

JORGE CONTESSE

Professor of Law & Director, Center for Transnational Law
Rutgers Law School
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EDUCATION

YALE LAW SCHOOL, New Haven, CT

Doctor of the Science of Law, 2014

Master of Laws, 2005

Yale Human Rights and Development Law Journal, Senior Articles Editor

Fulbright Scholar & Republic of Chile Scholar

DIEGO PORTALES UNIVERSITY SCHOOL OF LAW, Santiago, Chile

Degree in Law and Social Science, cum laude, 2000

ACADEMIC APPOINTMENTS

RUTGERS LAW SCHOOL, Newark, NJ

Professor of Law, 2022–present.

Associate Professor of Law (with tenure) 2019–22.

Assistant Professor of Law, 2013–19.

Founding Director, Center for Transnational Law, 2019–present.

Courses: Human Rights Law; International Law; Criminal Law; Jessup International Moot Court.

UNIVERSITY OF TORONTO FACULTY OF LAW, Toronto, Canada

Distinguished Visiting Professor, Winter 2024.

UNIVERSITÉ PARIS 1 PANTHÉON-SORBONNE, Paris, France

Visiting Professor, 2021–22.

DIEGO PORTALES UNIVERSITY SCHOOL OF LAW, Santiago, Chile

Adjunct Professor, Doctoral Program, 2020–present.

Adjunct Professor, 2013–present.

Lecturer-in-Law and Director, Human Rights Center, 2008–12.

YALE LAW SCHOOL, New Haven, CT

Schell Center Visiting Human Rights Fellow, 2012–13.

UNIVERSITY OF TEXAS SCHOOL OF LAW, Austin, TX

Visiting Resource Professor, spring 2012.

UNIVERSITY OF MIAMI SCHOOL OF LAW, Miami, FL

Visiting Professor, spring 2012.

FORDHAM UNIVERSITY SCHOOL OF LAW, New York, NY

Crowley Fellow in International Human Rights, 2007–08.

SCHOLARSHIP

WORKS IN PROGRESS

- *Precedent and the End of Inter Partes Effect in Latin American Constitutional Law*
- *Domestic Law in the Inter-American Court of Human Rights*

SELECTED PUBLICATIONS

- *International Law Scholarship in Latin America*, 64 VA. J. INT'L L. 373 (2024).
- *Authority and Dissent in the Inter-American Court of Human Rights*, 19 INT'L J. CONST. L. 1254 (2022).
- *The Rule of Advice in International Human Rights Law*, 115 AM. J. INT'L L. 367 (2021).
- *Judicial Interactions and Human Rights Contestations in Latin America*, 12 J. INT'L DISPUTE SETTLEMENT 271 (2021).
- *Settling Human Rights Violations*, 60 HARV. INT'L L. J. 101 (2019).
- *Resisting the Inter-American Human Rights System*, 44 YALE J. INT'L L. 179 (2019).
- *Case of Barrios Altos and La Cantuta v. Peru*, 113 AM. J. INT'L L. 568 (2019).
- *Sexual Orientation and Gender Identity in Inter-American Human Rights Law*, 44 N.C. J. INT'L L. 353 (2019).
- *The International Authority of the Inter-American Court of Human Rights: A Critique of the Conventionality Control Doctrine*, 22 INT'L J. HUM. RTS. 1168 (2018).
- *The Final Word? Constitutional Dialogue and the Inter-American Court of Human Rights*, 15 INT'L J. CONST. L. 414 (2017).

OTHER REPRESENTATIVE PUBLICATIONS

- *Chagos and “the Intelligence of a Future Day”*, 37 TEMPLE INT'L & COMP. L. J. __ (forthcoming 2024).
- *Latin American Approaches to Human Rights Law*, in THE OXFORD HANDBOOK ON COMPARATIVE HUMAN RIGHTS LAW (Neha Jain & Mila Versteeg eds., forthcoming 2024).
- *The American Convention on Human Rights in Latin American Domestic Courts*, in RESEARCH HANDBOOK ON CONSTITUTIONAL INTERPRETATION (Sujit Choudhry, Kate O'Regan & Carlos Bernal eds, forthcoming 2024).
- *Conventionality Control and the Limits of Pro Persona Jurisprudence*, 3 ITALIAN REV. INT'L & COMP. L. 121 (2023).
- *Human Rights as Transnational Law*, 116 AJIL UNBOUND 313 (2022) (also in Spanish).
- *Critical Disconnects: Progressive Jurisprudence and Tenacious Impunity in Mexico*, in THE LIMITS OF JUDICIALIZATION: FROM PROGRESS TO BACKLASH IN LATIN AMERICA (Sandra Botero, Daniel M. Brinks & Ezequiel A. Gonzalez-Ocantos eds., 2022) (with Janice K. Gallagher).

- *Exceptional Regulations for an Exceptional Moment: The Law and Politics of COVID-19 in Chile*, 73 ADM. L. REV. 121 (2021).
- *Human Rights Law and Constitutional Democracies in Latin America: Interactions, Contestations and Engagement*, in CRITICAL ESSAYS ON HUMAN RIGHTS CRITICISM (A. Sajó & R. Uitz eds., 2020).
- *Conservative Governments and Latin America's Human Rights Landscape*, 113 AJIL UNBOUND 375 (2019).
- EL LIBERALISMO EN SU LUGAR (2018) (Spanish translation of PUTTING LIBERALISM IN ITS PLACE, by Paul W. Kahn, 2005).

BLOG/COMMENTARY

- “We’re going wrong”: *Human Rights and Constitutionalism after 50 Years of Chile’s Coup d’État*, CIL DIALOGUES (Dec. 22, 2023).
- *Lithium and Constitutional Change*, VERFASSUNGSBLOG (May 16, 2023).
- “Above the Will Stands the Conscience”—*Antônio Cançado Trindade’s Missionary Jurisprudence*, OPINIO JURIS (Dec. 8, 2022).
- *Chile’s Kaleidoscopic Constituent Assembly*, VERFASSUNGSBLOG (June 22, 2021).
- *Inter-State Cases in Disguise under Inter-American Human Rights Law: Advisory Opinions as Inter-State Disputes*, VÖLKERRECHTSBLOG (Apr. 27, 2021).
- *Responding to COVID-19 Without Public Trust*, THE REGULATORY REVIEW (June 2, 2020).
- *The Downfall of a Constitutional Court*, VERFASSUNGSBLOG (Apr. 28, 2020).
- *Chile’s Constitutional Awakening*, OPEN GLOBAL RIGHTS (Apr. 13, 2020).
- *A Constitution Borne Out of Actual Bullets*, VERFASSUNGSBLOG (Nov. 10, 2019).
- *The Supreme Court of Chile as an Inter-American Tribunal*, INT’L J. CONST. L. BLOG (May 31, 2019).

OTHER WORK EXPERIENCE

UNITED NATIONS COMMITTEE AGAINST TORTURE, Geneva, Switzerland
Member, 2024-27.

INTER-AMERICAN COURT OF HUMAN RIGHTS, San José, Costa Rica
Expert Witness, 2013.

NATIONAL HUMAN RIGHTS INSTITUTE, Santiago, Chile
Board Member, 2012–13.

INTER-AMERICAN COMMISSION AND COURT OF HUMAN RIGHTS, San José, Costa Rica
Leading Co-Counsel, Atala Riffo and Daughters v. Chile, 2006 – present.

PROFESSIONAL ACTIVITIES

- *American Journal of International Law*, Member, Board of Editors (2024-28).
- *American Society of International Law–Latin American Interest Group*, Member, Advisory Board (Co-Chair, 2020-23).
- *AJIL Unbound*, Managing Editor (2021-24).
- *Chilean Chapter of the International Society of Public Law*, Member, Executive Committee (2021-)
- *Association of American Law Schools, Section on Human Rights and Comparative Law*: Member, Executive Committee (2019-).

- *American Journal of International Law; Business & Human Rights Journal; Global Constitutionalism; International & Comparative Law Quarterly; International Journal of Constitutional Law; International Journal of Transitional Justice; Latin American Legal Studies; Leiden Journal of International Law; Nordic Journal of Human Rights; Revista de Derecho de Valdivia; Utrecht Law Review* || Hart Publishing; Oxford University Press; Routledge: Peer-reviewer.

SELECTED PRESENTATIONS

1. “International Law Scholarship in Latin America,” Master’s Program, Universidad del Rosario, Bogotá, Colombia (March 2024).
2. “International Law Scholarship in Latin America,” American Association of Law Libraries-Latinx Caucus (March 2024).
3. “Diseño, Política y Activismo Judicial,” 2nd Annual Conference ICON-S Chile, Universidad Alberto Hurtado, Santiago, Chile (December 2023).
4. Developments in Interstate Dispute Settlement before Regional Human Rights Courts, Joint Webinar ASIL International Courts and Tribunals Interest Group & ESIL Interest Group on International Courts and Tribunals (December 2023).
5. “Human Rights as Latin American Law,” Latin American Society of International Law Bi-Annual Meeting, “Latin American International Law” Universidad de São Paulo, São Paulo (November 2023).
6. “The End of *Inter Partes* Effect in Latin American Constitutional Law,” *Comparative Comparative Law*, American Society of Comparative Law 2023 Annual Meeting, Florida International University, Miami, Florida (October 2023).
7. “Evolutions and Transformations of Procedural Rights: The Inter-American Human Rights System,” Max Planck Institute for Procedural Law-Luxembourg (July 2023).
8. “El Impacto de la Jurisprudencia de la Corte Interamericana en Chile y sus desafíos,” Conference, Inter-American Court of Human Rights, Universidad de Chile (April 2023).
9. Study and Analysis of International Law Scholarship, Authors’ Workshop, Georgetown University (April 2023).
10. Writers’ Workshop: Philippe Sands’ *The Last Colony*, Temple University (April 2023).
11. “Can International Law Integrate Latin America? Politics, international law, and the crises to come” Roundtable, American Society of International Law Annual Meeting, Washington, DC (March 2023).
12. “On Chile’s Constitutional Pendulum,” Symposium on Constitution-making in the Global South, University of Wisconsin-Madison (March 2023).
13. “Reflections on Chile’s Constituent Process: When Constitutional Law and Constitutional Politics Don’t Match,” Workshop, European University Institute (December 2022).
14. “Implementation of Human Rights Judgments in Europe and Latin America”, Conference: Time and International Litigation, University of Padova (December 2022).
15. “Chile’s Draft Constitution: Indigenous Rights in Context”, Webinar: Canadian Council of the Americas (August 2022).
16. Law, Sovereignty and Legitimate Violence, Max Weber Programme Multidisciplinary Research Workshop, European University Institute (June 2022).
17. Latin American Approaches to Human Rights, Comparative Human Rights Law Colloquium, University of Virginia School of Law (June 2022).
18. “Constitutional Change from Afar,” The Stoffer Lecture, Rutgers Law School (March 2022).

19. “Inter-American Constitutionalism,” Lecture, Université Paris 1 Panthéon-Sorbonne, Paris, France (December 2021).
20. “Chile’s Constituent Process,” Lecture, Minas Gerais University, Brazil (November 2021).
21. “The Inter-American Court of Human Rights in the 21st Century: Authority, Activism and Backlash,” Lecture at the Université de Aix-Marseille, France (April 2021).
22. “Human Rights and Proportionality,” Lecture organized by the Department of Studies of the Supreme Court of Mexico (October 2021).
23. “Hot Topics” Panel, American Society of Comparative Law, Annual Meeting, University of Wisconsin-Madison. (October 2021).
24. Conference “Inter-State cases under the European Convention on Human Rights,” Berlin, Germany (April 2021).
25. “Chile’s Constitutional Awakening,” Yale Law School Human Rights Workshop (March 2021).
26. “Comparative Law by International Means,” UNL-Act in Courts Workshop, Lincoln, Nebraska (February 2021).
27. Roundtable on Chile’s constituent process, University of Bologna (January 2021).
28. Workshop on Chile’s Constitution-Making symposium, organized by the International Society of Public Law, ICON-S, Santiago, Chile (January 2021).
29. “Constrained Deference in International Human Rights Court,” PluriCourts-iCourts Concepts and Methods Workshop, U. of Oslo (November 2020).
30. IACL Global Roundtable: ‘Democracy 2020: Assessing Constitutional Decay, Breakdown, and Renewal Worldwide,’ U. of Melbourne (November 2020).
31. Workshop “Can international law limit the constituent assembly?” [Los límites del Derecho Internacional a la Constituyente], Santiago, Chile (December 2020).
32. “Inter-American Constitutionalism,” Master of Laws and Doctoral Program, Universidad de Fortaleza, Brazil (online) (October 2020).
33. Symposium on the Refugee Crisis, Rutgers New Jersey Medical School (NJMS) (August 2020).
34. “Comparative Law by International Means,” American Society of Comparative Law, Works-In-Progress Workshop (June 2020).
35. Paper presentation, “Ruling through Advice,” University of Miami School of Law Colloquium (February 2020).
36. Paper presentation, “Ruling through Advice,” University of Georgia Law Workshop (February 2020).
37. “Ruling through Advice,” American Society of International Law 2019 Midyear Meeting—Research Forum, Brooklyn Law School (November 2019).
38. “Ruling through Advice,” Latin American Society of International Law Bi-Annual Meeting, “Change in International Law,” Universidad Torcuato Di Tella, Buenos Aires (October 2019).
39. “The Inter-American Court of Human Rights’ Use of Comparative Law,” Comparative Law and International Dispute Resolution Processes, American Society of Comparative Law 2019 Annual Meeting, Columbia, Missouri (October 2019).
40. “Judicial Interactions and Domestic Contestations in Latin America,” International Courts and Tribunals Interest Group Workshop, European Society of International Law, University of Athens, Athens, Greece (September 2019).
41. “Ruling through Advice,” American Society of International Law, Midwest Interest Group, Works-in-Progress Conference, Chicago (September 2019).

42. “Ruling through Advice,” International Society of Public Law (ICON-S), Annual Meeting, Santiago, Chile (July 2019).
43. “Human Rights, Populism and International Justice,” Derecho y Cambios Sociales en América Latina: Reflexiones Contingentes desde el Derecho Público, University of Concepción, Chile (July 2019).
44. Conference on Chile’s Supreme Court decision in Norin Catrman, Universidad Diego Portales School of Law, Santiago (June 2019)..
45. “The Inter-American Court of Human Rights and Constitutional Democracies,” Law & Society 2019, Law & Society Annual Meeting, Washington, DC (May 2019).
46. “Inter-American Human Rights Adjudication and Domestic Constitutionalism,” Workshop, “Engaging with Domestic Law in International Adjudication: Factfinding or Transnational Law-Making?”, University of Amsterdam (February 2019).
47. “Human Rights in Troubled Times,” North American–Chilean Chamber of Commerce, New York City (March 2019).

LANGUAGES: English and French (fluent); Spanish (native).