

## Bibliography

- van Aaken A and Simsek B, 'Rewarding in International Law' (2021) 115(2) *American Journal of International Law* 195
- Abbott KW and Snidal D, 'Hard and Soft Law in International Governance' (2000) 54(3) *International Organization* 421
- Abel P, 'Menschenrechtsschutz durch Individualbeschwerdeverfahren: Ein regionaler Vergleich aus historischer, normativer und faktischer Perspektive' (2013) 51(3) *Archiv des Völkerrechts* 369
- 'Comparative Conclusions on Arbitral Dispute Settlement in Trade-Labour Matters Under US FTAs' in Henner Gött (ed), *Labour Standards in International Economic Law* (Springer International Publishing 2018)
- 'Counterclaims Based on International Human Rights Obligations of Investors in International Investment Arbitration: Fallacies and Potentials of the 2016 ICSID Urbaser v. Argentina Award' [2018] *Brill Open Law* 1
- 'Negative Zuständigkeitskonflikte internationaler Gerichte durch Subsidiaritätsklauseln: Zur Bedeutung des Maritime Delimitation in the Indian Ocean-Urteils des IGH für die internationale Streitbeilegung' (2018) 78(2) *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht* 339
- Alston P, "'Core Labour Standards" and the Transformation of the International Labour Rights Regime' (2004) 15(3) *European Journal of International Law* 457
- Alston P and Quinn G, 'The Nature and Scope of States Parties' Obligations Under the International Covenant on Economic, Social and Cultural Rights' (1987) 9 *Human Rights Quarterly* 156
- Alston P and Robinson M (eds), *Human Rights and Development: Towards Mutual Reinforcement* (Oxford University Press 2005)
- Alvarez JE, 'Are Corporations "Subjects" of International Law?' (2011) 9(1) *Santa Clara Journal of International Law* 1
- 'ISDS Reform: The Long View' (2021) 36(2) *ICSID Review* 253
- Alvarez JE and others (eds), *The Evolving International Investment Regime: Expectations, Realities, Options* (Oxford University Press 2011)
- Amado JD, Kern JS and Rodriguez MD, *Arbitrating the Conduct of International Investors* (Cambridge University Press 2018)
- Anderson AM and Beaumont B (eds), *The Investor-State Dispute Settlement System: Reform, Replace or Status Quo?* (Wolters Kluwer 2020)
- de Andrade PP and Monebhurrin N, 'Mapping Investors' Environmental Commitments and Obligations' in Jean Ho and Mavluda Sattorova (eds), *Investors' International Law* (Hart 2021)

## Bibliography

- Anning M, 'Counterclaims Admissibility in Investment Arbitration' in Julien Chaisse, Leïla Choukroune and Sufian Jusoh (eds), *Handbook of International Investment Law and Policy* (Springer 2021)
- Antonopoulos C, *Counterclaims Before the International Court of Justice* (T.M.C. Asser Press 2011)
- Anzilotti D, *Cours de droit international: 1 Introduction, théories générales* (Sirey 1929)
- Atanasova D, Martínez Benoit A and Ostransky J, 'The Legal Framework for Counterclaims in Investment Treaty Arbitration' (2014) 31(3) *Journal of International Arbitration* 357
- Audit M and Schill SW (eds), *Transnational Law of Public Contracts* (Bruylant 2016)
- Aust HP, 'Investment Protection and Sustainable Development: What Role for the Law of State Responsibility?' in Steffen Hindelang and Markus Krajewski (eds), *Shifting Paradigms in International Investment Law: More Balanced, Less Isolated, Increasingly Diversified* (Oxford University Press 2016)
- Baetens F (ed), *Investment Law Within International Law: Integrationist Perspectives* (Cambridge University Press 2013)
- Balcerzak F, *Investor – State Arbitration and Human Rights* (Brill Nijhoff 2017)
- Baltag C (ed), *ICSID Convention After 50 Years: Unsettled Issues* (Wolters Kluwer 2017)
- Bantekas I and Stein MA (eds), *The Cambridge Companion to Business & Human Rights Law* (Cambridge University Press 2021)
- Baxi U, *The Future of Human Rights* (Oxford University Press 2002)
- Beaulieu E and O'Neill K, 'The Economics of Foreign Direct Investment and International Investment Agreements' in John Anthony VanDuzer and Patrick Leblond (eds), *Promoting and Managing International Investment: Towards an Integrated Policy Approach* (Routledge 2020)
- Bedjaoui M (ed), *International Law: Achievements and Prospects* (UNESCO, Nijhoff 1991)
- Ben Hamida W, 'L'arbitrage Etat-investisseur cherche son équilibre perdu: Dans quelle mesure l'État peut introduire des demandes reconventionnelles contre l'investisseur privé?' (2005) 7(4) *International Law FORUM du droit international* 261
- Benvenisti E and Nolte G (eds), *Community Interests Across International Law* (Oxford University Press 2018)
- Bernasconi-Osterwalder N, 'Inclusion of Investor Obligations and Corporate Accountability Provisions in Investment Agreements' in Julien Chaisse, Leïla Choukroune and Sufian Jusoh (eds), *Handbook of International Investment Law and Policy* (Springer 2021)
- Bernasconi-Osterwalder N and others, *Harnessing Investment for Sustainable Development: Inclusion of Investor Obligations and Corporate Accountability Provisions in Trade and Investment Agreements* (IISD, 2018)
- Beyerlin U, 'Sustainable Development' in Anne Peters (ed), *Max Planck Encyclopedia of Public International Law* (October 2013)

- Bianchi A, 'The Fight for Inclusion: Non-State Actors and International Law' in Ulrich Fastenrath and others (eds), *From Bilateralism to Community Interest: Essays in Honour of Judge Bruno Simma* (Oxford University Press 2011)
- Biersteker TJ, Eckert SE and Tourinho M (eds), *Targeted Sanctions: The Impacts and Effectiveness of United Nations Action* (Cambridge University Press 2016)
- Binder C and others (eds), *International Investment Law for the 21st Century: Essays in Honour of Christoph Schreuer* (Oxford University Press 2009)
- Bischoff JA and Happ R, 'The Scope of Application of International Investment Agreements' in Marc Bungenberg and others (eds), *International Investment Law* (Nomos 2015)
- Bismuth R, 'Customary Principles Regarding Public Contracts Concluded with Foreigners' in Mathias Audit and Stephan W Schill (eds), *Transnational Law of Public Contracts* (Bruylant 2016)
- Bjorklund AK, 'The Role of Counterclaims in Rebalancing Investment Law' (2013) 17(2) *Lewis & Clark Law Review* 461
- Bjorklund AK and Reinisch A (eds), *International Investment Law and Soft Law* (Edward Elgar Publishing 2012)
- Bjorklund AK and Vanhonnaecker L, 'Yukos: The Clean Hands Doctrine Revisited' (2015) 9(2) *Diritti Umani e Diritto Internazionale* 365
- Blackaby N and others, *Redfern and Hunter on International Arbitration* (6th edn, Oxford University Press, Wolters Kluwer Law & Business 2015)
- von Bogdandy A and others (eds), *The Exercise of Public Authority by International Institutions: Advancing International Institutional Law* (Springer 2010)
- von Bogdandy A, Dann P and Goldmann M, 'Developing the Publicness of Public International Law: Towards a Legal Framework for Global Governance Activities' in Armin von Bogdandy and others (eds), *The Exercise of Public Authority by International Institutions: Advancing International Institutional Law* (Springer 2010)
- Bogojević S, 'Ending the Honeymoon: Deconstructing Emissions Trading Discourses' (2009) 21(3) *Journal of Environmental Law* 443
- Boisson de Chazournes L, Kohen MG and Viñuales JE (eds), *Diplomatic and Judicial Means of Dispute Settlement* (Martinus Nijhoff Publishers 2013)
- Bollecker-Stern B, *Le préjudice dans la théorie de la responsabilité internationale* (Editions A. Pedone 1973)
- Bonnitcha J, *Substantive Protection Under Investment Treaties: A Legal and Economic Analysis* (Cambridge University Press 2014)
- Bonzon A-J, 'Balance Between Investment Protection and Sustainable Development in BITs' (2014) 15(5–6) *Journal of World Investment & Trade* 809
- Bormann C, *Transnationale Informationsgewinnung durch Nachrichtendienste und Polizei: Eine Untersuchung von Zulässigkeit und Verwertbarkeit* (Peter Lang GmbH Internationaler Verlag der Wissenschaften 2016)

## Bibliography

- Bose D, 'David R Aven v Costa Rica: The Confluence of Corporations, Public International Law and International Investment Law' (2020) 35(1–2) ICSID Review 20
- Bothe A, *Die 'Corruption Defence' des Gaststaats in internationalen Investitionsschiedsverfahren* (Nomos 2021)
- de Brabandere E, *Investment Treaty Arbitration as Public International Law: Procedural Aspects and Implications* (Cambridge University Press 2015)
- 'Human Rights and International Investment Law' in Markus Krajewski and Rhea Hoffmann (eds), *Research Handbook on Foreign Direct Investment* (Edward Elgar Publishing 2019)
- 'The (Ir)Relevance of Transnational Public Policy in Investment Treaty Arbitration – a Reply to Jean-Michel Marcoux' (2020) 21(6) Journal of World Investment & Trade 847
- de Brabandere de and Hazelzet M, *Corporate Responsibility and Human Rights – Navigating Between International, Domestic and Self-Regulation* (Grotius Centre Working Paper 2017/056-HRL)
- Braun TR, *Ausprägungen der Globalisierung: Der Investor als partielles Subjekt im Internationalen Investitionsrecht: Qualität und Grenzen dieser Wirkungseinheit* (Nomos 2012)
- Bray HL, 'SOI – Save Our Investments! International Investment Law and International Humanitarian Law' (2013) 14(3) Journal of World Investment & Trade 578
- Brown C (ed), *Evolution in Investment Treaty Law and Arbitration* (Cambridge University Press 2011)
- (ed), *Commentaries on Selected Model Investment Treaties* (Oxford University Press 2013)
- Brownlie I, *Principles of Public International Law* (6th edn, Oxford University Press 2003)
- Bücheler G, *Proportionality in Investor-State Arbitration* (Oxford University Press 2015)
- Buergenthal T, 'To Respect and to Ensure: State Obligations and Permissible Derogations' in Louis Henkin (ed), *The International Bill of Rights* (Columbia University Press 1981)
- Bungenberg M and others (eds), *International Investment Law* (Nomos 2015)
- Bungenberg M and Reinisch A, *Draft Statute of the Multilateral Investment Court* (Nomos 2021)
- Bungenberg M and Reinisch A, *From Bilateral Arbitral Tribunals and Investment Courts to a Multilateral Investment Court* (2nd edn, Springer 2020)
- Cafaggi F, 'Transnational Private Regulation: Regulating Global Private Regulators' in Sabino Cassese (ed), *Research Handbook on Global Administrative Law* (Edward Elgar Publishing 2016)
- Carducci G, 'Dealing with Set-Off and Counterclaims in International Commercial and Investment Arbitration' (2013) 3 Yearbook on International Arbitration 173

- Carlsnaes W, Risse T and Simmons BA (eds), *Handbook of International Relations* (2nd edn, Sage 2013)
- Casini L, 'Beyond Drip-Painting? Ten Years of GAL and the Emergence of a Global Administration' (2015) 13(2) *International Journal of Constitutional Law* 473
- 'Global Administrative Law Scholarship' in Sabino Cassese (ed), *Research Handbook on Global Administrative Law* (Edward Elgar Publishing 2016)
- Cassese S (ed), *Research Handbook on Global Administrative Law* (Edward Elgar Publishing 2016)
- Cassese S and D'Alterio E, 'Introduction: The Development of Global Administrative Law' in Sabino Cassese (ed), *Research Handbook on Global Administrative Law* (Edward Elgar Publishing 2016)
- Chaisse J, Choukroune L and Jusoh S (eds), *Handbook of International Investment Law and Policy* (Springer 2021)
- Chaisse J and Donde R, 'The State of Investor-State Arbitration' (2018) 51(1) *The International Lawyer* 47
- de Chazournes LB and McGarry B, 'What Roles Can Constitutional Law Play in Investment Arbitration?' (2014) 15(5–6) *Journal of World Investment & Trade* 862
- Cheng B, *General Principles of Law as Applied by International Courts and Tribunals* (Stevens & Sons Limited 1953)
- 'Introduction to Subjects of International Law' in Mohammed Bedjaoui (ed), *International Law: Achievements and Prospects* (UNESCO, Nijhoff 1991)
- Chinkin C, *Third Parties in International Law* (Clarendon Press 1993)
- Choudhury B, 'Recapturing Public Power: Is Investment Arbitration's Engagement of the Public Interest Contributing to the Democratic Deficit?' (2008) 41(3) *Vanderbilt Journal of Transnational Law* 775
- 'Investor Obligations for Human Rights' (2020) 35(1–2) *ICSID Review* 82
- 'The Role of Soft Law Corporate Responsibilities in Defining Investor Obligations in International Investment Agreements' in Jean Ho and Mavluda Sattorova (eds), *Investors' International Law* (Hart 2021)
- Choudhury B and Petrin M, *Corporate Duties to the Public* (Cambridge University Press 2019)
- Choukroune L (ed), *Judging the State in International Trade and Investment Law* (Springer Singapore 2016)
- Clapham A, *Human Rights Obligations of Non-State Actors* (Oxford University Press 2006)
- 'The Role of the Individual in International Law' (2010) 21(1) *European Journal of International Law* 25
- Clara R and Christoph S, 'Human Rights and International Investment Arbitration' in Pierre-Marie Dupuy, Ernst-Ulrich Petersmann and Francesco Francioni (eds), *Human Rights in International Investment Law and Arbitration* (Oxford University Press 2009)

## Bibliography

- Clodfelter MA and Tsutieva D, 'Counterclaims in Investment Treaty Arbitration' in Catherine Yannaca-Small (ed), *Arbitration Under International Investment Agreements: A Guide to the Key Issues* (2nd edn, Oxford University Press 2018)
- Cogan JK, 'The Regulatory Turn in International Law' (2011) 52(2) *Harvard International Law Journal* 321
- Cordonier Segger M-C and Gehring MW (eds), *Sustainable Development in World Trade Law* (Kluwer Law International 2005)
- Cordonier Segger M-C, Gehring MW and Newcombe AP (eds), *Sustainable Development in World Investment Law* (Kluwer Law International 2011)
- (eds), *Sustainable Development in World Investment Law* (Kluwer Law International 2011)
- Cottier T and others, 'The Principle of Proportionality in International Law: Foundations and Variations' (2017) 18(4) *Journal of World Investment & Trade* 628
- Coyle JF, 'The Treaty of Friendship, Commerce, and Navigation in the Modern Era' (2013) 51(2) *Columbia Journal of Transnational Law* 302
- Crawford E, 'Proportionality' in Anne Peters (ed), *Max Planck Encyclopedia of Public International Law* (May 2011)
- Crawford J, 'Treaty and Contract in Investment Arbitration' (2008) 24(3) *Arbitration International* 351
- *Brownlie's Principles of Public International Law* (8th edn, Oxford University Press 2012)
- *State Responsibility: The General Part* (Cambridge University Press 2013)
- Crawford J, Pellet A and Olleson S (eds), *The Law of International Responsibility* (Oxford University Press 2010)
- Crescenzi MJC, *Of Friends and Foes: Reputation and Learning in World Politics* (Oxford University Press 2018)
- d'Aspremont J and others, 'Sharing Responsibility Between Non-State Actors and States in International Law: Introduction' (2015) 62(1) *Netherlands International Law Review* 49
- Dari-Mattiacci G and de Geest G, 'Carrots vs. Sticks' in Francesco Parisi (ed), *The Oxford Handbook of Law and Economics*, vol I Methodology and Concepts (Oxford University Press 2017)
- Desierto DA, 'Development as an International Right: Investment in the New Trade-Based IIAs' (2011) 3(2) *Trade, Law and Development* 296
- 'ICESCR Minimum Core Obligations and Investment: Recasting the Non-Expropriation Compensation Model During Financial Crises' (2012) 44(3) *George Washington International Law Review* 473
- 'Conflict of Treaties, Interpretation, and Decision-Making on Human Rights and Investment During Economic Crises' (2013) 10(1) *Transnational Dispute Management* 1
- 'Deciding International Investment Agreement Applicability: The Development Argument in Investment' in Freya Baetens (ed), *Investment Law Within International Law: Integrationist Perspectives* (Cambridge University Press 2013)

- *Public Policy in International Economic Law: The ICESCR in Trade, Finance, and Investment* (Oxford University Press 2015)
- Deva S, ‘Conclusion: Investors’ International Law: Beyond the Present’ in Jean Ho and Mavluda Sattorova (eds), *Investors’ International Law* (Hart 2021)
- Deva S and Bilchitz D (eds), *Building a Treaty on Business and Human Rights: Context and Contours* (Cambridge University Press 2017)
- Diel-Gligor K and Hennecke R, ‘Investment in Accordance with the Law’ in Marc Bungenberg and others (eds), *International Investment Law* (Nomos 2015)
- Dinstein Y, ‘Par in Parem Non Habet Imperium’ (1966) 1(3) *Israel Law Review* 407
- Dixon J and Haslam PA, ‘Does the Quality of Investment Protection Affect FDI Flows to Developing Countries? Evidence from Latin America’ (2016) 39(8) *The World Economy* 1080
- Dolzer R and Schreuer C, *Principles of International Investment Law* (2nd edn, Oxford University Press 2012)
- Donno D and Neureiter M, ‘Can Human Rights Conditionality Reduce Repression? Examining the European Union’s Economic Agreements’ (2018) 13(3) *The Review of International Organizations* 335
- Douglas Z, ‘The Hybrid Foundations of Investment Treaty Arbitration’ (2004) 74(1) *British Yearbook of International Law* 151
- *The International Law of Investment Claims* (Cambridge University Press 2009)
- ‘The Enforcement of Environmental Norms in Investment Treaty Arbitration’ in Pierre-Marie Dupuy and Jorge E Viñuales (eds), *Harnessing Foreign Investment to Promote Environmental Protection: Incentives and Safeguards* (Cambridge University Press 2013)
- Douglas Z, Pauwelyn J and Viñuales JE (eds), *The Foundations of International Investment Law: Bringing Theory into Practice* (Oxford University Press 2014)
- Drahos P (ed), *Regulatory Theory: Foundations and Applications* (Australian National University Press 2017)
- Dudas S, ‘Treaty Counterclaims Under the ICSID Convention’ in Crina Baltag (ed), *ICSID Convention After 50 Years: Unsettled Issues* (Wolters Kluwer 2017)
- Dufey A and Grieg-Gran M, ‘The Linkages Between Project Finance and Sustainable Development’ in Sheldon Leader (ed), *Global Project Finance, Human Rights and Sustainable Development* (Cambridge University Press 2011)
- Dumberry P, ‘State of Confusion: The Doctrine of “Clean Hands” in Investment Arbitration After the Yukos Award’ (2016) 17(2) *Journal of World Investment & Trade* 229
- ‘The Clean Hands Doctrine as a General Principle of International Law’ (2020) 21(4) *Journal of World Investment & Trade* 489
- Dumberry P and Dumas-Aubin G, ‘How to Impose Human Rights Obligations on Corporations Under Investment Treaties?’ (2011–2012) 4 *Yearbook on International Investment Law and Policy*
- ‘When and How Allegations of Human Rights Violations Can Be Raised in Investor-State Arbitration’ (2012) 13 *Journal of World Investment & Trade* 349

- 'A Few Pragmatic Observations on How BITs Should Be Modified to Incorporate Human Rights Obligations' (2014) 11(1) *Transnational Dispute Management* 1
- Dupont C, Schultz T and Angin M, 'Political Risk and Investment Arbitration: An Empirical Study' (2016) 7(1) *Journal of International Dispute Settlement* 136
- Dupuy P-M, 'International Law and Domestic (Municipal) Law' in Anne Peters (ed), *Max Planck Encyclopedia of Public International Law* (April 2011)
- Dupuy P-M, Petersmann E-U and Francioni F (eds), *Human Rights in International Investment Law and Arbitration* (Oxford University Press 2009)
- Dupuy P-M and Viñuales JE (eds), *Harnessing Foreign Investment to Promote Environmental Protection: Incentives and Safeguards* (Cambridge University Press 2013)
- 'Human Rights and Investment Disciplines: Integration in Progress' in Marc Bungenberg and others (eds), *International Investment Law* (Nomos 2015)
- Ehle B, 'Article I' in Reinmar Wolff (ed), *New York Convention* (C.H. Beck 2012)
- Ejims O, 'The 2016 Morocco–Nigeria Bilateral Investment Treaty: More Practical Reality in Providing a Balanced Investment Treaty?' (2019) 34(1) *ICSID Review* 62
- El-Hosseny F and Devine P, 'Contributory Fault Under International Law: A Gateway for Human Rights in ISDS?' (2020) 35(1–2) *ICSID Review* 105
- Endicott M, 'The Definition of Investment in ICSID Arbitration: Development Lessons for the WTO?' in Marie-Claire Cordonier Segger and Markus W Gehring (eds), *Sustainable Development in World Trade Law* (Kluwer Law International 2005)
- Fastenrath U, 'Das UNESCO-Übereinkommen zum Schutz des Kultur- und Naturerbes der Welt und seine Wirkungen im deutschen Recht' (2016) 54(4) *Archiv des Völkerrechts* 382
- Fastenrath U and others (eds), *From Bilateralism to Community Interest: Essays in Honour of Judge Bruno Simma* (Oxford University Press 2011)
- Fauchald OK, 'The Legal Reasoning of ICSID Tribunals – an Empirical Analysis' (2008) 19(2) *European Journal of International Law* 301
- Fitzmaurice G, 'The General Principles of International Law, Considered from the Standpoint of the Rule of Law' (1957) 92 *Recueil des Cours* 1
- Footer M, *An Institutional and Normative Analysis of the World Trade Organization* (Nijhoff 2006)
- Footer ME, 'Bits and Pieces: Social and Environmental Protection in the Regulation of Foreign Investment' (2009) 18(1) *Michigan State Journal of International Law* 33
- Foster GK, 'Investors, States, and Stakeholders: Power Asymmetries in International Investment and the Stabilizing Potential of Investment Treaties' (2013) 17(2) *Lewis & Clark Law Review* 361
- Friedman MW and Popova IC, 'Can State Counterclaims Salvage Investment Arbitration?' (2014) 8(2) *World Arbitration & Mediation Review* 139

- Friedrich J, 'Legal Challenges of Non-Binding Instruments: The Case of the FAO Code of Conduct for Responsible Fisheries' in Armin von Bogdandy and others (eds), *The Exercise of Public Authority by International Institutions: Advancing International Institutional Law* (Springer 2010)
- Frowein JA, 'Artikel 17' in Jochen A Frowein and Wolfgang Peukert (eds), *Europäische Menschenrechtskonvention: EMRK-Kommentar* (2nd edn, N.P. Engel 1996)
- Frowein JA and Peukert W (eds), *Europäische Menschenrechtskonvention: EMRK-Kommentar* (2nd edn, N.P. Engel 1996)
- Gaillard E and Banifatemi Y, 'The Meaning of "And" in Article 42(1), Second Sentence, of the Washington Convention: The Role of International Law in the ICSID Choice of Law Process' (2003) 18(2) *ICSID Review* 375
- 'The Long March Towards a Jurisprudence Constante on the Notion of Investment: Salini v. Morocco, ICSID Case No. ARB/00/4' in Mairée Uran Bidegain and others (eds), *Building International Investment Law: The First 50 Years of ICSID* (ICSID, Wolters Kluwer 2016)
- Gazzini T, 'Bilateral Investment Treaties and Sustainable Development' (2014) 15(5–6) *Journal of World Investment & Trade* 929
- *Interpretation of International Investment Treaties* (Hart Publishing 2016)
- Gazzini T and Radi Y, 'Foreign Investment with a Human Face – with Special Reference to Rights of Indigenous Peoples' in Rainer Hofmann and Christian J Tams (eds), *International Investment Law and Its Others* (Nomos 2012)
- Gebauer M, 'Ordre Public (Public Policy)' in Anne Peters (ed), *Max Planck Encyclopedia of Public International Law* (May 2007)
- Gehne K, 'Soft Standards and Hard Consequences: Why Transnational Companies Commit to Respect International Labour and Social Standards, and How This Relates to Business and Regulation' in Henner Gött (ed), *Labour Standards in International Economic Law* (Springer International Publishing 2018)
- Gleason T, 'Examining Host-State Counterclaims for Environmental Damage in Investor-State Dispute Settlement from Human Rights and Transnational Public Policy Perspectives' (2021) 21(3) *International Environmental Agreements* 427
- Gött H (ed), *Labour Standards in International Economic Law* (Springer International Publishing 2018)
- Gött H and Holterhus TP, 'Mainstreaming Investment-Labour Linkage Through "Mega-Regional" Trade Agreements' in Henner Gött (ed), *Labour Standards in International Economic Law* (Springer International Publishing 2018)
- Gritsenko M, 'Relevance of the Host State's Development Status in Investment Treaty Arbitration' in Freya Baetens (ed), *Investment Law Within International Law: Integrationist Perspectives* (Cambridge University Press 2013)
- Gunningham N and Sinclair D, 'Smart Regulation' in Peter Drahos (ed), *Regulatory Theory: Foundations and Applications* (Australian National University Press 2017)

## Bibliography

- Guntrip E, 'Urbaser v. Argentina: The Origins of a Host State Human Rights Counterclaim in ICSID Arbitration?' [2017] EJIL:Talk! <[www.ejiltalk.org/urbaser-v-argentina-the-origins-of-a-host-state-human-rights-counterclaim-in-icsid-arbitration/#more-14978](http://www.ejiltalk.org/urbaser-v-argentina-the-origins-of-a-host-state-human-rights-counterclaim-in-icsid-arbitration/#more-14978)> accessed 7 December 2021
- Hafner G, 'The Emancipation of the Individual from the State Under International Law' (2011) 358 *Recueil des Cours* 263
- Hallward-Driemeier, 'Do Bilateral Investment Treaties Attract Foreign Direct Investment? Only a Bit ... And They Could Bite' [2003] World Bank Policy Research Working Paper 3121
- Hansen JS, "'Missing Links" in Investment Arbitration: Quantification of Damages to Foreign Shareholders' (2013) 14(3) *Journal of World Investment & Trade* 434
- Harlow C, 'Global Administrative Law: The Quest for Principles and Values' (2006) 17(1) *European Journal of International Law* 187
- Harrison J, 'Environmental Counterclaims in Investor-State Arbitration: Perenco Ecuador Ltd v Republic of Ecuador, ICSID Case No ARB/08/6, Interim Decision on the Environmental Counterclaim, 11 August 2015 (Peter Tomka, Neil Kaplan, J Christopher Thomas)' (2016) 17(3) *Journal of World Investment & Trade* 479
- Hart HL, *The Concept of Law* (2nd edn, Clarendon Press 1994)
- van Harten G, *Investment Treaty Arbitration and Public Law* (Oxford University Press 2007)
- van Harten G and Loughlin M, 'Investment Treaty Arbitration as a Species of Global Administrative Law' (2006) 17(1) *European Journal of International Law* 121
- Hauriou A, 'Les Dommages Indirects Dans Les Arbitrages Internationaux' (1924) 31 *Revue Générale de Droit International Public* 203
- Heinemann A, 'Business Enterprises in Public International Law: The Case for an International Code on Corporate Responsibility' in Ulrich Fastenrath and others (eds), *From Bilateralism to Community Interest: Essays in Honour of Judge Bruno Simma* (Oxford University Press 2011)
- Henckels C, 'Protecting Regulatory Autonomy Through Greater Precision in Investment Treaties: The TPP, CETA, and TTIP' (2016) 19(1) *Journal of International Economic Law* 27
- Henkin L (ed), *The International Bill of Rights* (Columbia University Press 1981)
- Hepburn J, *Domestic Law in International Investment Arbitration* (Oxford University Press 2017)
- Hepburn J and Kuuya V, 'Corporate Social Responsibility and Investment Treaties' in Marie-Claire Cordonier Segger, Markus W Gehring and Andrew P Newcombe (eds), *Sustainable Development in World Investment Law* (Kluwer Law International 2011)
- 'Corporate Social Responsibility and Investment Treaties' in Marie-Claire Cordonier Segger, Markus W Gehring and Andrew P Newcombe (eds), *Sustainable Development in World Investment Law* (Kluwer Law International 2011)

- Herstein OJ, 'A Normative Theory of the Clean Hands Defense' (2011) 17(3) *Legal Theory* 171
- Higgins R, *Problems and Process: International Law and How We Use It* (Clarendon Press 1995)
- Hindelang S and Krajewski M, 'Conclusion and Outlook: Whither International Investment Law?' in Steffen Hindelang and Markus Krajewski (eds), *Shifting Paradigms in International Investment Law: More Balanced, Less Isolated, Increasingly Diversified* (Oxford University Press 2016)
- (eds), *Shifting Paradigms in International Investment Law: More Balanced, Less Isolated, Increasingly Diversified* (Oxford University Press 2016)
- Hirsch M, 'Interactions Between Investment and Non-Investment Obligations' in Peter Muchlinski, Frederico Ortino and Christoph Schreuer (eds), *The Oxford Handbook of International Investment Law* (Oxford University Press 2008)
- 'Investment Tribunals and Human Rights Treaties: A Sociological Perspective' in Freya Baetens (ed), *Investment Law Within International Law: Integrationist Perspectives* (Cambridge University Press 2013)
- 'The Sociology of International Investment Law' in Zachary Douglas, Joost Pauwelyn and Jorge E Viñuales (eds), *The Foundations of International Investment Law: Bringing Theory into Practice* (Oxford University Press 2014)
- Ho J, 'The Creation of Elusive Investor Responsibility' (2019) 113 *AJIL Unbound* 10
- Ho J and Sattorova M (eds), *Investors' International Law* (Hart 2021)
- Hobér K and Fellenbaum J, 'Political Risk Insurance and Financing of Foreign Direct Investment' in Marc Bungenberg and others (eds), *International Investment Law* (Nomos 2015)
- Hoffmeister F, 'The Contribution of EU Trade Agreements to the Development of International Investment Law' in Steffen Hindelang and Markus Krajewski (eds), *Shifting Paradigms in International Investment Law: More Balanced, Less Isolated, Increasingly Diversified* (Oxford University Press 2016)
- Hofmann R and Tams CJ (eds), *International Investment Law and Its Others* (Nomos 2012)
- Hohmann J and Weller M (eds), *The UN Declaration on the Rights of Indigenous Peoples: A Commentary* (Oxford University Press 2018)
- Howse R, 'Designing a Multilateral Investment Court: Issues and Options' (2017) 36(1) *Yearbook of European Law* 209
- IISD, *Model International Agreement on Investment for Sustainable Development* (2005)
- *A Sustainability Toolkit for Trade Negotiators: Trade and Investment as Vehicles for Achieving the 2030 Sustainable Development Agenda* (2017)
- *Investment-Related Dispute Settlement: Towards an Inclusive Multilateral Approach* (2017)

## Bibliography

- *Integrating Investor Obligations and Corporate Accountability Provisions in Trade and Investment Agreements: Report of the Expert Meeting Held in Versoix, Switzerland, January 11–12, 2018* (2018)
- International Commission of Jurists, *Needs and Options for a New International Instrument in the Field of Business and Human Rights* (International Commission of Jurists 2014)
- International Committee of the Red Cross, *Commentary on the First Geneva Convention* (1952)
- Ishikawa T, 'Counterclaims and the Rule of Law in Investment Arbitration' (2019) 113 AJIL Unbound 33
- 'Counterclaims in Investment Arbitration: Is the Host State the Right Claimant?' in Jean Ho and Mavluda Sattorova (eds), *Investors' International Law* (Hart 2021)
- Jacob M, 'Faith Betrayed: International Investment Law and Human Rights' in Rainer Hofmann and Christian J Tams (eds), *International Investment Law and Its Others* (Nomos 2012)
- Jarrett M, *Contributory Fault and Investor Misconduct in Investment Arbitration* (Cambridge University Press 2019)
- 'A New Frontier in International Investment Law: Adjudication of Host Citizen-Investor Disputes?' (2021) 81(4) *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht* 969, 972
- Jarrett M, Puig S and Ratner SR, 'Towards Greater Investor Accountability: Indirect Actions, Direct Actions by States and Direct Actions by Individuals' (2021) *Journal of International Dispute Settlement* 1, 6, advance article version <<https://doi.org/10.1093/jnlids/idab035>> accessed 7 December 2021
- Jessup PC, *Transnational Law* (Yale University Press 1956)
- Jeżewski M, 'Development Considerations in Defining Investment' in Marie-Claire Cordonier Segger, Markus W Gehring and Andrew P Newcombe (eds), *Sustainable Development in World Investment Law* (Kluwer Law International 2011)
- Johannsen SLE, *Der Investitionsbegriff nach Art. 25 Abs. 1 der ICSID-Konvention* (Martin-Luther-Universität Halle-Wittenberg Institut für Wirtschaftsrecht 2009)
- Kalderimis D, 'Investment Treaty Arbitration as Global Administrative Law: What This Might Mean in Practice' in Chester Brown (ed), *Evolution in Investment Treaty Law and Arbitration* (Cambridge University Press 2011)
- Kalicki JE and Joubin-Bret A (eds), *Reshaping the Investor-State Dispute Settlement System: Journeys for the 21st Century* (Brill 2015)
- Kammerhofer J, 'The Theory of Norm Conflict Solutions in International Investment Law' in Marie-Claire Cordonier Segger, Markus W Gehring and Andrew P Newcombe (eds), *Sustainable Development in World Investment Law* (Kluwer Law International 2011)
- Karavias M, *Corporate Obligations Under International Law* (Oxford University Press 2014)

- ‘Corporations and Responsibility Under International Law’ in Photini Pazartzis and Panos Merkouris (eds), *Permutations of Responsibility in International Law* (Brill Nijhoff 2019)
- Kelsen H, *Reine Rechtslehre* (Franz Deuticke 1934)
- Kendra T, ‘State Counterclaims in Investment Arbitration – a New Lease of Life?’ (2013) 29(4) *Arbitration International* 575
- Kessedjian C, ‘Rebalancing Investors’ Rights and Obligations’ (2021) 22(5–6) *Journal of World Investment & Trade* 645
- Keohane RO, ‘Rational Choice Theory and International Law: Insights and Limitations’ (2002) 31(1) *Journal of Legal Studies* 307
- Kern JS, ‘Investor Responsibility as Familiar Frontier’ (2019) 113 *AJIL Unbound* 28
- Kim Y-I, ‘Investment Law and the Individual’ in Marc Bungenberg and others (eds), *International Investment Law* (Nomos 2015)
- Kingsbury B, ‘The Concept of “Law” in Global Administrative Law’ (2009) 20(1) *European Journal of International Law* 23
- Kingsbury B, Krisch N and Stewart RB, ‘The Emergence of Global Administrative Law’ (2005) 68(3) *Law and Contemporary Problems* 15
- Kingsbury B and others, ‘Foreword: Global Governance as Administration – National and Transnational Approaches to Global and Administrative Law’ (2005) 68(3 & 4) *Law and Contemporary Problems* 1
- Kingsbury B and Schill SW, ‘Public Law Concepts to Balance Investors’ Rights with State Regulatory Actions in the Public Interest – the Concept of Proportionality’ in Stephan W Schill (ed), *International Investment Law and Comparative Public Law* (Oxford University Press 2010)
- Kinnear M and Le Cannu PJ, ‘Concluding Remarks: ICSID and African States Leading International Investment Law Reform’ (2019) 34(2) *ICSID Review* 542
- Kjos HE, *Applicable Law in Investor-State Arbitration* (Oxford University Press 2013)
- Kläger R, ‘“Fair and Equitable Treatment” and Sustainable Development’ in Marie-Claire Cordonier Segger, Markus W Gehring and Andrew P Newcombe (eds), *Sustainable Development in World Investment Law* (Kluwer Law International 2011)
- ‘Revising Treatment Standards – Fair and Equitable Treatment in Light of Sustainable Development’ in Steffen Hindelang and Markus Krajewski (eds), *Shifting Paradigms in International Investment Law: More Balanced, Less Isolated, Increasingly Diversified* (Oxford University Press 2016)
- Klausegger C and others (eds), *Austrian Yearbook on International Arbitration* (Stämpfli Verlag 2010)
- Knaur C, ‘Investments “In Accordance with Host State Law”’ (2007) 4(5) *Transnational Dispute Management* 1
- Kneer D, *Investitionsschutz und Menschenrechte: Eine Untersuchung zum Einfluss menschenrechtlicher Standards auf die Investitionssicherung* (Nomos 2013)

- Knoll-Tudor I, 'The Fair and Equitable Treatment Standard and Human Rights Norms' in Pierre-Marie Dupuy, Ernst-Ulrich Petersmann and Francesco Francioni (eds), *Human Rights in International Investment Law and Arbitration* (Oxford University Press 2009)
- Knox JH, 'Horizontal Human Rights Law' (2008) 102(1) *American Journal of International Law* 1
- Krajewski M, 'A Nightmare or a Noble Dream? Establishing Investor Obligations Through Treaty-Making and Treaty-Application' (2020) 5(1) *Business and Human Rights Journal* 105
- Krajewski M and Hoffmann R (eds), *Research Handbook on Foreign Direct Investment* (Edward Elgar Publishing 2019)
- Kriebaum U, 'Human Rights of the Population of the Host State in International Investment Arbitration' (2009) 10(5) *Journal of World Investment & Trade* 653
- 'Investment Arbitration – Illegal Investments' in Christian Klausegger and others (eds), *Austrian Yearbook on International Arbitration* (Stämpfli Verlag 2010)
- 'Foreign Investments & Human Rights: The Actors and Their Different Roles' (2013) 10(1–17) *Transnational Dispute Management*
- 'Expropriation' in Marc Bungenberg and others (eds), *International Investment Law* (Nomos 2015)
- Krisch N, 'The Decay of Consent: International Law in an Age of Global Public Goods' (2014) 108(1) *American Journal of International Law* 1
- Krommendijk J and Morijn J, "'Proportional" by What Measure(s)? Balancing Investor Interests and Human Rights by Way of Applying the Proportionality Principle in Investor-State Arbitration' in Pierre-Marie Dupuy, Ernst-Ulrich Petersmann and Francesco Francioni (eds), *Human Rights in International Investment Law and Arbitration* (Oxford University Press 2009)
- Kryvoi Y, 'Economic Crimes in International Investment Law' (2018) 67(3) *International & Comparative Law Quarterly* 577
- Kube V and Petersmann E-U, 'Human Rights Law in International Investment Arbitration' (2016) 11(1) *Asian Journal of WTO & International Health Law and Policy* 65
- Kulesza J, *Due Diligence in International Law* (Brill Nijhoff 2016)
- Kulick A, *Global Public Interest in International Investment Law* (Cambridge University Press 2012)
- 'About the Order of Cart and Horse, Among Other Things: Estoppel in the Jurisprudence of International Investment Arbitration Tribunals' (2016) 27(1) *European Journal of International Law* 107
- (ed), *Reassertion of Control over the Investment Treaty Regime* (Cambridge University Press 2017)
- Laborde G, 'The Case for Host State Claims in Investment Arbitration' (2010) 1(1) *Journal of International Dispute Settlement* 97

- Larschan B and Mirfendereski G, 'The Status of Counterclaims in International Law, with Particular Reference to International Arbitration Involving a Private Party and a Foreign State' (1986–1987) 15(1) *Denver Journal of International Law and Policy* 11
- Lauterpacht E (ed), *International Law Being the Collected Papers of Hersch Lauterpacht*, vol 3 *The Law of Peace Parts II-VI* (Cambridge University Press 1977)
- Lauterpacht H, *International Law and Human Rights* (Garland Publishing, Inc. 1973)
- 'State Sovereignty and Human Rights' in Elihu Lauterpacht (ed), *International Law Being the Collected Papers of Hersch Lauterpacht*, vol 3 *The Law of Peace Parts II-VI* (Cambridge University Press 1977)
- 'The Subjects of the Law of Nations' in Elihu Lauterpacht (ed), *International Law Being the Collected Papers of Hersch Lauterpacht*, vol 3 *The Law of Peace Parts II-VI* (Cambridge University Press 1977)
- Le Moullec C, 'The Clean Hands Doctrine: A Tool for Accountability of Investor Conduct and Inadmissibility of Investment Claims' (2018) 84(1) *Arbitration: The International Journal of Arbitration, Mediation and Dispute Management* 13
- Leader S (ed), *Global Project Finance, Human Rights and Sustainable Development* (Cambridge University Press 2011)
- Leinhardt SB, 'Some Thoughts on Foreign Investors' Responsibilities to Respect Human Rights' (2013) 10(1) *Transnational Dispute Management* 1
- Lejour A and Salfi M, 'The Regional Impact of Bilateral Investment Treaties on Foreign Direct Investment' [2014] CPB Netherlands Bureau for Economic Policy Analysis Discussion Paper 298
- Levine MAJ, 'Emerging Practice on Investor Diligence: Jurisdiction, Admissibility, Merits' in Julien Chaisse, Leila Choukroune and Sufian Jusoh (eds), *Handbook of International Investment Law and Policy* (Springer 2021)
- Liberti L, 'The Relevance of Non-Investment Treaty Obligations in Assessing Compensation' in Pierre-Marie Dupuy, Ernst-Ulrich Petersmann and Francesco Francioni (eds), *Human Rights in International Investment Law and Arbitration* (Oxford University Press 2009)
- Llamzon A, 'Yukos Universal Limited (Isle of Man) v the Russian Federation: The State of the "Unclean Hands" Doctrine in International Investment Law: Yukos as Both Omega and Alpha' (2015) 30(2) *ICSID Review* 315
- López Escarcena S, *Indirect Expropriation in International Law* (Edward Elgar Publishing 2014)
- Lorz RA and Busch M, 'Investment in Accordance with the Law – Specifically Corruption' in Marc Bungenberg and others (eds), *International Investment Law* (Nomos 2015)
- Macquoen HL and Bogle S, 'Private Autonomy and the Protection of the Weaker Party: Historical' in Stefan Vogenauer (ed), *General Principles of Law: European and Comparative Perspectives* (Bloomsbury Publishing 2017)

- Maljean-Dubois S and Richard V, 'The Applicability of International Environmental Law to Private Enterprises' in Pierre-Marie Dupuy and Jorge E Viñuales (eds), *Harnessing Foreign Investment to Promote Environmental Protection: Incentives and Safeguards* (Cambridge University Press 2013)
- Mann H, 'Civil Society Perspectives: What Do Key Stakeholders Expect from the International Investment Regime?' in José E Alvarez and others (eds), *The Evolving International Investment Regime: Expectations, Realities, Options* (Oxford University Press 2011)
- 'Reconceptualizing International Investment Law: Its Role in Sustainable Development' (2013) 17(2) *Lewis & Clark Law Review* 521
- Marboe I, *Calculation of Compensation and Damages in International Investment Law* (2nd edn, Oxford University Press 2017)
- Marcoux J-M, 'Transnational Public Policy as a Vehicle to Impose Human Rights Obligations in International Investment Arbitration' (2020) 21(6) *Journal of World Investment & Trade* 809
- Marcoux J-M and Newcombe A, 'Bear Creek Mining Corporation v Republic of Peru: Two Sides of a "Social License" to Operate' (2018) 33(3) *ICSID Review* 653
- Mares R, 'Legalizing Human Rights Due Diligence and the Separation of Entities Principle' in Surya Deva and David Bilchitz (eds), *Building a Treaty on Business and Human Rights: Context and Contours* (Cambridge University Press 2017)
- Marzal T, 'Quantum (In)Justice: Rethinking the Calculation of Compensation and Damages in ISDS' (2021) 22(2) *Journal of World Investment & Trade* 249
- Mayedá G, 'Sustainable International Investment Agreements: Challenges and Solutions for Developing Countries' in Marie-Claire Cordonier Segger, Markus W Gehring and Andrew P Newcombe (eds), *Sustainable Development in World Investment Law* (Kluwer Law International 2011)
- Mbengue MM, 'Africa's Voice in the Formation, Shaping and Redesign of International Investment Law' (2019) 34(2) *ICSID Review* 455
- Mbengue MM and Schacherer S, 'The Africanization of International Investment Law: The Pan-African Investment Code and the Reform of the International Investment Regime' (2017) 18(3) *Journal of World Investment & Trade* 414
- Menaker AJ, 'The Determinative Impact of Fraud and Corruption on Investment Arbitrations' (2010) 25(1) *ICSID Review* 67
- Merrills JG, *International Dispute Settlement* (6th edn, Cambridge University Press 2017)
- Meshel T, 'Use and Misuse of the Corruption Defence in International Investment Arbitration' (2013) 30(3) *Journal of International Arbitration* 267
- Miles CA, 'Corruption, Jurisdiction and Admissibility in International Investment Claims' (2012) 3(2) *Journal of International Dispute Settlement* 329
- Miles K, *The Origins of International Investment Law: Empire, Environment and the Safeguarding of Capital* (Cambridge University Press 2013)
- (ed), *Research Handbook on Environment and Investment Law* (Edward Elgar Publishing 2019)

- Miles W and Lawry-White M, 'Arbitral Institutions and the Enforcement of Climate Change Obligations for the Benefit of All Stakeholders: The Role of ICSID' (2019) 34(1) ICSID Review 1
- Mitra T and Donde R, 'Claims and Counterclaims Under Asian Multilateral Investment Treaties' in Leïla Choukroune (ed), *Judging the State in International Trade and Investment Law* (Springer Singapore 2016)
- Moinuddin H, *The Charter of the Islamic Conference and Legal Framework of Economic Co-Operation Among Its Member States: A Study of the Charter, the General Agreement for Economic, Technical and Commercial Co-Operation and the Agreement for Promotion, Protection and Guarantee of Investments Among Member States of the OIC* (Clarendon Press 1987)
- Moloo R, 'A Comment on the Clean Hands Doctrine in International Law' (2011) 8(1) Transnational Dispute Management 1
- Monebhurrun N, 'Mapping the Duties of Private Companies in International Investment Law' (2017) 14(2) Brazilian Journal of International Law 50
- Monebhurrun N, 'Novelty in International Investment Law: The Brazilian Agreement on Cooperation and Facilitation of Investments as a Different International Investment Agreement Model' (2017) 8(1) Journal of International Dispute Settlement 79
- Monnheimer M, *Due Diligence Obligations in International Human Rights Law* (Cambridge University Press 2021)
- Morosini F and Sanchez MR (eds), *Reconceptualizing International Investment Law from the Global South* (Cambridge University Press 2018)
- Muchlinski P, "'Caveat Investor"? The Relevance of the Conduct of the Investor Under the Fair and Equitable Treatment Standard' (2006) 55(3) International & Comparative Law Quarterly 527
- *Multinational Enterprises and the Law* (2nd edn, Oxford University Press 2007)
- 'Regulating Multinationals: Foreign Investment, Development, and the Balance of Corporate and Home Country Rights and Responsibilities in a Globalizing World' in José E Alvarez and others (eds), *The Evolving International Investment Regime: Expectations, Realities, Options* (Oxford University Press 2011)
- 'Negotiating New Generation International Investment Agreements: New Sustainable Development Oriented Initiatives' in Steffen Hindelang and Markus Krajewski (eds), *Shifting Paradigms in International Investment Law: More Balanced, Less Isolated, Increasingly Diversified* (Oxford University Press 2016)
- 'The Impact of a Business and Human Rights Treaty on Investment Law and Arbitration' in Surya Deva and David Bilchitz (eds), *Building a Treaty on Business and Human Rights: Context and Contours* (Cambridge University Press 2017)
- Muchlinski P, Ortino F and Schreuer C (eds), *The Oxford Handbook of International Investment Law* (Oxford University Press 2008)
- Nedumpara JJ and Laddha A, 'Human Rights and Environmental Counterclaims in Investment Treaty Arbitration' in Julien Chaisse, Leïla Choukroune and Sufian Jusoh (eds), *Handbook of International Investment Law and Policy* (Springer 2021)

## Bibliography

- Nolte G, *Eingreifen auf Einladung: Zur völkerrechtlichen Zulässigkeit des Einsatzes fremder Truppen im internen Konflikt auf Einladung der Regierung* (Springer 1999)
- Nowak M, *U.N. Covenant on Civil and Political Rights: CCPR Commentary* (2nd edn, N.P. Engel 2005)
- Nowrot K, 'How to Include Environmental Protection, Human Rights and Sustainability in International Investment Law?' (2014) 15(3/4) *Journal of World Investment & Trade* 612
- 'Obligations of Investors' in Marc Bungenberg and others (eds), *International Investment Law* (Nomos 2015)
- 'Termination and Renegotiation of International Investment Agreements' in Steffen Hindelang and Markus Krajewski (eds), *Shifting Paradigms in International Investment Law: More Balanced, Less Isolated, Increasingly Diversified* (Oxford University Press 2016)
- Oppenheim LF, *International Law: A Treatise* (2nd edn, Longmans, Green and Co. 1912)
- Palombino FM, *Fair and Equitable Treatment and the Fabric of General Principles* (T.M.C. Asser Press 2018)
- Paparinskis M, 'MFN Clauses and International Dispute Settlement: Moving Beyond Maffezini and Plama?' (2011) 26(2) *ICSID Review* 14
- 'Investment Treaty Arbitration and the (New) Law of State Responsibility' (2013) 24(2) *European Journal of International Law* 617
- Paparinskis M, *The International Minimum Standard and Fair and Equitable Treatment* (Oxford University Press 2013)
- Parisi F (ed), *The Oxford Handbook of Law and Economics*, vol I Methodology and Concepts (Oxford University Press 2017)
- (ed), *The Oxford Handbook of Law and Economics*, vol III Public Law and Legal Institutions (Oxford University Press 2017)
- Parlett K, *The Individual in the International Legal System: Continuity and Change in International Law* (Cambridge University Press 2011)
- 'The Individual and Structural Change in the International Legal System' (2012) 1(3) *Cambridge Journal of International and Comparative Law* 60
- Parra A, 'The Convention and Centre for Settlement of Investment Disputes' (2014) 374 *Recueil des Cours* 313
- Paulsson J, 'Arbitration Without Privity' (1995) 10(2) *ICSID Review* 232
- Paulus AL, *Die internationale Gemeinschaft im Völkerrecht: Eine Untersuchung zur Entwicklung des Völkerrechts im Zeitalter der Globalisierung* (C.H. Beck 2001)
- 'Treaties of Friendship, Commerce and Navigation' in Anne Peters (ed), *Max Planck Encyclopedia of Public International Law* (March 2011)
- Paust JJ, 'Human Rights Responsibilities of Private Corporations' (2002) 35(3) *Vanderbilt Journal of Transnational Law* 801
- Pauwelyn J, *Conflict of Norms in Public International Law: How WTO Law Relates to Other Rules of International Law* (Cambridge University Press 2003)

- Pazartzis P and Merkouris P (eds), *Permutations of Responsibility in International Law* (Brill Nijhoff 2019)
- Peinhardt C and Allee T, 'Political Risk Insurance as Dispute Resolution' (2016) 7(1) *Journal of International Dispute Settlement* 205
- Pellet A, 'Judicial Settlement of International Disputes' in Anne Peters (ed), *Max Planck Encyclopedia of Public International Law* (July 2013)
- Perrone NM, 'The "Invisible" Local Communities: Foreign Investor Obligations, Inclusiveness, and the International Investment Regime' (2019) 113 *AJIL Unbound* 16
- Peters A, *Beyond Human Rights: The Legal Status of the Individual in International Law* (Cambridge University Press 2016)
- (ed), *Max Planck Encyclopedia of Public International Law* <<https://opil.ouplaw.com/home/mpi/>> accessed 7 December 2021
- Petersmann E-U, 'Constitutional Theories of International Economic Adjudication and Investor-State Arbitration' in Pierre-Marie Dupuy, Ernst-Ulrich Petersmann and Francesco Francioni (eds), *Human Rights in International Investment Law and Arbitration* (Oxford University Press 2009)
- *Multilevel Constitutionalism for Multilevel Governance of Public Goods: Methodology Problems in International Law* (Bloomsbury Publishing 2017)
- Pinelli C, 'Conditionality' in Anne Peters (ed), *Max Planck Encyclopedia of Public International Law* (November 2013)
- Pomson O, 'The Clean Hands Doctrine in the Yukos Awards: A Response to Patrick Dumberry' (2017) 18(4) *Journal of World Investment & Trade* 712
- Popova IC and Poon F, 'From Perpetual Respondent to Aspiring Counterclaimant? State Counterclaims in the New Wave of Investment Treaties' (2015) 2(2) *BCDR International Arbitration Review* 223
- Portmann R, *Legal Personality in International Law* (Cambridge University Press 2010)
- Posner EA and Sykes AO, *Economic Foundations of International Law* (Belknap Press of Harvard University Press 2013)
- Prislan V, 'Non-Investment Obligations in Investment Treaty Arbitration: Towards a Greater Role for States?' in Freya Baetens (ed), *Investment Law Within International Law: Integrationist Perspectives* (Cambridge University Press 2013)
- Protopsaltis PM, 'Compliance with the Laws of the Host Country in Bilateral Investment Treaties' (2015) 12(6) *Transnational Dispute Management* 1
- Quashigah K, 'Scope of Individual Duties in the African Charter' in Manisuli Ssenyonjo (ed), *The African Regional Human Rights System: 30 Years After the African Charter on Human and Peoples' Rights* (Martinus Nijhoff Publishers 2012)
- Rama-Montaldo M, 'International Legal Personality and Implied Powers of International Organizations' (1970) 44 *British Yearbook of International Law* 111
- Ranjan P, 'Investor Obligations in Investment Treaties: Missing Text or a Matter of Application?' in Jean Ho and Mavluda Sattorova (eds), *Investors' International Law* (Hart 2021)

## Bibliography

- Ratner SR, 'Corporations and Human Rights: A Theory of Legal Responsibility' (2001) 111(3) *Yale Law Journal* 443
- 'International Investment Law Through the Lens of Global Justice' (2017) 20(4) *Journal of International Economic Law* 747
- Raz J, *The Morality of Freedom* (Clarendon Press 1988)
- Reinisch A, 'The Interpretation of International Investment Agreements' in Marc Bungenberg and others (eds), *International Investment Law* (Nomos 2015)
- 'Enforcement of Investment Treaty Awards' in Catherine Yannaca-Small (ed), *Arbitration Under International Investment Agreements: A Guide to the Key Issues* (2nd edn, Oxford University Press 2018)
- Reinsch PS, 'International Administrative Law and National Sovereignty' (1909) 3(1) *American Journal of International Law* 1
- Reisman WM, 'The Regime for Lacunae in the ICSID Choice of Law Provision and the Question of Its Threshold' (2000) 15(2) *ICSID Review* 362
- Ripinsky S and Williams K, *Damages in International Investment Law* (British Institute of International and Comparative Law 2008)
- Rivas JA, 'ICSID Treaty Counterclaims: Case Law and Treaty Evolution' in Jean E Kalicki and Anna Joubin-Bret (eds), *Reshaping the Investor-State Dispute Settlement System: Journeys for the 21st Century* (Brill 2015)
- Roberts A, 'Clash of Paradigms: Actors and Analogies Shaping the Investment Treaty System' (2013) 107(1) *American Journal of International Law* 45
- Rousseau C, *Droit international public*, vol V Les rapports conflictuels (Sirey 1983)
- Ruffert M and Walter C, *Institutionalised International Law* (Nomos 2015)
- Ruggie JG, *Just Business: Multinational Corporations and Human Rights* (Norton 2013)
- Sabahi B, *Compensation and Restitution in Investor-State Arbitration: Principles and Practice* (Oxford University Press 2011)
- Sabahi B and Ziyayeva D, 'Yukos v. Russian Federation: Observations on the Tribunal's Ruling on Damages' (2015) 13(5) *Oil, Gas & Energy Law* 1
- Sacerdoti G, 'Investment Protection and Sustainable Development: Key Issues' in Steffen Hindelang and Markus Krajewski (eds), *Shifting Paradigms in International Investment Law: More Balanced, Less Isolated, Increasingly Diversified* (Oxford University Press 2016)
- Salacuse JW, *The Law of Investment Treaties* (3rd edn, Oxford University Press 2021)
- Salmon JJ, 'Des «Mains Propres» comme condition de recevabilité des réclamations internationales' (1964) 10 *Annuaire Français de Droit International* 225
- Sanchez Badin MR and Morosini F, 'Navigating Between Resistance and Conformity with the International Investment Regime: The Brazilian Agreements on Cooperation and Facilitation of Investments (ACFIIs)' in Fabio Morosini and Michelle R Sanchez (eds), *Reconceptualizing International Investment Law from the Global South* (Cambridge University Press 2018)

- Sant'ana M, 'Risk Managers or Risk Promoters? The Impact of Export Credit and Investment Insurance Agencies on Human Development and Human Rights' in Johan F M Swinnen, Jan Wouters and Olivier de Schutter (eds), *Foreign Direct Investment and Human Development: The Law and Economics of International Investment Agreements* (Routledge 2013)
- Sattorova M, 'Investor Responsibilities from a Host State Perspective: Qualitative Data and Proposals for Treaty Reform' (2019) 113 AJIL Unbound 22
- Saul B, Kinley D and Mowbray J, *The International Covenant on Economic, Social and Cultural Rights: Commentary, Cases, and Materials* (Oxford University Press 2014)
- Schabas W, *The European Convention on Human Rights: A Commentary* (Oxford University Press 2015)
- Schacherer S, *Sustainable Development in EU Foreign Investment Law* (Brill 2021)
- Scheinin M and Åhrén M, 'Relationship to Human Rights, and Related International Instruments' in Jessie Hohmann and Marc Weller (eds), *The UN Declaration on the Rights of Indigenous Peoples: A Commentary* (Oxford University Press 2018)
- Scherer M, Bruce S and Reschke J, 'Environmental Counterclaims in Investment Treaty Arbitration' (2021) ICSID Review 36(2) 413
- Scheu J, *Systematische Berücksichtigung von Menschenrechten in Investitionsschiedsverfahren* (Nomos 2017)
- 'Trust Building, Balancing, and Sanctioning: Three Pillars of a Systematic Approach to Human Rights in International Investment Law and Arbitration' (2017) 48(2) Georgetown Journal of International Law 449
- Schill SW, *The Multilateralization of International Investment Law* (Cambridge University Press 2009)
- (ed), *International Investment Law and Comparative Public Law* (Oxford University Press 2010)
- 'International Investment Law and Comparative Public Law – an Introduction' in Stephan W Schill (ed), *International Investment Law and Comparative Public Law* (Oxford University Press 2010)
- 'Enhancing International Investment Law's Legitimacy: Conceptual and Methodological Foundations of a New Public Law Approach' (2011) 52(1) Virginia Journal of International Law 57
- 'W(h)ither Fragmentation? On the Literature and Sociology of International Investment Law' (2011) 22(3) European Journal of International Law 875
- 'Cross-Regime Harmonization Through Proportionality Analysis: The Case of International Investment Law, the Law of State Immunity and Human Rights' (2012) 27(1) ICSID Review 87
- 'Illegal Investments in Investment Treaty Arbitration' (2012) 11(2) The Law & Practice of International Courts and Tribunals 281
- 'Investitionsschutzrecht als Entwicklungsvölkerrecht' (2012) 72(2) Zeitschrift für ausländisches öffentliches Recht und Völkerrecht 261

- ‘The Sixth Path: Reforming Investment Law from Within’ in Jean E Kalicki and Anna Joubin-Bret (eds), *Reshaping the Investor-State Dispute Settlement System: Journeys for the 21st Century* (Brill 2015)
- ‘Reforming Investor–State Dispute Settlement: A (Comparative and International) Constitutional Law Framework’ (2017) 20(3) *Journal of International Economic Law* 649
- Schill S and Djanic V, ‘International Investment Law and Community Interests’ in Eyāl Benvenisti and Georg Nolte (eds), *Community Interests Across International Law* (Oxford University Press 2018)
- Schill SW, Tams CJ and Hofmann R, ‘International Investment Law and Development: Friends or Foes?’ in Christian J Tams, Rainer Hofmann and Stephan W Schill (eds), *International Investment Law and Development: Bridging the Gap* (Edward Elgar Publishing 2015)
- Schmidt R, *Die Obliegenheiten: Studien auf dem Gebiet des Rechtszwanges im Zivilrecht unter besonderer Berücksichtigung des Privatversicherungsrechts* (Karlsruhe 1953)
- Schmidt-Aßmann, ‘The Internationalization of Administrative Relations as a Challenge for Administrative Law Scholarship’ (2008) 9(11) *German Law Journal* 2061
- Schorkopf F, ‘European Arrest Warrant’ in Anne Peters (ed), *Max Planck Encyclopedia of Public International Law* (January 2009)
- Schreuer C, ‘Fair and Equitable Treatment in Arbitral Practice’ (2005) 6(3) *Journal of World Investment & Trade* 357
- *The ICSID Convention: A Commentary* (2nd edn, Cambridge University Press 2009)
- ‘The Protection of Investments in Armed Conflicts’ in Freya Baetens (ed), *Investment Law Within International Law: Integrationist Perspectives* (Cambridge University Press 2013)
- Schreuer C and Kriebaum U, ‘From Individual to Community Interest in International Investment Law’ in Ulrich Fastenrath and others (eds), *From Bilateralism to Community Interest: Essays in Honour of Judge Bruno Simma* (Oxford University Press 2011)
- de Schutter O, *International Human Rights Law: Cases, Materials, Commentary* (2nd edn, Cambridge University Press 2014)
- Schwebel SM, ‘A BIT About ICSID’ (2008) 23(1) *ICSID Review* 1
- ‘Clean Hands, Principle’ in Anne Peters (ed), *Max Planck Encyclopedia of Public International Law* (March 2013)
- Seibert-Fohr A, ‘Transnational Labour Litigation: The Ups and Downs Under the Alien Tort Statute’ in Henner Gött (ed), *Labour Standards in International Economic Law* (Springer International Publishing 2018)
- Sepúlveda-Amor B, ‘Opening Remarks’ in Laurence Boisson de Chazournes, Marcelo G Kohen and Jorge E Viñuales (eds), *Diplomatic and Judicial Means of Dispute Settlement* (Martinus Nijhoff Publishers 2013)

- Shan W and Gallagher N, 'China' in Chester Brown (ed), *Commentaries on Selected Model Investment Treaties* (Oxford University Press 2013)
- Shao X, 'Environmental and Human Rights Counterclaims in International Investment Arbitration: at the Crossroads of Domestic and International Law' (2021) 24(1) *Journal of International Economic Law* 157
- Shapovalov A, 'Should a Requirement of "Clean Hands" Be a Prerequisite to the Exercise of Diplomatic Protection? Human Rights Implications of the International Law Commission's Debate' (2005) 20(4) *American University International Law Review* 829
- Sheppard A, 'Interim ILA Report on Public Policy as a Bar to Enforcement of International Arbitral Awards' (2003) 19(2) *Arbitration International* 217
- Shihata IF, 'Towards a Greater Depoliticization of Investment Disputes: The Roles of ICSID and MIGA' (1986) 1(1) *ICSID Review* 1
- Simma B, 'From Bilateralism to Community Interest in International Law' (1994) 250(VI) *Recueil des Cours* 217
- 'Foreign Investment Arbitration: A Place for Human Rights?' (2011) 60(3) *International & Comparative Law Quarterly* 573
- Simma B and Kill T, 'Harmonizing Investment Protection and International Human Rights: First Steps Towards a Methodology' in Christina Binder and others (eds), *International Investment Law for the 21st Century: Essays in Honour of Christoph Schreuer* (Oxford University Press 2009)
- Simma B and Paulus AL, 'The Responsibility of Individuals for Human Rights Abuses in Internal Conflicts: A Positivist View' (1999) 93(2) *American Journal of International Law* 302
- Simmons BA, 'International Law' in Walter Carlsnaes, Thomas Risse and Beth A Simmons (eds), *Handbook of International Relations* (2nd edn, Sage 2013)
- Sornarajah M, *The International Law on Foreign Investment* (5th edn, Cambridge University Press 2021)
- Ssenyonjo M, *Economic, Social and Cultural Rights in International Law* (Hart Publishing 2009)
- (ed), *The African Regional Human Rights System: 30 Years After the African Charter on Human and Peoples' Rights* (Martinus Nijhoff Publishers 2012)
- von Stein L, 'Einige Bemerkungen über das internationale Verwaltungsrecht' (1882) 6(2) *Jahrbuch für Gesetzgebung, Verwaltung und Volkswirtschaft im Deutschen Reich* 395
- Steininger S, 'The Role of Human Rights in Investment Law and Arbitration, State Obligations, Corporate Responsibility and Community Empowerment' in Ilias Bantekas and Michael A Stein (eds), *The Cambridge Companion to Business & Human Rights Law* (Cambridge University Press 2021)
- Stern B, 'The Future of International Investment Law: A Balance Between the Protection of Investors and the States' Capacity to Regulate' in José E Alvarez and others (eds), *The Evolving International Investment Regime: Expectations, Realities, Options* (Oxford University Press 2011)

## Bibliography

- Stewart RB, 'The Normative Dimensions and Performance of Global Administrative Law' (2015) 13(2) *International Journal of Constitutional Law* 499
- Stifter L and Reinisch A, 'Expropriation in the Light of the UNCTAD Investment Policy Framework for Sustainable Development' in Steffen Hindelang and Markus Krajewski (eds), *Shifting Paradigms in International Investment Law: More Balanced, Less Isolated, Increasingly Diversified* (Oxford University Press 2016)
- Stiglitz JE, 'Regulating Multinational Corporations: Towards Principles of Cross-Border Legal Frameworks in a Globalized World Balancing Rights with Responsibilities' (2007–2008) 23(3) *American University International Law Review* 451
- Stoll P-T and Holterhus TP, 'The "Generalization" of International Investment Law in Constitutional Perspective' in Steffen Hindelang and Markus Krajewski (eds), *Shifting Paradigms in International Investment Law: More Balanced, Less Isolated, Increasingly Diversified* (Oxford University Press 2016)
- Stone RW, 'The Scope of IMF Conditionality' (2008) 62(4) *International Organization* 589
- Sullivan J and Kirsey V, 'Environmental Policies: A Shield or a Sword in Investment Arbitration?' (2017) 18(1) *Journal of World Investment & Trade* 100
- Surminski S, 'The Role of Insurance Risk Transfer in Encouraging Climate Investment in Developing Countries' in Pierre-Marie Dupuy and Jorge E Viñuales (eds), *Harnessing Foreign Investment to Promote Environmental Protection: Incentives and Safeguards* (Cambridge University Press 2013)
- Swinnen JFM, Wouters J and de Schutter O (eds), *Foreign Direct Investment and Human Development: The Law and Economics of International Investment Agreements* (Routledge 2013)
- Sykes AO, 'Public Versus Private Enforcement of International Economic Law: Standing and Remedy' (2005) 34(2) *Journal of Legal Studies* 631
- Sykes AO and Guzman A, 'Economics of International Law' in Francesco Parisi (ed), *The Oxford Handbook of Law and Economics*, vol III Public Law and Legal Institutions (Oxford University Press 2017)
- Tams CJ, Hofmann R and Schill SW (eds), *International Investment Law and Development: Bridging the Gap* (Edward Elgar Publishing 2015)
- Tan Y, *Resettlement in the Three Gorges Project* (Hong Kong University Press 2008)
- Thomé H, 'Holding Transnational Corporations Accountable for Environmental Harm Through Counterclaims in Investor-State Dispute Settlement: Myth or Reality?' (2021) 22(5–6) *Journal of World Investment & Trade* 651
- Thompson A, 'Applying Rational Choice Theory to International Law: The Promise and Pitfalls' (2002) 31(1) *Journal of Legal Studies* 285
- Tienhaara K, 'Regulatory Chill and the Threat of Arbitration: A View from Political Science' in Chester Brown (ed), *Evolution in Investment Treaty Law and Arbitration* (Cambridge University Press 2011)
- Tietje C, *Individualrechte im Menschenrechts- und Investitionsschutzbereich – Kohärenz von Staaten- und Unternehmensverantwortung?* (Martin-Luther-Universität Halle-Wittenberg 2012)

- Titi A, *The Right to Regulate in International Investment Law* (Nomos 2014)
- Tomuschat C, 'Grundpflichten des Individuums nach Völkerrecht' (1983) 21(3) *Archiv des Völkerrechts* 289
- 'Obligations Arising for States Without or Against Their Will' (1993) 241 *Recueil des Cours* 195
- 'International Law: Ensuring the Survival of Mankind on the Eve of a New Century: General Course on Public International Law' (1999) 281 *Recueil des Cours* 9
- 'The Responsibility of Other Entities: Private Individuals' in James Crawford, Alain Pellet and Simon Olleson (eds), *The Law of International Responsibility* (Oxford University Press 2010)
- *Human Rights: Between Idealism and Realism* (3rd edn, Oxford University Press 2014)
- Toral M and Schultz T, 'The State, a Perpetual Respondent in Investment Arbitration? Some Unorthodox Considerations' in Michael A Waibel (ed), *The Backlash Against Investment Arbitration: Perceptions and Reality* (Wolters Kluwer Law & Business 2010)
- Trindade AAC, 'The Historical Recovery of the Human Person as Subject of the Law of Nations' (2012) 1(3) *Cambridge Journal of International and Comparative Law* 8
- Tyler TR, 'Value-Driven Behavior and the Law' in Francesco Parisi (ed), *The Oxford Handbook of Law and Economics*, vol I Methodology and Concepts (Oxford University Press 2017)
- UNCTAD, *World Investment Report: Reforming International Investment Governance* (United Nations Publications 2015)
- *World Investment Report: Investment and the Digital Economy* (United Nations Publications 2017)
- *World Investment Report: International Production Beyond the Pandemic* (United Nations Publications 2020)
- *World Investment Report: Investing in Sustainable Recovery* (United Nations Publications 2021)
- Uran Bidegain M and others (eds), *Building International Investment Law: The First 50 Years of ICSID* (ICSID, Wolters Kluwer 2016)
- Vandenbogaerde A, *Towards Shared Accountability in International Human Rights Law* (Intersentia 2016)
- VanDuzer JA, 'Sustainable Development Provisions in International Trade Treaties: What Lessons for International Investment Agreements?' in Steffen Hindelang and Markus Krajewski (eds), *Shifting Paradigms in International Investment Law: More Balanced, Less Isolated, Increasingly Diversified* (Oxford University Press 2016)
- VanDuzer JA and Leblond P (eds), *Promoting and Managing International Investment: Towards an Integrated Policy Approach* (Routledge 2020)

## Bibliography

- Veenstra-Kjos HE, 'Counterclaims by Host States in Investment Treaty Arbitration' (2007) 4(4) *Transnational Dispute Management* 1
- Vidigal G and Stevens B, 'Brazil's New Model of Dispute Settlement for Investment: Return to the Past or Alternative for the Future?' (2018) 19(3) *Journal of World Investment & Trade* 475
- Viljoen F, 'Communications Under the African Charter: Procedure and Admissibility' in Manisuli Ssenyonjo (ed), *The African Regional Human Rights System: 30 Years After the African Charter on Human and Peoples' Rights* (Martinus Nijhoff Publishers 2012)
- Villiger ME, *Commentary on the 1969 Vienna Convention on the Law of Treaties* (Martinus Nijhoff Publishers 2009)
- Viñuales JE, *Foreign Investment and the Environment in International Law* (Cambridge University Press 2012)
- 'The Environmental Regulation of Foreign Investment Schemes Under International Law' in Pierre-Marie Dupuy and Jorge E Viñuales (eds), *Harnessing Foreign Investment to Promote Environmental Protection: Incentives and Safeguards* (Cambridge University Press 2013)
- 'Investment Law and Sustainable Development: The Environment Breaks into Investment Disputes' in Marc Bungenberg and others (eds), *International Investment Law* (Nomos 2015)
- 'Investor Diligence in Investment Arbitration: Sources and Arguments' (2017) 32(2) *ICSID Review* 346
- 'Foreign Investment and the Environment in International Law: Current Trends' in Kate Miles (ed), *Research Handbook on Environment and Investment Law* (Edward Elgar Publishing 2019)
- Vogener S (ed), *General Principles of Law: European and Comparative Perspectives* (Bloomsbury Publishing 2017)
- Vohryzek-Griest, 'State Counterclaims in Investor-State Disputes: A History of 30 Years of Failure' (2009) 15 *Revista Colombiana de Derecho Internacional* 83
- Waibel MA (ed), *The Backlash Against Investment Arbitration: Perceptions and Reality* (Wolters Kluwer Law & Business 2010)
- Walter C, 'Subjects of International Law' in Anne Peters (ed), *Max Planck Encyclopedia of Public International Law* (May 2007)
- Weber J and Titi C, 'UNCTAD's Roadmap for IIA Reform of Investment Dispute Settlement' (2015) 21(4) *New Zealand Business Law Quarterly* 319
- Weil P, 'The State, the Foreign Investor, and International Law: The No Longer Stormy Relationship of a Menage À Trois' (2000) 15(2) *ICSID Review* 401
- Weiler T, 'Balancing Human Rights and Investor Protection: A New Approach for a Different Legal Order' (2004) 27(2) *Boston College International and Comparative Law Review* 429
- Wilske S, 'Sanctions for Unethical and Illegal Behavior in International Arbitration: A Double-Edged Sword?' (2010) 3 *Contemporary Asia Arbitration Journal* 211

- Woicke P, 'Putting Human Rights Principles into Development Practice Through Finance: The Experience of the International Finance Corporation' in Philip Alston and Mary Robinson (eds), *Human Rights and Development: Towards Mutual Reinforcement* (Oxford University Press 2005)
- Wolff R (ed), *New York Convention* (C.H. Beck 2012)
- Wongkaew T, *Protection of Legitimate Expectations in Investment Treaty Arbitration* (Cambridge University Press 2019)
- World Commission on Environment and Development, *Our Common Future* (Oxford University Press 1987)
- Yackee JW, 'Do BITs "Work"? Empirical Evidence from France' (2016) 7(1) *Journal of International Dispute Settlement* 55
- Yala F, 'The Notion of "Investment" in ICSID Case Law: A Drifting Jurisdictional Requirement? Some "Un-Conventional" Thoughts on Salini, SGS and Mihaly' (2005) 22(2) *Journal of International Arbitration* 105
- Yang SL, Zhang J and Xu XJ, 'Influence of the Three Gorges Dam on Downstream Delivery of Sediment and Its Environmental Implications, Yangtze River' (2007) 34(10) *Geophysical Research Letters* 37
- Yannaca-Small C (ed), *Arbitration Under International Investment Agreements: A Guide to the Key Issues* (2nd edn, Oxford University Press 2018)
- Zagel GM, 'Achieving Sustainable Development Objectives in International Investment Law' in Julien Chaisse, Leïla Choukroune and Sufian Jusoh (eds), *Handbook of International Investment Law and Policy* (Springer 2021)
- Zee E van der, 'Incorporating the OECD Guidelines in International Investment Agreements: Turning a Soft Law Obligation into Hard Law' (2013) 33(1) *Legal Issues of Economic Integration* 33
- Zimmer R, 'Implications of CETA and TTIP on Social Standards' in Henner Gött (ed), *Labour Standards in International Economic Law* (Springer International Publishing 2018)
- Zin SM, 'Reappraising Access to Justice in ISDS: A Critical Review on State Recourse to Counterclaim' in Alan M Anderson and Ben Beaumont (eds), *The Investor-State Dispute Settlement System: Reform, Replace or Status Quo?* (Wolters Kluwer 2020)
- Zugliani N, 'Human rights in International Investment Law: The 2016 Morocco-Nigeria Bilateral Investment Treaty' (2019) 68(3) *International and Comparative Law Quarterly* 761