

enquiry, mediation, conciliation, arbitration, judicial settlement, resort to means of peaceful settlement provided for by a competent international organization, or other peaceful means of their own choice.

- (2) If the parties to a dispute concerning the interpretation or application of this Convention have not agreed on a means of resolving it within 12 months of the request for consultation pursuant to paragraph 1 above, the dispute shall be referred at the request of any party to the dispute, for settlement in accordance with the procedure determined by the operation of paragraphs 6, 7 and 8 below.
- (3) Paragraph 2 above shall similarly apply in the event that the dispute has not been resolved within 18 months after the parties to the dispute agree on a means of resolving the dispute other than through arbitration or settlement of the dispute by the International Court of Justice, unless the parties otherwise agree.
- (4) Each Contracting Party, when signing, ratifying, accepting, approving or acceding to this Convention, or at any time thereafter, may declare that it accepts as compulsory one or both of the following means for the settlement of disputes concerning the interpretation or application of this Convention:
  - (a) submission of the dispute to the International Court of Justice;
  - (b) submission of the dispute to arbitration in accordance with Annex [X] to this Convention.
- (5) A declaration made under paragraph 4 above shall not affect the operation of paragraphs 1, 2 and 3 above;
- (6) A Contracting Party that has not made a declaration under paragraph 4 above or in respect of which a declaration is no longer in force, shall be deemed to have accepted submission of the dispute to the International Court of Justice.
- (7) If the parties to a dispute have accepted the same means for the settlement of a dispute referred to in paragraph 4 above, the dispute may be submitted only to that procedure, unless the parties otherwise agree.