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Peaceful Settlement of Disputes: Paradigms, Plurality and Policy



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Academic Conference Room,
11/F Cheng Yu Tung Tower
The University of Hong Kong

In this talk, Professor Shaw intends to provide an overview of where international dispute resolution is at the moment. The emphasis is on the need to see international law generally and peaceful settlement specifically within the context of the contemporary social, political and economic circumstances. Such a context, with its resulting legitimacy principles, would help explain current international law, assist with its interpretation and give some indications of future developments. Essentially, changing economic and political circumstances require changing laws, institutions and mechanisms. Attention will be drawn to the current trend for dispute settlement by the use of multiple techniques, using as an example the resolution of the Bakassi dispute between Cameroon and Nigeria with the close involvement of the UN, following upon the decision of the International Court of Justice. The tendency of the International Court to be more prescriptive in its orders and decisions will be noted together with the evolving "long reach" of the Court, whereby the parties are called upon to adopt specific measures or methods in order to ensure full resolution of the dispute that had been before it. It will be concluded that international law is about getting things done in the most convenient manner and thus building international cooperation, but with the purpose, ultimately and optimistically, of seeking justice.

Professor Shaw is currently Senior Fellow at the Lauterpacht Centre for International Law, University of Cambridge and Research Professor in International Law at the University of Leicester. Until recently he held the Sir Robert Jennings Chair in International Law at Leicester. He has written and edited several books, including *International Law (6th ed., 2008)*, Cambridge University Press, 1400 pages – which has been translated into a number of languages, including Polish, Hungarian, Portuguese and Chinese. Professor Shaw is also a practising barrister at Essex Court Chambers, London, and has advised a large number of states, international organisations and private clients. He has appeared before the International Court of Justice (mostly recently in the *Kosovo* advisory opinion, representing the Government of Serbia), the European Court of Human Rights (most recently representing the Government of Azerbaijan) and all the major English courts.

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