

**SPEECH DELIVERED BY DR. GERARD WIARDA, VICE PRESIDENT  
OF THE EUROPEAN COURT OF HUMAN RIGHTS,  
UPON THE OCCASION OF THE INSTALLATION OF THE INTER-AMERICAN COURT  
OF HUMAN RIGHTS, IN THE NATIONAL THEATRE OF COSTA RICA  
ON MONDAY, SEPTEMBER 3, 1979.**

As the representative on this occasion of the European Court of Human Rights, I wish first of all to express my gratitude to the Government of Costa Rica for its invitation to attend this solemn installation of the Inter-American Court of Human Rights.

Mr. President, members of the Court, dear colleagues, if I may do so in the name of your Strasbourg brothers and sisters, I congratulate you heartily on this grand occasion marking the beginning of the work with which the American Convention on Human Rights has charged you: jurisdiction over all cases concerning the interpretation of the Convention plus a very important consultative task.

For us, your European colleagues, as for you, this is a day of great joy and satisfaction.

Both Courts have much in common. The reading of both Conventions makes that clear, as does the fact that there are many comparable aspects in the historic background of our Courts.

In the first place both of us are children of the United Nations Declaration of Human Rights; this Declaration, although not a binding juridical instrument, may be considered as the starting point for the human rights movement in its international extension; the starting point for a development leading to the conclusion that more and more the protection of human rights is changing from an exclusive national interest to a worldwide responsibility of the international community for mankind as a whole. Of course this is a movement which can only be carried out step by step.

Laying down the obligations of the States concerning human rights not only in national Constitutions but also in international conventions was the first step; giving certain functions of oversight to international commissions a second step; the third step consists in the voluntary submission to the decisions of international judicial bodies, by States which have accepted their jurisdiction. It is easy to understand and that in the present world situation this last step cannot be realized on a worldwide setting, but only on a regional one, where mutual confidence and the existence of common standards may help to overcome objections which result from the fear that national sovereignty might be limited in too great a fashion.

Such a step was taken for the first time, I believe, twenty years ago when a majority of the European states met in the Council of Europe and accepted the jurisdiction of the European Court of Human Rights.

The next step was taken by the American states and as a consequence your Court can now begin its work.

After I received the invitation that has brought me here, I read some articles on the history of your Convention and I was struck by the pessimistic outlook of many of the authors of these articles as to the possibility of obtaining a sufficient number of ratifications so that the American Convention could enter into force in any foreseeable future. And yet it entered into force and as a consequence we are now here for the installation of your Court.

This may teach us that, although we had to be very modest as to the contribution law and lawyers can make for the realization of human rights, realism need not always be connected with pessimism.

I sincerely hope that the Convention, the Commission and the Court will be able to make an important contribution to allow human rights to become a reality in this Continent.

I also hope that there grows between our Courts a cooperation, understanding and mutual inspiration to the ideals to which both are subjected.