

## Preface

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In 2003 at their meeting in Abuja, Nigeria, Commonwealth Heads of Government recognised that globalisation has significant potential benefits for all. However, the world is characterised by uneven development, and Heads stressed that globalisation must provide real opportunities for developing countries to transform their economies and societies through diversification. This, they said, would require a legal order that is fair, efficient, predictable and accessible. It would also need properly functioning courts and other legal institutions that could bring about a favourable business climate by protecting investments and by enforcing contracts and property rights.

Globalisation inevitably leads to an increase in disputes in the field of trade and commerce. Such disputes arise in the commercial sphere, and also in inter-State relations. The Commonwealth Secretariat therefore decided that it would be useful to produce a Manual dealing with international disputes, dispute resolution and the organisations dealing with such disputes. To be of benefit, the topics covered would have to be of particular interest to Commonwealth countries.

We believe that the resulting *Manual of International Dispute Resolution* achieves this in three ways.

First, it concentrates on areas of inter-State disagreement such as territorial and maritime boundaries, as well as trading and commercial, investment and intellectual property disputes. The Manual also examines the various methods of resolving these disputes, such as arbitration and alternative dispute resolution.

Second, the Manual examines the different courts and tribunals that handle these international disputes, such as the International Court of Justice, the Permanent Court of Arbitration, the International Tribunal on the Law of the Sea and the International Centre for the Settlement of Investment Disputes.

Third, it focuses on various international dispute resolution institutions in the area of trade and commerce, such as the International Chamber of Commerce and the World Intellectual Property Organization. Use of the Internet has had a significant impact on world trade, and the Manual looks also at developments in online dispute resolution, especially regarding documentary credits and domain names.

We would like to thank the author, Anthony Connerty, for preparing this Manual. We sincerely hope that it will be a valuable resource for Commonwealth legal officers and for all those interested in the settlement of international disputes.

**Don McKinnon**

*Commonwealth Secretary-General*