Litigation or Adr: Which Benefits International Relations

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I. INTRODUCTION

The concept of international relations operates on various theories, both realism and liberalism. In **realism**, states use military force to relate to the international community. Even though leaders of these states may be moral, such attributes do not influence their foreign policy decisions. The realists recognize that law and international organizations have no force or power; hence, their existence depends on how other states recognize and accept them. To them, states must always seek power to protect themselves for self-preservation.

On the other hand, **liberalism** is that injustice, aggression, and war affecting world peace result from inadequate social institutions and misunderstandings among world leaders. They believe that even though these negatives are inevitable, multilateral actions and institutional reforms can eliminate them and that market capitalism can help achieve human freedom. To the liberals, human beings are generally good and can adapt to any situation as long as good institutions guide them.[1] They recognize that states share several ties, which makes it difficult to thus making it challenging to outline independent **national interests**. Liberalism, therefore, prefers the decreased use of military power. Liberals believe that the consequences of military force and power outweigh their benefits and that international relations consider every state's interests. Increasing economic power proves to be beneficial to using military power. The future of international relations is rooted in liberal paradigms of world politics. Liberals, therefore, embrace the concept of interdependence and globalization. While this is good, international disputes are on the rise as the world transforms due to globalization. Disputes may arise in any relationship or interaction. However, some writers argue that relationship-building and conflict resolution intimately connect for lasting relationships.[2] To foster and maintain long-lasting good relations, states and international organizations must adopt dispute resolution mechanisms that preserve the relations rather than mare them.

The paper discusses the best option for a dispute resolution mechanism that benefits **international relations**. The terms international relations and global relations are used interchangeably. Global relation, in this context, is the political and economic collaboration of multinational actors that seek to resolve issues affecting more than one participant. It consists of **international laws**, rules, norms, or soft laws, including human rights. Global institutions, including the International Court of Justice (ICJ), **United Nations** (U.N.), and World Trade Organization (WTO), conduct many global discussions to improve international relations.[3] Establishing **international organizations** (I.O.s) is an effort to correct the past and maintain mutually beneficial relations.[4]

II. DISPUTE RESOLUTIONS MECHANISMS

Dispute resolution is the practice of resolving a dispute or disagreement. Its primary goal is to resolve conflicting opinions in such a way that seeks to foster and protect the **fundamental rights** of all parties involved. Alternative Dispute Resolution ('ADR') describes the processes of resolving disputes in place of litigation and includes mediation, conciliation, and expert determination.[5] The international community regards international law as a means to establish and preserve world peace and security. Under this notion, the League of Nations, now the United Nations, was established. The primary purpose of international law is to maintain international **peace and security**. International law comprises a set of rules and practices governing interstate relationships.[6] It obliges states and all international actors to settle disputes by peaceful means. The impact of war and violence always creates disputes between states. Disagreement on trade, human rights, and climate change policies may create disputes and tension among participating actors. Therefore, it is prudent that states

[1] Margaret P. Karns and Karen A. Mingst, International Organizations: The Politics and Processes of Global Governance, 2nd edition. (Boulder, Colo: Lynne Rienner Publishers, 2009), 35–36.

[2] Dudley Weeks, The Eight Essential Steps to Conflict Resolution: Preserving Relationships at Work, at Home, and in the Community, Reprint edition. (New York: TarcherPerigee, 1994), 66.

[3] Dr Sangit Sarita Dwivedi, "INTERNATIONAL ORGANIZATIONS AND GLOBAL GOVERNANCE," Interdisciplinary Research, no. 12 (2012): 190–192.

[4] José E. Alvarez, "International Organizations and Global Justice," in Conversations on Justice from National, International, and Global Perspectives, ed. Jean-Marc Coicaud and Lynette E. Sieger, 1st ed. (Cambridge University Press, 2018), 260.

[5] Holloway v Chancery Mead Ltd [2007] EWHC 2495 (TCC), [2008] 1 All ER (Comm) 653, 117 ConLR 30.

[6] Robert O. Keohane, Andrew Moravcsik, and Anne-Marie Slaughter, "Legalized Dispute Resolution: Interstate and Transnational," International Organization 54, no. 3 (2000): 457.

and other actors settle these disputes in the interest of peace and security.

International law provides methods, procedures, and guidelines for peacefully settling such disputes. To this end, states have concluded several multilateral treaties to peacefully settle their disputes and differences.[7] These disputes may be settled using judicial or non-judicial procedures. At all costs, maintaining peace and security towards collaborative harmonization should be the outcome.

a) Judicial Procedure (Litigation)

Litigation is the use of the civil courts of law to resolve disputes. Litigation can be used to compel the opposing party to participate in the resolution. It is, therefore, an involuntary submission where the opposing party does not get to choose whether they would participate or not except on rare occasions, as found in the *Nicaragua case*.[8] If the parties cannot settle the dispute, the case would go through a trial where a judge or a panel of judges would decide. The trial is a formal judicial proceeding where judges examine the issues thoroughly and decide after each side presents its case. The enforceable decision concludes the resolution process unless otherwise appealed. International law provides that States cannot invoke the legal procedures of their municipal system as a justification for not complying with international rules or standards.[9] Litigation is a form of judicial settlement. Therefore, judicial settlement, in this instance, is a dispute settlement between States by an international tribunal under the rules of International Law. The tribunal's international character is in both its **jurisdiction** and organization.

b) Non-Judicial Procedure (ADR)

Non-judicial procedures consist of ADR and other diplomatic methods to resolve disputes. It is non-adjudicative; arbitration is sometimes not regarded as a method of ADR because it is adjudicative. Trust is essential in ADR. For instance, in negotiation and mediation, a party trusts the other if they see the other keeping her promise and doing what they agreed.[10] Below discusses some ADR methods.

i) Negotiation

Negotiation is a critical skill needed in **international politics**. It is the primary function of diplomacy in international relations. The increasing diversity of international participants led to the growth of cooperation between governments and between them and other actors such as **international institutions**. The form and nature of modern **international agreements** have undergone many significant developments. In light of this development, a valuation aspect of the book *How Nations Negotiate* brings out a fivefold international bargaining classification according to the purpose of the parties.[11] States, therefore, rely on **negotiation** to reach agreements on interests involving trade, environmental, human rights, and foreign policies. Officially, designated representatives negotiate to achieve the formal agreement of their governments on the way forward on shared concerns or disputes between them.[12] The state negotiations process involves only the states who are parties to the dispute. These states can monitor all the process phases from initiation to conclusion and conduct them appropriately. Negotiation remains a fundamental component in international relations. Though it is not always successful, states use negotiation to solve even contentious issues due to its effectiveness.[13] Therefore, it is essential that negotiators and mediators employ international best practices when negotiating or mediating on a national, regional, or international level. International negotiations are increasingly multilateral, involving more than two actors and tens of actors frequently, as in the European conventional arms control regime negotiations or the ozone protection regime.

Arms control has been an area of international interest post World War II. Multilateral negotiations have been used for two purposes: to conduct regular diplomatic business on an ongoing basis, as in the U.N. General Assembly and Security Council, and establish and maintain international regimes—"principles, norms, rules and decision-making procedures around which actor expectations converge.[14] Countries negotiate differently, considering their backgrounds, beliefs, and cultural systems impact their thinking and conduct. The Limited Test Ban Treaty (LTBT) of 1963 was the atomic age's first significant arms control treaty. It paved the way for innovation in arms control that saw the evolution of a more cooperative, less competitive relationship between the United States of America and Russia.[15] By and large, arms control was beyond these two countries as partners, and some non-nuclear powers saw the need to engage in multilateral discussions to reduce tensions from the effects of arms. After the LTBT, there was a focus on confidence, and security-building measures post the Cold War.

ii) Mediation/Conciliation

Mediation and conciliation are ADR methods used to settle disputes outside the court. The two methods appoint a

[7] Abdualla Mohamed Hamza, Miomir Todorovic, and Knez Mihaljeva Street, "PEACEFUL SETTLEMENT OF DISPUTES," Global Institute for Research and Education 6, no. 1 (2017): 11.

[8] The Republic of Nicaragua v The United States of America [1986] ICJ 14.

[9] Antonio Cassese, International Law, 2nd edition. (Oxford ; New York: Oxford University Press, 2005), 216–217.

[10] Martti Ahttisaari, "The Role of Inter-Governmental, State and Non-Governmental Players in Conflict Resolution. October 29, 2007, accessed February 10, 2020.

[11] Fred Charles Iklce, How Nations Negotiate (Millwood, N.Y: Periodicals Service Co, 1976), 26.

[12] G. R. Berridge, Diplomacy: Theory and Practice, 2nd edition. (Houndmills, Basingstoke ; New York, NY: Palgrave Macmillan, 2002), 27.

[13] Janice Stein Gross, "International Negotiation: A Multidisciplinary Perspective," Negotiation Journal 4, no. 3 (July 1, 1988): 230–231.

[14] Stephen D. Krasner, "Global Communications and National Power: Life on the Pareto Frontier," World Politics 43, no. 3 (April 1991): 1.

[15] Fen Osler Hampson and Michael Hart, Multilateral Negotiations: Lessons from Arms Control, Trade, and the Environment (Baltimore: The Johns Hopkins University Press, 1999), 55.

neutral third party to help parties reach an agreement in their negotiation process. Conducting an effective mediation, therefore, involves possessing **negotiation skills.** The distinguishing feature between mediation and conciliation is that while the mediator must assist the parties in reaching their agreement, the conciliator's duty is to persuade them to reach an agreement. The U.N. provides guidelines to its member states on conducting **effective mediation**. For instance, the U.N.'s guidance on **impartiality** and **neutrality** is that mediators must ensure and seek to demonstrate that the process is fair, balanced, and as transparent as possible.[16] The actions of all stakeholders and international bodies, including U.N., regional, sub-regional, and state organizations, NGOs, and national and local communities, impact mediation. Joint or co-led mediation can foster coordination in mediation. Coherent and consistent **collaboration** between state, regional, and international actors creates an enabling environment for an effective mediation process.[17] For instance, within the framework of the United Nations, demand for mediation services has skyrocketed in over two decades, and the U.N. Secretary-General has referred to mediation as the most promising dispute settlement method.[18] As world peace and inter-state dialogues deteriorate, economic trade and political cohesion get affected. The effect is detrimental to peace and security across the globe as one of the U.N.'s core aims is to ensure global peace. Against this backdrop, the U.N. and its member states recognize the increased use of mediation, reflecting the challenges facing the international community in mediation efforts and reaching out to critical actors to develop their mediation capacities.[19] The rationale for assessing the outcomes of international conflict management has been a tricky one.[20] Barring such trickiness adduced by Kleiboer, the ultimate aim is to resolve disputes, improving the relationship between parties.

iii) Arbitration

Notwithstanding the increased involvement of parties from emerging markets, global awareness has seen the need for international arbitration to resolve many disputes. It is not strange that arbitration is classed as ADR, but this can be potentially misleading.[21] It can be misleading because, unlike other forms of ADR, **arbitration** is adjudicative, involving a tribunal just like in litigations. Adjudicative methods involve settling disputes by tribunals, either judicial or arbitral. Institutional methods involve resorting to the United Nations or regional organizations for settling disputes.[22] In the case of *Barbados v Trinidad and Tobago*, an arbitral tribunal constituted under Annex VII to the 1982 United Nations Convention on Law of the Sea arbitrated to resolve a maritime dispute between the two States. The Permanent Court of Arbitration (PCA) served as the registry in this case.[23]

Also, arbitration has always been used to resolve disputes relating to international commercial transactions. It has been necessary for participating countries to co-operate to ensure that arbitral awards can be enforced outside the **territory** in which they were made. It has been achieved through Conventions, the most important of which is the Geneva Convention (1927, the convention on the execution of foreign arbitral awards, and the New York Convention (1958,) which is the convention on recognition and enforcement of foreign arbitral awards. Thus, arbitration is more flexible. It adapts parties' wishes, particularly regarding the choice of the arbitrators and the rules to be applied.[24]

III. THE ROLE IGOS PLAY IN DISPUTE SETTLEMENT

Today, globalization has inconsistencies regarding what benefits parties derive from international relations. **Globalization** exudes some insufficiency in the governance process's power, scope, and authority. The complex nature of relationships and interactions between international actors raises concerns for democratization and legitimacy of the mechanisms used and their effect on interactions.[25] Since states and Intergovernmental organizations (IGOs) are no longer the only actors in resolving global problems, efforts require the collaboration of all stakeholders in handling global issues from human rights and climate change to peace and security. A bilateral system of collective responsibility has been suggested for resolving some of these global challenges relating to individuals, states, and international organizations.[26] Various structures and processes within the international community must accommodate the participation of civil society in some fashion since one of the distinctive characteristics of global governance is the inclusion of both state and civil society participants.[27] Public policies require the endorsement of all stakeholders to participate in **global**

[16] United Nations, United Nations Guidance for Effective Mediation: An Annex to the Report of the Secretary-General on Strengthening the Role of Mediation in the Peaceful Settlement of Disputes, Conflict Prevention and Resolution, A/66/811, 25 June 2012 (New York: United Nations, 2012), 11.

[17] United Nations, United Nations Guidance for Effective Mediation: An Annex to the Report of the Secretary-General on Strengthening the Role of Mediation in the Peaceful Settlement of Disputes, Conflict Prevention and Resolution, A/66/811,17.

[18] UN SG, "Report on Enhancing Mediation and Its Support Activities, S/2009/189," 2009, accessed September 27, 2021, https://www.oxfordbibliographies.com.

[19] United Nations, 2.

[20] Mareike Kleiboer, "The Journal of Conflict Resolution, Vol. 40, No. 2 Pp. 360-389," June 1996, accessed February 10, 2020.

[21] Halsbury's Laws (6th Ed.) Vol.2, para. 504.

[22] John Collier and Vaughan Lowe, The Settlement of Disputes in International Law: Institutions and Procedures (Oxford, New York: Oxford University Press, 1999).

[23] Barbados v Trinidad and Tobago, Award, (2006) 45 ILM 839, ICGJ 371 (PCA 2006).

[24] Hamza, Todorovic, and Street, "PEACEFUL SETTLEMENT OF DISPUTES," 17.

[25] Ikboljon Qoraboyev, Global Governance, SSRN Scholarly Paper (Rochester, NY: Social Science Research Network, 2021), 99–100, accessed August 16, 2021, https://papers.ssrn.com.

[26] James Crawford, Individual and Collective Responsibility of States for Acts of International Organizations, ESIL Lecture Series and Events, 2013, accessed August 2, 2021, https://www.youtube.com/watch.

[27] Karns and Mingst, International Organizations, 547.

policymaking.[28] The independence of states at this stage is not a straight-jacket phenomenon as a superpower state does not always win in manipulating economic interdependence.[29] Smaller states also come to the table with **negotiating interests**. In this sense, globalization can create disputes as each actor strives to get the best. Whiles globalization can create disputes, it can also resolve disputes when harnessed in the right direction within the **international system** and promote positive international relations. Trade, for instance, remains an integral concern in international relations, and the World Trade Organization (WTO), in particular, has been instrumental in trade relations at the **multilateral level**.[30] Effective dispute resolution is a prerequisite to successful **economic development**, and that international organizations have an essential role in promoting both.[31] Dispute resolution typically starts with negotiation, mediation, arbitration, or ICJ. Below discusses the role some IGOs play in **peaceful dispute settlements** at the international level.

a) ICJ Dispute Settlement

The ICJ is the central organ of the U.N., authorized to resolve legal disputes amongst States by binding judgments or to issue Advisory Opinions at the request of the G.A., S.C., or any specialized agency approved by the G.A.[32] Its seat is in the Hague and made up of fifteen judges elected for a nine-year term and eligible for re-election. In its famous case of Nicaragua v. the United States of America, the ICJ ruled that the U.S. violated international law for supporting right-wing rebel groups in their covert war efforts against the Nicaraguan government. Despite its independent nature, the USA issued a communiqué suggesting that it could not present sensitive material to the court because of judges from Eastern bloc states.[33] When Nicaragua turned to the U.N. Security Council as an enforcement wing of decisions of the ICJ, the Council could not do much as the US, a permanent member of the Council, vetoed its **enforcement** actions. The *Nicaragua case* questioned the independence of the ICJ in terms of its **separation of power** from the Security Council, thus, affecting the fair distribution of global justice. Another factor is that only states can refer issues to the ICJ. It means that if an individual has issues of international interest, he cannot bring such issues before the ICJ except through the state. If the state has issues with such an individual, it means that the state would be biased in referring such a matter to the ICJ, however pertinent it may be. The question then arises as to whether turning to law furthers justice.[34] Despite its setback in autonomy, the ICJ's rulings are of significant importance in the international community and can affect real change, thereby directly bearing global justice.

b) WTO's Dispute Settlement

One of the WTO's core mandates is to resolve trade disputes between its members. A dispute may arise if a member believes that another member is violating a commitment or agreement made in the WTO. The most active international dispute settlement mechanism in the world is the WTO. Under the WTO dispute settlement system, a member recourse for alleged violation of WTO trade agreements by bringing a formal complaint before the WTO dispute settlement body.[35] The WTO has several levels of juridical competence. After a member files a complaint with the WTO dispute settlement body, that member state must request the establishment of a panel. A non-partisan group of experts hears the complaint and makes findings of law and fact regarding the issues raised in the complaint and any counter-complaints raised by the respondent state. The panel must make its findings within a set timeframe. The panel can extend the timeframe where facts or legal issues require an extension. After its findings, the panel may issue its decision. The decision may favor either party or both on some level. Where a party is unsatisfied, that party may appeal the panel's decision at the Appellate Body. Sometimes, after the decision of the Appellate Body, parties may enter a negotiation discussion supervised by the WTO regarding the implementation of the steps required in the Appellate Body's decision; they may do the same even with the panel's decision.[36]

Complaints against members of regional or regional economic organizations at the WTO dispute settlement level usually bother on issues such as anti-dumping and safeguards. These are of critical importance to the trading regime of the complainant state in any particular dispute and are not provided for in the constitutive legal regimes of many of the regional and regional economic organizations studied.[37] Effecting resolution of these complaints promotes healthy trade relations within the regional economic organizations and member states.

IV. LITIGATION OR ADR? RECOMMENDATION

The future of international relations is rooted in **liberal paradigms** of world politics. The liberalist approach to international relations follows the principles of democracy. While states are the primary subjects of international law, they claim it should include a check and balance mechanism, a

[28] Fred R. Dallmayr, "Globalization and Inequality: A Plea for Global Justice," International Studies Review 4, no. 2 (2002): 154–155.
[29] Joseph S. Nye, Understanding International Conflicts (6th Edition) (Longman Classics in Political Science, 6th ed. (Harvard University, Boston: Pearson Longman, 2006), 218.
[30] R. P. Barston, Modern Diplomacy, 3rd Edition. (New York: Pearson, 2006), 136.
[31] Peter Quayle, International Organizations and the Promotion of Effective Dispute Resolution (Leiden: Brill | Nijhoff, 2019).
[32] Cassese, International Law, 321.
[33] EUCLID, "International Organizations Textbook: UN Treaty Department,"110. June 18, 2016, accessed June 30, 2021, https://euclid.egnyte.com.
[34] Alvarez, "International Organizations and Global Justice," 279.
[35] WTO Secretariat, "WTO | Publications: A Handbook on the WTO Dispute Settlement System Second Edition," 2017, https://www.wto.org.
[36] Ibid.
[37] Alexandra Harrington, "Peer Pressure: Correlations between Membership in Regional and Regional Economic Organizations and WTO Dispute Resolution Claims and Their Implications" (November 11, 2008): 41.

solid international **judicial system**, and well-developed legislative and regulatory procedures.[38] Such requests by the states imply that they do not have enough trust in international law, knowing that the strong somehow interfere with law decisions if it does not go their way despite the freedom of the foreign policy concept under international law. All states and non-state actors face mutual vulnerabilities and benefit from global public goods, so trust in international laws is paramount. The effectiveness of international organizations that constitutes good governance at the global and regional level includes the evolving role of all the global governance pieces. Moving global relations forward requires a new socio-economic, political, and cultural thinking between the developed and rising powers. Even the most powerful states cannot trade alone. They need other market forces and economies, including developing economies.

There is a need to promote resolutions and partnerships that project a win-win approach to curb the balance of power and crises.[39] Above all, in managing and resolving intrastate and interstate disputes, parties should always and critically consider using a third party to reach an agreed resolution devoid of fueling unnecessary animosity.[40] The discussion above shows that whiles dispute resolution is vital for resolving interstate and transnational disputes, its settlement by peaceful means is ideal. Consequently, the problem with international litigations is that judicial independence remains questionable, and superpower states or large IGOs exert some form of interference in the judicial process. For instance, in the *Nicaragua case* mentioned above, the U.S., as one of the permanent five to the Security Council, refused to carry through with the decisions of the ICJ. The problem poses a threat to collaborative relations among states.

V. CONCLUSION

In any event, the fundamental purpose of most international organizations is to promote global co-existence and economic growth among their member states. However, it is also apparent that certain states supersede others and exert power over others. When this happens, developing countries will remain at a disadvantage at the mercy of powerful states which can easily veto decisions that do not favor them. Such steps affect the expected course of global justice. In the long run, they would break the chain of global economic growth that seems to be the ultimate for seeking global justice within international organizations and promoting harmonious international relations. If not curtailed, it can create tension and conflicts. Consequently, not resolving disputes that arise from such steps in international relations and trade may affect absolute peace and stability to ensure fair distribution of global justice.

That notwithstanding, resorting to litigation is one of the surest ways of destroying existing relationships between parties due to its adversarial nature. One of the best modes of maintaining good relationships between parties is using ADR to resolve disputes and preserve the relationship. There is an opportunity for states and non-state actors to recognize the harmony and benefits of preserved relationships ADR brings. One key benefit is trade agreements facilitated by institutions like the WTO, promoting global peace for sustainable relations and development.

BIBLIOGRAPHY

[1] Ahttisaari, Martti. "The Role of Inter-Governmental, State and Non-Governmental Players in Conflict Resolution." October 29, 2007. Accessed February 10, 2020.

[2] Alvarez, José E. "International Organizations and Global Justice." In Conversations on Justice from National, International, and Global Perspectives, edited by Jean-Marc Coicaud and Lynette E. Sieger, 254–280. 1st ed. Cambridge University Press, 2018. Accessed July 5, 2021. https://www.cambridge.org.

[3] Barbados v Trinidad and Tobago, Award, (2006) 45 ILM 839, ICGJ 371 (PCA 2006).

[4] Barston, R. P. Modern Diplomacy. 3rd edition. New York: Pearson, 2006.

[5] Berridge, G. R. Diplomacy: Theory and Practice. 2nd edition. Houndmills, Basingstoke ; New York, NY: Palgrave Macmillan, 2002.

[6] Bono, Edward de. Conflicts: A Better Way to Resolve Them. Ebury Digital, 2018.

[7] Cassese, Antonio. International Law. 2nd edition. Oxford ; New York: Oxford University Press, 2005.

[8] Collier, John, and Vaughan Lowe. The Settlement of Disputes in International Law: Institutions and Procedures. Oxford, New York: Oxford University Press, 1999.

[9] Crawford, James. Individual and Collective Responsibility of States for Acts of International Organizations. ESIL Lecture Series and Events, 2013. Accessed August 2, 2021. https://www.youtube.com/watch.

[10] Dallmayr, Fred R. "Globalization and Inequality: A Plea for Global Justice." International Studies Review 4, no. 2 (2002): 137–156.

[11] Delattre, Francois. The Art of Diplomacy, 2014. Accessed March 31, 2020. https://www.youtube.com/watch.

[12] Dwivedi, Sangit Sarita. "INTERNATIONAL ORGANIZATIONS AND GLOBAL GOVERNANCE." Interdisciplinary Research, no. 12 (2012): 9.

[13] EUCLID. "International Organizations Textbook: U.N. Treaty Department." June 18, 2016. Accessed June 30, 2021. https://euclid.egnyte.com.

[14] Gross, Janice Stein. "International Negotiation: A Multidisciplinary Perspective." Negotiation Journal 4, no. 3 (July 1, 1988): 221–231.

[15] Hampson, Fen Osler, and Michael Hart. Multilateral Negotiations: Lessons from Arms Control, Trade, and the Environment. Baltimore: The Johns Hopkins University Press, 1999.

[16] Hamza, Abdualla Mohamed, Miomir Todorovic, and Knez Mihaljeva Street. "PEACEFUL SETTLEMENT OF DISPUTES." Global Institute for Research and Education 6, no. 1 (2017): 7.

[17] Harrington, Alexandra. "Peer Pressure: Correlations between Membership in Regional and Regional Economic Organizations and WTO Dispute Resolution Claims and Their Implications" (November 11, 2008).

[18] Iklce, Fred Charles. How Nations Negotiate. Millwood, N.Y: Periodicals Service Co, 1976.

[19] Karns, Margaret P., and Karen A. Mingst. International Organizations: The Politics and Processes of Global Governance. 2nd edition. Boulder, Colo: Lynne Rienner Publishers, 2009.

[38] Cassese, International Law, 71.
[39] Francois Delattre, The Art of Diplomacy:, 2014, accessed March 31, 2020, https://www.youtube.com/watch.
[40] Edward de Bono, Conflicts: A Better Way to Resolve Them (Ebury Digital, 2018).

[20] Keohane, Robert O., Andrew Moravcsik, and Anne-Marie Slaughter. "Legalized Dispute Resolution: Interstate and Transnational." International Organization 54, no. 3 (2000): 457–488.
[21] Kleiboer, Mareike. "The Journal of Conflict Resolution, Vol. 40, No. 2 Pp. 360-389." June 1996. Accessed February 10, 2020.
[22] Krasner, Stephen D. "Global Communications and National Power: Life on the Pareto Frontier." World Politics 43, no. 3 (April 1991): 336–366.
[23] Nye, Joseph S. Understanding International Conflicts (6th Edition) (Longman Classics in Political Science. 6th ed. Harvard University, Boston: Pearson Longman, 2006.
[24] Qoraboyev, Ikboljon. Global Governance. SSRN Scholarly Paper. Rochester, NY: Social Science Research Network, 2021. Accessed August 16, 2021. https://papers.ssrn.com.
[25] Quayle, Peter. International Organizations and the Promotion of Effective Dispute Resolution. Leiden: Brill | Nijhoff, 2019.
[26] The Republic of Nicaragua v The United States of America [1986] ICJ 14.
[27] UN SG. "Report on Enhancing Mediation and Its Support Activities, S/2009/189," 2009. Accessed September 27, 2021. https://www.oxfordbibliographies.com.
[28] United Nations. "United Nations Guidance for Effective Mediation: An Annex to the Report of the Secretary-General on Strengthening the Role of Mediation in the Peaceful Settlement of Disputes, Conflict Prevention and Resolution (A/66/811, June 25, 2012). United Nations: New York." June 25, 2012. Accessed February 17, 2020.
[29] Weeks, Dudley. The Eight Essential Steps to Conflict Resolution: Preserving Relationships at Work, at Home, and in the Community. Reprint edition. New York: TarcherPerigee, 1994.
[30] WTO Secretariat. "WTO | Publications: A Handbook on the WTO Dispute Settlement System Second Edition." 2017. Accessed July 22, 2021. https://www.wto.org.