

# GERMAN LAW JOURNAL

## Review of Developments in German, European and International Jurisprudence

**Editors-in-Chief:** Russell Miller; Peer Zumbansen

**Editors:** Miriam Aziz; Gregor Bachmann; Graf-Peter Calliess; Matthias Casper;  
Morag Goodwin; Dominik Hanf; Florian Hoffmann; Alexandra Kemmerer;  
Malcolm Maclaren; Stefan Magen; Ralf Michaels; Petra Minnerop;  
Hanri Mostert; Betsy Röben; Volker Röben; Christoph Safferling;  
Marlene Schmidt; Frank Schorkopf; Robert Schütze; Craig Smith; Cornelia Vismann.

[www.germanlawjournal.com](http://www.germanlawjournal.com)

© Copyright 2000 - 2004 by German Law Journal GbR. All rights reserved.

**Vol. 05 No. 04**

**Pages 339 - 434**

**01 March 2004**

### TABLE OF CONTENTS

#### PUBLIC LAW

Martin Kellner

Tax Amnesty 2004/2005 – An Appropriate  
Revenue Tool?

339 - 346

#### PRIVATE LAW

Dirk Reidenbach

No Stock Options for Supervisory Board Members  
of a German Stock Corporation: A Comment on In  
re Mobilcom AG, BGH II ZR 316/02 of 16 February  
2004

347 - 354

Silja Maul & Athanasios Koulouridas

The Takeover bids Directive

355 - 366

TABLE OF CONTENTS PAGE I

## TABLE OF CONTENTS

- Matthias Casper  
German capital market law – a permanent reform 367 - 373

### EUROPEAN & INTERNATIONAL LAW

- Catherine Amirfar  
The Avena Case in the International Court of  
Justice (Mexico v. United States of America) 375 - 383

- Jacob Katz Cogan  
The Avena Case at the International Court of  
Justice: Arguments of the United States 385 - 391

- Nora V. Demleitner  
Crime and Immigration: Domestic, Regional and  
International Consequences 393 - 402

### LEGAL CULTURE

- Christoph Ritzer  
Review Essay - Constitutional Legitimacy:  
Thoughts on Tobias Herbst's Legitimation durch  
Verfassungsgebung 403 - 413

- Sascha Ziemann  
Book Review – Nigel Foster & Satish Sule,  
German Legal System and Laws, 3rd. ed., 2002 415 - 418

- Laura Fabiano  
Book Review – Francesco, Palermo &  
Toggenburg's (eds) European Constitutional  
Values and Cultural Diversity 419 - 423

## TABLE OF CONTENTS

Christina Möller	
Book Review – Gerhard Werle’s Völkerstrafrecht (International Criminal Law)	425 - 430
Christian Fischer	
Book Review - JUVE Handbuch 2003/2004, Wirtschaftskanzleien – Rechtsanwälte für Unternehmen	431 - 434