

Style Sheet

for authors preparing manuscripts for the
German Yearbook of International Law

PART I: LAYOUT OF THE MANUSCRIPT

A. Headings and Subheadings

In order to clearly present publications it is useful to use a consistent system of headings. We would ask authors to use only three grades of headings, although up to five can be accommodated. The following hierarchy should be used (please do not use CAPITALS in headings)

I. Part One

A. First Subheading

1. Second Subheading
 - a) Third Subheading

All nouns, verbs, and adjectives should begin with **C**apital letters.

B. Spelling

Spelling should follow the *Oxford English Dictionary* or the *Concise Oxford Dictionary*.

C. Use of Italics

Use *italics* for the following:

1. The names of **cases**, e.g.

Defrenne v. Sabena Watson & Belmann case
Rutili judgment
Golder case

2. The titles of published books, e.g. Robertson's book *Human Rights in the World*

3. The titles of periodicals, e.g. *European Journal of International Law*

4. Short foreign phrases, names, or individual words, e.g. *Cour de Cassation, sui generis*, but common Latin abbreviations or words commonly used should **not** be italicised, including cf., e.g., ad hoc, i.e., per se.

5. Words or phrases which the author wishes to emphasise. Emphasis added by the author in a quoted passage should be explained in the corresponding footnote, with '(emphasis added)'.

6. Emphasising by **use of Bold** is to be avoided. Exceptions may apply for quoted passages where the original already contains certain emphasised passages in italics and the author wishes to add (other) emphases. The corresponding footnote should then contain the explanation: '(italic emphasis in the original, bold emphasis added)'.

7. An analogous rule applies for the opposite case. Where the author wishes to **omit an emphasis in a quoted passage**, this should be explained in the corresponding footnote: '(emphasis omitted)'.

If these rules are followed it is normally not necessary to include the phrase '(emphasis in the original)' in a corresponding footnote, if the author does not change the text of a quote. However, this may be done for clarification where necessary.

D. Abbreviations

1. Abbreviations for expressions or institutions may be used, but should be introduced when first appearing, e.g.

American Civil Liberties Union (ACLU)

or

Community Charter of the Fundamental Social Rights of Workers (hereinafter the ‘Social Charter’)

2. Generally, abbreviations should be followed by a full stop, e.g.

Appl.

Doc.

3. However, acronyms do not have full stops, e.g.

WHO

UN

4. The abbreviated titles of periodicals should be *italicised*, e.g.

EJIL

GYIL

5. However, abbreviated law reports are **not** italicised, e.g.

ECR

WLR

E. Punctuation

1. **Quotations:** single inverted commas should be used throughout, double inverted commas being reserved for quotations within quotations.

If the quotation forms a complete sentence, the closing full stop should be inside the closing quotation mark. If not, it should be outside it.

Passages of more than three lines should be printed as a separate paragraph and indented without quotation marks. Style in quotations should be maintained. No changes should be made in order to bring them into line with our house style.

2. **Omission of words in quotations:** three full stops within square brackets should be used to indicate an omission of words in a quotation, with a space either side. For example, ‘There is no suggestion in the present case [...] that the father is in any way unfit to have access.’, or, where the sentence is complete: ‘We are only concerned here with the welfare of the child. [...] We uphold the appeal.’

3. The GYIL employs the **serial/Oxford/Harvard comma** before the last item in a list of three or more items. E.g.: Author 1, Author 2, and Author 3.

4. **Footnote numbers** should be placed after the punctuation mark. E.g.: This was stated by the Court in *Defrenne*.¹

5. **Hyphens** joining composite words should be short and with no space before or after the hyphen. M-dashes (i.e. long dashes) should be used as a punctuation device, with a space either side. Note that when there is a choice we, along with the Oxford dictionary, prefer not to hyphenate words, e.g. coordination, intergovernmental.

6. **Parentheses:** generally, authors should use single (parentheses) for all remarks and explanations in the text and in footnotes. However, [brackets] should be used in the following cases:

For the year of law reports, e.g.

[1987] ECR 855

For modifications and explanatory remarks within quoted passages, e.g.

The Court continued by stating that ‘[t]here is no suggestion in the present case that he [the father] is in any way unfit.’

{Braces} should be avoided. They may, however, be retained if included in quoted passages. The same applies for » «.

7. **Numbers:** Numbers below 10 should be spelt out in full, otherwise arabic numbers should be used, e.g.

There were 11 cases, but only three were heard.

Numbers should not be elided, e.g. 126-129. This applies also to years, e.g. 1992-1997.

Therefore, dates should be written as follows: 23 December 1999.

Arabic numbers should be always used with centuries: 1st century, 19th century.

F. Use of Capital Letters

1. In headings:

A. **The Origins of the Draft Treaty**

2. In acronyms:

EFTA
NATO

3. In quoted titles of books, articles, and legal materials:

the **Equal Treatment Directive**

4. In other cases, when speaking of specified acts, organs, etc.:

Directive 76/206
Article 130
[...] in the **Treaty of Rome** [...]
[...] the **Court of Justice** went on [...]

5. But, capital letters should not be used when the reference is not to a specific directive, article, tribunal, etc., e.g.:

[...] as decided by **a tribunal** the year before [...]

6. The word ‘State’ is capitalised, e.g. ‘the State has a role to play’.

Otherwise, standard rules should be applied.

G. Font, Size, and Margins

Articles should be submitted in ‘Times New Roman’, font 12, with 1.5 or double spaces between lines.

PART II: REFERENCES

References should be cited in the following form:

A. Books

[Author's Full Name], [*Title*], [vol. if applicable] ([ed., date]), [at exact page if a direct quote or paraphrase].

Antonio Cassese, *International Law* (2nd ed., 2005), at 74-85.

Jean-Marie Henckaerts and Louise Doswald-Beck, *Customary International Humanitarian Law*, vol. 1 (2009).

B. Edited Books

[Editors' Full Names (ed./eds.)], [*Title*], [vol. if applicable] ([ed., date]).

Omar Ben-Naftali (ed.), *International Humanitarian Law and International Human Rights Law* (2011).

Dieter Fleck (ed.), *The Handbook of International Humanitarian Law* (3rd ed., 2013).

C. Journal Articles

[Author's Full Name], ['Article Title'], [volume number] [*Periodical — full title (abbreviation, if used again later in footnotes)*] [(date)] [first page of article], at [page number if a direct quote or paraphrase].

Theo van Boven, 'The Future of Human Rights in Europe', 1 *Netherlands Quarterly of Human Rights* (*NQHR*) (1989) 6, at 21.

N.B. the volume number of the periodical should precede the title of the periodical.

Articles in **printed** newspapers should be cited as journal articles.

D. Chapters in Books

[Author's Full Name], ['Chapter Title'], in [Editor (ed./eds.)], [*Book Title*] ([Date]) [first page of chapter in book], at [page number if direct quote or paraphrase].

William A. Schabas, 'International Criminal Courts', in Cesare P.R. Romano, Karen J. Alter, and Yuval Shany (eds.), *The Oxford Handbook of International Adjudication* (2014) 205, at 208.

E. Unpublished Theses

[Author's Full Name], ['Thesis Title'] ([date, if available]) (LLM/PhD thesis on file at [name of the University, Place]).

Jure Vidmar, 'Democracy and State Creation in International Law' (2009) (PhD thesis on file at the University of Nottingham).

F. Internet Sources

[Author's Full Name (individual author/s if named, organisation if authors unnamed)], [*Title*], [date of publication (in parenthesis if year only)], available at [insert full URL], at [page number if a direct quote or paraphrase].

UN Global Compact and UN Environment Programme, *Business and Climate Change Adaptation: Toward Resilient Companies and Communities* (2012), available at http://www.unglobalcompact.org/docs/issues_doc/Environment/climate/Business_and_Climate_Change_Adaptation.pdf, at 44.

G. Cross-references

Cross-references within the same work should be made as follows:

Fawcett, *supra* note 31, at 12.

If that particular note contains two references by Fawcett, a short title should be given:

Fawcett, *Supranationality*, *supra* note 31, at 12.

‘*Op. cit.*’ and ‘*id./ead.*’ should be avoided. ‘*Ibid.*’ is used where there are two or more **consecutive** references to the same work.

Ibid., at 12.

H. Multiple Authors

When there are two authors, separate their names with ‘and’ rather than by an ampersand (&). Where there are three authors, separate the first and second with a comma, and the second and third with an ‘, and’.

Antonio Cassese, Paola Gaeta, and John R.W.D. Jones (eds.), *The Rome Statute of the International Criminal Court: A Commentary* (2002).

Where there are more than three authors only the first author should be cited, e.g.

Gérard Cohen-Jonathan et al., *Droits de l’homme en France* (1985).

PART III: INTERNATIONAL LEGAL DOCUMENTS

A. Treaties

The relevant UNTS/ETS/OAS etc. number should be provided when referring to any treaty. If no such reference is available, then reference should be made to an unofficial reference such as ILM or IHRR. The citation should be preceded by the year of adoption.

[Article xy] [Name of the Treaty (abbreviation)] **(in text)**

Article 2(3)(a) International Covenant on Civil and Political Rights (ICCPR)

[Art. xy] [Name of the Treaty (abbreviation)] [year of adoption], [UNTS/ETS/OAS]. **(in footnote)**

Art. 7 International Covenant on Civil and Political Rights (ICCPR) 1966, 999 UNTS 171.
Inter-American Convention on Forced Disappearance of Persons 1994, (1994) 33 ILM 1529.

B. Judgments, Decisions, etc.

The general rule for citing international legal decisions is as follows:

[Court Name (abbreviation, if used again later in footnotes)], [Chamber, if applicable], [*Case Name (Parties, if applicable)*], [Phase, if applicable], [Court Action], [date], [Document/Report Number], [first page if applicable], at [page or paragraph number if a direct quote or paraphrase].

Examples:

1. International Court of Justice

ICJ, *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970)*, Advisory Opinion, 21 June 1971, ICJ Reports 1971, 12, at 14.

ICJ, *Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America)*, Jurisdiction of the Court and Admissibility of the Application, Judgment, 26 November 1984, ICJ Reports 1984, 392, at para. 74.

ICJ, *Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America)*, Merits, Judgment, 27 June 1986, ICJ Reports 1986, at para. 115.

References to unreported judgments should give the name of the judgment, the date of the judgment, and the paragraph number if a direct quote or paraphrase:

ICJ, *Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)*, Compensation owed by the Republic of Nicaragua to the Republic of Costa Rica, Judgment, 2 February 2018, at para. 27.

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

ICJ, *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970)*, Advisory Opinion, 21 June 1971, ICJ Reports 1971, 12, Separate Opinion of Judge Dillard, at 152.

2. Permanent Court of International Justice

PCIJ, *The Mavrommatis Palestine Concessions*, Judgment, 30 August 1924, Series A, No. 2, at 36.

3. International Tribunal for the Law of the Sea

ITLOS, *The “Camouco” Case (Panama v. France)*, Prompt Release, Judgment, 7 February 2000, ITLOS Reports 2000, 10, at para. 32.

4. European Court of Human Rights

ECtHR, Grand Chamber, *Al-Skeini and Others v. United Kingdom*, Appl. No. 55721/07, Merits and Just Satisfaction, Judgment, 7 July 2011.

ECtHR, Chamber, *X v. Germany*, Appl. No. 54646/17, Decision, 7 November 2017.

5. European Commission of Human Rights

ECmHR, *A.Z. et al v. Switzerland*, Appl. No. 43678/98, Decision, 30 October 1998.

6. Inter-American Court of Human Rights

IACtHR, *González et al. (“Cotton Field”) v. Mexico*, Preliminary Objection, Merits, Reparations, and Costs, Judgment, 16 November 2009, Series C No. 205, at para. 602.

7. ICC and other international(ised) criminal tribunals

ICC, Appeals Chamber, *Prosecutor v. Laurent Koudou Gbagbo*, Judgment on the appeal of Mr Laurent Koudou Gbagbo against the decision of Pre-Trial Chamber I on jurisdiction and stay of the proceedings, 12 December 2012, ICC-02/11-01/11-321, at paras. 83-84.

ICC, Pre-Trial Chamber, *Situation in the Republic of Côte d’Ivoire*, Corrigendum to “Decision Pursuant to Article 15 of the Rome Statute on the Authorisation of an Investigation into the Situation in the Republic of Côte d’Ivoire”, 15 November 2011, ICC-02/11-14-Corr.

ICTY, Appeals Chamber, *Prosecutor v. Dražen Erdemović*, Judgment, 7 October 1997, Case No. IT-96-22-A, Separate and Dissenting Opinion of Judge Cassese, at para. 50.

8. ICSID

ICSID, *Suez, Sociedad General de Aguas de Barcelona S.A., and Vivendi Universal S.A. v. The Argentine Republic*, Decision on Liability, 30 July 2010, ICSID Case No. ARB/03/19.

9. WTO

WTO, *United States - Import Prohibition of Certain Shrimp and Shrimp Products*, Report of the Appellate Body, 12 October 1998, WT/DS58/AB/R, at paras. 167-169.

10. NAFTA

NAFTA (UNCITRAL), *S.D. Myers, Inc. v. Government of Canada*, Partial Award, 13 November 2000.

C. UN Documents

1. UNSC/UNGA Resolutions

United Nations Security Council (UNSC) Res. 181, 7 August 1963
United Nations General Assembly (UNGA) Res. 832 (IX), 18 December 1954

Since the 31st session the session number is cited in arabic numbers

UNGA Res. 41/133, 4 December 1986

2. ECOSOC Resolutions

First and second session

Economic and Social Council (ECOSOC) Res. 1/8, 15 February 1946
ECOSOC Res. 2/24

From 3rd session until 1978 (63rd session)

ECOSOC Res. 801 (XXX), 21 December 1966

From 1978

ECOSOC Res. 3, 4 May 1981

or if no date is indicated

ECOSOC Res. 1981/3

3. Other UN Documents

[Issuing body (abbreviation, if used again later in footnotes)], [Document Title], [UN document number], [date], at [page or paragraph number if a direct quote or paraphrase].

International Criminal Tribunal for the former Yugoslavia (ICTY), Ninth Annual Report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violation of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, UN Doc. A/57/379-S/2002/985, 4 September 2002, at 11.

PART IV: EU Documents and Texts

A. ECJ Decisions

European Court of Justice (ECJ, if used again later in footnotes), [*Case Name*], [Case Number], [Court Action], [date], [ECLI code], at [page or paragraph number if a direct quote or paraphrase].

European Court of Justice (ECJ), *Peter Gauweiler and Others v. Deutscher Bundestag*, Case C-62/14, Judgment, 16 June 2015, ECLI:EU:C:2015:400.

The case name can either be the full name as published in the ECR or an abbreviated version of the full name if it is commonly used and unequivocal. It should be printed in italics. The ECLI code should always be indicated.

European Court of Justice (ECJ), *Draft agreement between the Community, on the one hand, and the countries of the European Free Trade Association, on the other, relating to the creation of the European Economic Area*, Avis 1/91, Opinion, 14 December 1991, ECLI:EU:C:1991:490, at para. 21.

B. Commission Decisions:

Commission Decision [number] of [date], OJ L [issue/first page].

Commission Decision 85/381 of 8 July 1985, OJ 1985 L 217/25.

C. Other Documents:

[Legislation type], [number], [OJ L issue/first page].

Council Regulation 1612/68, OJ 1968 L 257/2

Commission Directive 76/207, OJ 1976 L 39/40

EP Resolution of 29 May 1990, OJ 1990 C 157/3

Council Declaration of 19 December 1991, OJ 1992 C 27/1

Commission Decision 85/381 of 8 July 1985, OJ 1985 L 217/25

Commission Recommendation of 27 November 1991, OJ 1992 L49/1

All regulations, directives, and decisions should be cited with their number and their publication in the OJ. The date of their adoption and their full or abbreviated title (if a commonly used abbreviation exists) may be added.

The date of their publication in the OJ should not be quoted unless it is of importance of its own.

PART V: CITATION OF DOMESTIC CASE LAW AND LEGISLATION

A. Case Law

While it is difficult to propose a standard citation style applicable over many different municipal jurisdictions, the *GYIL* generally requests contributors to indicate the name of the Court delivering the verdict or the decision, with a translation (of the name of the Court) before the exact citation of the verdict/decision. Authors are welcome to use the format most commonly used in the country in question.

A few examples:

1. German Courts

Decisions of the Federal Constitutional or Federal Supreme Court published in the following collections:

Federal Constitutional Court (*Bundesverfassungsgericht*), BVerfGE 111, 307, 315.

Federal Court of Justice (*Bundesgerichtshof*), BGHZ 86, 240, 242.

Decisions of other courts or decisions not published in the aforementioned collections:

Higher Regional Court of Cologne (*Oberlandesgericht Köln*), Judgment of 28 July 2005, reprinted in: *Neue Juristische Wochenschrift* (NJW) 58 (2005), 2860.

Federal Constitutional Court (*Bundesverfassungsgericht*), 2 BvR 2115/01 of 19 December 2006.

Standardised English name of the German lower courts:

District Court (*Amtsgericht*)

Regional Court (*Landgericht*)

Higher Regional Court (*Oberlandesgericht*)

Administrative Court (*Verwaltungsgericht*)

Higher Administrative Court (*Oberverwaltungsgericht*)

Social Court (*Sozialgericht*)

Higher Social Court (*Landesarbeitsgericht*); *etc.*

Standardised English abbreviations of the German high courts:

Federal Constitutional Court (*Bundesverfassungsgericht*) (FCC)

Federal Court of Justice (*Bundesgerichtshof*) (FCJ)

Federal Labour Court (*Bundesarbeitsgericht*) (FLC)

Federal Social Court (*Bundessozialgericht*) (FSC)

Federal Fiscal Court (*Bundesfinanzhof*) (FFC)

Federal Administrative Court (*Bundesverwaltungsgericht*) (FAC)

2. US Courts

US Supreme Court, *Marbury v. Madison*, 5 U.S. (1 Cranch) 137 (1803).

3. UK Courts

AS (Somalia) & Anor v. Secretary of State for the Home Department [2009] UKHL 32.

The King v. Sussex Justices Ex parte McCarthy [1924] KB 256.

B. Legislative Materials

[English Title (*Original (Short-)Title*)], [date of publication], [official source (if not available: internet source)].

Examples:

Residence Act (*Aufenthaltsgesetz*), 25 February 2008, *Bundesgesetzblatt* (BGBl.) I, 162, as amended on 12 April 2011, BGBl. I, 610.

German Parliament (*Bundestag*), Cleansing of PCB-Contaminated Buildings, 15 January 2014, *Bundestagsdrucksachen* (BT-Drs.) 18/293.

Alien Tort Claims Act (ATCA), 28 U.S.C. § 1350

Immigration and Nationality Act, 8 U.S.C. 1254a § 244