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A New International Human Rights Court for West Africa: The ECOWAS Community Court of Justice

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The Court of Justice for the Economic Community of West African States has been transformed from an interstate tribunal for resolving disputes over ECOWAS economic rules into a court with far-reaching human rights jurisdiction. This article identifies political mobilization, rather than judicial lawmaking, as the catalyst of this transformation, and explains the surprising reality that, whereas private actors in recent years have been able to pursue legal actions alleging human rights violations, they remain unable to challenge state noncompliance with ECOWAS economic rules.

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It is often said that the Vienna Convention on the Law of Treaties relegated drafting history to a subsidiary role in treaty interpretation. This article relies on a close reading of the Convention's own drafting history to challenge that view. Under the settlement actually negotiated by the drafters, reference to *travaux préparatoires* was meant to be a regular, central, and indeed indispensable component of the interpretive process.

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