

International Dispute Resolution

International Dispute Resolution

Cases and Materials

THIRD EDITION

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*This book is dedicated to
our children and their generation*

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Preface

The third edition of *International Dispute Resolution: Cases and Materials* provides students with a comprehensive and holistic understanding of the law and methods for resolving disputes with an international dimension. The book focuses on the established methods of negotiation, good offices, mediation, inquiry, conciliation, arbitration, and judicial settlement. These are the methods of contemporary law practice in a deeply inter-connected, yet contentious world.

The book began in a class taught by a practitioner of international dispute resolution, Sir Elihu Lauterpacht. He helped move the field from the preserve of foreign offices and a handful of law firms to a subject for the international community. Our aim in writing this book is to support this evolution. We understand that in doing so, we also help to fulfill our own commitments to peace, which is the fundamental purpose of IDR. The theme that unites these materials is the search for improvement. To serve humanity's needs, IDR needs continual adaptation and dissemination. It is not enough to know how the methods work and what rules and principles govern them, it is imperative to consider how they can work better in the service of peace.

We have taken this theme to heart in searching for ways to improve this Third Edition over the Second. We have particularly sought greater inclusivity of global and culturally-diverse knowledge of what works to achieve peace. The study of IDR has suffered from an over-emphasis on elite Western perspectives, presupposing and explaining law that is of and for the world community. We believe you will find the result more engaging and more indicative of the world in which you will practice law. We do, however, consider this book a work in progress. We welcome your feedback and ideas as we provide resources online and in other ways seek to keep the book evolving. We hope to foster with this effort a culture of engagement in the study and practice of peaceful dispute resolution.

Mary Ellen O'Connell devotes much of her research and teaching to international dispute resolution, including for three years as a Professional Military Educator for the United States Department of Defense in Germany. Before joining the academia, she practiced law at a major international law firm and litigated matters before the Iran-United States Claims Tribunal, international arbitral tribunals and United States Courts.

Anna Spain Bradley is the vice chancellor for equity, diversity and inclusion and a professor of law at the University of California Los Angeles. She is a former attorney-advisor at the U.S. Department of State and delegate to the United Nations, with expertise in international dispute resolution, human rights and combatting global racism.

Amy J. Cohen works across two areas in her research and teaching related to peace: alternative dispute resolution, including informal justice and legal and regulatory pluralism; and law and economic development, including the law and political economy of agriculture and food.

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