

Foreword

This Manual addresses a topic at the confluence of several powerful trends in contemporary law, commerce and international relations. The reader will find within it reverberations of many forces. The rising globalisation of trade has demanded common dispute resolution platforms for parties engaged in international commerce. The last six decades have witnessed a renewed commitment to the peaceful resolution of international disputes among States. Private investment needs the confidence of arbitral recourse to make it willing to supply capital to developing States and state-run industries. The rule of law is on the rise in countries around the world. The explosive growth of the Internet as a new medium of commerce has created the challenge of devising mechanisms for dispute resolution among contracting parties who have never met. For years there has been a steady adoption of alternative dispute resolution on the local level. And the list goes on.

These trends intersect in so many ways that any treatment of international dispute settlement will, in a sense, be the product of an arbitrary classification of larger trends, amalgamated with concrete illustrations and practical applications. One might divide the topic into commercial dispute resolution and governmental dispute resolution. Or one could view it through a historical lens, tracing the development of modern international dispute resolution from its roots in treaties and local dispute resolution practices. The genius of the Manual's plan is that it is entirely practical, laying out the foundations and mechanics of various dispute-resolution frameworks, explaining the relevant tribunals and arbitration organisations, and illustrating the application of these to specific types of disputes. This is a very sound approach: International dispute resolution, in one or another form, is the practical concern of innumerable businessmen, public servants, lawyers and leaders. The Manual will be a useful tool.

Of necessity, this work can only offer a survey of this wide and fast-evolving field. Mr Connerty is candid, and perhaps a bit too humble, in admitting the limitations of the Manual, but his references to further reading give the reader a path to more detailed knowledge. Throughout, the Manual demonstrates, in a concrete and surefooted fashion, the importance of its topic – and, by extension, the relevance of the work done by its readers. It is a timely and useful publication.

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