

# **THE PROHIBITION OF TORTURE UNDER INTERNATIONAL LAW**

## **INTRODUCTION**

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We are delighted to present this publication of the Academy on Human Rights and Humanitarian Law. The book includes essays and articles discussing contemporary issues of international human rights law and international humanitarian law. The goal of this publication is to provide an academic venue for scholarly writings of human rights experts, activists, and students. By publishing their work, we seek to contribute quality legal writings on particular topics of relevance to the development of this dynamic area of the law. In addition, the publication reflects the diversity of cultures and languages that characterizes our interconnected world. By publishing articles in English and Spanish, we enhance and broaden the voices that shape international human rights and humanitarian law in the future. Articles for the book are received based on invitation or commission.

The Academy on Human Rights and Humanitarian Law was established to address the need for a specialized scholarly legal approach to human rights law in Washington, D.C. Our institution, with a long and recognized tradition and commitment in this field, was in the best position to make such a contribution. Our programs help practitioners to understand the scope and practical implications of the human rights rules and mechanisms, whose applications impact people worldwide. The defense of human rights requires a professional community that is capable of undertaking a wide variety of actions to protect individual victims in international settings,

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advocate changes in domestic jurisdiction of States, support the protection of the most vulnerable of society, and seek truth and accountability after periods of gross and massive violations of human rights. The Academy addresses those needs by providing human rights training in its annual Summer Program and Inter-American Human Rights Moot Court Competition, curriculum development through its international partnerships, technical assistance to human rights institutions and practitioners, and scholarly research with its multiple publications and other practical resources.

This year the articles published include the best submissions in English and Spanish for the 2005 Human Rights Award of the Academy on Human Rights and Humanitarian Law. The topic of the award was "*The Prohibition of Torture Under International Law.*" We would like to recognize the winners of the Award, Louis-Philippe Rouillard and Xavier Andrés Flores Aguirre, as well as authors Elizabeth Vasiliades and David Fernández Puyana and our fellow Honor Jury Members who reviewed the submissions and selected the winners, namely: Charlotte Ku, Nigel Rodley, Susana SáCouto, Tanya Terrell-Collier, Theo Van Boven, and Leo Zwaak (for English submissions); and Roberto Cuellar, Ariel Dulitzky, Sergio García Ramírez, Claudio Grossman, Fernando Mariño, Flávia Piovesan, and Gabriela Rodríguez (for Spanish submissions).

We want to thank Scott Rempell, Editor-in-Chief, and Fernando Amarillas, Academy on Human Rights and Humanitarian Law Book Editor of the *American University International Law Review*, for their dedication and hard work in putting together this publication. We know that publishing in two languages was a challenge for the *International Law Review* and we appreciate the vision of its editors to foresee that the future of the international community rests on our ability to enrich our views with other people's ideas and cultures.

Finally, we want to thank Mariana Canelon, Christopher Clinton, Ernesto Gonzalez, Vanessa James, Veronica Jimenez, Patricia Larios, Luisa Lopez, Alejandra Siles, and Leonel Vásquez who edited the Spanish articles for the book. We also want to thank the staff and editors of the *International Law Review* who worked on the English language articles.