

Chinese Journal of Transnational Law Special Issue Call for Papers

The appeal of alternative dispute resolution (ADR) mechanisms is on the rise and so is also the pull to prevent international disputes from arising altogether. In the area of cross-border commercial and investment disputes, the renewed interest in the interface between dispute prevention and alternative dispute resolution springs from a growing awareness of the need to overcome the shortcomings of arbitration. This is shown by the recent setting up of a series of new 'global labs' in international commercial resolution provided with new diversified and integrated commercial dispute resolution mechanisms linking 'mediation, arbitration and litigation' in recent years. Equally indicative of this trend is the entering into force of the UN Convention on International Settlement Agreements Resulting from Mediation (The Singapore Convention) in September 2020 and that 'dispute prevention and mitigation' has become one of the most dynamic focal points for UNCITRAL Working Group III mandated with examining the reform of investor-state dispute settlement.

However, the contemporary move towards devising more effective preventive 'cooling off' mechanisms, increasing the transnational appeal of mediation and, when feasible, sidestepping altogether the need to resort to third-party judicialized processes is not unique to international commercial and investor-state dispute resolution. At a time of backlash against international courts and tribunals, prevention and alternative dispute settlement mechanisms are gaining momentum across both established and emerging areas of public, private and economic international law.

Against this background, the inaugural issue of the Chinese Journal of Transnational Law to be published in 2024 invites submissions that engage critically with the on-going transformation of the transnational dispute settlement system in an increasingly multipolar international legal order in which a paradigm shift away from the Western-model of international adversarial legalism and towards de facto de-judicialization is arguably gaining hold.

Topics on which the contributions could focus on include, but are not limited to:

*Transnational Dispute Prevention and Settlement in international trade law

*Transnational Dispute Prevention and Settlement in emerging areas: cyberspace, outerspace etc.

* Transnational Dispute Prevention and Settlement in international environmental law

* Transnational Dispute Prevention and Settlement in international commercial disputes

*Transnational Dispute Prevention and Settlement in Investor-State dispute settlement

*Transnational Inter-State Dispute Prevention and Settlement in inter-state disputes under general public international law

Contributors may choose between: Research articles (up to 11,000 words inclusive of footnotes) or short articles (up to 6,000s inclusive of footnotes). Those interested, please submit your contribution before 31 Aug 2023 through the journal homepage.