

EDITORIAL

International dispute settlement has come to light in recent years as a new field of study, quickly endowed with academic interest of the highest order. The causes of this surge in interest are multiple, and lie both in the quantitative importance of international dispute resolution and in the qualitative significance of the legal, economic and sociological issues raised. Since the 1980s, the number of international courts, tribunals and other international dispute resolution mechanisms has increased markedly. This means a multiplication in procedural rules and a diversification in decision-makers involved in international dispute settlement. Parties have also resorted to international dispute resolution more than ever before. The new mechanisms are not merely a matter of abstract interest; the number of actual international disputes being resolved by such means has skyrocketed. Because of this ‘proliferation’, the scope and richness of decisions reached at an international level are also expanding at a rapid pace. The issues encountered in disputes before international instances are now wider in breadth and implicate novel questions which often forces one to revisit enduring themes, such as the role of the international adjudicator. In particular, the growth in international dispute resolution has reinforced the intersection of private and public international law. International investment arbitration, for example, illustrates quite clearly how international dispute settlement intensifies relations that long existed but were once more a curiosity than the mainstay of modern law that they now tend to become. Urgency is added to questions like the relation between national public law and international dispute settlement, the impact of human rights law on investment and trade disputes, and procedures of review and appeal. New academic approaches are needed to make sense of topical developments and to relate them both to precedent and to ongoing change. Many academic writers, often illustrious and sometimes very senior, have recognized this need for fundamental academic reflection and are engaging with the topic of international dispute settlement as never before.

The *Journal of International Dispute Settlement* (*JIDS*) defines its mission according to these developments. It covers all forms of international dispute settlement, focusing particularly on developments in private and public international law that carry commercial, economic and financial implications.

The main subjects dealt with are international commercial and investment arbitration, WTO dispute resolution, diplomatic dispute settlement, the settlement of international political disputes over economic matters in the UN, as well as international negotiation and mediation. The *Journal* is also open to articles addressing the resolution of mass claims, proceedings before the Law of the Sea Tribunal and the Permanent Court of Arbitration, post-war developments of mixed arbitrations between individuals and states, and online dispute resolution. Particular attention will be paid to questions that involve a combination of private and public international law.

JIDS is designed to encourage interest in issues of enduring importance and to highlight significant trends in the field of international dispute settlement. To this end, it has been conceived as a biannual journal that aims to publish a limited number of heavyweight and reflective articles, as opposed to more news-driven works. In addition to strictly legal approaches, the *Journal's* purview encompasses studies inspired by other disciplines, such as legal sociology, legal philosophy, the history of law, the intersection of law and political science, and law and economics.

Geneva University Law Faculty and the Graduate Institute of International and Development Studies are home to *JIDS*. Both Geneva institutions are globally recognized for their engagement with international dispute resolution and have recently reinforced their activities in this field. Among these activities is a postgraduate degree programme jointly organized by the two institutions. Entitled *Geneva Master in International Dispute Settlement (MIDS)*, it fundamentally covers the same ground as the *Journal*, from an educational perspective, and the two are therefore associated. The success of the degree programme has confirmed the demand for the global approach that *JIDS* takes. Of further note is the newly established Trade Law Clinic at the Graduate Institute, where students work with real clients on matters of international trade and investment law. Finally, Geneva itself is regarded as one of the premier places for international arbitration.

JIDS is the fruit of a project led by Thomas Schultz (University of Geneva), in association with Thomas D. Grant (University of Cambridge) and Andrew D. Mitchell (Melbourne Law School). It is placed under the patronage of Gabrielle Kaufmann-Kohler (University of Geneva) and Joost Pauwelyn (Graduate Institute of International and Development Studies).

James Crawford (University of Cambridge) made us the honour of inaugurating both the MIDS and *JIDS*—the Inaugural Lecture of the MIDS in October 2008 forms the basis of the first article of the first issue of *JIDS*. We are very grateful to him for this.

Thomas Schultz