INTERNATIONAL DISPUTES

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INTERNATIONAL DISPUTE
“a disagreement on a point of law or fact, a conflict of legal views or of interests between two persons [States]”

- Judgement of the Permanent Court of International Justice
  Mavrommatis Palestine Concessions Case, 1924
complaints, litigations, disagreements or conflicts between two subjects of international law is objective (not dependent on the will or recognition of the parties)

it is acknowledged by the facts, not by the statements
TYPES OF INTERNATIONAL DISPUTE
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POLITICAL

LEGAL
PRINCIPLE OF SETTLEMENT INTERNATIONAL DISPUTES
BY PEACEFUL MEANS
Article 2

The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles.

(...)  

3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.
PEACEFUL MEANS OF INTERNATIONAL DISPUTES’ SETTLEMENT
Article 33

1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.
PEACEFUL MEANS OF INTERNATIONAL DISPUTES’ SETTLEMENT

DIPLOMATIC METHODS
- negotiations
- enquiry/inquiry/fact finding
- good offices
- mediation
- conciliation
- settlement done by regional organization

BINDING/JUDICIAL METHODS
- arbitration
- judicial settlement
INTERNATIONAL CRIMINAL COURT