

NICOLÁS CARRILLO-SANTARELLI, PhD

Nationalities: Italian and Colombian

EDUCATION

Master on Modern and Contemporary Philosophy

University of Luxembourg
Ongoing since 2021

PhD on International Law and International Relations

Autónoma de Madrid University (UAM), Spain
Honors: Thesis awarded with "Summa Cum Laude" and "European" mentions
Completed on 12 December 2013

LL.M. on International Law and International Relations

Autónoma de Madrid University (UAM) - Instituto Universitario de Investigación Ortega y Gasset, Spain
Completed in June 2009

LL.M. on the Protection of Human Rights

Alcalá de Henares University, Spain
Completed in June 2007

Juris Doctor

Externado de Colombia University, Colombia
Completed in December 2005

RESEARCH AND PROFESIONAL EXPERIENCE

Associate Researcher

Institute of Human Rights and Business
University of Monterrey (UEM)
2020 – present
Remote position

Professor of International Law

La Sabana University
Law Faculty
January 2017 – 2020
Chía, Colombia

Head of the International Law Department

La Sabana University
Law Faculty
July 2015 – December 2016
Chía, Colombia

Lecturer and Researcher

Autónoma de Madrid University (UAM)
Department of Public International Law

2013 – July 2015
Madrid-Spain

Researcher

Autónoma de Madrid University (UAM)
Public International Law Department
2008-2012
Madrid-Spain

Lecturer of Public International Law

Nueva Granada University
2006
Bogotá, Colombia

Legal Assistant

Constitutional Court of Colombia
2006
Bogotá, Colombia

AWARDS, DISTINCTIONS AND HONORS

Summa cum laude and European mention, PhD thesis	2013
Coach of the UAM team in the Jessup Moot Court competition, which won the first place in the Spanish National Rounds	2010-2011, 2012-2013, and 2013-2014
Research stay grant of the UAM to visit the University of Bristol as a visiting scholar	2011
Research stay grant of the UAM to visit the University of Queensland as visiting scholar	2010
PhD scholarship granted by the UAM	2008-2012
LLM scholarship granted by the Carolina Foundation	2006-2007
Scholarship granted by American University to study summer courses	2003
Winner of the first place of the Moot Court competition on the Inter-American framework of human rights protection, held in American University	2003
Seventh best exam among all law students in Colombia, ICFES	2004

LANGUAGES

Spanish: native

English: full professional proficiency

Italian: Intermediate proficiency

French: B1 level acquired (intermediate proficiency)

RESEARCH STAYS AND INTERNSHIPS

University of Bristol, Human Rights Implementation Centre, United Kingdom
June through September 2011

University of Queensland, Centre for Public, Comparative and International Law, Australia
July through October 2010 (3 months)

CEAR –Comisión Española de Ayuda al Refugiado, Spain
2007

Center for Justice and International Law –CEJIL- (NGO), United States of America
Summer 2005

MEMBERSHIPS

Global Business and Human Rights Scholars Association, Latin American branch (member of the Directive Council), 2019-ongoing

International Law Association
Member since 2014

Colombian Academy of International Law (ACCOLDI)
Member since 2015

REFEREES

Anthony Cassimatis, Professor, TC Beirne School of Law, University of Queensland, e-mail: a.cassimatis@law.uq.edu.au

Carlos Espósito Massicci, Chair Professor of Public International Law, Autónoma University of Madrid, e-mail: carlos.esposito@uam.es

Antonio Alejandro Barreto., Professor, La Sabana University of Colombia e-mail: antonio.barreto@unisabana.edu.co

PUBLICATIONS

Books and Book Chapters

Chapter: "Empresas y derechos humanos: las contribuciones del sistema interamericano de derechos humanos para la protección a libertad de expresión en internet" ["Business and Human

Rights: Contributions of the Inter-American Human Rights System to the Protection of Freedom of Expression on the Internet”, in: Danielle Anne Pamplona et al. (eds.), *Direitos Humanos e Empresas*, Íthala, 2019. Co-authors: Anna Luisa Walter de Santana and Danielle Ane Pamplona.

Chapter: “Migration Issues in the Inter-American System of Human Rights: the Development of an Increasingly Humane *Jus Migrandi*”, in: Giovanni Carlos Bruno et al. (eds.), *Migration Issues Before International Courts and Tribunals*, Consiglio Nazionale delle Ricerche, 2019. Co-author: Luca Paladini.

Chapter: “The history and instruments of the business and Human Rights Field: from a ‘New Economic Order’ to Ruggie’s Guiding Principles and beyond”, in: Julián Tole Martínez (ed.), *Desafíos para la regulación de los derechos humanos y las empresas: ¿cómo lograr proteger, respetar y remediar?*, Externado de Colombia University, 2019. Co-author: Carlos Arévalo-Narváez.

Chapter: “La responsabilidad empresarial en Colombia: un análisis desde el derecho interno y el derecho internacional público y privado” [“Corporate responsibility in Colombia: an analysis from the perspectives of domestic law and public and private international law”], in: Julián Tole Martínez (ed.), *Desafíos para la regulación de los derechos humanos y las empresas: ¿cómo lograr proteger, respetar y remediar?*, Externado de Colombia University, 2019. Co-author: William F. Martínez-Luna.

Chapter: “El Consejo de Seguridad ante abusos no estatales: un órgano cuyas funciones le permiten ejercer facultades reguladoras que están sujetas al respeto de la dignidad humana” [“The Security Council before non-state abuses: a body whose functions allow it to carry out regulatory functions subject to the respect of human dignity”], in: Aldana Rohr (ed.), *Las facultades legislativas del Consejo de Seguridad: ¿El monstruo de Frankenstein o el gran Leviatán?*, SGN Editora, 2019

Chapter: “Inter-American and Colombian developments and contributions on the protection of persecuted internally displaced persons”, in: Elena Katselli (ed.), *Armed Conflict and Forcible Displacement: Individual Rights under International Law*, Routledge, 2018.

Co-edited book with Jernej Letnar: *The Future of Business and Human Rights: Theoretical and Practical Considerations for a UN Treaty*, Intersentia, 2018.

Chapter: A Defence of Direct International Human Rights Obligations of (All) Corporations, in: Jernej Letnar and Nicolás Carrillo-Santarelli (eds.), *The Future of Business and Human Rights: Theoretical and Practical Considerations for a UN Treaty*, Intersentia, 2018.

Book: *Direct International Human Rights Obligations of non-State Actors: A Legal and Ethical Necessity*, Wolf Legal Publishers, 2017.

Chapter: “Desarrollos regionales americanos de solidaridad para desatar el nudo gordiano de la no intervención frente a abusos estatales autoritarios” [“Regional American Solidarity Developments to Untie the Gordian Knot of Non-Intervention in the Presence of Authoritarian Abuses”], in: Victor Inciarte (Ed.), *Desarrollo Fronterizo e integración latinoamericana: Perspectivas y realidades*, Inver-e-group, 2017.

Chapter: “La promoción y el desarrollo de la protección de los derechos humanos frente a abusos empresariales en el sistema interamericano” (“The Promotion and Development of the Protection of Human Rights from Corporate Abuses in the Inter-American Human Rights System”), in: Humberto Cantú Rivera (Ed.), *Derechos Humanos y Empresas: Reflexiones desde América Latina*, Instituto Interamericano de Derechos Humanos, 2017.

Chapter: “La responsabilidad internacional de las empresas por complicidad en violaciones graves de derechos humanos” (“International responsibility of corporations that are complicit in

serious violations of human rights"), in: Juan Pablo Bohoslavsky (Ed.), *El negocio del terrorismo de Estado*, Penguin Random House, 2016.

Chapter: "Direct International Humanitarian Obligations of Non-state Entities: Analysis of the *lex lata* and the *lex ferenda*", in Jernej Letnar Čermeč and Tara Van Ho (Eds.), *Human Rights and Business: Direct Corporate Accountability for Human Rights*, Wolf Legal Publishers, 2015.

Book: *Protección jurídica internacional y global de la dignidad humana frente a actores diferentes de los Estados (International and Global Legal Protection of Human Dignity from Non-state Abuses)*, Temis, 2015.

Book: *Los retos del derecho de gentes -Ius cogens-: La transformación de los derechos internacional y colombiano gracias al Ius cogens internacional (Jus Cogens and the Transformation of International and Colombian Legal Systems)*, Ibáñez Press, 2007

Articles in Law Journals

"A Critical Analysis of Business Declarations and Statements from a Human Rights Perspective", *Revista Internacional de Derechos Humanos*, Vol. 11, 2021.

"Statehood as the Holy Grial of the geopolitical and legitimizing use of international law. Considerations from an actual case as interpreted by the cinema", *Revista Electrónica de Derecho Internacional Contemporáneo*, Vol. 4, 2021.

"Limits on the possibility of restricting political rights of elected individuals and their links to the protection of democratic foundations, the rights of voters, and the rights of the elected", *DPCE (Diritto Pubblico Comparato ed Europeo) Online*, Vol. 45, 2020.

"The Pragmatism of Justice: On the International Lawfulness and Legitimacy of Alternative Sanctions", *DPCE (Diritto Pubblico Comparato ed Europeo) Online*, Vol. 44, 2020.

"A Regional, Multi-Level and Human-Centered Approach to Business and Human Rights Issues: analysis of the Report on Business and Human Rights of the Inter-American Commission on Human Rights", *DPCE (Diritto Pubblico Comparato ed Europeo) Online*, Vol. 43, 2020.

"Voluntary corporate declarations on human rights, and the necessity of external institutional (international and domestic) regulation", *Brazilian Journal of International Law*, Vol. 16, 2019.

"La protección de la inmunidad en el Derecho colombiano (Análisis de jurisdicción. Los retos en materia de Derechos Humanos e inmunidad de ejecución)" [The Protection of Immunities under Colombian law", *The Yearbook of Diplomatic and Consular Law*, No. 3, 2018.

"The analysis of socio-legal problems through role-playing: an approach from law and literature", *Revista de la Facultad de Jurisprudencia*, Pontificia Universidad Católica del Ecuador, No. 6, 2020.

"The Control of Conventionality: Developments in the Case Law of the Inter-American Court of Human Rights and Its Potential Expanding Effects in International Human Rights Law", *Max Planck Yearbook of United Nations Law*, Vol. 22, 2019.

"From Swords to Words: the Intersection of Geopolitics and Law, and the Subtle Expansion of International Law in the Consolidation of the Independence of the Latin American Republics", *Journal of the History of International Law*, forthcoming 2019.

"Prohibition of criminally punishing expressions over matters of public interest, and wrongfulness of imposing punishments that are accessory to illicit sanctions", *DPCE (Diritto Pubblico Comparato ed Europeo) Online*, Vol. 41, 2019.

"La legitimidad procesal de la Corte IDH a través de la verificación de evidencias y una latitud limitada dada al Estado a efectos de cumplir sus deberes" [The procedural legitimacy of the Inter-American Court of Human Rights by means of the supervision of evidence and a latitude given to States in relation to the performance of their duties], *DPCE (Diritto Pubblico Comparato ed Europeo) Online*, Vol. 39, 2019.

"La humanización de los usos y desarrollos tecnológicos a través de interacciones con el derecho internacional [The humanization of technological uses and developments through interactions with international law]", *Ius et scientia*, Vol. 5, 2019.

"Un análisis de las nociones de autonomía y dignidad subyacentes a la opinión consultiva OC-24/17 de la Corte Interamericana de Derechos Humanos a la luz de la filosofía del derecho y el derecho internacional comparado", *Rivista di studi giuridici sull'orientamento sessuales e l'identità di genere*, 2019.

Book review of "Mälksoo, Lauri, *Russian Approaches to International Law*, Oxford, Oxford University Press, 2017, 225 pp.", *Anuario Mexicano de Derecho Internacional* [Mexican Journal of International Law], Vol. XIX, 2019.

"Responsabilidad internacional por persecuciones políticas en Venezuela: el caso Sosa y otros desarrollos generales y regionales [International responsibility arising out of political persecution: the Sosa and others v. Venezuela case and other general and regional developments]", *Revista Internacional de Derechos Humanos*, No. 8, 2018.

"The Territory Paradox: the Basis of Statehood and International Norms as an Obstacle to the Protection of International Community Interests", *Wroclaw Review of Law, Administration & Economics*, Vol. 8, 2018.

"The Autonomous Justiciability of the Right to Health and Supervision of Immediate Obligations of States in the Inter-American Human Rights System", *DPCE (Diritto Pubblico Comparato ed Europeo) Online*, Vol. 37, 2018.

"The "humanizing" decision of the Pre-Trial Chamber of the International Criminal Court on competence and jurisdiction regarding certain crimes perpetrated with transnational elements: the case of the Rohingya expelled to Bangladesh", *Revista Electrónica de Estudios Internacionales (REEI)*, Number 36, 2018.

"A Look into The Human Rights and Inter-State Abuses of Foreign Powers and Autocrats in García Márquez: An International Law and Literature Study", *DPCE (Diritto Pubblico Comparato ed Europeo) Online*, Vol. 36, 2018.

"La responsabilidad de Venezuela por discriminar y perseguir ejercicios legítimos de participación política en el caso Sosa y otras contra Venezuela" [Venezuela's International Legal Responsibility for Discriminating and Persecuting against Legitimate Exercises of Political Rights, in light of the Sosa et al. and Others Case], *DPCE (Diritto Pubblico Comparato ed Europeo) Online*, Vol. 36, 2018.

Book review of "Roberts, A., *Is International Law International?*, Oxford University Press, 2017", *Revista Española de Derecho Internacional* [Spanish Journal of International Law], Vol. 70/2, 2018.

"Case Note: Gender Identity, and Equality and Non-Discrimination of Same Sex Couples. State Obligations concerning Change of Name, Gender Identity, and Rights Derived from a Relationship Between Same-Sex Couples (Interpretation and Scope of Articles 1(1), 3, 7, 11(2), 13, 17, 18, And 24, in Relation To Article 1, of the American Convention on Human Rights). Advisory Opinion OC-24/17. Series A, No. 24. At http://www.corteidh.or.cr/docs/opiniones/seriea_24_eng.pdf. Inter-American Court of Human Rights, November 24, 2017", *American Journal of International Law*, Vol. 112, 2018 (pp. 479-485).

"The notion of autonomy and the IACtHR approaches, as reflected in its advisory opinion on gender identity and non-discrimination of same-sex couples (La noción de autonomía y la mentalidad de la Corte IDH, reflejadas en su opinión consultiva sobre identidad de género y no discriminación de parejas del mismo sexo)", *DPCE (Diritto Pubblico Comparato ed Europeo) Online*, Vol. 35, 2018.

"The Discursive Use and Development of the Guiding Principles on Business and Human Rights in Latin America", *International Law, Revista Colombiana de Derecho Internacional*, No. 30, 2017. Co-author: Carlos Arévalo-Narváez.

Book review of "Becker Lorca, A., *Mestizo International Law: A Global Intellectual History 1842-1933*, Cambridge, Cambridge University Press, 2014, 420 pp.", *Revista Española de Derecho Internacional (Spanish Journal of International Law)*, Vol. 69/2, 2017, 356-357.

"La influencia "artística" de las emociones y la empatía en el contenido, la interpretación y la efectividad del derecho internacional" ("The "Artistic" Influence of Emotions and Empathy in the Content, Interpretation and Effectiveness of International Law"), *Anuario Mexicano de Derecho Internacional*, Vol. XVII, 2017.

"The Possibilities and Legitimacy of Non-State Participation in the Formation of Customary Law", *International Community Law Review*, Vol. 19, 2017.

"Sanciones alternativas y justicia transicional con las FARC en Colombia: ¿eufemismo o modelo legítimo?" ("Alternative Sanctions and Transitional Justice with the FARC in Colombia: Euphemism of Legitimate Model?"), *Latin American Journal of International Law*, No. 4, 2016.

"A Humane Legal Response to Contemporary Challenges on the Use of Force posed by Non-State Threats and Possible Misuses of Military Necessity", *Quaestio Iuris*, Vol. 09, no. 2, 2016.

"La legitimidad como elemento crucial de la efectividad de pronunciamientos de la Corte Interamericana de Derechos Humanos ante casos complejos y desafíos regionales (Legitimacy as a defining element of the effectiveness of the decisions of the Inter-american Court of Human Rights in complex cases and regional challenges)", *Revista General de Derecho Público Comparado*, N° 18, 2015.

"The Necessity and Possibility of a Binding Approach to International Corporate Human Rights Responsibilities", *Quaestio Iuris*, Vol. 08, 2015.

Book review of "Jan Klabbbers: *International Law*", *Indian Journal of International Law*, Springer, Vol. 55, No. 1, 2015.

"The implementation of international judgements and the prevalence of international law in the light of the stance of the Constitutional Court of Colombia and the dispute between Nicaragua and Colombia. Analysis of the decision C-269/14 of 2 May 2014 of the Constitutional Court of Colombia". *LASIL-SLADI Perspectivas*, 01/14, 2014.

"La protección y promoción de los derechos humanos frente a violaciones no estatales por los órganos internacionales" ("The Protection and Promotion of Human Rights from Non-state Violations by International Bodies"), *Revista Electrónica de Estudios Internacionales (REEI)*, Number 26, 2013.

"Aplicación e interpretación del Convenio de Montreal para la unificación de ciertas reglas para el transporte aéreo internacional" ("Application of the Montreal Convention for the Unification of Certain Rules for International Carriage by Air"), case law analysis. *Revista Española de Derecho Internacional (REDI)*, Vol. LXV, 2013.

"Non-State Actors." *Oxford Bibliographies Online*. Oxford University Press, 2013.

"The framework of the protection of the human rights of persons with disabilities from non-state entities." *The International Journal of Human Rights*, Vol. 17, No. 4, 2013.

"The Protection of Global Legal Goods." *Anuario Mexicano de Derecho Internacional*, Vol. XIII, 2013.

"Enhanced Multi-Level Protection of Human Dignity in a Globalized Context through Humanitarian Global Legal Goods." *German Law Journal*, Vol. 13, 2012.

"The Protection of Humanitarian Legal Goods by National Judges." *European Journal of International Law*, Vol. 23, 2012. Co-author: Carlos Espósito Massicci.

"Los jueces nacionales como garantes de bienes jurídicos humanitarios" ("National Judges as Protectors of Legal Humanitarian Goods"). *Revista Española de Derecho Internacional (REDI)*, Vol. LXIII, 2011. Co-author: Carlos Espósito Massicci.

"Judicial Powers, Harmonization and Influence among International Judges in the Context of a (Substantive) International Judicial Framework: Beyond Comity and Fragmentation." *LASIL-SLADI Perspectivas*, 01/11, 2011.

"The Links between the Responsibility of International Organizations and the Quest towards a More Reasonable and Humane International Legal System." *International Organizations Law Review*, Vol. 7, 2010.

"La inevitable supremacía del *ius cogens* frente a la inmunidad jurisdiccional de los Estados", *Revista Jurídica de la UAM*, No. 18, 2009.

"Non-State Actors' Human Rights Obligations and Responsibility under International Law." *Revista Electrónica de Estudios Internacionales (REEI)*, Number 15, 2008.

"El *ius cogens* y la realidad socio-política colombiana: el conflicto armado interno." *Prolegómenos – Derechos y Valores*, Vol. X, 2007.

"Autoridad Moral: la pretendida reforma a la administración de justicia y los derechos humanos." *Derecho del Estado*, No. 15, 2003.

"Reseña sobre el artículo 'las defensorías del pueblo en la supervisión de los deberes de la administración pública'." *Revista de Jurisprudencia Administrativa*, No. 4, 2003.

Working paper

"Enhanced Multi-Level Protection of Human Dignity in a Globalized Context through Humanitarian Global Legal Goods." Paper of the presentation in the 2011 International Studies Association Annual Convention.

Translations of International Law Texts

"Bienes jurídicos globales en un orden mundial globalizado." In: Carlos Espósito and Francisco J. Garcimartín (Eds.), *"La protección de bienes jurídicos globales": Anuario de la Facultad de Derecho de la Universidad Autónoma de Madrid (AFDUAM)*, 16, UAM – BOE, 2012. Author of the article in English: Anne Peters.

Soberanía, OMC y Fundamentos Cambiantes del Derecho Internacional, Marcial Pons, 2009. Original autor of the book in English: John H. Jackson (Book translation)

"La investigación penal y su relación con la jurisdicción, la extradición, la cooperación y las políticas penales." In: *Justicia transicional en Iberoamérica*, Centro de Estudios Políticos y Constitucionales, 2009. Author of the original article in English: Susan Kemp (Chapter translation)

Articles in Specialized International Law Blogs (selection)

"International Law and Popular Culture Symposium: How Dungeons & Dragons can Help Us See Beyond International Legal Appearances and Formalism", *Opinio Juris*, 26 October 2021

"IACHR Decision in Vélez Lóor v. Panama: COVID-19 and Human Rights in the Courts", *Opinio Juris*, 30 May 2020.

"An Analysis of the Legal Obligations of the ELN Guerrilla and Third States in the Aftermath of the Attack Against a Colombian Police Academy (Parts I and II)", *Opinio Juris*, 1 February 2019

"Some Observations and Opinions on the "Zero" Version of the Draft Treaty on Business and Human Rights (Parts I and II)", *Opinio Juris*, 24 September 2018

"Inter-American Court of Human Rights condemns Venezuelan regime's political persecution against the opposition in the San Miguel Sosa and others case", *EJIL: Talk! (Blog of the European Journal of International Law)*, 25 June 2019

"Some observations and opinions on the "zero" version of the draft treaty on business and human rights", *Business and Human Rights Resource Centre*, 17 September 2018

"The Politics behind the Latest Advisory Opinions of the Inter-American Court of Human Rights", *Blog of the International Journal of Constitutional Law (I-CONNECT)*, 24 February 2018

"The Role of Emotions in the Processes of Interaction with International Law", *E-International Relations*, 2 January 2018

"Developments & Progress in the Regulation of Business and Human Rights found in the Elements for the Draft Treaty", *Business & Human Rights Resource Centre*, 23 October 2017

"Avances en la regulación sobre las empresas y derechos humanos presentes en los elementos sobre el borrador del Tratado", *Business & Human Rights Resource Centre*, 23 October 2017

"An International Legal Agreement between the FARC guerrilla and the Colombian Government?", *Opinio Juris*, 19 May 2016

"Part II: The intersection of Business and Human Rights at the Inter-American Court of Human Rights", *Oxford Human Rights Hub (A global perspective on human rights)*

"Part I: The intersection of Business and Human Rights at the Inter-American Court of Human Rights", *Oxford Human Rights Hub (A global perspective on human rights)*, 10 March

"An Assessment of the Colombian-FARC 'Peace Jurisdiction' Agreement", *EJIL: Talk! (Blog of the European Journal of International Law)*, 29 September 2015

"Corporate Human Rights Obligations: Controversial but Necessary", *Business and Human Rights Resource Centre*, 24 August 2015

Madrid Workshop on a Treaty on Business and Human Rights – Summary of Debates, available at: <http://business-humanrights.org/sites/default/files/documents/Madridworkshop-summary.pdf>

"The Suspension of the Colombian Peace Talks and the Illegality of the Deprivation of Liberty of Members of State Armed Forces in Non-International Armed Conflicts", *Opinio Juris*, 19 November 2014

"Colombian Government and FARC armed group reach a mine clearance agreement", *Armed Groups and International Law (Blog)*, 11 March 2015

Frequent author of posts published in "Aquiencia" (aquiescencia.net), one of the most-read blogs on international law written in Spanish