

Interest Group: LADIL/SLADI

Latin American Society of International Law

International Courts and Tribunals:

Objectives

The new LASIL Interest Group on International Courts and Tribunals was established at the suggestion of Paula Wojcikiewicz Almeida (Getulio Vargas Foundation Law School, Rio de Janeiro, Brazil).

The background for the interest group is the increasing number of international courts and tribunals in different levels of governance (universal, multilateral, regional, and sub-regional) and Latin America's active participation and contribution to the development of international law through international adjudication.

Historically resistant to any kind of external interference, Latin American states have tended toward the principles of national sovereignty, non-intervention, and peaceful settlement of disputes, which are deeply embedded in their political and juridical cultures. The universal presence of Latin American states at the 1907 Second Hague Peace Conference and their contribution to the work and outcome of the conference are well known: they encouraged the recourse to arbitration and non-use of force, the principle of juridical equality of states, the strengthening of international jurisdiction, and the direct access of individuals to international justice.

The old debate regarding Latin American international law also demonstrates the region's willingness to influence norms development in the field of international law. Concretely, Latin Americans have advanced recognition of the compulsory jurisdiction of the Permanent Court of International Justice (PCIJ) and the future International Court of Justice. The referred formula, which was maintained in the present Statute of the ICJ, contributed to attracting the acceptance of compulsory jurisdiction of the PCIJ by a total of 45 states and was firmly supported by Latin American states.

It followed that after the Second World War several international organizations were created in Latin America, such as the Organization of American States (OAS), the Central American Integration System (SICA), the Andean Community (CAN), the Common Market of South America (Mercosur), the Union of South American Nations (UNASUR), and more recently, the Pacific Alliance. Most of these organizations developed their own dispute settlement mechanisms, enhancing the region's tradition of peaceful settlement of disputes. The same rule applies to the UN, under the auspices of which Latin American states have been strongly active. Most of the cases submitted to the International Court of Justice concern maritime and territorial disputes.

In this context, the Interest Group on International Courts and Tribunals will foster general theoretical and practical discussions regarding the legal aspects of international courts and tribunals among scholars and practitioners. It also deals with their role in the development of international law and the necessary dialogue and cooperation between different courts and tribunals, as well as with national courts.

Secondly, another relevant topic of the Interest Group concerns Latin American participation and contribution to international courts and tribunals. The activities of the Group intend to cover the Latin American cases submitted before the International Court of Justice, the Arbitration Tribunals, the WTO Dispute Settlement Mechanism, the Inter-American Court of Human Rights, the Court of Justice of the Andean Community, the Central American Court of Justice, and the Mercosur Dispute Settlement System. The goal is to evaluate the Latin American contribution to the development of international law through the peaceful settlement of international disputes.

The objectives of the Interest Group will be pursued by a network of scholars and practicing lawyers who share information and reflections on these topics. In particular, the group will stimulate academic debate through the organization of conferences, meetings, and the setting up of research projects and joint publications.

If you are interested in becoming a member of this interest group, please contact Paula Wojcikiewicz Almeida (paula.almeida@fgv.br).

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Secretaries: Luna Barroso (legal trainee – FGV Direito Rio); Ana Arruti (research assistant – FGV Direito Rio); Gustavo Costa (legal trainee, CJUS-FGV Direito Rio)

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