

Orejudo on the Law Applicable to Mediation Contracts

Patricia Orejudo Prieto de los Mozos, who is a professor of private international law at the University of Oviedo (Spain), has posted *The Law Applicable to International Mediation Contracts* on SSRN. The abstract reads:

*Mediation entails the provision of the services of a professional, the mediator, who holds a legal relationship with the disputants: the mediation contract. Where there are transnational elements in the mediation process, the contract is of an international character. In such situation, the Laws of the diverse States involved could claim to be applicable to the same contract. The determination of the (only) Law applicable is of utmost interest in spite of the high degree of standardization of the obligations of both parties in the mediation contract. First, for such *lex contractus* establishes the limits of the freedom of the contracting parties. And second, for there are important matters that the parties do not usually tackle within the wording of mediation contracts and that model rules and standards do not either regulate. The present paper aims at illustrating about the functioning of the present and the future instruments of Private International Law that solve the conflict-of-laws issue: Rome Convention and Rome I Regulation.*

The paper is forthcoming in *InDret* 2011.