUV III* (Mohr Siebeck, Tübingen 2017)

### In the footnotes:

Author, in: Name of Editor (ed/eds), Title of Commentary (abbreviation if given) volume of multivolume work in Roman numeral if applicable (year of (edition's) publication), §/Art. indicates section, margin number (Randnummer)

Example: Herrmann, in: Pechstein, Nowak and Häde (eds), *Frankfurter Kommentar EUV/GRC/AEUV* III (2017), Art. 119 AEUV, mn. 13.

Alternatively, if it concerns a commentary that is best known by its editor:

Author, in: Name of editor (if this indicates the commentary) (year of (edition's) publication), §/Art. indicates section, margin number (Randnummer)

When citing loose leaf services, not the volume but the currency of the entire work should be cited.

### Digests

Author (if not given in title), 'Main Topic in Quotation Marks', (Year (if given)) Volume, Name of Author(s)/Editor(s), Title, § indicates section, Page [and/or] paragraph number

Example:

'Aviation' 9 Whiteman Digest International Law § 4, 323.

## 6. Case Law

### a) Court of Justice of the European Union (CJEU)

Decisions by the Court of Justice of the European Union (CJEU) should always be cited in the following ECLI style (European Case-Law Identifier). This applies irrespective of the decision's date since the Court has assigned an ECLI to all decisions delivered by the Courts of the European Union since 1954 and to the Opinions and Views of the Advocates General.

#### CJEU cases:

CJEU, Case number, *Party Name in Italics* (year) ECLI, Paragraph

Example:

CJEU, Case 151/73, *Ireland v Council* (1974) ECLI:EU:C:XXX, para. 75

If a case involving one or more Member States or EU Institutions is better known by a common "nickname", this should be added after the name of the parties.

Example:

CJEU, Case 113/80, *Commission v Ireland (Irish Souvenirs)* (1981) ECLI:EU:C:XXX, para. 75

Decisions issued after 1989 should be preceded by “C-“ to indicate that they originated from the Court of Justice rather than the Tribunal of First Instance (now the General Court).

**Opinions of the Advocate General:**

Opinion of Advocate General in Case number, *Name of Case in Italics* (Year) ECLI, Paragraph

Example:

Opinion of Advocate General Warner in Case 136/79, *National Panasonic (UK) Ltd. v. Commission* (1980) ECLI:C:XXX, para. 2067

**b) General Court (Tribunal of First Instance)**

See instructions for CJEU cases. All cases are prefixed T- for the General Court (EGC).

EGC, Case number, *Party Name in Italics* (Year) ECLI, Paragraph.

Example:

EGC, Case T-156/98, *RJB Mining v EC Commission* (2001) ECLI:T:XXX, para. 50.

Note that C- stands for ‘curia’ (Court of Justice); T- stands for ‘tribunal’ (General Court, previously Court of First Instance)

**b) National Courts**

As a general rule, national court decisions should follow the most common citation style in the respective legal order (to be recognized as a professional reference) with the addition of any information a non-national lawyer might need in order to clearly identify and find the respective decision and the cited passage within the decision (to be useful for an international audience).

Consequently, cases should be cited with information about the court or tribunal, any case numbers, the parties, the date, any reference to a common and accessible publication, and a precise reference to the cited page or paragraph, wherever possible.

If a decision is not yet published, it should be marked with ‘forthcoming’.

Within each chapter, the citation format for each specific court shall be consistent.

**c) Arbitral Decisions**

Arbitral cases will be cited with the full name of the parties, but the shortest version of the name of the defendant State. The date will be written as follows:

day – Month (written out) – year (four digits).  
single digits should not be preceded by 0 (e.g. ‘1 January 2021’ rather than ‘01 January 21’).

Whenever possible, rather than pages, paragraphs should be cited with ‘para.’ when citing one paragraph and ‘paras.’ when citing more than one paragraph.

**ICSID:**

*Party Names in italics*, ICSID Case No. XXX/XX/XX, Title/Type of Decision (date of decision), Paragraph



Example:

*ConocoPhillips Petrozuata B.V., et al. v. Bolivarian Republic of Venezuela*, ICSID Case No. ARB/07/30, Decision on Jurisdiction and the Merits (3 September 2013), para. 56.

**PCA:**

*Party Names in italics*, UNCITRAL, PCA Case No. XXXX-XX, Title/Type of Decision (date of decision), Paragraph

Example:

*Eureko B.V. v. Slovakia*, UNCITRAL, PCA Case No. 2008-13, Award on Jurisdiction, Arbitrability and Suspension (26 October 2010), para. 74.

**Other institutions:**

*Party Names in italics*, Case No. XXX/XX/XX (if applicable)/UNCITRAL (if applicable), Title/Type of Decision (date of decision), Paragraph

Examples:

*Eastern Sugar v. Czech Republic*, SCC Case 088/2004, Partial Award (27 March 2007), para. 20.

*AWG Group Ltd. v. Argentina*, UNCITRAL, Decision on Jurisdiction (3 August 2006), para. 45.

*Methanex v. USA*, UNCITRAL (NAFTA), Final Award (3 August 2005), Part XX, Chapter XX, para. 76.

**d) International Court of Justice (ICJ)**

*Case name (the names of the parties, if any) in italics*, Court action, date, ICJ Reports (year), first page (pinpoint).

Example:

*Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276*, Advisory Opinion, 21 June 1971, ICJ Reports (1971), 12 (14).

References to separate/concurring/dissenting opinions should be made at the end of the citation.

Example:

*Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276*, Advisory Opinion, 21 June 1971, ICJ Reports (1971), 12, Separate Opinion of Judge Dillard.

If a case is generally known by a specific keyword or name, the full case name can be replaced by the respective keyword or name.

Example:

*Nicaragua Case*, Merits, 27 June 1986, ICJ Reports (1971), 12.

### **III. Citation Style of European Primary and Secondary Law**

European Primary and Secondary Law should be cited either with common abbreviation (preferred) or as a full quotation.

#### **1. Provisions of the EU Treaty (TEU) and the Treaty on the Functioning of the EU (TFEU)**

Example:

Art. 6(2) TFEU

or

Art. 6(2) Treaty on the Functioning of the European Union (TFEU)

or

Art. 6(2) of the Treaty on the Functioning of the European Union (TFEU)

- 2. The segments within an article** are referred to first by paragraph then subparagraph then sentence number (without commas in between). They may be abbreviated to 'Art.', 'para.' and 'subpara.'.

Example:

Art. 137 para. 2 subpara. 1 sentence 1 TFEU

or

Art. 738 para. 3 Treaty on the Functioning of the European Union (TFEU)

#### **3. Regulations and Directives**

**Regulations** should be cited either with common abbreviation (preferred) or as a full quotation. However, when using a Regulation or Directive the first time, its full quotation needs to appear in the footnotes going hand in hand – if applicable – with an introduction of the abbreviation that will be used throughout the section.

Examples:

First reference:

Regulation 604/2013 Establishing the Criteria and Mechanisms for Determining the Member State Responsible for Examining an Application for International Protection Lodged in One of the Member States by a Third-Country National or a Stateless Person (Dublin III Regulation), Art. 5 para. 1 subpara. a.

Subsequent references:

Regulation 604/2013 (Dublin III), Art. 5 para. 1 subpara. a.

Or, first reference

Regulation 2016/679 on the Protection of Natural Persons with Regard to the Processing of Personal Data and on the Free Movement of such Data (General Data Protection Regulation, GDPR), Art. 6 para. 1 subpara. a.

Subsequent references:

Regulation 2016/679 (GDPR), Art. 6 para. 1 subpara. a.

**Directives** should also be cited either with common abbreviation (preferred) or as a full quotation. However, when using a Regulation or Directive the first time, its full quotation needs to appear in the footnotes going hand in hand – if applicable – with an introduction of the abbreviation that will be used throughout the section.

#### 4. Documents of EU Organs

EU Organ, *Title of the Document in italics*, date of document, document reference number

Examples:

Commission Communication, *Towards a Comprehensive European International Investment Policy*, 7 July 2010, COM(2010)343 final.

European Parliament, *European Parliament Resolution of 6 April 2011 on the Future European International Investment Policy*, 2010/2203(INI).

Council of the EU, *Conclusions on a Comprehensive European International Investment Policy*, 25 October 2010.

Cited documents of EU organs do not need to appear in the bibliography.

#### **IV. References to Laws**

**Official law gazettes** (by contrast to academic law reviews) should be cited in the style commonly used in the legal profession of the respective country, with any information added that would help a non-national lawyer to find the respective source. The year should be indicated only if the act in the text does not include a date or is a version that is not identical to the year of the publication.

Example:

'... according to § 4 p. 1 of the act regarding the cooperation between the Federal Government and the German Bundestag in matters concerning the European Union from 12 March 1993 (BGBl. I, 311) ...'

#### **V. References within the Textbook**

References to other sections in the book should be cited in the text itself, not in the footnotes. It should consist of article and marginal number (Randnummer). Any cross reference indicators like "cf.", "see above" or "supra" are replaced by an arrow:

Examples:

→ Chapter 4 mn. 14  
→ mn. 14

#### **VI. Abbreviations**

Abbreviations should be used according to the list of abbreviations provided. However, the abbreviation 'loc. cit.' for loco citato should not be used because it may be confusing to readers.

#### **VII. Footnotes**

The purpose of footnotes is to document the original source(s) of data, ideas, arguments, and other pieces of information. Thus, one reference is needed for each data, idea, argument, etc. that has to be credited to an original source. If an idea or argument is explained or developed over several sentences, one reference at the beginning or end of the respective paragraph is generally sufficient.

For the avoidance of doubt, the purpose of footnotes is not to impress the reader with as many citations or footnotes as possible. In particular, footnotes after each sentence, the majority of which would probably be "ibid." are not going to be accepted!

That being said, if there are "quotations" of words, partial sentences, entire sentences, or entire passages in your text, these always have to be followed by a footnote providing the source of the quotation.

Footnotes should be consecutively numbered in each manuscript from 1 to n. Footnote markers should be placed after the punctuation at the end of a sentence (or, in some cases, after the word or part of the sentence to which it refers, when necessary). The word footnote(s) should be abbreviated as 'fn.'

All footnotes should begin with a capital letter and close with a full stop.

Works cited in the bibliography in their entirety and for which an abbreviation exists are abbreviated accordingly in the footnotes. The abbreviation *loc. cit.* for *loco citato* should not be used because it may be confusing to readers.

We understand that different legal cultures have different traditions when it comes to referencing of sources of ideas, arguments, data, etc. Anybody feeling less than sure about what needs and what does not need to be credited is encouraged to take the following short course, free of charge:

[Professor Allison Martin, Avoiding Plagiarism in Law School.](#)

### **VIII. Index**

All authors should submit index entries for their contributions. The index should only allow **one sublevel**. A template for the index will be provided.