

Good Faith in International Arbitration

Myth, Reality, Label ... or All of the Above?

Overview

Good Faith in International Arbitration is a collection of chapters by experts, notable jurists and legal academics worldwide who thoroughly investigate the multifaceted notion of good faith in international arbitration. Although considered a somewhat 'hazy' concept (particularly in common law), good faith may nevertheless be defined as a duty incumbent on a person negotiating or performing an agreement.

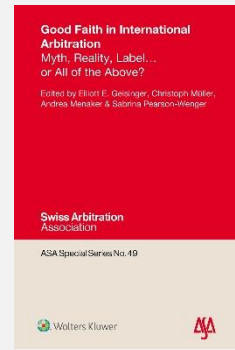
What's in this book:

All the following aspects of the matter are covered:

- detailed analysis of good faith in both common law and civil law traditions as reflected in doctrine, scholarship, and case law;
- good faith implications in treaty interpretation;
- using good faith as a negative defence against claims or as a positive basis for claims;
- good faith in the specific field of international investment arbitration;
- procedural aspects of parties' obligation to act in good faith during the pre-arbitral negotiations, conciliation, and mediation, as well as during the arbitral proceedings;
- the duty of arbitrators and arbitral institutions to act in good faith; and
- the role of good faith in actions to set aside.

How this will help you:

As an authoritative survey and analysis of how the concept of good faith has been applied in international arbitration – and defined in the case law relevant to it – this matchless book provides invaluable guidance to parties involved in international arbitral proceedings.



Edited by: Elliott E. Geisinger, Christoph Müller, Andrea Menaker, Sabrina Pearson-Wenger

ISBN: 9789403542676

Released: January 2024

Price: € 95 - \$ 100 - £ 81

Format: Hardcover. 200pp

Table of Contents

Editors

Contributors

CHAPTER 1

Good Faith in Civil Law

Philippe Stoffel-Munck

CHAPTER 2

Good Faith in English Contract Law

Neil Andrews

CHAPTER 3

Good Faith (or Violation Thereof) as
a Negative Defence Against Claims

or as a Positive Basis for Claims in
International Arbitration

Céline Greenberg

CHAPTER 4

Good Faith as an Instrument of
Treaty Interpretation: Instructions
for Use

Andrea Bianchi

CHAPTER 5

The Definition of Investment in
International Investment Law: The
Future of Good Faith Investments

Emily Sipiorski

CHAPTER 6

Good Faith in Investor-State
Arbitration: Is There Room for a
Positive Basis to Claims and Good
Pack Hunting?

Mohamed S. Abdel Wahab

CHAPTER 7

Good Faith as a Form of Admissibility
Defence in Investor-State
Arbitration

Natalie L. Reid

CHAPTER 8

Good Faith and Pre-arbitral
Alternative Dispute Resolution
Requirements

Anya George

CHAPTER 9

The Parties' Procedural Good Faith
Obligations in Arbitration

Flavio Peter

CHAPTER 10

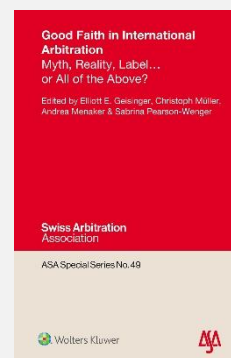
Procedural Implications of Good Faith
and the Duty of Arbitrators and
Arbitral Institutions

Duarte Henriques & Adetola Adebessin

CHAPTER 11

Use and Misuse of 'Good Faith' in
Actions to Set Aside

Philippe Pinsolle



Good Faith in International Arbitration – Myth, Reality, Label ... or All of the Above?

Edited by: Elliott E. Geisinger,
Christoph Müller, Andrea
Menaker, Sabrina Pearson-
Wenger

ISBN: 9789403542676

Released: January 2024

Price: € 95 - \$ 100 - £ 81

Format: Hardcover, 200pp