IMPLEMENTING INTERNATIONAL LAW NATIONALLY: INCORPORATING INTERNATIONAL LAW IN ARGENTINA, CHILE, AND COLOMBIA

The Colombian case

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MAIN TOPICS / STRUCTURE

1. Incorporation
2. Examples
3. Research international treaties
DOMESTIC LAW

INTERNATIONAL LAW

INTERCONNECTED SYSTEMS
1. Constitution

Legal (law)
1.

**Constitution:**

**Art. 4** The Constitution is the supreme law. In the event of any conflict between the Constitution and the law, or any other regulation, the application of the Constitution shall prevail.
The branches approving a treaty

1. ... the President of the Republic has the following faculties:
   2. ... and make international treaties or agreements with other states and international bodies, which shall be submitted for the approval of Congress.

In order to be valid, treaties must be approved by the Congress...

.... the Constitutional Court ... shall fulfill the following functions:

10. ... decide on the execution of international treaties and laws approving them.
1.

* “Constitutional block”
1. Constitutional block:

• Art. 93: *International treaties and agreements* ratified by Congress that recognize *human rights* and prohibit their limitation in states of emergency *prevail in the internal legal order*.

• Art. 94

• Art. 214 # 2

• Constitutional Court Judgments: T-409/1992; C-225/1995
In summary...

1. Constitution

* Constitutional block: (Art. 53, 93, 94, 214 #2)

Law – International treaties
2. SOME EXAMPLES

I. Treaty of limits and free fluvial navigation between Colombia and Peru

II. American Convention on Human Rights

III. Free Trade Agreement with the European Union
EXAMPLES

2. Constitution

I. Treaty of limits

II. American Convention on Human Rights

III. Free Trade Agreement with the European Union
3.

VIRTUAL LIBRARY OF TREATIES

3.

SEARCH BY SUBJECT / TOPIC

3.

CHOOSE AN SPECIFIC TREATY

3. DATA OF SPECIFIC TREATY

MUCHAS GRACIAS
	hank you

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