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Mexican Jurist Bernardo Sepulveda to Serve on International Court of Justice

by LADB Staff

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Mexican jurist Bernardo Sepulveda Amor has been elected to serve a nine-year term on the International Court of Justice (ICJ) in The Hague. Sepulveda joins Gonzalo Parra Aranguren of Venezuela as the only Latin American jurists on the 15-judge ICJ, one of the UN's principal judicial organs. Jurists from the US, Morocco, New Zealand, and Russia were elected to the court along with Sepulveda. All five will begin their terms in February.

Sepulveda is the first Mexican chosen to serve on the ICJ since Luis Padilla Nervo (1963-1973). He was elected on Nov. 7 in a vote involving the 191 members of the UN General Assembly and the 15 members of the Security Council.

Sepulveda was supported by all countries in Latin America and the Caribbean as well as by Belgium, Canada, Spain, the Netherlands, Morocco, Poland, and Sweden. "The judges must possess the qualifications required in their respective countries for appointment to the highest judicial offices, or be jurists of recognized competence in international law," said the ICJ. "The composition of the Court has also to reflect the main forms of civilization and the principal legal systems of the world."

Sepulveda said his election to the court reinforces Mexico's positions on international law. "Mexico has always insisted on a peaceful solution of universal disputes," Sepulveda told reporters. Sepulveda, who served as foreign relations secretary during the administration of former President Miguel de la Madrid (1982-1988), was a chief proponent of Grupo Contadora, an organization that originally included Colombia, Mexico, Panama, and Venezuela. The group was created in 1983 to promote peace in Central America. Grupo Contadora later evolved into Grupo Rio, which, among other things, developed a plan for Latin American nations to address a financial crisis during the 1990s (see NotiSur, 1998-09-11).

Sepulveda, a law professor at the Colegio de Mexico, was also appointed an ad hoc judge for the ICJ to help in the case involving Mexico's complaint against the US regarding the use of the death penalty for Mexican citizens. The role of an ad hoc judge is to ensure that other judges understand arguments presented by a complaining country. Ad hoc judges participate on an equal basis with other ICJ judges in the cases to which they are appointed.

With Sepulveda participating in the deliberations as an ad hoc judge, the ICJ in 2003 and again in 2004 sided with Mexico regarding the death penalty for its citizens in the US. The ruling supported Mexico's contention that the US had ignored its obligations under the Vienna Convention by denying 51 Mexican citizens on death row the right to legal assistance from their government at the time of their arrest (see SourceMex, 2003-02-12 and 2004-04-14). Sepulveda, who served as
Mexican ambassador to Washington, Dublin, and London, also chaired a special UN commission on transnational companies. In that capacity, he helped develop a UN code of ethics for multinational companies. (Sources: www.icj.org; Spanish news service EFE, 09/07/05, 09/08/05, La Cronica de Hoy, La Jornada, The Herald-Mexico City, El Financiero, El Diario de Mexico, Criterios, 09/08/05)

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