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**Informal Meeting of the Legal Advisers
of the Ministries of Foreign Affairs**

**Side Event organized by the Mission of Mexico and the American
Society of International Law (ASIL)**

“The Contribution of Latin America to International Law”

Opening Remarks

By

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Muchas gracias por darme la palabra, Señor Presidente, mi estimado Max.
Excelencias,
Señoras y caballeros,
Estimados colegas y amigos,

Me siento honrado de estar aquí hoy para presentar un panel de oradores distinguidos y altamente cualificados. Y me siento particularmente honrado de introducir el tema de discusión de hoy - “La contribución de América Latina al derecho internacional” - un tema de gran importancia para mí.

Como Consejero Jurídico de las Naciones Unidas, soy muy consciente de la importancia de incorporar en mi trabajo, y en el de mi equipo, la diversidad y riqueza del pensamiento jurídico y la práctica legal existentes en el mundo, ya sea África, Asia, Europa, América del Sur, América del Norte u Oceanía.

Mr. Chairman,

The topic of today's discussion emphasizes the multi-polar nature of international law and the fallacy of the center versus the periphery when it comes to human thinking. It brings to bear the relevance of all the world regions in the creation and consolidation of international law.

Indeed, it was not by accident that article 9 of the Statute of the ICJ established that in the election of judges to the ICJ, it should be borne in mind not only that the persons to be elected should individually possess the qualifications required, but also that in the body as a whole, the representation of the main forms of civilization and of the principal legal systems of the world should be assured.

It is particularly important for those of us working in an international structure to ensure the equal recognition and representation of all cultures and all legal systems so as to ensure an inclusive interpretation and application of international law.

But it is not merely for diversity and equality that we value the contribution of Latin America to international law. In fact, Latin America deserves an important space in the shelves of our international legal libraries and has played and continues to play a central role in the fora of legal discussion worldwide given its distinguished role in the creation and consolidation of international law.

Indeed, Latin America gave birth to such important principles as the *uti possidetis*, which enabled the region to consolidate the borders of Latin America existing prior to the independence from Spain and Portugal.

Latin America also embraced early on, and ahead of any other region in the world, the prohibition of conquest as a means of establishing sovereignty. As a result, the continent stabilized the relationships among its states and it was a principle later included in Article 21 of the Charter of the Organization of American States and, of course, in Article 2 (4) of the Charter of the United Nations.

Latin America also first coined the principle of territorial integrity, already in the XIXth century; eventually becoming a universal principle of international law which was incorporated into Article 2 (4) of the Charter. This principle was adopted in the context of the quest for independence and to rebuff, not only by force but also by legal argument, attempts to recolonize certain parts of the continent. As a natural

segue, Latin America crystallized in the Conference of Havana of 1928 the principle of non-intervention, which later became Article 2 (7) of the Charter.

The notion of diplomatic and territorial asylum is yet another example. It was first regulated in Latin America at the end of the XIXth century in the Treaty of International Criminal Law of Montevideo. It became part of the DNA of the continent and gave rise to some of the early cases of the ICJ.

Finally, I would also underline the principle of pacific settlement of disputes. Latin America committed early on to such principle. Indeed, Latin America has been part to, as well as the seat of, some of the most important processes of international legal adjudication between states. The speakers on this panel would be much better placed than I am to elaborate on this point. But just let me recall that the first international tribunal in modern history was established in Latin America: the Central American Court of Justice created by virtue of the Washington Convention of 1907.

This long list of groundbreaking and transformative principles and initiatives is by no means exhaustive but I hope it gives you a flavor of the importance of the region for international law.

The discussion today constitutes, therefore, a unique opportunity to focus on Latin America, and to learn further about its impact on international law from an unparalleled group of speakers. I very much look forward to it.

Thank you.