

PROFESSOR DR. PETER BEHRENS



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Date of birth December 18, 1939

Position Professor of Law, emeritus
Executive Director of the Institute for Integration Research of the
Europa-Kolleg Hamburg,
Of Counsel at Broedermann & Jahn, Hamburg

EDUCATION

1960-65 Legal studies at the Universities of Hamburg, Lausanne/Switzerland,
Freiburg, Berlin,
1966-1969 Practical Training as "Referendar" at the Hanseatic Court of Appeals,
Hamburg
1969 Doctor iuris (University of Hamburg)
1970/71 Postgraduate studies at New York University School of Law,
Master of Comparative Jurisprudence (M.C.J.)
1984 Ph.D. (Habilitation), University of Hamburg, Faculty of Law

PROFESSIONAL CAREER

1966-1969 Research Assistant at the Max-Planck-Institute for Foreign and Private
International Law, Hamburg
1971-1984 Member of the Research Staff of the Max-Planck-Institute for Foreign
and Private International Law, Hamburg
1984-2005 Professor of Law, University of Hamburg, Faculty of Law (Chair of
Commercial Law, Company and Competition Law, European
Community Law, International Economic Law, International Trade Law,
Law and Economics)

Visiting Professorships: University of Chicago Law School (1984); University of Michigan Law School, Ann Arbor/USA (1986/87), Hebrew University, Jerusalem (1995);

External Faculty Member: Legal Studies Department of the Central European University, Budapest (since 1992); Executive Master of Business Law Program at the University of St. Gallen/Switzerland (since 1995); LL.M. in International Business Law Program at the University of Zürich (since 1997); College of Europe, Bruges/Belgium (since 2001); Company Law Program at the University of Liechtenstein, Vaduz (since 2006).

since 1989 Member of the Board of Directors of the Institute for Integration Research of the Europa-Kolleg Hamburg

1997 Fellow at the Institute for Advanced Studies Berlin (International Economic Law)

FIELDS OF RESEARCH AND PUBLICATIONS (Selection)

International Dispute Resolution

"Arbitration as an Instrument of Conflict Resolution in International Trade: Its Basis and Limits", in: Friedmann/Mestmäcker (Eds.), Conflict Resolution in International Trade (1993) 13-38.

"Towards the Constitutionalization of International Investment Protection", in: 45 Archiv des Völkerrechts [Archives of Public International Law] 153-179 (2007).

Public International Law

„Multinationale Unternehmen im internationalen Enteignungsrecht der Bundesrepublik Deutschland“ [Multinational Enterprises and the International Law of Expropriation: A German Perspective]. Baden-Baden: Nomos 1980, 124 p.

International Economic Law:

„Elements in the Definition of International Economic Law“, 38 Law and State 7-26 (1988).

"The Institutional Architecture of Global Financial Markets", 6 Maastricht Journal of European and Comparative Law, 271-298 (1999).

„Die Private Durchsetzung von WTO-Recht“ [Private Enforcement of WTO Law], in: Nowak/Cremer (Eds.), Der zentrale und dezentrale Rechtsschutz natürlicher und juristischer Personen in der Europäischen Gemeinschaft und der Welthandelsorganisation [Centralized and decentralized legal protection of individuals and legal persons in the European Community and the WTO], 36 Schriftenreihe des EUROPA-KOLLEGS HAMBURG zur Integrationsforschung [Publikation Series of the Europa-Kolleg Hamburg], 201-220 (2002).

European Community Law

„Die Konvergenz der wirtschaftlichen Freiheiten des EWG-Vertrages" [The Convergence of Economic Freedoms in the EC-Treaty], 27 *Europarecht*, 145-162 (1992).

„Merger Control: Conflicts Between the E.E.C. and the U.S.A.", in: Kantzenbach/Scharrer/Waverman (Eds.), *Competition Policy in an Interdependent World Economy*, 3 Veröffentlichungen des HWWA-Instituts für Wirtschaftsforschung-Hamburg [Publications of the HWWA-Institute for Economic Research], 165-184 (1993).

„Public Services and the Internal Market - An Analysis of the Commission's Communication on Services of General Interest in Europe", 2 *EBOR* 51-74 (2001).

International and European Company Law

„Niederlassungsfreiheit und Internationales Gesellschaftsrecht" [Freedom of Establishment and Conflict of Laws of Companies], 52 *Rabels Zeitschrift*, 498-525 (1988)

„International Company Law in View of the *Centros* Decision of the ECJ", 1 *EBOR* 125-146 (2000).

„*Centros* and the proper Law of Companies", in: Ferrarini/Hopt/Wymeersch (eds.), *Capital Markets in the Age of the Euro* (2002) 503-527.

„Konzernsachverhalte im internationalen Recht" (Groups of Companies in International Law"), *SZIER/RSDIE - Schweizerische Zeitschrift für internationales und europäisches Recht / Revue suisse de droit international et de droit européen*, 2002, 79-101.

„Internationales Gesellschaftsrecht" (Private International Law of Companies), in: Ulmer/Habersack/Winter, *GmbHG [Commentary on the German Law on Limited Liability Companies]*, Einl. B. [Introduction Part B], J.C.B. Mohr (Paul Siebeck) Publishers Tübingen, 2005, 130 p.

„Gesellschaftsrecht" (Company Law), in: Dausen (ed.), *Handbuch des EU-Wirtschaftsrechts (Handbook of European Union Economic Law)*, Ch. E.III., Looseleaf (2005) 99 p.

Law and Economics

„Die ökonomischen Grundlagen des Rechts" (The Economic Foundations of the Law), J.C.B. Mohr (Paul Siebeck) Publishers Tübingen, 1986, 368 p.

„Corporate Governance", in: Basedow et al. (Hrsg.), *Festschrift für Ulrich Drobnig* (1998) 491- 506.

PROFESSIONAL INVOLVEMENT IN INTERNATIONAL LAW

Experience as Legal Expert

- 1973 Legal expert before the Hamburg High Court in the *Chilean Copper* case (expert opinion on the international law of expropriation, domestic effects of violations of international standards)
- 1978 Legal consultant to *Compagnie de Saint-Gobain-Pont-à-Mousson*, France (expert opinion on the extraterritorial effects of the French nationalisation program in Germany)
- 1981 Member of a team of legal consultants to the *German Central Bank* (comparative expert opinion on the immunity of central bank's assets under customary international law)
- 1982 Member of a group of legal experts advising the *Department of State of the United States of America* with regard to the Iran-United States Agreement for the Settlement of Claims (comparative study on the impact of changed circumstances on the enforceability of forum-selection clauses)
- 1984 Member of an in-house team of consultants in the arbitration proceedings between *Mobil Oil Libya, Ltd. and the Socialist People's Libyan Jamahiriya* which became moot due to a settlement (expert opinion on the law applicable to concession agreements and the relevance of stabilisation clauses)
- since 2001 Arbitrator in the arbitration proceedings between *Saluka B.V. and the Czech Republic* (investment protection under the Netherlands-Czech Bilateral Investment Treaty); Partial Award of March 17, 2006 (see website of the PCA)
- 2002 Legal Consultant, on behalf of the *German Development Agency*, to the Secretariat of the *East African Community (EAC)*, Arusha/Tanzania (Draft of a Treaty introducing a supranational Competition Policy and Law for the EAC)

MEMBERSHIPS

American Society of International Law, German Society of International Law, German Society of Comparative Law, German-American Lawyers Association, (International) Academic Society of Competition Law.

LANGUAGE SKILLS

German, English, French

**SEE FOR FURTHER DETAILS:
ENTRY IN "WHO'S WHO IN PUBLIC INTERNATIONAL LAW"**