

## Publications | Prof. Dr. iur. Anna Petrig, LL.M. (Harvard)

As of 2 July 2024

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LEGEND: \*\* = peer-reviewed

### I. MONOGRAPHS, TEXTBOOKS

6. **Völkerrecht: Allgemeiner Teil** [Public International Law: General Part], Schulthess, Zurich 2023, 6<sup>th</sup> edn, ixiv–525 (together with Anne Peters). [Book](#)
5. **Völkerrecht: Allgemeiner Teil** [Public International Law: General Part], Schulthess, Zurich 2020, 5<sup>th</sup> edn, ix–495 (together with Anne Peters).
4. **Völkerrecht/Droit international public: Aide-mémoire** [Public International Law], Dike, Zurich 2019, 3<sup>rd</sup> edn, xxvi–414 (together with Samantha Besson, Stephan Breitenmoser, Marco Sassòli and Andreas Ziegler). [Book](#)
3. **Swiss Criminal Law in a Nutshell**, Dike, Zurich 2015, xvii–218 (together with Nadine Zurkinden). [Book](#)
- \*\* 2. **Human Rights and Law Enforcement at Sea: Arrest, Detention and Transfer of Piracy Suspects**, Brill-Nijhoff, Leiden/Boston 2014, xxi–500. [Open Access](#)  
Award: 2015 Emilie Louise Frey-Award for the best Master, Doctoral or Habilitation Thesis by a female scholar submitted at the University of Basel in the respective year.
- \*\* 1. **Piracy and Armed Robbery at Sea: The Legal Framework for Counter-Piracy Operations in Somalia and the Gulf of Aden**, Oxford University Press, Oxford 2011, xviii–321 (together with Robin Geiss). [Open Access](#)  
Reviewed in: (2012) *The British Yearbook of International Law* 520–525 (Miles Cameron); (2011) *11 International Criminal Law Review* 910–914 (Douglas Guilfoyle); (2011) *17 International Maritime Law* 161–162 (Barry Hart Dubner).

## II. EDITED VOLUMES

- \*\* 3. **Special Issue on the EU and Maritime Security**, (2019/2020) 7 Maritime Safety and Security Law Journal 1–94 (together with Jorrit Rijpma, Melanie Fink and Christof Gombeer). [Open Access](#)
2. **Sea Piracy Law/Droit de la piraterie maritime: Selected National Legal Frameworks and Regional Legislative Approaches/Cadres juridiques nationaux et approches législatives régionales**, Duncker & Humblot, Berlin 2010, xii–161. [Open Access](#)  
Reviewed in: (2011) 10 WMU Journal of Maritime Affairs 243–245 (Chie Kojima).
1. **International Criminal Court/Cour pénale internationale: Basic Documents/documents de base**, Editions Staempfli, Berne 2003, 1–246 (together with Michael Duttwiler and Andreas Felder). [Book](#)  
Reviewed in: (2006) 4 Journal of International Peace and Armed Conflict 304 (Solange Mouthaan).

## III. ARTICLES

- \*\* 24. **Die Vereinbarkeit von Sanktionen mit der Schweizer Neutralität**, Zeitschrift für Schweizerisches Recht (accepted for publication).
23. **Die Schweiz im UNO-Sicherheitsrat** [Switzerland in the UN-Security Council], (2023) 2 Basler Juristische Mitteilungen 39–69. [Open Access](#)
- \*\* 22. **Article 16 UNESCO Convention and the Protection of Underwater Cultural Heritage**, (2020) 69 International and Comparative Law Quarterly 397–429 (together with Maria Stemmler). [Open Access](#)
- \*\* 21. **UNESCO-Übereinkommen über den Schutz des Unterwasserkulturerbes: Unvollständige Umsetzung durch die Schweiz** [UNESCO Convention on the Protection of Underwater Cultural Heritage: Insufficient Implementation by Switzerland], (2020) 138/I Zeitschrift für Schweizerisches Recht 47–94 (together with Maria Stemmler). [Open Access](#)
- \*\* 20. **La ‘révolution robotique’ en mer et la Convention de Montego Bay: Un défi interprétatif pour ses dispositions relatives à la criminalité maritime?** [The ‘Robotics Revolution’ at Sea and the Montego Bay Convention: An Interpretational Challenge for its Provisions Relating to Maritime Criminality?], (2018) XXIII Annuaire du droit de la mer 17–43. [Full text](#)
19. **Cybersouveränität aus völkerrechtlicher Warte: Das Interventions- und Gewaltverbot gelten auch im Cyberspace** [Cyber Sovereignty from an International Law Perspective: The Prohibition on the Use of Force and the Principle of Non-Intervention Apply to the Cyberspace], (2018) 3 digma 100–106 (together with Maria Stemmler). [Open Access](#)
- \*\* 18. **Sind die parlamentarische Genehmigung und das Referendum im Außenbereich auf völkerrechtliche Verträge beschränkt? Eine Untersuchung anhand von Kompetenztransfers an Völkerrechtsakteure** [Are Parliamentary Approval and the Referendum in Foreign Relations Limited to Treaties? An Enquiry in Light of Transfers of Competencies to Actors Exercising International Public Authority], (2018) 78 Heidelberg Journal of International Law 93–146. [Open Access](#)
17. **Ein fachübergreifendes Prüfprogramm für die obligatorische Landesverweisung nach Art. 66a StGB** [An Interdisciplinary Test for Mandatory Expulsion under Art. 66a Swiss Criminal Code], (2018) 11 forumpoenale 97–104 (together with Sabine Gless and Christa Tobler). [Open Access](#)

- \*\* 16. **Das Referendum zum Beitritt zu internationalen Organisationen: Nach 40 Jahren Bestand ein (überflüssiges) Relikt?** [The Referendum on the Accession to International Organizations: After 40 Years of Existence a (Superfluous) Relict?], (2017) 136/1 Zeitschrift für Schweizerisches Recht 339–366. [Open Access](#)
- \*\* 15. **Looking at the Montreux Document on Private Military and Security Companies from a Maritime Perspective**, (2016) 2 Maritime Safety and Security Law Journal 1–20. [Open Access](#)
- \*\* 14. **Die demokratische Mitwirkung an der Entstehung und Umsetzung rechtsetzender Beschlüsse internationalen Rechts** [Democratic Participation in the Genesis and Implementation of Acts of International Organizations], (2015) 25 Swiss Review for International and European Law 507–537. [Open Access](#)
13. **EGMR Entscheid Al-Dulimi et Montana Management Inc. c. Suisse – Zielgerichtete Sanktionen und die Frage nach der Haftung für eine Verletzung des Rechts auf Zugang zu einem Gericht** [ECtHR Judgment Al-Dulimi et Montana Management Inc. v. Suisse: Targeted Sanctions and the Responsibility for a Violation of the Right of Access to Court], (2014) 4 recht 186–194. [Full text](#)
12. **Private Sicherheitsunternehmen: Die Schweiz verleiht dem Internationalen Verhaltenskodex grössere Durchsetzbarkeit auf nationaler und internationaler Ebene** [Private Security Companies: Switzerland Equips the International Code of Conduct with Enhanced Enforceability], (2014) Jusletter, 8 pages. [Open Access](#)
- \*\* 11. **The Expansion of Swiss Criminal Jurisdiction in Light of International Law**, (2013) 9 Utrecht Law Review 34–55. [Open Access](#)
- \*\* 10. **The Use of Force and Firearms by Private Maritime Security Companies Against Suspected Pirates**, (2013) 62 International and Comparative Law Quarterly 667–701. [Open Access](#)
9. **AIDP-Weltkongress in Istanbul verabschiedet Resolution zum Weltrechtsprinzip** [World Congress of the International Association of Penal Law Enacts Resolution on the Universality Principle], (2011) 79–80 Kazanci 225–234.  
Translated into Turkish: AIDP Dünya Ceza Hukuku Kongresinin evrensellik ilkesi konusunda kabul ettiği sonuç bildirgesi, (2011) 79–80 Kazanci 219–225.
8. **UN-mandatierte Piraterie-Bekämpfung im Golf von Aden – Langfristige Lösungen müssen gefunden werden** [UN-Mandated Counter-Piracy Operations in the Gulf of Aden: A Need for Sustainable Solutions], (2010) 1 Vereinte Nationen 3–8 (together with Robin Geiss). [Open Access](#)
- \*\* 7. **The War Dead and Their Gravesites**, (2009) 91 International Review of the Red Cross 341–369. [Open Access](#)
6. **Neue Aspekte der extraterritorialen Anwendbarkeit der EMRK** [New Aspects on the Extraterritorial Applicability of the ECHR], (2009) 10 Aktuelle Juristische Praxis 1247–1260 (together with Michael Duttwiler). [Open Access](#)
- \*\* 5. **Case Referral to National Jurisdictions: A Key Component of the ICTY Completion Strategy**, (2009) 2 Criminal Law Bulletin 3–27. [Open Access](#)
- \*\* 4. **Negotiated Justice and the Goals of International Criminal Tribunals**, (2008) 8 Chicago-Kent Journal of International and Comparative Law 1–31. [Open Access](#)

3. **Grund- und Sozialrechte** [Fundamental and Social Rights], Freiburger Zeitschrift für Rechtsprechung, Sonderzeitung 'Die neue freiburgische Kantonsverfassung' [Special Issue 'The New Constitution of the Canton of Freiburg'], (2005) 123–155 (together with Tarkan Göksu). [Open Access](#)
2. **Offene Türen für Kriegsverbrecher** [Open Doors for War Criminals], (2005) 5 plädoyer 28–29 (together with Andreas Felder). [Open Access](#)
1. **Mehr Spielraum für Kriegsverbrecher** [More Latitude for War Criminals], (2004) 1 plädoyer 22–24 (together with Andreas Felder). [Open Access](#)

#### IV. BOOK CHAPTERS

- \*\* 22. **Use of Force in Hybrid Naval Warfare Contexts: Applicability of the Law Enforcement or Conduct of Hostilities Rules?**, in: Alexander Lott (ed), Maritime Security Law in Hybrid Warfare, Brill, Leiden/Boston. [Manuscript](#)
- \*\* 21. **Unmanned Vessels and the Multi-dimensional Concept of 'Ship' Under UNCLOS 1982**, in: Kristina Siig/Birgit Feldtmann/Fenella Billing (eds), The United Nations Convention on the Law of the Sea: A System of Regulation, Routledge, London 2023, 45–62. [Open Access](#)
- \*\* 20. **Maritime Security in the Age of Autonomous Ships**, in: Tafsir Johansson/Jonatan Echebarria Fernandez/Dimitrios Dalaklis/Aspasia Pastra/Jon Skinner (eds), Autonomous Vessel in Maritime Affairs: Law & Governance Implications, Palgrave Macmillan, London 2023, 81–96. [Full text](#) [Manuscript](#)
- \*\* 19. **Human Rights and Law Enforcement at Sea**, in: Ruxandra-Laura Boşilcă, Susana R. de Sousa Ferreira and Barry J. Ryan (eds), The Routledge Handbook of Maritime Security, Routledge, London 2022, 153–164. [Open Access](#)
- \*\* 18. **Unconventional Law for Unconventional Ships? The Role of Informal Law in the International Maritime Organization's Quest to Regulate Maritime Autonomous Surface Ships**, in: Natalie Klein (ed), Unconventional Lawmaking in the Law of the Sea, Oxford University Press, Oxford 2022, 112–136. [Open Access](#)
- \*\* 17. **Democratic Participation in International Law-Making in Switzerland After the 'Age of Treaties'**, in: Helmut Philipp Aust/Thomas Kleinlein (eds), Encounters between Foreign Relations Law and International Law: Bridges and Boundaries, Cambridge University Press, Cambridge 2021, 180–212. [Open Access](#)
- \*\* 16. **Autonomous Offender Ships and International Maritime Security Law**, in: Henrik Ringbom/Erik Røsæg/Trond Solvang (eds), Autonomous Ships and the Law, Routledge, London 2020, 23–55. [Open Access](#)
- \*\* 15. **The Commission of Maritime Crimes with Unmanned Systems: An Interpretive Challenge for UNCLOS**, in: Malcolm Evans/Sofia Galani (eds), Maritime Security and the Law of the Sea: Help or Hindrance? Edward Elgar Publishing, Cheltenham 2020, 104–131. [Open Access](#)
- \*\* 14. **Multinational Military Operations at Sea**, in: Heike Krieger/Robin Geiss (eds), The Legal Pluriverse Surrounding Extraterritorial Military Operations, Oxford University Press, Oxford 2020, 345–369. [Open Access](#)
- \*\* 13. **The International Tribunal of the Law of the Sea and Human Rights**, in: Martin Scheinin (ed), Human Rights Norms in 'Other' International Courts, Cambridge University Press, Cambridge 2019, 353–411 (together with Marta Bo). [Open Access](#)

- \*\* 12. **The Role Accorded to Human Rights in Security Council Maritime Resolutions**, in: Kiara Neri (ed), *Le Conseil de sécurité des Nations Unies et la mer – The United Nations Security Council and the Sea*, Editoriale Scientifica, Naples 2018, 43–71. [Book](#)  
[Manuscript](#)
- 11. **Art. 141 Abs. 1 Bst. d BV: Fakultatives Referendum** [Art. 141(1)(d) Swiss Constitution: Optional Referendum], in: Anne Benoît/Alexandre Flückiger/Christine Guy-Ecabert/Colette Rossat-Favre/Sophie Weerts (eds), *Révision imaginaire de la Constitution fédérale. Mélanges en hommage au prof. Luzius Mader*, Helbing Lichtenhahn, Basel 2018, 260–266. [Book](#)
- \*\* 10. **Piracy**, in: Donald Rothwell/Alex Oude Elferink/Karen Scott/Tim Stephens (eds), *The Oxford Handbook of the Law of the Sea*, Oxford University Press, Oxford 2015, 843–865. [Open Access](#)
- \*\* 9. **Search for Missing Persons**, in: Andrew Clapham/Paola Gaeta/Marco Sassòli (eds), *The Geneva Conventions in Context: A Commentary*, Oxford University Press, Oxford 2015, 257–276. [Open Access](#)
- \*\* 8. **Transfers of Piracy Suspects: A Crucial Element of the Regional Prosecution Strategy in Light of Human Rights Law**, in: Eva Vázquez Gómez/Claudia Cinelli (eds), *Regional Strategies to Maritime Security: A Comparative Perspective*, Tirant lo Blanch, Valencia 2014, 247–268. [Open Access](#)
- \*\* 7. **Human Rights and Counter-Piracy Operations: No Legal Vacuum but Legal Uncertainty**, in: Maximo Mejia/Chie Kojima/Mark Sawyer (eds), *Piracy at Sea*, Springer, Berlin 2013, 31–45. [Full text](#)
- \*\* 6. **Arrest and Detention of Piracy Suspects at Sea in Light of the Right to Liberty – A Critical Appraisal of the German Courier Decision**, in: Gemma Andreone/Giorgia Bevilacqua/Giuseppe Cataldi/Claudia Cinelli (eds), *Insecurity at Sea: Piracy and Other Risks to Navigation*, Giannini Editore, Naples 2013, 153–171. [Open Access](#)
- \*\* 5. **Principle of Legality (nullum crimen sine lege) in Switzerland**, in: Ulrich Sieber/Susanne Forster/Konstanze Jarvers (eds), *National Criminal Law in a Comparative Perspective*, Vol. 2.1, *General Limitations on the Application of Criminal Law*, Duncker & Humblot, Berlin 2011, 118–136. [Open Access](#)
- \*\* 4. **Applicability of Domestic Criminal Law to Activities Committed Abroad (Extra-territorial Jurisdiction) in Switzerland**, in: Ulrich Sieber/Susanne Forster/Konstanze Jarvers (eds), *National Criminal Law in a Comparative Perspective*, Vol. 2.1, *General Limitations on the Application of Criminal Law*, Duncker & Humblot, Berlin 2011, 316–346. [Open Access](#)
- \*\* 3. **Concept and Systematization of the Criminal Offense in Switzerland**, in: Ulrich Sieber/Susanne Forster/Konstanze Jarvers (eds), *National Criminal Law in a Comparative Perspective*, Vol. 3.1, *Defining Criminal Conduct*, Duncker & Humblot, Berlin 2011, 98–114. [Open Access](#)
- \*\* 2. **Objective Aspects of the Offense (actus reus) in Switzerland**, in: Ulrich Sieber/Susanne Forster/Konstanze Jarvers (eds), *National Criminal Law in a Comparative Perspective*, Vol. 3.1, *Defining Criminal Conduct*, Duncker & Humblot, Berlin 2011, 255–277. [Open Access](#)
- \*\* 1. **Subjective Aspects of the Offense (mens rea) in Switzerland**, in: Ulrich Sieber/Susanne Forster/Konstanze Jarvers (eds), *National Criminal Law in a Comparative Perspective*, Vol. 3.1, *Defining Criminal Conduct*, Duncker & Humblot, Berlin 2011, 453–470. [Open Access](#)

## V. LEGAL OPINIONS, PUBLIC CONSULTATION PROCEDURES

3. **Rechtsgutachten zum Thema 'Mitwirkung des Parlaments im Bereich von Soft Law'** [Legal Opinion 'Democratic Participation in Soft Law'], commissioned by the Parliamentary Control of the Administration, Swiss Parliament, August 2021, 222 pages, <[www.parlament.ch/centers/documents/de/petrig-sinz\\_rechtsgutachtensoft-law-version-publikation.pdf](http://www.parlament.ch/centers/documents/de/petrig-sinz_rechtsgutachtensoft-law-version-publikation.pdf)> (together with Mareike Sinz). [Open Access](#)
2. **Umsetzung des Artikel 16 des UNESCO-Übereinkommens über den Schutz des Unterwasserkulturerbes durch die Schweiz** [Implementation of Article 16 of the UNESCO Convention on the Protection of the Underwater Cultural Heritage of 2001 in Switzerland], Legal Opinion, commissioned by the Federal Office of Culture, Switzerland, April 2018, 20 pages (together with Maria Stemmler).
1. **Vernehmlassung: Obligatorisches Referendum für völkerrechtliche Verträge mit verfassungsmässigem Charakter**, Änderung der Bundesverfassung [Public Consultation Procedure: Mandatory Referendum for International Treaties of a Constitutional Character, Amendment of the Swiss Constitution], Swiss Federal Department of Justice and Police, November 2018, 20 pages. [Open Access](#) (58 ff.)

## VI. REPORTS FOR LAW ASSOCIATIONS

1. **Information Society and Penal Law**, Country Report Switzerland for the XIX<sup>th</sup> World Congress of Penal Law 2014 of the International Association of Penal Law, Electronic Review of the International Association of Penal Law 2014, 45 pages (together with Sabine Gless, Dario Stagno and Jeannine Martin). [Open Access](#)

## VII. CONFERENCE REPORTS

3. **Strafrecht: Weltrechtsprinzip** [Criminal Law: Principle of Universality], (2010) 122/2 Zeitschrift für die gesamte Strafrechtswissenschaft (ZStW) 467–472. [Open Access](#)
2. **Pirateriebekämpfung vor den Küsten Somalias: Expertentreffen zum Thema 'Multinational Law Enforcement & Sea Piracy'** [Counter-Piracy Operations Off the Coast of Somalia: Expert Meeting on 'Multinational Law Enforcement & Sea Piracy'], (2010) 122/1 Zeitschrift für die gesamte Strafrechtswissenschaft (ZStW) 291–297. [Open Access](#)
1. **Pirateriebekämpfung vor den Küsten Somalias: Expertentreffen zum Thema 'Multinational Law Enforcement & Sea Piracy'** [Counter-Piracy Operations Off the Coast of Somalia: Expert Meeting on 'Multinational Law Enforcement & Sea Piracy'], Jusletter, 11 January 2010, 5 pages. [Open Access](#)

## VIII. BLOG POSTS

3. **Flexible Neutralität: Eine neutralitätsrechtliche und -politische Verortung der Sanktionen der Schweiz gegen Russland**, Verfassungsblog, 4 March 2022. [Open Access](#)
2. **Galeone San José: Schatzjagd und Unterwasserkulturerbe** [Galleon San José: Treasure Hunters and Underwater Cultural Heritage], Völkerrechtsblog, 1 August 2018 (together with Maria Stemmler). [Open Access](#)
1. **Die Strafverfolgung von Piraten: Trial-and-Error?** [Criminal Prosecution of Pirates: Trial-and-Error?], Bofaxe Nr. 357D, Institut für Friedenssicherungsrecht und Humanitäres Völkerrecht der Ruhr Universität Bochum, 14 October 2010. [Open Access](#)

## IX. NEWSPAPER ARTICLES

2. **Unterwasserkulturerbe: das grösste Museum der Welt**, Neue Zürcher Zeitung, 23 May 2019, 9 (together with Maria Stemmler). [Full text](#)
1. **Ungelöste Probleme der Pirateriebekämpfung vor Somalia**, Neue Zürcher Zeitung, 22 December 2009, 7/9. [Full text](#)

## X. ADVOCACY

3. **Geneva Declaration on Human Rights at Sea with Annexes A, B and C**, January 2022 (together with Sofia Galani, Steven Haines and Irini Papanicolopulu). [Open Access](#)
2. **Geneva Declaration on Human Rights at Sea**, Version 1, 5 April 2019 (together with David Hammond, Irini Papanicolopulu and Steven Haines).
1. **Deprivation of Liberty at Sea: Independent International Guidance on Deprivation of Liberty at Sea by Shipmasters, Crew and/or Privately Contracted Armed Security Personnel**, June 2015 (together with David Hammond). [Open Access](#)

## XI. TRIVIA

3. **A shrinking feeling**, UNI NOVA, University of Basel Research Magazine, Nr. 142, November 2023, 37. [Open Access](#)  
German version: **Wer Meer verliert**, UNI NOVA, Das Wissenschaftsmagazin der Universität Basel, Nr. 142, November 2023, 22. [Open Access](#)
2. **What should we do to fight plastic pollution?** UNI NOVA, University of Basel Research Magazine, No 141, May 2023, 37. [Open Access](#)  
German version: **Was tun gegen Plastikverschmutzung?** UNI NOVA, Das Wissenschaftsmagazin der Universität Basel, No 141, May 2023, 37. [Open Access](#)
1. **Internationale Organisationen in der Coronakrise** [International Organizations in the Coronavirus Pandemic], Ius Inhouse, Corona Spezial, Newsletter der Juristischen Fakultät, Universität Basel, No 36, June 2020, 17–18 (together with Maria Stemmler). [Open Access](#)