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Introduction

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JUSTICIABILITY OF ECONOMIC, SOCIAL, AND CULTURAL RIGHTS:

LEGAL APPROACHES AND THE CONTRIBUTIONS OF CASE LAW

INTRODUCTION

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We are delighted to present this new 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. It is the goal of this publication 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, this 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

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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, 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, 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 three best submissions in English and the three best submissions in Spanish for the 2006 Human Rights Award of the Academy on Human Rights and Humanitarian Law. The topic of the award was “Justiciability of Economic, Social, and Cultural Rights: Legal Approaches and the Contributions of Case Law.” We want to recognize the winners of the Award, Ellen Wiles and Carlos Iván Fuentes Alcedo, as well as our fellow Honor Jury Members who reviewed the submissions and selected the winners, namely: Gudmundur Alfredsson, Ann Blyberg, Denise Dora, Asbjørn Eide, Sarah Joseph, and Scott Leckie (for English submissions); and Víctor Abramovich, Ligia Bolivar, Eduardo Cifuentes, Ernesto de la Jara, Claudio Grossman, and Viviana Krsticevic (for Spanish submissions).

We want to thank David P. Goodwin, Editor-in-Chief, and Craig E. Hickein, 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 Canelón, Julio Guity, Jeffrey Kihien, Mariana Lozza, Aranzazu Olcina, Eduardo Pérez, and Addy Paola Velázquez 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.