



BITs, MFN Treatment and the PRC: The Impact of China's Ever-Evolving Bilateral Investment Treaty Practice

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The People's Republic of China departed from past practice when it amended its bilateral investment treaties (BITs) with Germany and the Netherlands to include the protections of national treatment for foreign investors and comprehensive investor-state dispute resolution procedures. This article suggests that it would be consistent with international investment policy and practice to extend most-favored-nation treatment not only to substantive protections, but to procedural protections as well. The application of most-favored-nation treatment to both substance and procedure would increase the level of protection granted to foreign investors' investments in China.