## **BIBLIOGRAPHY**

Books and Articles in the Field of the Prevention and Peaceful Settlement of International Disputes (Summer 2008)

Compiled by Ingrid Kost exclusively from materials available at the Peace Palace Library, The Haque

## I. BOOKS

- Braun, L. von, Internationalisierte Strafgerichte: eine Analyse der Strafverfolgung schwerer Menschenrechtsverletzungen in Osttimor, Sierra Leone und Bosnien-Herzegowina (2008). ISBN 9783830514992, 491 pp.
- Christie, E., Finding Solutions for Environmental Conflicts: Power and Negotiation (2008). ISBN 9781847200709, 335 pp.
- Gießmann, H. J. and G. Neuneck, Streitkräfte zähmen, Sicherheit schaffen, Frieden gewinnen (2008). ISBN 9783832936082, 332 pp.
- Koopmans, S. M. G., Diplomatic Dispute Settlement: The Use of Inter-state Conciliation (2008). ISBN 9067042609, 304 pp.
- Moses, M. L., *The Principles and Practice of International Commercial Arbitration* (2008). ISBN 9780521866668, 340 pp.
- Rule-of-Law Tools for Post-conflict States: Maximizing the Legacy of Hybrid Courts (2008). ISBN 9789211541823, 45 pp.
- Rule-of-Law Tools for Post-conflict States: Reparations Programmes (2008). ISBN 9789211541830, 41 pp. Sands, P., Litigating Environmental Disputes: Courts, Tribunals and the Progressive Development of International Environmental Law: Session 2.2., the Policy Framework for Investment: The Social and Environmental Dimensions (2008), 10 pp. Online resource www.oecd.org/dataoecd/45/7/40311090.pdf
- Viikari, L., Dispute Resolution in the Space Sector: Present Status and Future Prospects (2008). ISBN 9789524841917, 188 pp.
- Weger, F. de, *The Jurisprudence of the FIFA Dispute Resolution Chamber* (2008). ISBN 9789067042710, 728 pp.
- Weller, M., B. Metzger, and N. Johnson, *Settling Self-Determination Disputes* (2008). ISBN 9789004164826, 900 pp.
- WTO Dispute Settlement: One-Page Case Summaries: 1995–December 2007 (2008) ISBN 9789287034694, 160 pp.

## 2. Chapters in edited volumes and journal articles

- Alexander, K. W., 'Rethinking Retaliation in the WTO Dispute Settlement System: Levelling the Playing Field for Developing Countries in Asymmetric Disputes', in K. Alexander and M. Andenas (eds.), *The World Trade Organization and Trade in Services* (2008), 483–508
- Alvarez-Jiménez, A., 'Foreign Investors, Diplomatic Protection and the International Court of Justice's Decision on Preliminary Objections in the Diallo Case', (2008) 33 North Carolina Journal of International Law and Commercial Regulation 437–54
- Aning, K., 'US Peace Operations Policy in Africa: From ACRI to AFRICOM', (2008) 15 *International Peacekeeping* 118–32
- Bercovitch, J., 'Third Parties and Conflict Management in the Context of East Asia and the Pacific', in J. Bercovitch, K. Huang, and C. Teng (eds.), *Conflict Management, Security and Intervention in East Asia: Third-Party Mediation in Regional Conflict* (2008), 19–39
- Bettinger, T., 'Internationale Streitbeilegung: alternative Streitbeilegung für EU', in T. Bettinger (ed.), *Handbuch des Domainrechts: nationale Schutzsysteme und internationale Streitbeilegung* (2008), 1349–86
- Bettinger, T., 'Internationale Streitbeilegung: Joint Recommendation Concerning Provisions on the Protection of Marks and Other Industrial Property Rights in Signs on the Internet', in T. Bettinger (ed.), *Handbuch des Domainrechts: nationale Schutzsysteme und internationale Streitbeilegung* (2008), 1387–404
- Bettinger, T., 'Internationale Streitbeilegung: Uniform Domain Name Dispute Resolution Policy (UDRP)', in T. Bettinger (ed.), *Handbuch des Domainrechts: nationale Schutzsysteme und internationale Streitbeilegung* (2008), 1097–348
- Brower, A., 'Rethinking NAFTA's NAALC Provision: The Effectiveness of Its Dispute Resolution System on the Protection of Mexican Migrant Workers in the United States', (2008) 18 *Indiana International and Comparative Law Review* 153–88
- Burgis, M., 'The Promise of Solid Ground: Arab Territorial Disputes and the Discourse of International Law', (2008) 10 *International Community Law Review* 73–99
- Carlevaris, A., 'The Conformity of Investment with the Law of the Host State and the Jurisdiction of International Tribunals', (2008) 9 *Journal of World Investment & Trade* 5–34
- Carolan, R. F., 'An Examination of the Role of Hybrid International Tribunals in Prosecuting War Crimes and Developing Independent Domestic Courts Systems: The Kosovo Experiment', (2008) 17 Transnational Law and Contemporary Problems 9–29
- Clarke, R., 'The Bali Bombing, East Timor Trials and the Aceh Human Rights Court: Retrospectivity, Impunity and Constitutionalism', in T. Lindsey (ed.), *Indonesia: Law and Society* (2008), 430–54
- 'The Court of Arbitration for Sport', (2008) 8 Maxwell's International Sports Law Review 2–3/SLR37– SLR61
- Davey, W. J., 'Specificities of WTO Dispute Settlement in Services Cases', in M. Panizzon, N. Pohl, and P. Sauvé (eds.), *GATS and the Regulation of International Trade in Services* (2008), 276–95
- David, E., 'L'arrêt de la Cour internationale de Justice en l'affaire de l'application de la Convention pour la prévention et la répression du crime de génocide: Cour internationale de Justice, Bosnie-Herzégovine c. Serbie-et-Monténégro, 26 février 2007', (2008) 19 *Revue trimestrielle des droits de l'homme* 573–93
- Delahunty, R. J. and J. C. Yoo, 'Peace through Law? The Failure of a Noble Experiment', (2008) 106 Michigan Law Review 923–39

- Dobbins, J.F., 'Towards a More Professional Approach to Nation-Building', (2008), 15 International Peacekeeping 67-83
- El Ahdab, J. and R. Stackpool-Moore, 'Arab Arbitration v. International Arbitration? The Case for a Reconciliation', (2008) 25 Journal of International Arbitration 275–88
- Elberling, B., 'The Next Step in History-Writing through Criminal Law: Exactly How Tailor-Made Is the Special Tribunal for Lebanon?', (2008) 21 Leiden Journal of International Law 529-38
- Fellas, J., 'Using US Courts in Aid of Arbitration Proceedings in Other Countries', (2008) 11 International Arbitration Law Review 3-11
- Fietta, S., 'Guyana/Suriname: Award: UN Convention on the Law of the Sea Annex VII Arbitral Tribunal, September 17, 2007', (2008) 102 American Journal of International Law 119–28
- Flavin, W., 'US Doctrine for Peace Operations', (2008) 15 International Peacekeeping 35-50
- Foley, B. J., 'Reforming the Security Council to Achieve Collective Security', in R. A. Miller and R. M. Bratspies (eds.), *Progress in International Law* (2008), 571–90
- Fortna, V. P., 'Peacekeeping and Democratization', in A. K. Jarstad and T. D. Sisk (eds.), From War to Democracy: Dilemmas of Peacebuilding (2008), 39-79
- Gad, M. O., 'TRIPS Dispute Settlement and Developing Country Interests', in C. M. Correa and A. A. Yusuf (eds.), Intellectual Property and International Trade: The TRIPS Agreement (2008) 331–
- Gal-Or, N., 'The Concept of Appeal in International Dispute Settlement', (2008) 19 European Journal of International Law 43–65
- Geneva Global Arbitration Forum, 'Settling Disputes on a Shrinking Planet', (2008) 9 Journal of World Investment & Trade 71-80
- Glaspy, P. J., 'Justice Delayed? Recent Developments at the Extraordinary Chambers in the Courts of Cambodia', (2008) 21 Harvard Human Rights Journal 143-54
- Golden, J. B., 'Do We Need a World Court for the Financial Markets?', in D. Vriesendorp, F. A. Nelissen, and M. Wladimiroff (eds.), The Hague Legal Capital? Liber in Honorem W. J. Deetman (2008), 255-64
- Gomula, J., 'The WTO Dispute Settlement System in 2006: Introductory Note', (2007) Global Community 241–6
- Gowan, R., 'The United States and Peacekeeping Policy in Europe and Latin America: An Uncertain Catalyst?', (2008) 15 International Peacekeeping 84–101
- Halling, M. and B. Bookey, 'Peacekeeping in Name Alone: Accountability for the United Nations in Haiti', (2008) 31 Hastings International and Comparative Law Review 461–86
- Halousch, H. A., 'The Authenticity of Online Alternative Dispute Resolution Proceedings', (2008) 25 Journal of International Arbitration 355-64
- Hammoud, L. and S. Houerbi, 'ICC Arbitration in the Arab World', (2008) 25 Journal of International Arbitration 231-40
- Hannum, H., 'Peace versus Justice: Creating Rights as well as Order out of Chaos', in R. Murphy and K. Månsson (eds.), Peace Operations and Human Rights (2008), 126–39
- Hansen, R. and D. MacRae, 'Reconciling the International and the Domestic: The Reasonable Period of Time under Article 21.3 of the DSU', in M. E. Janow, V. Donaldson, and A. Yanovich (eds.), The WTO: Governance, Dispute Settlement, and Developing Countries (2008), 987–1008
- Huang, K., 'The Transformation of ASEAN as a Third-Party Mediator in Intra-regional Disputes of Southeast Asia', in J. Bercovitch, K. Huang, and C. Teng (eds.), Conflict Management, Security and Intervention in East Asia: Third-Party Mediation in Regional Conflict (2008), 147-64

- Hurwitz, A., 'The Rule of Law and Peacebuilding Processes', in A. Hurwitz (ed.), Civil War and the Rule of Law: Security, Development, Human Rights (2008), 21–45
- Jones, B. and A. Hart, 'Keeping Middle East Peace?', (2008) 15 International Peacekeeping 102-17
- Joseph, E. P., 'Den nächsten Balkan-Krieg verhindern', (2008) 63 Internationale Politik 54-61
- Kallel, S., 'Online Arbitration', (2008) 25 Journal of International Arbitration 345-53
- Kim, S. K., 'Understanding Maritime Disputes in Northeast Asia: Issues and Nature', (2008) 23 International Journal of Marine and Coastal Law 213-247
- Kramer, X. E., 'The European Small Claims Procedure: Striking the Balance between Simplicity and Fairness in European Litigation', (2008) 16 Zeitschrift für europäisches Privatrecht 355-73
- Lang, A., "Modus Operandi" and the ICI's Appraisal of the Lusaka Ceasefire Agreement in the Armed Activities Case: The Role of Peace Agreements in International Conflict Resolution', (2008) 40 New York University Journal of International Law and Politics 107–69
- Lathrop, C.G., 'Territorial and Maritime Dispute between Nicaragua and Honduras in the Caribbean Sea (Nicaragua v. Honduras): International Court of Justice, October 8, 2007', (2008) 102 American Journal of International Law 113-19
- Lebovic, J. H., 'Uniting for Peace? Democracies and United Nations Peace Operations after the Cold War', in B. A. Simmons (ed.), International Law (2008), 152-80
- Legum, B., 'Options to Establish an Appellate Mechanism for Investment Disputes', in K. P. Sauvant (ed.), Appeals Mechanism in International Investment Disputes (2008), 231-9
- MacGivern, B., 'Dispute Settlement under the GATS: The Gambling and Telecoms Cases', in K. Alexander and M. Andenas (eds.), The World Trade Organization and Trade in Services (2008), 431-59
- Mann, H., 'Transparency and Consistency in International Investment Law: Can the Problems be Fixed by Tinkering?', in K. P. Sauvant (ed.), Appeals Mechanism in International Investment Disputes (2008), 213-21
- Månsson, K., 'Integration of Human Rights in Peace Operations: Is There an Ideal Model?', in R. Murphy and K. Månsson (eds.), *Peace Operations and Human Rights* (2008), 91–107
- Månsson, K., 'UN Peace Operations and Security Council Resolutions: A Tool for Measuring the Status of International Human Rights Law?', (2008) 26 Netherlands Quarterly of Human Rights 79-107
- Matsushita, M., 'A Review of Major WTO Jurisprudence', in M. E. Janow, V. Donaldson, and A. Yanovich (eds.), The WTO: Governance, Dispute Settlement, and Developing Countries (2008), 505—
- Mégret, F., 'A Special Tribunal for Lebanon: The UN Security Council and the Emancipation of International Criminal Justice', (2008) 21 Leiden Journal of International Law 485-512
- Molinuevo, M., 'Can Foreign Investors in Services Benefit from WTO Dispute Settlement? Legal Standing and Remedies in WTO and International Arbitration', in M. Panizzon, N. Pohl, and P. Sauvé (eds.), GATS and the Regulation of International Trade in Services (2008), 296–323
- Mulugeta, A., 'Promises and Challenges of a Sub-regional Force for the Horn of Africa', (2008) 15 International Peacekeeping 171-84
- Murphy, R. and K. Månsson, 'Perspectives on Peace Operations and Human Rights', in R. Murphy and K. Månsson (eds.), Peace Operations and Human Rights (2008), 1-5
- O'Neill, W.G., 'UN Peacekeeping Operations and Rule of Law Programs', in A. Hurwitz (ed.), Civil War and the Rule of Law: Security, Development, Human Rights (2008), 91–113

- Orakhelashvili, A., 'The Power of the UN Security Council to Determine the Existence of a "Threat to the Peace", (2008) I Irish Yearbook of International Law 61–99
- Palmeter, D., 'The WTO Dispute Settlement System in the Next Ten Years', in M. E. Janow, V. Donaldson, and A. Yanovich (eds.), The WTO: Governance, Dispute Settlement, and Developing Countries (2008), 845-54
- Pattison, J., 'Legitimacy and Humanitarian Intervention: Who Should Intervene?', (2008) 12 International Journal of Human Rights 395-413
- Perezcano Díaz, H., 'Transparency in International Dispute Settlement Proceedings on Trade and Investment', in K. P. Sauvant (ed.), Appeals Mechanism in International Investment Disputes (2008), 193-200
- Periti, R. M., 'Police in Peace and Stability Operations: Evolving US Policy and Practice', (2008) 15 International Peacekeeping 51–66
- Petersmann, E., 'Multi-level Judicial Trade Governance without Justice? On the Role of Domestic Courts in the WTO Legal and Dispute Settlement System', in M. E. Janow, V. Donaldson, and A. Yanovich (eds.), The WTO: Governance, Dispute Settlement, and Developing Countries (2008), 959-85
- Pfister, B., 'Die Rechtsprechung des Tribunal Arbitral du Sport (TAS) 1998–2000', (2008) 15 SpuRt: Zeitschrift für Sport 1–6
- Pickering, T. R., 'Does the UN Have a Role in Iraq?', (2008) 50 Survival 133-42
- Raeschke-Kessler, H. and D.Gottwald, 'Corruption in Foreign Investment: Contracts and Dispute Settlement between Investors, States, and Agents', (2008) 9 Journal of World Investment & Trade
- Ramble, K. and S. Keil, 'EU-NATO Co-operation in Post-conflict Reconstruction', in D. Spence and P. Fluri (eds.), The European Union and Security Sector Reform (2008), 262-83
- Richmond, O. and J. Franks, 'Liberal Peacebuilding in Timor Leste: The Emperor's New Clothes?', (2008) 15 International Peacekeeping 185–200
- Rutledge, P. B., 'Arbitration and Article III', 61 (2008) Vanderbilt Law Review 1189–223
- Sambanis, N. and J. Schulhofer-Wohl, 'Evaluating Multilateral Interventions in Civil Wars: A Comparison of UN and Non-UN Peace Operations', in D. Bourantonis, K. Ifantis, and P. Tsakonas (eds.), Multilateralism and Security Institutions in an Era of Globalization (2008), 252–87
- Sari, A., 'Status of Forces and Status of Mission Agreements under the ESDP: The EU's Evolving Practice', (2008) 19 European Journal of International Law 67–100
- Sauvant, K. P., 'The Rise of International Investment, Investment Agreements and Investment Disputes', in K. P. Sauvant (ed.), Appeals Mechanism in International Investment Disputes (2008),
- Schabas, W. A., 'The Special Tribunal for Lebanon: Is a "Tribunal of an International Character" Equivalent to an "International Criminal Court"?', (2008) 21 Leiden Journal of International Law
- Schiff, J., 'The Trouble with "Never Again!": Rereading Levinas for Genocide Prevention and Critical International Theory', (2008) 36 Millennium 217–39
- Serra, G., 'Il Tribunale speciale per il Libano: fondamento e competenza', (2008) 90 Rivista di diritto internazionale 99–113
- Shoyer, A. W., 'Lessons Learned from Litigating GATS Disputes: Mexico Telecoms', in M. Panizzon, N. Pohl, and P. Sauvé (eds.), GATS and the Regulation of International Trade in Services (2008), 225-35

- Simmons, B. A., 'Capacity, Commitment, and Compliance: International Institutions and Territorial Disputes', in B. Simmons (ed.), *International Law* (2008), 157–85
- Sion, L., 'Dutch Peacekeepers and Host Environments in the Balkans: An Ethnographic Perspective', (2008) 15 *International Peacekeeping* 201–13
- Sisk, T. D., 'Peacebuilding as Democratization: Findings and Recommendations', in A. K. Jarstad and T. D. Sisk (eds.), *From War to Democracy: Dilemmas of Peacebuilding* (2008), 239–59
- Smith, J. M., 'The Politics of Dispute Settlement Design: Explaining Legalism in Regional Trade Pacts', in B. A. Simmons (ed.), *International Law* (2008), 218–51
- Sofaer, A. D., 'International Security and the Use of Force', in R. A. Miller and R. M. Bratspies (eds.), Progress in International Law (2008), 541–70
- Sriram, C. L., 'Prevention and the Rule of Law: Rhetoric and Reality', in A. Hurwitz (ed.), *Civil War and the Rule of Law: Security, Development, Human Rights* (2008), 71–90
- Suhrke, A., 'A Contradictory Mission? NATO from Stabilization to Combat in Afghanistan', (2008) 15 International Peacekeeping 214–36
- Teng, C., 'Conflict Management in East Asia: The China–Taiwan–North Korea Conundrum', in J. Bercovitch, K. Huang, and C. Teng (eds.), Conflict Management, Security and Intervention in East Asia: Third-Party Mediation in Regional Conflict (2008), 40–66
- Trimmer, B., 'An Increasingly Uneasy Relationship: The English Courts and the European Court of Justice in Trade Mark Disputes', (2008) 30 European Intellectual Property Review 87–92
- Wallensteen, P., 'International Responses to Crises of Democratization in War-Torn Societies', in A. K. Jarstad and T. D. Sisk (eds.), *From War to Democracy: Dilemmas of Peacebuilding* (2008), 213–38
- Walter, A. von, 'The Investor's Expectations in International Investment Arbitration', in A. Reinisch and C. Knahr (eds.), *International Investment Law in Context* (2008), 173–200
- Weissmann, M., 'Peacebuilding in East Asia: The Role of Track 2 Diplomacy, Informal Networks, and Economic, Social, and Cultural Regionalization', in J. Bercovitch, K. Huang, and C. Teng (eds.), Conflict Management, Security and Intervention in East Asia: Third-Party Mediation in Regional Conflict (2008), 67–82
- Whish, R., 'Settlements: The Future of Competition Litigation?', in C. Baudenbacher (ed.), Current Developments in European and International Competition Law: 14th St. Gallen International Competition Law Forum ICF, 2007 (2008), 163–76
- Winslow, D., 'The UN: Multinational Co-operation in Peace Operations', in J. Soeters and P. Manigart (eds.), Military Co-operation in Multinational Peace Operations: Managing Cultural Diversity and Crisis Response (2008), 13–27
- Wolff, A. W., 'Remedy in WTO Dispute Settlement', in M. E. Janow, V. Donaldson, and A. Yanovich (eds.), *The WTO: Governance, Dispute Settlement, and Developing Countries* (2008), 783–815
- Zwitter, A., 'An International Law Perspective on the Long-Term Prevention of Terrorism', (2008) 21 *Humanitäres Völkerrecht* 24–33