## **BIBLIOGRAPHY**

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

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

## I. BOOKS

- Bredel, R., The Ethical Economy of Conflict Prevention and Development: Towards a Model for International Organizations (2007). ISBN 9004153055, 257 pp.
- Falk, R., The Costs of War: International Law, the UN, and World Order after Iraq (2008). ISBN 0415955084, 203 pp.
- Futamura, M., War Crimes Tribunals and Transitional Justice: The Tokyo Trial and the Nuremburg Legacy (2008). ISBN 0415426731, 213 pp.
- Grover, V. I. (ed.), Water: A Source of Conflict or Cooperation (2007). ISBN 9781578085118, 360 pp.
- Howard, L. M., UN Peacekeeping in Civil Wars (2008). ISBN 9780521881388, 402 pp.
- Nhema, A. and P. T. Zeleza (eds.), *The Resolution of African Conflicts: The Management of Conflict Resolution and Post-conflict Reconstruction* (2008). ISBN 9781847013033, 207 pp.
- Nze Ekome, M., Le rôle et la contribution de l'ONU dans la résolution pacifique des conflits en Afrique: cas de l'Afrique centrale: essai (2007). ISBN 9782849340301, 317 pp.
- Pankhurst, D. (ed.), Gendered Peace: Women's Struggles for Post-war Justice and Reconciliation (2008). ISBN 041595648X, 341 pp.
- Sachs, G., Verhaltensstandards für Schiedsrichter (2008). ISBN 9783452267375, 307 pp.
- Shanmugaratnam, N. (ed.), Between War and Peace in Sudan & Sri Lanka: Deprivation and Livelihood Revival (2008). ISBN 9781847011022, xi, 194 pp.
- Virzo, R., Il regolamento delle controversie nel diritto del mare: rapporti tra procedimenti (2008). ISBN 9788813280734, 335 pp.
- Weber, O., WTO-Streitbeilegung und EuGH im Vergleich: zur gerichtsförmigen Konfliktlösung in Handelspräferenzzonen (2007). ISBN 9783832929114, 500 pp.
- Weger, F. de, *The Jurisprudence of the FIFA Dispute Resolution Chamber* (2008). ISBN 9789067042710, 728 pp.
- Whitfield, T., Friends Indeed? The United Nations, Groups of Friends, and the Resolution of Conflict (2007). ISBN 1601270062, 428 pp.
- Willame, J-C., Les "faiseurs de paix" au Congo: gestion d'une crise internationale dans un état sous tutelle (2007). ISBN 9782804801366, 217 pp.

## 2. Chapters in edited volumes and journal articles

- Alejandra del-Cerro, M., 'Paper Battle on the River Uruguay: The International Dispute Surrounding the Construction of Pulp Mills', (2007) 20 *Georgetown International Environmental Law Review* 161–86
- Alvarez-Jiménez, A., "The Enhancing of the WTO Judiciary's Control over Disputes and Suggestions for the Exceptional Expansion of Such Control to Favour Developing and Least Developed Countries', (2007) 6 Law and Practice of International Courts and Tribunals 269–301
- Amkhan, A., 'Consent to Submit Investment Disputes to Arbitration under Article 26 of the Energy Charter Treaty', (2007) 10 *International Arbitration Law Review* 65–73
- Ansari, A. H., 'Trade and Environment: Trade Embargo under Article XX (b) & (g) of the GATT and Dispute Settlement Practice on Them', (2007) 47 *Indian Journal of International Law* 377–399
- Aoi, C., C. de Coning, and R. Thakur, 'Can Unintended Consequences Be Prevented, Contained and Managed?', in C. Aoi, C. de Coning, and R. Thakur (eds.), *Unintended Consequences of Peacekeeping Operations* (2007), 268–79
- Augé, A., 'Les soldats de la paix en afrique subsaharienne: entre action militaire et logique politique', (2008) 56 (229) Guerres mondiales et conflits contemporains 43–53
- Avruch, K. and R. S. Jose, 'Peace Zones in the Philippines', in L. E. Hancock and C. Mitchell (eds.), *Zones of Peace* (2007), 51–69
- Beger, N. J. and P. Bertholmé, 'The EU's Quest for Coherence in Peacebuilding: Between Good Intentions and Institutional Turf Wars', (2007) 60 *Studia diplomatica* 245–63
- Belyi, A. V. and U. G. Klaus, 'Russia's Gas Exports and Transit Dispute Resolution under the ECT: Missed Opportunities for Gazprom or False Hopes in Europe?', (2007) 25 *Journal of Energy and Natural Resources Law* 205–24
- Bouillon, M. E., 'Zwischen den Stühlen: von der schwierigen Rolle der Vereinten Nationen im Nahen Osten', (2007) 55 *Vereinte Nationen* 221–27
- Bown, C. P., 'On the Economic Success of GATT/WTO Dispute Settlement', in M. L. Busch and E. D. Mansfield (eds.), *The WTO, Economic Interdependence, and Conflict* (2007), 501–13
- Bown, P. and B. M. Hoekman, 'Developing Countries and Enforcement of Trade Agreements: Why Dispute Settlement Is Not Enough', (2008) 42 *Journal of World Trade* 177–203
- Breen, C., 'The Necessity of a Role for the ECOSOC in the Maintenance of International Peace and Security', (2007) 12 *Journal of Conflict and Security Law* 261–94
- Broude, T., 'Between Pax Mercatoria and Pax Europea: How Trade Dispute Procedures Serve the EC's Regional Hegemony', in P. B. Stephen (ed.), *Economics of European Union Law* (2007), 319–34
- Busch, M. L., 'Overlapping Institutions, Forum Shopping, and Dispute Settlement in International Trade', (2007) 61 *International Organization* 735–61
- Busch, M. L. and E. Reinhardt, 'Developing Countries and General Agreement on Tariffs and Trade/World Trade Organization Dispute Settlement', in M. L. Busch and E. D. Mansfield (eds.), *The WTO, Economic Interdependence, and Conflict* (2007), 514–30
- Cavanaugh, K., 'The Israeli Military Court System in the West Bank and Gaza', (2007) 12 *Journal of Conflict and Security Law* 157–96
- Chaisse, J. and D. Chakraborty, 'Implementing WTO Rules through Negotiations and Sanctions: The Role of Trade Policy Review Mechanism and Dispute Settlement System', (2007) 28 *University of Pennsylvania Journal of International Economic Law* 153–85

- Choi, W.-M., 'The Present and Future of the Investor-State Dispute Settlement Paradigm', (2007) 10 Journal of International Economic Law 725-47
- Churchill, R., 'Dispute Settlement under the UN Convention on the Law of the Sea: Survey for 2006', (2007) 22 International Journal of Marine and Coastal Law 463–84
- Cockayne, J., 'The Special Tribunal for Lebanon: A Cripple from Birth? Foreword', (2007) 5 Journal of International Criminal Justice 1061-4
- Codd, K. B., 'Betting on the Wrong Horse: The Detrimental Effect of Noncompliance in the Internet Gambling Dispute on the General Agreement on Trade in Services (GATS)', (2007) 49 William and Mary Law Review 941-71
- Dai Tan, J. D., 'The Diaoyu/Senkaku Dispute: Bridging the Cold Divide', (2007) 5 Santa Clara Journal of International Law 134–68
- Dajani, O. M., 'Forty Years without Resolve: Tracing the Influence of Security Council Resolution 242 on the Middle East Peace Process', (2007) 37 Journal of Palestine Studies 24–38
- Dakwar, J., 'People without Borders for Borders Without People: Land, Demography, and Peacemaking under Security Council Resolution 242', (2007) 37 Journal of Palestine Studies 62-78
- Daly, B. W., The Permanent Court of Arbitration in Indian Treaties: Its Role, Potential Procedural Problems, and Drafting Solutions', (2007) 47 *Indian Journal of International Law* 359–76
- Dinar, S., 'Water Wars? Conflict, Cooperation, and Negotiation over Transboundary Water', in V. I. Grover (ed.), Water: A Source of Conflict or Cooperation? (2007), 23-38
- Djurić-Kuzmanović, T., R. Drezgić, and D. Zarkov, 'Gendered War, Gendered Peace: Violent Conflicts in the Balkans and Their Consequences', in D. Pankhurst (ed.). Gendered Peace: Women's Struggles for Post-War Justice and Reconciliation (2008), 265-91
- Docking, T., 'Peacekeeping in Africa', in W. G. Moseley (ed.), Clashing Views on African Issues (2007), 370-7
- Dudai, R., 'A Model for Dealing with the Past in the Israeli Palestinian Context', (2007) I International Journal of Transitional Justice 249–67
- Edwards, L. and C. Wilson, 'Redress and Alternative Dispute Resolution in EU Cross-Border E-Commerce Transactions', (2007) 21 International Review of Law, Computers and Technology 315–33
- Ewart, A. M., 'Small Developing States in the WTO: A Procedural Approach to Special and Differential Treatment through Reforms to Dispute Settlement', (2007) 35 Syracuse Journal of International Law and Commerce 27–76
- Fassbender, B., 'Reflections on the International Legality of the Special Tribunal for Lebanon', (2007) 5 Journal of International Criminal Justice 1091–105
- Franck, S. D., 'Integrating Investment Treaty Conflict and Dispute Systems Design', (2007) 92 Minnesota Law Review 161-230
- Genton, P. M., 'Using Dispute Boards (DB) for Commercial Debt Recovery', in D. Franklin (ed.), International Commercial Debt Collection (2007), 53-64
- Giessmann, H. J., 'East Asia's Emerging Powers: Conflict, Cooperation and the "Asymmetric Pentagon" of Regional Security in Northeast Asia', in Hans J. Giessmann (ed.), Security Handbook 2008: Emerging Powers in East Asia: China, Russia and India: Local Conflicts and Regional Security Building in Asia's Northeast (2008), 9-54
- Gillespie, P., 'Arbitration, Alternative Dispute Resolution and the Importance of Stakeholder Engagement in Indonesia', (2007) 3 Asian International Arbitration Journal 187–213
- Glavinis, P., 'Multiparty, Multi-contract Investment Disputes', in N. Nikas (ed.), Studia in honorem Pelayia Yessiou-Faltsi (2007), 235-72

- Gleditsch, K. S. and I. Salebyan, 'Civil Wars and Interstate Disputes', in M. Öberg and K. Strøm (eds.), *Resources, Governance and Civil Conflict* (2008), 58–76
- Goh, G. and D. Morgan, 'Political Considerations and Pragmatic Outcomes in WTO Dispute Rulings', (2007) 30 *University of New South Wales Law Journal* 477–503
- Greenwald, J. D. and L. F. Fox, 'The WTO's Emphasis on Adjudicated Dispute Settlement May Be More Drag than Lift', (2007) 24 Arizona Journal of International and Comparative Law 133–40
- Griffin, C. E., 'Friends versus Interests: Strategic Rationality in the Barbados–Trinidad and Tobago Maritime Dispute', in K. Hall and M. Chuck-A-Sang (eds.), *Intervention, Border and Maritime Issues in CARICOM* (2007), 184–202
- Guzman, A. T. and B. A. Simmons, 'Power Plays and Capacity Constraints: The Selection of Defendants in World Trade Organization Disputes', in M. L. Busch and E. D. Mansfield (eds.), *The WTO*, *Economic Interdependence, and Conflict* (2007), 531–72
- Hancock, L. E., 'El Salvador's Post-conflict Peace Zone', in L. E. Hancock and C. Mitchell (eds.) *Zones of Peace* (2007), 105–22
- Harrington, A. R., 'They Fought for Trade but Did Trade Win? An Analysis of the Trends among Trade Disputes Brought by WTO Member States before the WTO Dispute Resolution Body', (2007) 16 Journal of International Law and Practice 315–41
- Hoebeke, H., 'The EU and "Conflict Peacebuilding" in the DRC', (2007) 60 *Studia diplomatica* 43–57
- Hollywood, D. M., 'The Search for Post-conflict Justice in Iraq: A Comparative Study of Transitional Justice Mechanisms and Their Applicability to Post-Saddam Iraq', (2007) 33 *Brooklyn Journal of International Law* 59–124
- 'ICC Dispute Board Rules: Practioners' Views', (2007) 18 ICC International Court of Arbitration Bulletin 43–50
- Iyer, P. and C. Mitchell, 'The Collapse of Peace Zones in Aceh', in L E. Hancock and C. Mitchell (eds.) *Zones of Peace* (2007), 137–65
- Jiménez Figueres, D. and R. J. Caivano, 'Funcionamiento de los "Dispute Boards" de la CCI y su encuadre en el derecho argentino', (2007) 7 *Revista internacional de arbitraje* 147–74
- Kalu, V. E. and N. F. Stewart, 'Nigeria's Niger Delta Crises and Resolution of Oil- and Gas-Related Disputes: Need for a Paradigm Shift', (2007) 25 *Journal of Energy and Natural Resources Law* 244–67
- Katsh, E., 'Online Dispute Resolution: Some Implications for the Emergence of Law in Cyberspace', (2007) 21 International Review of Law, Computers and Technology 97–107
- Kirschner, N. P., 'Making Bread from Broken Eggs: A Basic Recipe for Conflict Resolution Using Earned Sovereignty', (2007) 28 Whittier Law Review 1131–66
- Klappe, B. F., 'International Peace Operations', in D. Fleck (ed.), *The Handbook of International Humanitarian Law* (2008), 635–73
- Kreder, J. A., 'A Nazi-Looted Art Tribunal', (2007) I World Arbitration and Mediation Review 693–700 Kriesberg, L., 'Contemporary Conflict Resolution Applications', in C. A. Crocker, F. O. Hampson, and P. Aall (eds.), Leashing the Dogs of War: Conflict Management in a Divided World (2007), 455–76
- Kritz, N. J., 'The Rule of Law in Conflict Management', in C. A. Crocker, F. O. Hampson, and P. Aall (eds.), Leashing the Dogs of War: Conflict Management in a Divided World (2007), 401–24
- Lamèthe, D., 'Les langues de l'arbitrage international: liberté raisonnée de choix ou contraintes réglementées', (2007) 134 *Journal du droit international* 1175–93

- Lantschner, E., 'History of the South Tyrol Conflict and Its Settlement', in J. Woelk, F. Palermo, and J. Marko (eds.), Tolerence through Law: Self-Government and Group Rights in South Tyrol (2008), 3-15
- Leal-Arcas, R., 'Choice of Jurisdiction in International Trade Disputes: Going Regional or Global: The Robert E. Hudec Article on Global Trade', (2007) 61 Minnesota Journal of International Law 1-59
- Loquin, E., 'Chronique des sentences arbitrales', (2008) 135 Journal du droit international 233-
- McIlwrath, M. and R. Schroeder, 'The View from an International Arbitration Customer: In Dire Need of Early Resolution', (2008) 74 Arbitration 3–11
- Månsson, K., 'UN Peace Operations as Norm Entrepreneurs: The Challenge of Achieving Communicative Action on Human Rights', in A. Swain, R. Amer, and J. Öjendal (eds.), Globalization and Challenges to Building Peace (2007), 121-43
- Marko, J., 'Is There a South Tyrolean "Model" of Conflict Resolution to be Exported?', in J. Woelk, F. Palermo, and J. Marko (eds.), Tolerence through Law: Self-Government and Group Rights in South Tyrol (2008), 371-88
- Mégret, F., 'The Vicarious Responsibility of the United Nations', in C. Aoi, C. de Coning, and R. Thakur (eds.), *Unintended Consequences of Peacekeeping Operations* (2007), 250–67
- Meharg, J., 'Clash of the Titans: Navigating New Identities in Conflict Geographies', in S. J. Mehang (ed.), Helping Hands and Loaded Arms: Navigating the Military and Humanitarian Space (2007),
- Mitchell, A. D., 'The Legal Basis for Using Principles in WTO Disputes', (2007) 10 Journal of International Economic Law 795–835
- Mitchell, C. and L. E. Hancock, 'Local Zones of Peace and a Theory of Sanctuary', in L. E. Hancock and C. Mitchell (eds.), Zones of Peace (2007), 189–221
- Molen, I. Van Der, and A. Rahman, 'Disputes over Water, Natural Resources and Human Security in Bangladesh: Towards a Conflict Analysis Framework', in V. I. Grover (ed.), Water: A Source of Conflict or Cooperation? (2007), 83–122
- Mollel, A. L., Judicial Settlement of Armed Conflicts in International Law: Reflecting the 2005 International Court of Justice Decision in the Democratic Republic of Congo', (2007) 76 Nordic Journal of International Law 407-34
- Nakagawa, J., 'No More Negotiated Deals? Settlement of Trade and Investment Disputes in East Asia', (2007) 10 Journal of International Economic Law 837–67
- Nye, J. S., 'The Place of Soft Power in State-Based Conflict Management', in C. A. Crocker, F. O. Hampson, and P. Aall (eds.), Leashing the Dogs of War: Conflict Management in a Divided World (2007), 389-400
- O'Connell, M. E., 'Preserving the Peace: The Continuing Ban on War between States', (2007) 38 California Western International Law Journal 41–62
- Okowa, P. N., 'Case Concerning Ahmadou Sadio Diallo (Republic of Guinea v. Democratic Republic of the Congo): Preliminary Objections', (2007) 56 International and Comparative Law Quarterly
- O'Neal Taylor, C., 'Impossible Cases: Lessons from the First Decade of WTO Dispute Settlement', (2007) 28 University of Pennsylvania Journal of International Economic Law 307–447
- Oxman, B. H., 'A Tribute to Louis Sohn: Is the Dispute Settlement System under the Law of the Sea Convention Working?', (2007) 39 George Washington International Law Review 655–63

- Pinsolle, P., 'The Dispute Resolution Provisions of the Energy Charter Treaty', (2007) 10 *International Arbitration Law Review* 74–81
- Radi, Y., 'The Application of the Most-Favoured-Nation Clause to the Dispute Settlement Provisions of Bilateral Investment Treaties: Domesticating the "Trojan Horse", (2007) 18 EJIL 757–74
- Raymond, G. A. and C. W. Kegley, 'Preemption and Preventive War', in H. M. Hensel (ed.), *The Legitimate Use of Military Force: The Just War Tradition and the Customary Law of Armed Conflict* (2008), 99–115
- Reno, W., 'The Failure of Peacekeeping in Sierra Leone', in W. G. Moseley (ed.), *Clashing Views on African Issues* (2007), 378–87
- Richter, C., 'International Commercial Arbitration', in D. Franklin (ed.), *International Commercial Debt Collection* (2007), 37–44
- Rodin, D., 'The Problem with Prevention', in H. Shue and D. Rodin (eds.), *Preemption: Military Action and Moral Justification* (2007), 143–70
- Rosendorff, B. P., 'Stability and Rigidity: Politics and Design of the WTO's Dispute Settlement Procedure', in M. L. Busch and E. D. Mansfield (eds.), *The WTO, Economic Interdependence, and Conflict* (2007), 489–500
- Sader, C., 'A Lebanese Perspective on the Special Tribunal for Lebanon: Hopes and Disillusions', (2007) 5 *Journal of International Criminal Justice* 1083–9
- Salacuse, J. W., 'Is There a Better Way? Alternative Methods of Treaty-Based, Investor-State Dispute Resolution', (2007) 31 Fordham International Law Journal 138–85
- Sannerholm, R., 'Legal, Judicial and Administrative Reforms in Post-conflict Societies: Beyond the Rule of Law Template', (2007) 12 *Journal of Conflict and Security Law* 65–93
- Schafer, M. and E. Lien, 'US-Sponsored Conflict Resolution through Cooperation in the Water Sector', in H. Shuval and H. Dweik (eds.), *Water Resources in the Middle East: Israel–Palestinian Water Issues From Conflict to Cooperation* (2007), 225–31
- Serwer, D. and P. Thomson, 'A Framework for Success: International Intervention in Societies Emerging from Conflict', in C. A. Crocker, F. O. Hampson, and P. Aall (eds.), *Leashing the Dogs of War: Conflict Management in a Divided World* (2007), 369–87
- Sharma, A., 'Improving Dispute Settlement in the WTO: Flattering or Faltering?', (2007) *Journal of World Investment & Trade* 757–69
- Shuval, H., 'Meeting Vital Human Needs: Equitable Resolution of Conflicts over Shared Water Resources of Israelis and Palestinians', in H. Shuval and H. Dweik (eds.), *Water Resources in the Middle East: Israel–Palestinian Water Issues From Conflict to Cooperation* (2007), 3–16
- Smith, J. M., 'WTO Dispute Settlement: The Politics of Procedure in Appellate Body Rulings', in M. L. Busch and E. D. Mansfield (eds.), *The WTO, Economic Interdependence, and Conflict* (2007), 573–608
- Stares, P. B. and M. Yacoubian, 'Rethinking the "War on Terror": New Approaches to Conflict Prevention and Management in the Post-9/11 World', in C. A. Crocker, F. O. Hampson, and P. Aall (eds.), *Leashing the Dogs of War: Conflict Management in a Divided World* (2007), 425–36
- Stewart, T. P., A. S. Dwyer, and E. M. Hein, 'Trends in the Last Decade of Trade Remedy Decisions: Problems and Opportunities for the WTO Dispute Settlement System', (2007) 24 Arizona Journal of International and Comparative Law 251–97
- Stribis, I., 'La sécurité des transports maritimes face au défi du terrorisme: les initiatives interétatiques de prévention de prolifération des ADM', in M. J. Glennon (ed.), *Terrorisme et droit international/Terrorism and International Law* (2008), 585–654

- Tams, C. J., 'Die Zweite Haager Konferenz und das Recht der friedlichen Streitbeilegung', (2007) 82 Die Friedenswarte 119–38
- Thao, N. H. and R. Amer, 'Managing Vietnam's Maritime Boundary Disputes', (2007) 38 Ocean Development and International Law 305-24
- Wang, Y.-D., 'Enhancing Sustainability in River Basin Management through Conflict Resolution: Comparative Analysis from the US and South Korea', in V. I. Grover (ed.), Water: A Source of Conflict or Cooperation? (2007), 213-48
- Wierda, M., H. Nassar, and L. Maalouf, 'Early Reflections on Local Perceptions, Legitimacy and Legacy of the Special Tribunal for Lebanon', (2007) 5 Journal of International Criminal Justice 1065-81
- Wolff, S., 'Complex Power Sharing as Conflict Resolution: South Tyrol in Comparative Perspective', in J. Woelk, F. Palermo, and J. Marko (eds.), Tolerence through Law: Self-Government and Group Rights in South Tyrol (2008), 329–70
- Zambelli, M., 'Some Remarks on the Nature and the Functioning of the WTO Dispute Settlement System', (2007) 85 Revue de droit international, de sciences diplomatiques et politiques 213–29
- Zekos, G. I., 'The Case for Giving to Private Parties Access to the WTO Dispute Settlement System', (2007) 8 Journal of World Investment & Trade 441–51