

OBLIGATIONS *ERGA OMNES* AND INTERNATIONAL PUBLIC ORDER AFTER THE DECISION IN THE *BELGIUM V. SENEGAL* CASE

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Abstract: This paper analyses the role of *erga omnes* obligations in contemporary Public International Law from the standpoint of relevant conventions and case-law. In this regard, the movement from bilateralism to community interest in the international legal system was confirmed by the International Court of Justice in its recent and emblematic case between Belgium and Senegal, in which the UN Convention against Torture was held to establish a public legal interest *inter partes* in the implementation of its provisions. Hence, the utility of the notion of *erga omnes (partes)* obligations with respect to standing before the Court was affirmed. It is sustained that, pursuant to this *obiter dictum*, international litigation on behalf of public interest is an irrevocable possibility, with the international judiciary, especially the International Court of Justice, playing an important part in the consolidation of the international legal public order.

Keywords: obligations *erga omnes*; international public order; standing.

I. Introduction

Much has been written about the Copernican revolution that has affected international law since the end of the Second World War. Indeed, it is commonplace to refer to the founding of the United Nations (hereinafter: UN), the rise of the human rights movement and the increase in environmental awareness as the driving forces of a permanent paradigm shift in international

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