Contents

Ta	ble o	f Cases f Treaties Contributors	ix xxi xxv
1.		roduction Sornarajah	1
2.		od Faith as a General Principle of (International) Law breas R Ziegler and Jorun Baumgartner	9
	2.1	Introduction	9
	2.2	Normative Autonomy of the Principle of Good Faith?	14
		Concretizations of the Principle of Good Faith	17
	2.4	Conclusion	35
3.		od Faith in Treaty Interpretation De Brabandere and Isabelle Van Damme	37
	3.1	Introduction	37
		Good Faith and Treaty Interpretation Status of Good Faith Treaty Interpretation	38
		under International Law	40
	3.4	Objective Function: Giving Meaning to a Treaty Text	42
	3.5	Subjective Function: Assessing Behaviour of Interpreters	55
	3.6	Conclusion	59
4.	Good Faith in Parallel Trade and Investment Disputes Tania Voon, Andrew D Mitchell and James Munro		
	4.1	Introduction	60
	4.2	Substantive and Jurisdictional Overlap in WTO	
		and Investment Disputes	62
	4.3	Good Faith and its Particularizations in Connection	
		with Parallel Disputes	69
	4.4	Existing Approaches to Parallel Disputes in International	
	,	Economic Law	75
	4.5	Conclusion	85

• • •	
V111	Contents

5.	Good Faith Limitations on Protected Investments			
	and Corporate Structuring Stephan W Schill and Heather L Bray			
	5.1 Good Faith Unbound—Good Faith Restrained	88		
	5.2 Good Faith and Compliance of Investments			
	with Domestic and International Law	93		
	5.3 Corporate Structuring and Good Faith	105		
	5.4 Conclusion: Good Faith and the Rule of Law			
	in International Investment Relations	114		
6.	Good Faith, Corporate Nationality, and Denial of Benefits <i>M Sornarajah</i>	117		
	6.1 Introduction	117		
	6.2 Corporate Nationality and Standing	120		
	6.3 The Relevance of Good Faith to Corporate Nationality	120		
	6.4 The Role of Good Faith in the Law of Treaties	123		
	6.5 Analysis of Corporate Nationality as a Basis for Jurisdiction			
	6.6 Revisiting the Awards	131		
	6.7 Conclusion	140		
7	Cood Eaith and Eair and Equitable Treatment			
/•	Good Faith and Fair and Equitable Treatment in International Investment Law	143		
	Martins Paparinskis			
	÷	1/2		
	7.1 Introduction7.2 Good Faith and Different Sources	143		
		146		
	of Fair and Equitable Treatment 7.3 Good Faith and Responsibility for the Breach	140		
	of Fair and Equitable Treatment	155		
	7.4 Particularization of Good Faith in the Obligation	1))		
	of Fair and Equitable Treatment	158		
	7.5 Conclusion	170		
0		150		
8.	Conclusion	173		
	Andrew D Mitchell and Tania Voon			
R_i	ibliography	181		
v	Index			