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Prologue

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PROLOGUE

CLAUDIO GROSSMAN*

I am pleased to write this prologue for the special issue of the *American University International Law Review* featuring the winning papers from the 2010 Human Rights Essay Award, sponsored by the Academy on Human Rights and Humanitarian Law of the Washington College of Law.

Since 2003, the Academy has presented the annual Human Rights Essay Award to support and recognize scholarly research concerning international human rights law. Recipients of the award receive a full scholarship, including tuition, travel, and living expenses, to study at the annual Specialized Human Rights Program. Scholarships are given for the best research papers written in each of two languages, English and Spanish, which are selected from highly competitive pools of submissions. Year after year, lawyers from around the world with extensive experience and knowledge of international human rights law submit works of extraordinary rigor and insight.

This year's submissions addressed the topic of "The Right to Freedom of Expression and International Human Rights Law." The Academy on Human Rights and Humanitarian Law received a tremendous 69 submissions from authors representing 36 countries. I commend each of the participating scholars for their caliber of research and commitment to studying these vital issues.

The 2010 Award for the best paper in English was presented to James Forole Jarso of Kenya, for his paper entitled *The Media and the Anti-corruption Crusade in Kenya: Weighing the Achievements, Challenges and Prospects*. Mr. Jarso has recently assisted the Committee of Experts on Constitutional Review in its work on the proposed constitution of Kenyan Marsabit in Northern Africa. He

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also serves as a member of the Board of Marsabit Women Advocacy and Development Organization, provides advisory services with regard to women and children's rights, and is a legal consultant for Nairobi-based Horn of Africa Development Agency. Mr. Jarso volunteers at a community-based radio program for Marsabit FM with a focus on the Bill of Rights in the new constitution, leadership and integrity, and independently researches issues relating to human rights and democracy, climate change, and economic governance.

The 2010 Award for the best paper in Spanish was presented to Juan Camilo Rivera Rugeles of Colombia, for his paper entitled *Las sanciones penales frente a expresiones sobre temas de relevancia pública: ¿Limitación o violación a la libertad de expresión?* Mr. Rivera has worked for la Comisión Colombiana de Juristas [Colombian Commission of Lawyers] since 2009. He lobbies for bills introduced in Congress related to issues of military justice, access to information, freedom of speech, and national security. He also drafts legal demands and civil interventions on issues relating to civil and political rights for the Constitutional Court's review, as well as press releases on short-term issues related to human rights.

Honorable mentions for papers in English were awarded to Stijn Smet of Belgium, for his paper *Freedom of Expression and Reputation: Human Rights in Conflict*, and to Robin Edger of Canada, for his paper *Are Hate Speech Provisions Anti-Democratic?: An International Perspective*.

Honorable mentions for papers in Spanish were awarded to Francesca Tronco García of Mexico, for her paper *Feminicidio y derecho a la información en México: Dialéctica de la impunidad*, and to Dr. Graciela Romero Silvera of Uruguay, for her paper *Implicaciones jurídicas del desarrollo del derecho de acceso a la información pública en el marco del derecho a la libertad de expresión y los derechos humanos*.

The law school community congratulates each of these scholars for their exceptional articles, and appreciates the contributions of all participants in the Academy's 2010 Human Rights Essay Award Competition. I would also like to thank my fellow members of the Honor Jury: Catarina Botero, Agnes Callamard, José Antonio Guevara, Miklos Haraszti, Claudia Martin, Diego Rodríguez-Pinzón, Roberto Saba, Katya Salazar, Faith Pansy Tlakula, and Ineta

Ziamele.

The Academy on Human Rights and Humanitarian Law established the Human Rights Essay Award as part of its broader mission to help address the need for specialized legal training in the practice and theory of international human rights. The Academy, which evolved from the law school's core commitment to promoting human rights and humanitarian law, has emerged as a premier forum for advanced training and analysis concerning the most salient topics in these critical legal fields. Participants acquire valuable knowledge and skills through the examination of issues shaping the world within a context that emphasizes the practical roles and contributions of human rights rules and mechanisms. Such engagement strengthens the professional community that can, in turn, help to better address the pressing needs of people around the world.

The Academy's Specialized Human Rights Program is held each summer in Washington, D.C., at the American University Washington College of Law. The Program's faculty includes the most distinguished scholars and practitioners of human rights and humanitarian law. Courses address a diverse range of key topics including, *inter alia*, impunity and justice, implementation of human rights in domestic law, women and international human rights law, regional approaches to human rights law: Africa, America, Asia, election observation and the right to political participation, the rights of disadvantaged and vulnerable groups, and the United Nations human rights system.

Additionally, numerous activities further enrich the participants' experience in the Program, including panels and discussions on key topics and site visits to important institutions such as the Inter-American Commission on Human Rights, the Organization of American States, and the Newseum. Panel topics in 2010 included: "The International Human Rights Status of Elderly Rights: Current Trends;" "Assessing the Impact of International Law and Institutions in the Protection of Economic, Social and Cultural Rights: Challenges Ahead;" "A Regional Comparison of Human Rights Systems: Africa, America, Asia and Europe;" "International Law and Transitional Processes: Contemporary Challenges;" "International Humanitarian Law and International Human Rights Law: the Scope of their Relationship in Theory and Practice;" and "Recent

Developments in the Inter-American Human Rights System: A Debate on the New Procedural Rules of the Commission and Court and their Future Application.”

The Academy’s activities are an important component of the law school’s numerous initiatives reflecting its longstanding commitment to strengthening the rule of law and human rights around the world. Other elements include extensive course offerings and externship opportunities, a variety of student-run publications, and law school programs including, inter alia, the Center for Human Rights and Humanitarian Law, War Crimes Research Office, United Nations Committee against Torture Project, Clinical Programs, Office of Public Interest, Summer Law Program in the Hague, Impact Litigation Project, and the annual trilingual Inter-American Human Rights Moot Court Competition.

All of these initiatives reaffirm our community’s commitment to helping protect and promote human dignity through the rule of law. The law school will continue to foster and support this core value in future generations of lawyers, and to collaborate with institutions, programs and countries around the world. In this spirit, I would also like to express our deep appreciation to the *American University International Law Review* for its dedication and contributions to publishing vital international law scholarship, including this special issue each year that sets forth papers in both English and Spanish concerning key topics in international human rights law.