



## Self-evaluation questions to the Chapter IX

### “Mediation as a tool for the pacific settlement of international disputes”

According to customary international law, the principle of “free choice of means” in the settlement of international disputes, deriving from the equal sovereignty among States, entails:

1. That States are obliged to submit their dispute to the jurisdiction of the International Court of Justice, if the other party to the dispute so requires.
2. That States are free to mutually agree ON the means of pacific settlement they prefer, but can also impose to the other party a specific means, if the other party does not cooperate with a view to settlement.
3. That an obligation cooperation exists with a view to settlement, but States cannot be forced to submit their claim to any specific means, unless they have agreed to do so in a Treaty binding them at international level. **CORRECT ANSWER**

In the settlement of disputes among actors of the international community (i.e. mainly States), mediation is:

1. The most common adjudicative means of settlement
2. The diplomatic means of settlement that allows parties to retain the highest degree of control on the dispute, as compared to other means of settlement mentioned in art. 33 of the UN Charter
3. One of the diplomatic means of settlement provided for in art. 33 of the UN Charter **CORRECT ANSWER**

Arbitration is:

1. The only available alternative means of settlement of disputes between individuals
2. A very common means of settlement of commercial and investments transnational disputes **CORRECT ANSWER**
3. Fully disciplined at EU level, in derogation to the New York Convention on the recognition and enforcement of arbitral awards (1958)

The EU directive on mediation provides for:

1. A fully fledged uniform discipline of internal and cross-border mediation at EU level
2. A “de minimis” discipline of both internal and cross-border mediation at EU level
3. A “de minimis” discipline of cross-border mediation at EU level **CORRECT ANSWER**