

CONTENTS

<i>Notes on Contributors</i>	ix
<i>Preface</i>	xv
<i>List of Abbreviations</i>	xviii
<i>Table of Cases</i>	xxiii
<i>Table of Treaties and International Documents</i>	xxxiv

PART I Theoretical Approaches to CIL and Its Interpretation

- 1 The Illusion of Gold-Digging: Interpretation of State Practice
PAULINE WESTERMAN 3
- 2 Addressing the Chronological Paradox of CIL: From Good Faith to *Opinio Juris*, and *Opinio Juris* to New Customary Rules
HENRIQUE MARCOS 24
- 3 Interpreting the Plural Sources of CIL
HARLAN GRANT COHEN 51
- 4 Interpretation Dynamics in CIL: An Entropic Approach
ELENI MICHA 77

PART II Methods of CIL Interpretation in International Courts: Tools of the Trade

- 5 The Application of Logic and Reason in CIL Identification and Interpretation
WILLIAM THOMAS WORSTER 105
- 6 The Interpretation of 'Direction or Control' in Investor-State Arbitration: The Case of State-Owned Enterprises
PAULA BALDINI MIRANDA DA CRUZ 130

7	The Court of Justice of the EU and CIL Interpretation: Close Encounters of a Third Kind?	
	TAMÁS MOLNÁR	156
8	Judicial Effectiveness or Judicial Ambiguity: Is CIL Identification an Instrument for Judicial Activism in Excess?	
	LEONI AYOUB	186
9	Judicial Dialogue between International Courts in the Interpretation of Customary International Human Rights Law	
	SILVIANA COCAN	211
	PART III CIL and Its Interpretation in the Normative Universe: Drifting towards Coherence?	
10	General Principles of Law and the Interpretation of CIL	
	CRAIG EGGETT	239
11	Interpretation of Customary Rules by Reference to Treaties and General Principles of Law	
	MARINA FORTUNA	263
12	Reconciling Conflicting Norms of CIL: Towards a Method of Practical Concordance at the ICJ	
	RAPHAEL OIDTMANN	281
13	Indicators of Coherence and the Interpretation of CIL	
	CHARALAMPOS GIANNAKOPOULOS	299
	<i>Bibliography</i>	326
	<i>Index</i>	353