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THE ROLE OF INTERNATIONAL LAW IN THE MEDIATION OF INTERSTATE CONFLICTS: AN ANALYSIS OF CONTEMPORARY CASES

O PAPEL DO DIREITO INTERNACIONAL NA MEDIAÇÃO DE CONFLITOS ENTRE ESTADOS: UMA ANÁLISE DE CASOS CONTEMPORÂNEOS

EL PAPEL DEL DERECHO INTERNACIONAL EN LA MEDIACIÓN DE CONFLICTOS INTERESTATALES: UN ANÁLISIS DE CASOS CONTEMPORÂNEOS

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Abstract: This article aims to analyze the role of International Law in the mediation of interstate conflicts, highlighting its relevance amid the intensification of contemporary geopolitical disputes. The study focuses on emblematic cases such as Ukraine v. Russia, Palestine v. Israel, and the controversies in the South China Sea in order to understand the extent to which international legal principles and institutional mechanisms have been capable of containing hostilities and promoting peaceful solutions. The theoretical framework is grounded in the principles of the United Nations Charter, particularly the prohibition on the use of force and the obligation to settle disputes peacefully, as well as in the concepts of jus cogens and pacta sunt servanda. The research adopts a qualitative, exploratory-descriptive approach, using a legal-dogmatic method and documentary analysis. International treaties, decisions of the International Court of Justice (ICJ), United Nations resolutions, and specialized literature were examined, supplemented by a comparative study of recent cases. The results indicate that, although mediation and arbitration mechanisms are indispensable, their effectiveness depends on the voluntary adherence of States and mutual trust between the parties. It is concluded that International Law, despite its enforcement limitations, remains essential to crisis containment and should be strengthened through greater institutional legitimacy and multilateral commitment.

Keywords: International Law. Interstate Conflicts. Mediation. Dispute Resolution. International Court.

Resumo: Este artigo tem como objetivo analisar o papel do Direito Internacional na mediação de conflitos interestatais, destacando sua relevância em meio à intensificação das disputas geopolíticas contemporâneas. O estudo concentra-se em casos emblemáticos, como Ucrânia versus Rússia, Palestina versus Israel e as controvérsias no Mar do Sul da China, a fim de compreender em que medida os princípios jurídicos internacionais e os mecanismos institucionais têm sido capazes de conter hostilidades e promover soluções pacíficas. O referencial teórico fundamenta-se nos princípios da Carta das Nações Unidas — notadamente a proibição do uso da força e a obrigação de solucionar controvérsias por meios pacíficos —, bem como nos conceitos de jus cogens e pacta sunt servanda. A pesquisa adota uma abordagem qualitativa, de caráter exploratório-descritivo, utilizando o método jurídico-dogmático e a análise documental. Foram examinados tratados internacionais, decisões da Corte Internacional de Justiça (CIJ), resoluções das Nações Unidas e literatura especializada, complementados por um estudo comparativo de casos recentes. Os resultados indicam que, embora os mecanismos de mediação e arbitragem sejam indispensáveis, sua eficácia depende da adesão voluntária dos Estados e da confiança mútua entre as partes. Conclui-se que o Direito Internacional, apesar de suas limitações quanto à aplicação coercitiva, permanece essencial para a contenção de crises, devendo ser fortalecido por meio de maior legitimidade institucional e compromisso multilateral.

Palavras-chave: Direito Internacional. Conflitos interestatais. Mediação. Solução de controvérsias. Corte Internacional.

Resumen: Resumen: Este artículo tiene como objetivo analizar el papel del Derecho Internacional en la mediación de conflictos interestatales, destacando su relevancia en medio de la intensificación de las disputas geopolíticas contemporáneas. El estudio se centra en casos emblemáticos, tales como Ucrania contra Rusia, Palestina contra Israel y las controversias en

el mar de la China Meridional, con el fin de comprender hasta qué punto los principios jurídicos internacionales y los mecanismos institucionales han sido capaces de contener las hostilidades y promover soluciones pacíficas. El marco teórico se fundamenta en los principios de la Carta de las Naciones Unidas —particularmente la prohibición del uso de la fuerza y la obligación de resolver las controversias de manera pacífica—, así como en los conceptos de jus cogens y pacta sunt servanda. La investigación adopta un enfoque cualitativo, de carácter exploratorio-descriptivo, empleando un método jurídico-dogmático y el análisis documental. Se examinaron tratados internacionales, decisiones de la Corte Internacional de Justicia (CIJ), resoluciones de las Naciones Unidas y literatura especializada, complementados con un estudio comparativo de casos recientes. Los resultados indican que, si bien los mecanismos de mediación y arbitraje son indispensables, su eficacia depende de la adhesión voluntaria de los Estados y de la confianza mutua entre las partes. Se concluye que el Derecho Internacional, a pesar de sus limitaciones en cuanto a su aplicación coercitiva, sigue siendo esencial para la contención de crisis y debería fortalecerse mediante una mayor legitimidad institucional y un compromiso multilateral.

Palabras clave: Derecho Internacional. Conflictos interestatales. Mediación. Resolución de controversias. Corte Internacional.

1 INTRODUÇÃO

The contemporary international landscape has been marked by the intensification of disputes between States which, although permeated by political, economic, and territorial issues, ultimately require the intervention of International Law in the search for peaceful solutions. Rising tensions in strategic regions such as Eastern Europe, the Middle East, and the South China Sea underscore the need for legal mechanisms capable of promoting mediation and preventing the escalation of armed conflicts (Shaw, 2011). Against this backdrop, the role of international norms and multilateral institutions has become increasingly important in efforts to stabilize interstate relations.

The importance of International Law in dispute resolution is not recent, but in the current global context it has assumed more complex contours. Whereas traditional diplomacy played a predominant role in the past, today there is an overlap among political, legal, and institutional instruments (Cassese, 2005). International organizations such as the United Nations (UN) and the International Court of Justice (ICJ) are called upon to intervene in highly sensitive disputes, reflecting both the confidence placed in normative instruments and the limitations that still persist in their applicability (Cunha, 2016).

The United Nations Charter, particularly Articles 2 and 33, establishes as fundamental principles the prohibition on the use of force and the obligation to settle disputes peacefully (ONU, 1945). These normative provisions form the basis of international action in matters of mediation and conflict resolution. In practice, however, States do not always comply with such commitments, generating tensions between the normative ideal and political reality. This discrepancy between theory and practice requires a critical analysis of the effectiveness of International Law as a mediator in interstate disputes (Brownlie, 2000).

In recent years, conflicts such as Russia's invasion of Ukraine and the disputes involving Israel and Palestine have highlighted the fragility of legal mechanisms for containing violence. Despite resolutions issued by the UN and decisions of the ICJ, the effectiveness of these measures encounters barriers in the resistance of sovereign States to complying with international determinations (Fernandes, 2020). This reality raises questions regarding the legitimacy of international norms and the enforcement capacity of multilateral institutions (Baptista, 2017).

Mediation, understood as one of the peaceful means of dispute resolution, represents an important mechanism because it seeks to bring the parties to a conflict closer together without imposing unilateral solutions. Unlike arbitration or adjudication, mediation emphasizes dialogue and cooperation, which may contribute to more enduring solutions that are regarded as legitimate by the parties involved (Santos, 2022). Its application to interstate conflicts, however, faces limitations arising from power asymmetries among States and the geopolitical interests of major powers (Shaw, 2011).

In addition to mediation, other instruments such as good offices, arbitration, and international adjudication constitute alternatives for dispute resolution. The choice among them depends both on the nature of the conflict and on the willingness of States to submit to international legal processes (CASSESE, 2005). In this regard, although a broad range of mechanisms is provided for in treaties and conventions, their effectiveness is conditioned on the consent of the parties, reinforcing the voluntarist character of International Law (Silva, 2020).

The role of international organizations has proven central to this process. Through the Security Council and the General Assembly, the UN performs mediating and normative functions, although these are often constrained by the political interests of its permanent members (Brownlie, 2000). The Organization of American States (OAS), the African Union, and other regional entities also play an important role in resolving local conflicts, demonstrating the plurality of institutions involved in efforts to promote world peace (Cunha, 2016).

The legitimacy of international mediation is also a recurring subject of debate. In many cases, questions arise as to whether mediators possess sufficient neutrality to conduct balanced negotiations (Fernandes, 2020). Moreover, the perception of partiality may undermine acceptance of the agreements reached, revealing the importance of ethical and political criteria in the conduct of such processes. Impartiality therefore becomes an indispensable condition for mediation to produce concrete results (Baptista, 2017).

The study of international mediation also requires an understanding of the limits imposed by state sovereignty. Each State retains its decision-making autonomy, and acceptance of international legal mechanisms may be interpreted as a concession of sovereignty (SHAW, 2011). This tension between sovereignty and international cooperation is one of the central elements for understanding the difficulty of implementing peaceful solutions in a comprehensive and binding manner (Cunha, 2016).

In this context, it is relevant to investigate how the principles of jus cogens and pacta sunt servanda operate in the resolution of interstate disputes (Brownlie, 2000). These principles, which concern the peremptory character of norms and the binding force of agreements, respectively, provide the theoretical foundation for the defense of mediation and other peaceful mechanisms. Their effectiveness, however, depends on recognition by States and on the existence of institutions capable of ensuring their application (Cassese, 2005).

The analysis of contemporary cases, such as disputes involving the South China Sea, reveals the complexity of conflicts that concern not only territorial sovereignty but also strategic resources and trade routes (Shaw, 2011). Such conflicts demonstrate that the peaceful settlement of disputes cannot be dissociated from global economic and political realities, because the interests at stake extend beyond the strictly legal dimension (Fernandes, 2020). This scenario reinforces the need to coordinate international norms with diplomatic negotiations (Santos, 2022).

From a methodological standpoint, research on the mediation of interstate conflicts must consider both normative analysis and practical developments (Cunha, 2016). This entails examining international treaties, ICJ decisions, and UN resolutions, while also reflecting on how such instruments are received by States and what effective impacts they produce in international relations. The articulation between theory and practice is therefore indispensable for assessing the actual effectiveness of International Law (Baptista, 2017).

The relevance of the topic is also justified by the contemporary nature of discussions on global governance. In an increasingly interdependent world, the inability to prevent or resolve disputes may generate cascading effects that reach multiple regions (Fernandes, 2020). Armed conflicts do not remain isolated; rather, they affect economic flows, collective security, and political stability, requiring a coordinated response that can only be achieved through the strengthening of International Law (ONU, 1945).

When addressing mediation in interstate conflicts, it is essential to emphasize the importance of building trust between the parties. Without mutual trust, even formally concluded agreements tend to fail (Santos, 2022). Legal scholarship indicates that the durability of peaceful solutions is directly related to the parties' perception of justice and balance, which requires not only well-structured rules but also transparent and inclusive negotiation processes (Shaw, 2011).

Accordingly, this study's introduction seeks not only to situate the reader within the contemporary debate on the peaceful settlement of disputes, but also to justify the academic and practical relevance of the topic. The proposed analysis seeks to understand the extent to which International Law, through mediation and other mechanisms, has been able to contribute to the stabilization of interstate relations in a setting marked by recurring conflicts and challenges to multilateral cooperation (Brownlie, 2000; Cassese, 2005; Silva, 2020).

This article proceeds from the premise that International Law, although limited, remains an essential instrument for maintaining international peace and security (Cunha, 2016). By examining normative principles, legal mechanisms, and case studies, the study seeks to assess the effectiveness of mediation as a dispute-resolution strategy, reflecting on its advances, limitations, and prospects in the contemporary geopolitical environment (Fernandes, 2020; Baptista, 2017). This article aims to analyze the role of International Law in the mediation of interstate conflicts, highlighting its relevance amid the intensification of contemporary geopolitical disputes.

2. THEORETICAL FRAMEWORK

2.1. Fundamental Principles of International Law in Conflict Resolution

The normative foundation of International Law rests on principles that guide peaceful coexistence among States and ensure the maintenance of the international legal order. Among the most relevant are the prohibition on the use of force, enshrined in Article 2(4) of the United Nations Charter, and the obligation to settle disputes by peaceful means, provided for in Article 33 of the same instrument (ONU, 1945). These provisions, together with the principle of jus cogens, which gives certain norms a peremptory character, constitute the essential core of the regulation of interstate relations (BROWNLIE, 2000).

The principle of pacta sunt servanda, which establishes the binding force of treaties, strengthens trust among international legal subjects and ensures legal predictability in relations among States (CASSESE, 2005).

This principle, together with the principle of good faith, constitutes an indispensable foundation for the stability of the international system, preventing arbitrariness and breaches of assumed commitments from undermining international cooperation (Silva, 2020). Its effectiveness, however, directly depends on the degree of political commitment of the parties involved, which makes its application a continuing challenge.

Classical scholars of International Law point out that normativity is sustained only when accompanied by enforcement mechanisms capable of ensuring compliance with agreed rules (Shaw, 2011). The absence of automatic or coercive sanctions limits the reach of these principles and reinforces the decentralized nature of the international system. Thus, even where a solid body of norms exists, its practical effectiveness remains conditioned on the voluntary adherence of States, revealing one of the most pronounced tensions between law and politics at the international level.

From this perspective, the peaceful settlement of disputes must be understood not only as a legal obligation, but also as a political necessity for preserving international security. Historical experience demonstrates that violations of such principles tend to generate regional instability and, in many cases, large-scale conflicts. Accordingly, understanding the function of the fundamental principles of International Law is essential to assessing the scope and limitations of mediation in interstate disputes (Cunha, 2016).

2.2. Legal Mechanisms of Mediation, Arbitration, and Adjudication

International Law provides a range of mechanisms for settling interstate disputes, extending from more flexible forms of negotiation to formal adjudicatory proceedings before international courts. Mediation and good offices are instruments that privilege dialogue and diplomacy, allowing the parties to construct consensual solutions. In such cases, the mediator's role is to bring the States involved closer together without imposing decisions, instead facilitating negotiation (Santos, 2022).

International arbitration, in turn, constitutes a more formalized means of dispute resolution in which States agree to submit a particular issue to an arbitral tribunal composed of arbitrators chosen by the parties. This mechanism, widely used since the nineteenth century, combines procedural flexibility with binding force, because the arbitral award is mandatory and final (Cassese, 2005). The effectiveness of this instrument, however, also depends on the States' prior acceptance and good faith (Silva, 2020).

Among the most relevant mechanisms is the jurisdiction of the International Court of Justice (ICJ), regarded as the principal judicial organ of the United Nations. The ICJ has jurisdiction to adjudicate disputes between States and to issue advisory opinions on significant legal questions (ONU, 1945). Although its decisions carry substantial legal and symbolic weight, their effectiveness faces practical barriers due to the absence of automatic coercive means, requiring the cooperation of the Security Council to ensure enforcement (Baptista, 2017).

Analysis of these mechanisms shows that, although International Law offers a broad range of instruments for the peaceful settlement of disputes, their effectiveness remains tied to the willingness of States to submit to these processes. This means that the international system, while seeking normative universality, faces the constant challenge of reconciling national sovereignty with the binding force of multilateral legal rules (Fernandes, 2020).

2.3. The Role of International Organizations

International organizations play an indispensable role in the mediation and resolution of conflicts, acting as institutional forums that confer legitimacy on negotiations and establish normative parameters for state conduct. The UN, in particular, constitutes the principal forum for deliberation and intervention in matters of international peace and security. The Security Council exercises broad decision-making powers, including the adoption of binding resolutions establishing preventive or coercive measures (ONU, 1945).

The UN's actions, however, are not always effective because of interference from the political interests of its permanent members, which frequently use the veto power to block decisions contrary to their strategic agendas (Shaw, 2011). This reality limits the organization's capacity to respond and generates criticism regarding its impartiality and legitimacy. Despite these limitations, the UN remains a normative and political reference in the field of peaceful dispute resolution (Brownlie, 2000).

In addition to the UN, other regional organizations have also performed important functions. The OAS in the Americas and the African Union on the African continent exemplify institutions that act as mediators in interstate disputes, often adapting international legal mechanisms to regional realities (Cunha, 2016). Although these organizations face institutional limitations and restricted resources, they are fundamental to the management of local conflicts and the consolidation of multilateral cooperation practices.

Nevertheless, the multiplicity of international organizations involved in mediation and dispute-resolution processes also creates challenges. There is often an overlap of competences, disagreement concerning criteria of legitimacy, and questioning of the actual impartiality of mediators (Fernandes, 2020). These dilemmas reinforce the importance of strengthening institutional mechanisms, establishing common standards of conduct, and promoting greater transparency in international negotiations.

2.4. Contemporary Case Studies of Interstate Conflicts

The analysis of contemporary cases is essential to understanding the practical application of International Law in the mediation of interstate conflicts. Russia's invasion of Ukraine, which began in 2014 and intensified in 2022, is one of the most significant examples. Despite UN action and ICJ decisions condemning the aggression, the conflict persists, revealing the limitations of international norms when major powers resist compliance with legal determinations (Fernandes, 2020).

Another emblematic case is that of Palestine and Israel, where successive attempts at international mediation have failed to achieve a definitive solution. UN resolutions, although repeatedly adopted, have had little practical effectiveness because of noncompliance by the States involved and the absence of coercive mechanisms capable of enforcing respect for those determinations (Baptista, 2017). This case illustrates how historical and political complexity can weaken the normative capacity of International Law.

The disputes in the South China Sea also represent a highly relevant setting, involving questions of territory, maritime sovereignty, and control of strategic trade routes. Despite the 2016 arbitral award, which invalidated Chinese claims over certain areas, resistance to recognizing the binding force of the award

demonstrates the challenges of reconciling national sovereignty with the international legal order (Shaw, 2011). This case highlights the role of international arbitration, but also its practical limitations.

These contemporary examples show that, although International Law possesses principles and normative mechanisms for mediating disputes, their effective application remains dependent on the political will of States. Critical analysis of these cases makes clear that mediation and other legal instruments are not sufficient in themselves; they require institutional support, strengthened mutual trust, and greater enforcement capacity in order to achieve lasting results (Cunha, 2016).

3. METHODOLOGY

The methodology adopted for this study is based on a qualitative approach oriented toward the analysis of normative documents, international treaties, judicial decisions, and specialized literature in International Law. This approach was chosen because the nature of the object under investigation—mediation of interstate conflicts—requires critical interpretation of legal norms and of the political contexts in which they are applied. By valuing the interpretation of meanings, qualitative research makes it possible to capture the nuances of international practice and the tensions between sovereignty and multilateral cooperation.

The exploratory-descriptive nature of the investigation is justified by the need to map how the principles of International Law and the legal mechanisms of mediation have been used in recent conflicts. The exploratory component seeks to identify relevant hypotheses and questions, while the descriptive dimension systematically presents the characteristics of the applicable norms and the ways in which international institutions operate. This combination makes it possible to analyze both normative foundations and institutional practice across different geopolitical settings.

From a methodological standpoint, the study employs the legal-dogmatic method, centered on the interpretation of international norms currently in force, such as the United Nations Charter and treaties governing the peaceful settlement of disputes. Legal dogmatics provides the analytical structure necessary to understand the principles of jus cogens, pacta sunt servanda, and the obligation of peaceful settlement, situating them in relation to concrete cases. Moreover, the legal-dogmatic method is appropriate because it allows normative analysis to be reconciled with the practical elements of implementation.

The research also uses documentary analysis of emblematic cases submitted to the International Court of Justice, international arbitration, and multilateral mediation bodies. Judicial decisions and advisory opinions of the Court, as well as official reports of the UN and other regional organizations, constitute the empirical basis of this study. This choice is justified by the relevance of such documents in consolidating international practice and by their function as sources of legitimacy and guidance for States and legal scholars.

Another fundamental methodological aspect is the comparative analysis of different cases of mediation and dispute resolution, such as the conflicts in Ukraine, Palestine, and the South China Sea. This comparative approach makes it possible to identify patterns, similarities, and differences in the application of International Law, revealing both the limitations and the potential of existing mechanisms. Comparative study not only broadens

the understanding of the contexts involved, but also provides a basis for critical reflections on the effectiveness of legal solutions.

Beyond normative and documentary analysis, this study incorporates a systematic literature review of specialized International Law scholarship. Classical works were compared with contemporary studies that problematize the relationship between sovereignty and cooperation. This triangulation among classical theory, institutional practice, and updated literature gives the investigation greater depth, avoids reductionism, and ensures a critical and comprehensive perspective.

The methodology was also structured to ensure validity and reliability in the analysis. Validity derives from the use of recognized sources in the field of International Law—treaties, judicial decisions, and established scholarship—while reliability results from the careful systematization of the data and the clear presentation of the criteria used to select the cases studied. The cases were chosen according to parameters of political relevance, legal impact, and contemporaneity, thereby ensuring that the adopted scope is representative.

The proposed methodology aligns the research with the central objective of this study: to understand the extent to which International Law, through mediation and other peaceful mechanisms, has proven effective in resolving interstate disputes. This methodological approach is not limited to a theoretical exercise, but seeks to provide concrete elements for assessing the legitimacy and effectiveness of international norms, contributing to academic debate and contemporary diplomatic practice.

4. RESULTS AND DISCUSSION

The analysis of contemporary cases of interstate conflict shows that International Law, although equipped with robust normative instruments, encounters significant difficulties in practical application. Mediation, arbitration, and adjudication mechanisms are provided for in multilateral treaties and conventions, but their effectiveness essentially depends on the voluntary adherence of States (Shaw, 2011). This dependence on consent reinforces the decentralized character of the international legal system and limits its coercive capacity (Brownlie, 2000).

The results observed in the case of Ukraine reveal an asymmetry between political power and international normativity. Despite ICJ decisions and several UN General Assembly resolutions condemning the Russian invasion, the continuation of the conflict demonstrates the limitations of International Law when military powers resist submitting to international jurisdiction (Fernandes, 2020). This scenario exposes the fragility of legal mechanisms when confronted with strategic interests that transcend normative logic.

By contrast, analysis of mediation processes conducted by the UN and regional organizations shows that, in certain contexts, legal diplomacy can produce partial, although not definitive, results. The mediation between Ethiopia and Eritrea, for example, although not central to the present study, illustrates how a combination of mediation and arbitration can lead to the temporary stabilization of contested borders (Cunha, 2016). This example suggests that, even in highly complex situations, international mechanisms can contribute to containing hostilities.

In the Israel-Palestine conflict, the persistence of violence demonstrates how the absence of mutual trust undermines the effectiveness of mediation. Despite numerous UN resolutions and negotiation attempts

sponsored by different international actors, noncompliance with assumed obligations and perceived partiality among some mediators have eroded the legitimacy of the processes (Baptista, 2017). This result reinforces the idea that the effectiveness of mediation depends not only on normativity, but also on the perception of neutrality and impartiality of the actors involved (Santos, 2022).

Territorial disputes in the South China Sea likewise stand out as a paradigmatic example of the tension between national sovereignty and the international order. The 2016 arbitral award in favor of the Philippines was not recognized by China, which maintained its maritime claims contrary to international norms (Shaw, 2011). This episode confirms that, even where clear legal awards exist, the absence of automatic coercive mechanisms prevents full enforcement of decisions and undermines the authority of international institutions (Cassese, 2005).

The effectiveness of international mechanisms is also limited by the structure of the international system itself. Unlike domestic legal systems, which possess state apparatuses capable of ensuring compliance with rules, the international sphere lacks a central authority endowed with absolute coercive power (Brownlie, 2000). This characteristic explains why many ICJ decisions and UN resolutions remain without concrete implementation, depending on the political will of States (ONU, 1945).

Another aspect discussed in the literature concerns the legitimacy of international norms. Beyond formal legality, States tend to assess whether rules and decisions reflect their strategic interests and fundamental values. When they perceive imbalance or partiality, they tend to resist implementation. Such selectivity in compliance with international legal norms weakens the credibility of the system and reinforces the perception that International Law may, in certain cases, serve as an instrument of power (Fernandes, 2020).

On the other hand, positive results indicate advances in the institutionalization of peaceful dispute resolution. In different contexts, international mediation has contributed to establishing temporary ceasefires, facilitating humanitarian exchanges, and creating minimum conditions for broader negotiations (Santos, 2022). Although such results do not amount to definitive solutions, they demonstrate the practical relevance of mediation as a tool for containing crises and preventing military escalation.

Critical analysis of the effectiveness of international mechanisms therefore reveals a structural ambiguity: on the one hand, the existence of universal and widely accepted normative principles; on the other, the absence of effective coercive mechanisms to ensure their observance (Cassese, 2005). This tension causes International Law to function as a system of normative expectations whose fulfillment ultimately depends on the political willingness of States to submit to common rules (Brownlie, 2000).

This paradox intensifies when international norms are selectively mobilized as legal arguments in geopolitical disputes. This can be observed, for example, in the use of economic sanctions and diplomatic measures, which are frequently criticized for their selectivity and the absence of universal criteria (Fernandes, 2020). Thus, while International Law seeks to ensure universality, it is continually strained by unequal application.

In the specific field of mediation, one of the principal findings is that its effectiveness increases when it is combined with other instruments, such as arbitration or international adjudication. Mediation used in isolation in contexts of intense hostility tends to produce only temporary results. When linked to formal dispute-resolution mechanisms, however, it may generate greater stability and credibility for the agreements reached (Cunha, 2016).

This finding reinforces the idea that mediation should be understood as part of a broader system of peaceful dispute resolution.

Finally, the results discussed indicate that International Law, although limited in its enforcement capacity, remains essential to the containment of interstate conflicts. Mediation, arbitration, and international adjudication do not guarantee definitive solutions in every case, but they constitute indispensable instruments for reducing tensions, legitimizing agreements, and preserving multilateral cooperation (Baptista, 2017). The current challenge is to strengthen the institutional framework of these mechanisms, enhance their legitimacy, and ensure greater commitment by States to the universal principles of peace and security (ONU, 1945).

5. FINAL CONSIDERATIONS

The analysis developed throughout this study makes it possible to conclude that International Law continues to play a central role in efforts to regulate relations among States in conflict. Despite the limitations identified, the normative principles enshrined in the United Nations Charter and in jus cogens constitute indispensable legal benchmarks for preserving world peace. Even when violated, these principles function as parameters for assessing state conduct and as universal normative references.

The legal mechanisms of mediation, arbitration, and adjudication analyzed proved to be essential instruments in the construction of peaceful solutions, although insufficient to fully resolve interstate disputes. Experience demonstrates that these mechanisms depend to a large extent on the voluntary adherence of States, highlighting the tension between national sovereignty and international cooperation. This paradox is one of the greatest challenges to strengthening the international legal order. International organizations such as the UN, the OAS, and the African Union have proven to be fundamental institutions for mediating disputes and facilitating negotiation processes.

Their effectiveness, however, encounters significant obstacles, particularly because of the political interests of major powers and the selective use of legal instruments. Despite these limitations, the importance of these institutions as forums for international legitimation and coordination cannot be denied. The analysis of the case studies, particularly the conflicts in Ukraine, Palestine, and the South China Sea, highlighted the distance between normative principles and international political practice. The examples demonstrated that the absence of effective coercive mechanisms undermines the authority of International Law and favors the perpetuation of conflicts.

At the same time, the cases showed that, even without definitive solutions, international mediation can play an important role in containing crises and promoting minimum levels of dialogue. One of the central findings of this study was that the effectiveness of International Law should not be measured solely by its formal legality, but also by the legitimacy perceived by international actors. When norms and decisions are regarded as partial or disproportionate, their acceptance tends to decline, undermining their applicability. For this reason, impartiality and transparency in mediation processes become fundamental conditions for effectiveness.

Another relevant point identified concerns the role of trust between the parties as an indispensable element for the durability of agreements. Without mutual trust, even legally binding decisions may be challenged or simply

disregarded. This finding reinforces the idea that International Law cannot be understood merely as a body of norms, but also as a space of political and diplomatic construction.

The study also revealed that combining different mechanisms increases the likelihood of effectiveness. Mediation, when coordinated with arbitration or international adjudication, produces better results than when used in isolation. This finding reinforces the need to understand the peaceful settlement of disputes as an integrated system of legal and diplomatic instruments rather than as separate solutions.

In light of these elements, it can be stated that International Law, although limited in its enforcement capacity, remains an indispensable instrument for containing hostilities and promoting multilateral cooperation. Strengthening its institutions and revising normative mechanisms are possible paths toward increasing its effectiveness and legitimacy. This task, however, requires a joint effort by the international community.

From an academic standpoint, the discussion presented here contributes to reflection on the limitations and potential of International Law in conflict resolution. The confrontation between theory and practice evidenced in the case studies provides important insights for understanding the contradictions inherent in the international system and the need to rethink legal and political strategies capable of ensuring greater effectiveness of international norms.

Finally, it is concluded that the future of international mediation will depend not only on maintaining already consolidated legal principles, but also on developing new institutional mechanisms that strengthen trust among States and ensure greater capacity for compliance with decisions. Reinforcing impartiality, expanding legitimacy, and consolidating multilateral cooperation are therefore urgent tasks if International Law is to continue performing its essential function in the pursuit of global peace and security.

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