

**SPEECH OF H.E. JUDGE ABDULQAWI A. YUSUF, PRESIDENT, OF THE INTERNATIONAL
COURT OF JUSTICE, AT THE COMMEMORATIVE CEREMONY
IN HONOUR OF DR. JOSÉ GUSTAVO GUERRERO
16 OCTOBER 2018**

Distinguished guests,
Ladies and gentlemen,

It is a great pleasure to welcome you to this ceremony at the Peace Palace to pay tribute to Judge José Gustavo Guerrero. This is the place in which he spent a significant part of his life as Judge of two courts, as Vice-President of two courts and as President of two courts: the Permanent Court of International Justice and the International Court of Justice.

Dr. Guerrero's service to the two courts and to the cause of international peace and justice can hardly be matched by any other judge of either of the two courts. He was one of the first jurists to engage at the international level with the judicial settlement of disputes and to lay the groundwork for its implementation and development in order to bring peace among nations. When he first came to the PCIJ in 1931, war was still considered an instrument of foreign policy and was not totally prohibited by international law. Therefore, the role of the judicial settlement of disputes was rather limited. However, together with others, he built the foundations of what has now become one of the most important methods of dispute settlement at the international level.

He was the first Latin American Judge to serve as the President of the PCIJ, and he became its longest serving President due to the tragic circumstances of the Second World War. However, by virtue of his judicial record and intellectual and leadership qualities, he was elected again as the first President of the newly established ICJ in 1946.

His impressive record of firsts does not stop there. He was the first and only Judge to be elected Vice-President after having served as the President of the ICJ. He was also the first Vice-President of the Court to be elected twice to that position.

This exceptional and unprecedented record was due not only to his intellectual contribution, on which Judge Cançado Trindade will speak shortly, but also to his integrity, outstanding leadership qualities, and his exceptional capacity to bring together the members of the Court.

Judge Guerrero will also be remembered as the architect of the unique system for the election of judges to the ICJ. In 1952, during a session of the *Institut de Droit International* in Siena, he drafted the resolution on "The composition of the International Court of Justice". As Rapporteur, he recommended the adoption of two improvements related to the election of Members of the Court: *first*, the separation of the election process from other organs of the United Nations and *second*, the non-communication between the Security Council and the General Assembly at the moment of the simultaneous vote. Those proposals have been implemented in the voting practice of both the General Assembly and the Security Council, and have reinforced the integrity and independence of the Court and its work.

It is a source of pride for the International Court of Justice to be able to call this pioneer of international justice our first President and to keep his memory alive for many generations to come.

Yes, a Guerrero, as his name may indicate, but he was a warrior for peace and justice among nations; not the other kind of warrior who leaves devastation and destruction in his wake.

El Salvador and its famous sons have been in the international limelight in the last few days. First, Romero in Rome and, today, Guerrero in The Hague. Although, we are the World Court, we do not have the power to confer sainthood, as Pope Francis did two days ago for another

outstanding son of El-Salvador, Archbishop Óscar Romero. But, there is no doubt that Dr. Guerrero, as the last President of the PCIJ and the first President of the ICJ, will for ever be remembered as an icon of international Justice and a pioneering figure of the peaceful settlement of disputes among nations. He may therefore be described as a secular saint.

Thank you
