



THE DOCTRINE OF “CONVENCIONALIDAD” CONTROL IN THE CASE LAW OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS

This paper examines the doctrine of conventionality review within the context of the Inter-American human rights system. This doctrine has gradually evolved since the turn of the century and is now frequently cited. The term was originally coined by Sergio García Ramírez, a former president of the Court from Mexico, who has written extensively on the subject and summarised his views in his latest work, published in 2023.

Based on this principle, the Inter-American Court of Human Rights has progressively affirmed the primacy of international human rights law over domestic law. This has led to the creation of a sort of common law for Latin American countries and the proposal of a control of conventionality in addition to the previously mentioned control of constitutionality. This paper will examine the various steps that led to the affirmation of this principle in the Inter-American Court's jurisprudence.