



Antonio Augusto Cançado Trindade

Brazilian candidate to the ICJ - 2008



Foreword





“It is significant that, in a multicultural world, endeavours are undertaken to resolve disputes peacefully and on the basis of the rule of law. The expansion of international jurisdiction in the contemporary world strengthens the instruments of International Law in face of the challenges affecting the whole of mankind in domains such as the preservation of peace, human rights and environmental protection, sustainable development, population, international criminal justice, and the peaceful settlement of disputes.



I am honoured to have been nominated a candidate for election to the International Court of Justice. I am fully aware of the challenges faced by the international community today, and I am prepared to place my expertise and experience at the service of the International Court of Justice. In the course of more than three decades, I have closely followed the great issues of our times, and I have dedicated my entire professional life to the prevalence and evolution of International Law.

I served as Judge in the Inter-American Court of Human Rights for 12 years, and as its President for half a decade. Throughout this time I was in close contact with the distinct legal systems of the countries of the American continent and the Caribbean. As a scholar, I have published over 30 books and over 450 articles in different languages and countries all over the world. My sustained links with The Hague, through the Hague Academy of International Law, go back to 1971. I firmly believe that my knowledge and experience, gathered in the multicultural environment where I have been working, are suitable tools that enable me to contribute to the work of the International Court of Justice in the preservation of peace, the development of International Law, and the realization of international justice”.

AA Cançado Trindade



Introduction





"I am very pleased to introduce Brazil's candidate to the International Court of Justice, Professor Antonio Augusto Cançado Trindade.

In my professional life, especially as Minister of External Relations, I have had the opportunity to witness Professor Cançado Trindade's committed, innovative, passionate, yet judicious approach towards Human Rights. These qualities allowed him to achieve remarkable progress in the Inter-American Court of Human Rights, where he served as judge from 1995 to 2006, and to which he was twice elected President (1999-2001; 2002-2003). I can also testify to his highly accurate legal expertise, as he served as Legal Counsel to the Ministry of External Relations of Brazil for five years (1985-1990).

Brazil's commitment to International Law has always been one of the foundations of our international political action. It was through International Law and arbitration that our borders were settled. Since Brazil's participation in the Hague Peace Conference, in 1907, the principle of legal equality of States has been at the heart of our efforts to make international institutions more democratic. Brazil has traditionally contributed to initiatives seeking to develop and uphold the international legal order, including through the presence of Brazilian judges and experts in organs such as the International Law Commission, the International Criminal Court, the Inter-American Court of Human Rights and the International Court of Justice itself.

I am convinced that strengthening international justice is an indispensable step in our commitment to multilateralism. The International Court of Justice will continue to have an essential role to play in an increasingly integrated and complex global system.

I truly believe that Professor Cançado Trindade's exceptional qualities as a jurist and as a humanist, consolidated in a career of relevant contributions to the development of International Law and to the promotion of international justice, enable him to meaningfully contribute to the work of the ICJ. That is why I feel honoured to ask all members of the United Nations to support his candidacy."

Celso Amorim
Minister of External Relations
Federative Republic of Brazil





Biographical Note





Professor Antônio Augusto Cançado Trindade was born in Belo Horizonte, Brazil, on 17 September 1947. His career is marked by his dedication to the development and dissemination of contemporary doctrine and jurisprudence in the fields of International Law and Human Rights.

Author of 35 books and more than 450 articles, he is Professor of International Public Law at the University of Brasília and at the Brazilian Diplomatic Academy. He is also member of The Hague Academy of International Law's Curatorium and full member of the Institute of International Law (Institut de Droit International). From 1995 to 2006, he was a Judge of the Inter-American Court of Human Rights, where he was twice elected President (1999-2001; 2002-2003).

Professor Cançado Trindade's academic studies encompass areas such as International Law, Law of International Treaties, Law of the Sea, Human Rights, Peaceful Settlement of International Disputes, and International Responsibility of States. He dedicates himself, furthermore, to some of the most pressing issues of our time, such as the protection of Human Rights and of the environment, disarmament, poverty eradication, and human development.

Throughout his career, Professor Cançado Trindade encouraged Brazil's ratification of international instruments for the protection of Human Rights, as well as the country's recognition of the jurisdiction of the Inter-American Court of Human Rights. In addition, Professor Cançado Trindade greatly contributed to granting the victims of human rights violations direct access to the Inter-American Court of Human Rights, thus strengthening the importance of the Inter-American Court, which answers to concrete needs of the international community.



Cândido Portinari.
Study for "PEACE", 1954.
Panel at UN Headquarters
in New York City (detail).
Oil on canvas - 165 x 125 cm





“It is nowadays generally acknowledged that the universality of International Law can recognizedly be achieved only on the basis of pluralism, mutual respect for cultural diversity, and the pursuance of common aims, converging ultimately into the welfare of humankind. International Law has indeed undergone a process of continuing expansion and universalization in a multicultural world, so as to fulfill the aspirations of humankind’.

A.A. Cançado Trindade, ‘International Law for Humankind: Towards a New Jus Gentium - General Course on Public International Law - Part I’, 316 Recueil des Cours de l’Académie de Droit International de la Haye (2005) pp. 35 and 182-183.



Professional and
Academic Awards
and Distinctions





LL.B. in Law, Federal University of Minas Gerais, Belo Horizonte/Brazil (First Prize in Civil Law, 1969); LL.M. in International Law, University of Cambridge, United Kingdom (1973); Ph.D. in International Law (1977), University of Cambridge, with the thesis 'Developments in the Rule of Exhaustion of Local Remedies in International Law' (in 2 vols., 1.728 pages);

Yorke Prize, awarded by the Faculty of Law of the University of Cambridge, United Kingdom, in 1978, for the author's Ph.D. thesis in International Law (best Ph.D. thesis presented in the period 1977-1978);

Honours, International Institute of Human Rights, Strasbourg/ France, 1988;

Honours, Inter-American Institute of Human Rights, San José/Costa Rica, 1997;

Honours, State University of Rio de Janeiro, Brazil, 1999; University of Brasilia, Brazil, 1999; Federal University of Minas Gerais, Brazil, 2002;

Professor Honoris Causa, Universidad Nacional Mayor de San Marcos, Lima/Peru, 2001;

Doctor Honoris Causa, Central University of Chile, Santiago/Chile, 2003;

Doctor Honoris Causa, Catholic University of Peru, Lima/Peru, 2003;

Prize 'Isidro Fabela', National Autonomous University of Mexico (UNAM), Mexico City/Mexico, 2003;

Doctor Honoris Causa, American University of Paraguay, Asunción/Paraguay, 2004;

Prize 'Pontes de Miranda', Brazilian Academy of Juridical Letters, 2004;

Doctor Honoris Causa, National University of La Plata, La Plata/Argentina, 2005;

Honorary Visiting Professor, University of Rosario, Bogotá/Colombia, 2005;

Annual Award of 2007 of the American Society of International Law (ASIL), Washington D.C./U.S.A., 2007;

'W. Friedmann Memorial Award', Columbia University, New York/ U.S.A., 2008;

Member of the Curatorium of The Hague Academy of International Law (2004 onwards), of the Institute of International Law (Institut de Droit International, 1997 onwards), among other professional and scientific associations in the domain of International Law in distinct countries and continents.





Professional Juridical and Academic Experience





President of the Inter-American Court of Human Rights (1999-2004); Vice-President of the Inter-American Court of Human Rights (1997-1999); Judge of the Inter-American Court of Human Rights (1995-2006); Judge ad hoc of the Inter-American Court of Human Rights (1990-1994).

Legal Adviser to projects of the United Nations Environment Programme (UNEP, 1990-1992), the United Nations High Commissioner for Refugees (UNHCR, 1994 and 2004), the United Nations Development Programme (1988), Council of Europe (1995), International Committee of the Red Cross (1997-2000), the United Nations Educational, Scientific and Cultural Organization (UNESCO, 1997), the United Nations University (1984-1987).

Expert of the United Nations and Lecturer in the United Nations Global Consultation on the Right to Development as a Human Right (Geneva, 1990).

Member of the Commission of Jurists of the Organization of American States (OAS) for Nicaragua (1993-1994).

Legal Adviser to the Ministry of External Relations of Brazil (1985-1990); Delegate of Brazil to several international Conferences (U.N., OAS, and others), including the United Nations Conference on the Law of Treaties between States and International Organizations (Vienna, 1986), and the II United Nations World Conference on Human Rights (Vienna, 1993).

Full Professor (Titulaire) of International Law at the University of Brasilia and at the Rio Branco Diplomatic Academy of Brazil (1978-2008).

Visiting Professor (period 1981-2007) at the Universities of Paris-I and II, Ferrara, Columbia/N.Y., Sevilla, Nottingham, Strasbourg, Tulane, Deusto/Bilbao, American University/Washington, Notre Dame, Academy of European Law (Florence), among others. Guest Lecturer (1982-2005) at the Universities of Milan, Salerno, Warsaw, Nottingham, UNAM/Mexico, Keio/Tokyo, Hiroshima, Kyoto, among others, and at Diplomatic Academies in several countries. Executive Director of the Inter-American Institute of Human Rights (1994-1996); Lecturer at International Law Courses of the OAS Inter-American Juridical Committee (1981-2007), at Annual Study Sessions of the International Institute of Human Rights (Strasbourg, 1988-2007), of the International Committee of the Red Cross in Havana/Cuba (1995-2002) and in Hong Kong and Macao (China, 1996), at the Institute of Public International Law and International Relations of Thessaloniki/Greece (1988), at the



Main Publications





Euromediterranean Courses on International Law (Castellón/Spain, 1999), among others.
Cançado Trindade, A. A., *Derecho Internacional de los Derechos Humanos: Esencia y Transcendencia (Votos en la Corte Interamericana de Derechos Humanos, 1991-2006)*, México, Edit; Porrúa/Universidad Iberoamericana, 2007, pp. 1- 1055;

Cançado Trindade, A. A., *El Derecho Internacional de los Derechos Humanos en el Siglo XXI*, 2nd ed., Santiago, Editorial Jurídica de Chile, 2006;

Cançado Trindade, A. A., *International Law for Humankind: Towards a New Jus Gentium* General Course on Public International Law Part II, 317 *Recueil des Cours de l'Académie de Droit International de la Haye* (2005) pp. 19-312;

Cançado Trindade, A. A., *International Law for Humankind: Towards a New Jus Gentium* General Course on Public International Law Part I, in 316 *Recueil des Cours de l'Académie de Droit International de la Haye* (2005) pp. 31-439;

Cançado Trindade, A. A., *Pareceres dos Consultores Jurídicos do Itamaraty (1985-1990)*, vol. VIII, Brasília, Ministério das Relações Exteriores/Senado Federal, 2004;

Cançado Trindade, A. A., *Direito das Organizações Internacionais*, 3rd ed., Belo Horizonte/Brazil, 2003;

Cançado Trindade, A. A., *Tratado De Direito Internacional dos Direitos Humanos*, 2nd ed. vols. I-III, Porto Alegre/Brazil, S. A. Fabris Ed., 1997- 2003;

Cançado Trindade, A. A., *O Direito Internacional em um Mundo em Transformação*, Rio de Janeiro, Ed. Renovar, 2002 (Prize 'Pontes de Miranda');

Cançado Trindade, A. A., *El Acceso Directo Del Individuo a los Tribunales de Derechos Humanos*, Bilbao, University of Deusto/Spain,2001;

Cançado Trindade, A. A., *El Derecho Internacional de los Derechos Humanos en el Siglo XXI*, Santiago México/Buenos Aires, Editorial Jurídica de Chile, 2001;

Cançado Trindade, A. A., *A Proteção Internacional dos Direitos Humanos e o Brasil (1948-1997): As Primeiras Cinco Décadas*, 2nd ed., Brasília, University of Brasília Press (Series Humanities), 2000;





Cançado Trindade, A. A., *O Esgotamento de Recursos Internos no Direito Internacional*, 2nd ed., Brasília, University of Brasília Press, 1997;

Cançado Trindade, A. A., *Direitos Humanos e Meio- Ambiente: Paralelo dos Sistemas de Proteção Internacional*, Porto Alegre/Brazil, S.A. Fabris Ed., 1993;

Cançado Trindade, A. A., *A Proteção Internacional dos Direitos Humanos Fundamentos Jurídicos e Instrumentos Básicos*, São Paulo, Ed. Saraiva, 1991;

Cançado Trindade, A. A., *Repertório da Prática Brasileira do Direito Internacional Público (Brazilian Digest of International Law)*, vols. I-IV, Brasília, FUNAG/MRE, 1984-1988;

Cançado Trindade, A. A., *Co-existence and Co-ordination of Mechanisms of International Protection of Human Rights*, RCADI, The Hague, 1987, vol. 202;

Cançado Trindade, A. A., *The Application of the Rule of Exhaustion of Local Remedies in International Law*, Cambridge, Cambridge University Press, 1983;

Cançado Trindade, A. A., *Princípios do Direito Internacional Contemporâneo*, Brasília, University of Brasília Press, 1981.

