

# KATHARINE G. YOUNG

## *Curriculum Vitae*

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## APPOINTMENTS

### **Boston College Law School**

Associate Dean for Faculty and Global Programs (2021 -); Professor of Law and Dean's Distinguished Scholar (tenure awarded, 2018); Associate Professor of Law, 2013-2020  
Courses: Contracts; Feminist Legal Theory; Human Rights and Inequality; Interdisciplinary Human Rights Seminar; Independent Study; Externship Supervision  
Faculty Service: Appointments Committee; Clerkship Committee; Faculty Affiliate, Boston College Center for Human Rights and International Justice; Faculty Working Group, Global Ethics; Faculty Mentor, International Law Society and Women's Law Center

### **Australian National University (Canberra, Australia)**

Associate Professor (with tenure), 2013; Senior Lecturer, 2010–2012

### **High Court of Australia**

Law Clerk (Judge's Associate), The Hon. Justice Michael Kirby AC CMG, 2001-02

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## EDUCATION

**Harvard University**, Doctor of Juridical Science (S.J.D), 2009

Dissertation: *Constituting Economic and Social Rights* (Frank Michelman (chair), Lucie White, Frederick Schauer, Duncan Kennedy)  
Frank Knox Memorial Scholar, Harvard University (full tuition merit-based scholarship).

**Harvard University**, Masters of Laws (LL.M.), 2003 (degree waived for tuition purposes)

Thesis: *Internationalist Constitutional Interpretation*

**University of Melbourne** (Australia), Bachelor of Laws, LL.B. (Hons), 1999; Bachelor of Arts, B.A. 1999

Graduated First in Law Class of 281, awarded Supreme Court Prize (University Medal), 2000  
Editor, *Melbourne University Law Review*

**University of Heidelberg** (Germany), Law Exchange, 1999

Completion of law courses in German, incl. civil law (BGB), comparative law, German, European Union and international environmental law

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## PUBLICATIONS

### **Monograph**

1. CONSTITUTING ECONOMIC AND SOCIAL RIGHTS (Oxford University Press, 2012) (with Foreword by Martha Minow) (paperback 2014). 384 pages. ([link](#)) Reviewed in:
  - 49 Tulsa L. Rev. 527 (2013) (Eileen McDonagh)
  - 126 Harv. L. Rev. 868, 870 (2013) (Recent Publications)

- I-CONnect Book Reviews (2013) (Jamal Greene)
- 50(4) Collected Papers, Faculty of Law in Split 1025-1026 (2013) (Mia Bašić) (in Croatian)
- [2014] Public Law (UK) 163-170 (Jamie Burton)
- Cover endorsement: “A brilliant discussion of an extremely difficult subject of great importance to policy making and practical reasoning. Katharine Young’s lucidity is exemplary, and so is the originality of her approach to human rights.” (Amartya Sen)
- Launched at Human Rights Program & International Legal Studies Program, Harvard Law School, November 5, 2012

### Casebook

2. THE LAW OF CONTRACTS: CASES AND MATERIALS (Foundation Press, 2017) (with James S. Rogers). 596 pages. ([link](#))

### Edited Volumes

3. THE OXFORD HANDBOOK OF ECONOMIC AND SOCIAL RIGHTS (Oxford University Press, under contract) (edited collection, with Malcolm Langford) (work in progress)
4. THE FUTURE OF ECONOMIC AND SOCIAL RIGHTS (Cambridge University Press, 2019) (edited collection, with Foreword by Amartya Sen). 683 pages. ([link](#)). Reviewed in:
  - (2019) 68 Journal of Legal Education JLE, 764–767 (Margaret Y. K. Woo)
  - (2019) 17 International Journal of Constitutional Law I•CON, 1354–1358 (Ingrid Leitjen)
5. THE PUBLIC LAW OF GENDER: FROM THE LOCAL TO THE GLOBAL (Cambridge University Press, 2016) (edited collection, with Kim Rubenstein). 630 pages. ([link](#)) Reviewed in:
  - (2018) 30(2) Denning Law Review, 197-206 (Ronli Sifris)
  - Launched at Annual Seminar on Comparative Constitutionalism, University of Oslo, Norway, Nov. 21, 2016; and ANU Gender Institute, Australian National University, Australia (by Commonwealth Sex Discrimination Commissioner Kate Jenkins), July 8, 2016

### Articles

6. *Human Rights Originalism*, 110 GEO. L. J. (2022, forthcoming)
7. *The Idea of a Human Rights-Based Economic Recovery after COVID-19*, (Special Issue - The International Journal of Public Law and Policy, “The Global Pandemics: Preparing for the Great Depression” (Olivier De Schutter, Ed.), 6 INT. J. PUB. L. & POL’y 390-415 (2020).
8. *The Right-Remedy Gap in Economic and Social Rights Adjudication: Holism and Separability*, 69 U. TORONTO L. J. 124-149 (2019) (25 pp.) free link: <https://utpjournals.press/eprint/CZQS2FYVYD8DZJQAUAPS/full>.
9. *Rights and Queues: On Distributive Contests in the Modern State*, 55 COLUM. J. TRANSN’L L. 65 (2016) (selected for Harvard/Stanford/Yale Junior Faculty Forum, 2016) (73 pp.)
  - Reviewed by Lee Anne Fennell, Questioning the Queue, JOTWELL (October 17, 2017) <https://property.jotwell.com/questioning-the-queue/>.
10. *On What Matters in Comparative Constitutional Law: A Comment on Hirschl*, 96 B.U. L. REV. 1375 (2016) (18 pp.)
11. *American Exceptionalism and Government Shutdowns: A Comparative Constitutional Reflection on the 2013 Lapse in Appropriations*, 94 B. U. L. REV. 991 (2014) (Symposium on America’s Political Dysfunction: Constitutional Connections, Causes and Cures)
12. *The Avoidance of Substance in Constitutional Rights: A Reply to Ray*, 5 CONST’L CT REV. 223 (2014)

13. *The New Economic and Social Rights*, PROCEEDINGS OF THE ONE HUNDRED SEVENTH ANNUAL MEETING OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW 486 (2013)
14. *The Comparative Fortunes of the Right to Health: Two Tales of Justiciability in Colombia and South Africa*, 26 HARV. HUM. RTS J. 801 (2013) (with Julieta Lemaitre)
15. *Symposium: Redemptive and Rejectionist Frames*, 4 NORTHEASTERN U. L. J. 323 (2012) (Symposium on Framing Economic, Social and Cultural Rights for Mobilization and Advocacy in the United States); Excerpted in:
  - HUMAN RIGHTS ADVOCACY IN THE UNITED STATES (Martha F. Davis, Johanna Kalb & Risa E. Kaufman, eds., 2d ed., 2018)
16. *The Comparative Turn: Accident, Coincidence or Fate*, 125 HARV. L. REV. F. 236 (2012)
17. *Rights as Footprints: A New Metaphor for Contemporary Human Rights Practice* 9 NORTHWESTERN J. INT'L HUM. RTS 27 (2010) (with Jeremy Perelman)
18. *A Typology of Economic and Social Rights Adjudication: Exploring the Catalytic Function of Judicial Review*, 8 INT'L J. CONST. L. 1 (2010)
19. *The World, Through the Judge's Eye*, 28 AUST. Y.B. INT'L L. 27 (2009)
20. *Freedom, Want and Economic and Social Rights: Frame and Law*, 24 MD. J. INT'L L. 182 (2009) (Symposium on 60th Anniversary of the Universal Declaration of Human Rights)
21. *The Minimum Core of Economic and Social Rights: A Concept in Search of Content*, 33 YALE J. INT'L L. 113 (2008); Reprinted in:
  - COMPARATIVE CONSTITUTIONAL LAW (Mark Tushnet, ed., The International Library of Comparative Law, Series Editor: Francesco Parisi, Edward Elgar, forthcoming)
  - SOCIAL AND ECONOMIC RIGHTS AND CONSTITUTIONAL LAW: EDITED COLLECTION (Sandra Fredman and Meghan Campbell, eds., Edward Elgar, 2016)
  - ECONOMIC, SOCIAL AND CULTURAL RIGHTS AS HUMAN RIGHTS (Olivier De Schutter, ed., Edward Elgar, 2013) 337
  - Featured in Opinio Juris Online Symposium (2008) ([link](#))

### **Book Chapters**

22. *Rights and Obligations*, in INTERNATIONAL HUMAN RIGHTS LAW (Daniel Moeckli, Sangeeta Shah & Sandesh Sivakumaran (4<sup>th</sup> ed., Oxford University Press, forthcoming)
23. *The Canons of Social and Economic Rights*, in GLOBAL CANONS IN AN AGE OF UNCERTAINTY: DEBATING FOUNDATIONAL TEXTS OF CONSTITUTIONAL DEMOCRACY AND HUMAN RIGHTS, (Sujit Choudhry, Michaela Hailbronner & Matthias Kumm, eds., Oxford University Press, forthcoming)
24. *The New Managerialism: Positive Duties, Courts and Economic and Social Rights*, in CONSTITUTIONALISM AND THE RIGHT TO EFFECTIVE GOVERNMENT (Vicki Jackson & Yasmin Dawood, eds., Cambridge University Press, forthcoming)
25. *Waiting for Rights: Progressive Realization and Lost Time*, in THE FUTURE OF ECONOMIC AND SOCIAL RIGHTS 654-683 (Katharine G. Young, ed., Cambridge University Press, 2019) (30 pp.)
26. *Introduction*, in THE FUTURE OF ECONOMIC AND SOCIAL RIGHTS 1-33 (Katharine G. Young, ed., Cambridge University Press, 2019) (33 pp.)

27. *Narrative and Metaphor in International Human Rights Law: When Rights Talk Meets Queue Talk*, in NARRATIVE AND METAPHOR IN THE LAW 297-318 (Mike Hanne & Robert Weisberg eds., Cambridge University Press, 2018) (22 pp.)
28. *Proportionality, Reasonableness and Economic and Social Rights*, in PROPORTIONALITY: NEW FRONTIERS, NEW CHALLENGES (Vicki C. Jackson & Mark Tushnet, eds., Cambridge University Press, 2017) (35 pp.)
29. *Introduction: A Public Law of Gender?*, in THE PUBLIC LAW OF GENDER: FROM THE LOCAL TO THE GLOBAL (Kim Rubenstein & Katharine G. Young, eds., Cambridge University Press, 2016) (40 pp.)  
Reprinted in translation as:
  - *¿Un Derecho Público de género?*, in TRATADO DE GÉNEROS, DERECHOS Y JUSTICIA, DERECHO CONSTITUCIONAL Y DERECHOS HUMANOS (Liliana Ronconi & Laura Clérico, eds., 2021) 21-40.
30. *Adjudicating Social and Economic Rights: Can Democratic Experimentalism Help?*, in SOCIAL AND ECONOMIC RIGHTS IN THEORY AND PRACTICE: A CRITICAL ASSESSMENT 237 (Helena Alviar García, Karl Klare & Lucy A. Williams, eds., Routledge University Press, 2015) (with Sandra Liebenberg)
31. *Freeing Mohammed Zakari: Rights as Footprints*, in STONES OF HOPE: HOW AFRICAN ACTIVISTS RECLAIM HUMAN RIGHTS TO CHALLENGE GLOBAL POVERTY 122 (Jeremy Perelman & Lucie White, eds., Stanford University Press, 2011) (with Jeremy Perelman)
32. *Securing Health through Rights*, in INCENTIVES FOR GLOBAL PUBLIC HEALTH 357 (Thomas Pogge, Matthew Rimmer & Kim Rubenstein, eds., Cambridge University Press, 2010)

#### Recent Book Reviews, Blogs & Other Contributions

33. Book Review, *How Constitutional Rights Matter* by Adam Chilton and Mila Versteeg, JOURNAL OF LEGAL EDUCATION (forthcoming, 2021)
34. [Skipping the Vaccine Line](#), THE CONVERSATION (March 11, 2021) see also [here](#).
35. [Disease, Distribution and Race in the Time of Covid-19](#), JOTWELL (February 1, 2021) (reviewing Matiangai Sirleaf, Racial Valuation of Diseases, 68 UCLA L. Rev. \_\_ (forthcoming 2021)).
36. [Making Amends By Amendment: Women's Equality and Equal Rights in the U.S.](#), JOTWELL, (Oct. 19, 2020) (reviewing Julie Suk, We the Women, forthcoming)
37. *Misfortune and Injustice*, 42 HUMAN RIGHTS QUARTERLY 709-715 (2020) (Review of Alicia Ely Yamin, *When Misfortune Becomes Injustice: Evolving Human Rights Struggles for Health and Social Equality* (Stanford University Press, 2020); Alison Crosby & M. Brinton Lykes, *Beyond Repair?: Mayan Women's Protagonism in the Aftermath of Genocidal Harm* (New Brunswick: Rutgers University Press, 2019))
38. [Trumping Human Rights in the United States? The Commission on Unalienable Rights](#), (OxHRH Blog, February 2020), [Feb. 13, 2020]
39. American Society of International Law, International Law Behind the Headlines Podcast, *Episode 18: The Trump Administration's Commission on Unalienable Rights*, <https://www.asil.org/resources/podcast/ep18>
40. *Human Rights and Inequality*, Review of Samuel Moyn, *Not Enough: Human Rights in an Unequal World*, 5(1) INFERENCE: INTERNATIONAL REVIEW OF SCIENCE, December 2019, <https://inference-review.com/article/inequality-and-human-rights> (and [Reply](#) to Mark Goodale, *Liminality and Human Rights*, (May 2020))
41. [Human Rights and the Duties of Government](#), OpenGlobalRights blog, Nov. 6, 2019

42. [\*The Government Shutdown: Another Step toward the Constitutional Precipice\*](#), VERFASSUNGSBLOG (On Matters Constitutional) (Germany), Jan. 19, 2019
43. *The Immediacy of Economic and Social Rights*, Review of John Tasioulas, Report to the World Bank on Minimum Core Obligations, [HUMAN RIGHTS/MORAL PHILOSOPHY BLOG](#), May 23, 2018
44. *Examining the Interface Between Rights and Queues*, HARV. L. REV. BLOG, Dec. 5, 2017, <https://blog.harvardlawreview.org/examining-the-interface-between-rights-and-queues/>
45. *Socio-Economic Rights: Adjudication under a Transformative Constitution*, 11 INT'L J. CONST'L L. 270-274 (2012) (also published in [globallawbooks.org](http://globallawbooks.org): <http://globallawbooks.org/reviews/detail.asp?id=727>)
46. *Women's Social and Economic Rights*, 18 AUST'N J. HUM. RTS 193 (2012)
47. *Open Chambers: Supreme Court Clerks and High Court Associates Compared*, 31 MELB. U. L. REV. 646 (2007) (review essay)

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## PROFESSIONAL DISTINCTIONS

- Keynote Presenter, Privatization of Health Care, University of Ottawa, April 6-5, 2018
- Selection for 17<sup>th</sup> Harvard/Stanford/Yale Junior Faculty Forum, 2016 (*Rights and Queues*)
- Finalist, Hart Socio-Legal Book Prize, 2014 (*Constituting Economic and Social Rights*)
- Featured presentation, Harvard Human Rights Journal 2013 Colloquium, Litigating the Right to Health: Comparative Perspectives from across the Globe, April 11, 2013 (*The Comparative Fortunes of the Right to Health*)

## Grants

- Affordable Course Materials Initiative, 2016 (\$2,000 grant) (*Feminist Jurisprudence*)
- Participant, International Project on Social and Economic Rights (iSERP), The Bellagio Center, The Rockefeller Foundation, 2013 (Lucy Williams & Karl Klare) (Rockefeller Grant)
- Participant, Australian Capital Territory Economic, Social and Cultural Rights Research Project, 2009-10 (with Hilary Charlesworth & Andrew Byrnes) (Australian Research Council Linkage Project Scheme)
- Participant, Joint Scholar/Activist Team Workshop to Challenge Global Poverty, The Bellagio Center, Italy, December 2006 (Rockefeller Grant)
- Graduate Fellow, Safra Graduate Fellow in Ethics, Edmond J. Safra Center for Ethics, Kennedy School of Government, Harvard University (2007-2008)
- Research Fellow, Project on Justice, Welfare & Economics, Chaired by Amartya Sen, Harvard University (2005-2006)
- Graduate Fellow, Weatherhead Center for International Affairs, Harvard University (2004-2005)

## Student Prizes

- World Cup Champion, Philip C. Jessup International Law Moot Court Competition; First Oralist for the University of Melbourne Team, 2000; Hardy C. Dillard Award for Best Memorials (Legal Briefs), University of Melbourne Team, 2000
- EJB Nunn Scholarship, Joan Rosanove QC Memorial Prize, highest grades for female student, 2000 and Melbourne Law School Foundation Prize, Award for Outstanding Contribution to Faculty, 2000

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## PROFESSIONAL EXPERIENCE

### Visiting Academic Appointments: (for permanent appointments, see above)

Visiting Lecturer, University of Pavia, Science, Technology and Law (March 2020)

Visiting Lecturer, Institute for Human Rights, Åbo Akademi University, Turku/Åbo, Finland, (2013-2018)

Visiting Lecturer, Dejusticia, Bogota, Colombia (2016)  
Visiting Assistant Professor, Boston University School of Law (2008-09)

### **Legal Practice:**

Paul, Weiss, Rifkind, Wharton & Garrison LLP (Paul, Weiss), New York  
*Summer Associate* (2005, offer extended)  
Allens Arthur Robinson, Solicitors (Allens), Melbourne, Australia (2000-01)  
*Articled Clerk* (pre-admission first year attorney) in antitrust law, working under former head of the Trade Practices Commission, now Australian Competition and Consumer Commission (agency equivalent to the US Federal Trade Commission).  
Admitted to Supreme Court of Victoria; Clerk of High Court of Australia (2000)  
United Nations Framework Convention on Climate Change, Bonn, Germany (Summer 1999) (intern)  
John Brumby M.L.A. (Opposition Leader, later Premier (Governor) of State of Victoria, Australia) (1997) (intern)

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### **WORKS IN PROGRESS (SELECTION ONLY)**

*The Concept of the Queue and the Creation of Rights.*  
*Nationalist Appropriations of Human Rights.*  
*Innovations in African Constitutionalism: The Case of Ghana.*

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### **RECENT INVITED PRESENTATIONS (SELECTION ONLY)**

Presenter, *Human Rights Originalism*, Colloquium on International Law and Politics, University of Berkeley, (Zoom), Jan. 28, 2022  
Presenter, *Human Rights Originalism*, Global Constitutionalism Colloquium, WZB Berlin Social Science Center, (Zoom), Jan. 26, 2022  
Presenter, 2<sup>nd</sup> Colloquium on The Inter-American System of Human Rights, Nov. 2021, UNAM (Zoom)  
Presenter, *Human Rights Originalism*, The University of Texas School of Law Faculty Colloquium, Nov. 2021 (Zoom)  
Presenter, *Jurisgenesis Across Borders*, at The Life and Work of Robert M. Cover, Touro Law School, October 5-6, 2021 (Zoom, [recording](#))  
Presenter, *Proportionality, Backsliding and Economic and Social Rights*, Presenter (concurrent translation into Spanish), Supreme Court of Mexico, September 21, 2021 (Zoom, [recording](#))  
Guest Presenter, *The Art of Social Change*, Harvard Law School, April 22, 2021 (Zoom)  
Presenter, *Human Rights Originalism*, Seminar, Faculty of Law, Izmir University of Economics, Istanbul, April 8, 2021 (Zoom)  
Presenter, *Post-COVID Economic and Social Rights*, International Project on Social and Economic Rights, March 26, 2021, (Zoom)  
Commentator, *Law and Political Economy Workshop*, Spring 2021 (Zoom)  
Presenter, *COVID and Democracy*, Zoom, University of Pretoria, South Africa, Fall 2020 (Zoom)  
Paper Presenter, *Inequality and Rights*, 10th Symposium on Critical Analysis of Law, Universidade Estadual do Norte do Paraná (UENP), Brazil, Nov. 2, 2020 (Zoom)  
Presenter, Clough Center, *Who's the Bigot?* Oct. 19, 2020 (Zoom, [recording](#))  
Presenter, Clough Center, *Constitution Day Webinar, We the Women*, Sept. 18, 2020 (Zoom, [recording](#))  
Panel Presenter, Harvard Human Rights Program, *The Pompeo Commission on Unalienable Rights* (Sept. 20, 2020) (streamed live) and Harvard Carr Center for Human Rights Policy, *The Pompeo Commission on Unalienable Rights: A Selective Vision of Human Rights*, Jul 30, 2020 (streamed [live](#))  
Paper Presenter: *International Law Workshop*, Harvard Law School, Nov. 1, 2019  
Guest Presenter: *ICON-S Mexican Chapter, Equality and Social and Economic Rights*, Instituto Tecnológico Autónomo de México (ITAM), Sept. 25-6, 2019  
Organizer (with Malcolm Langford), *Theories of Economic and Social Rights*, Workshop at the Clough Center for Constitutional Democracy, collaboration between University of Oslo and Boston College, Sept. 6, 2019

Presenter: *Economic and Social Rights as an Interdisciplinary Research Field*, Law and Society Association Annual Meeting, May 31, 2019

Presenter: *The New Managerialism*, Harvard Law School Workshop on Constitutionalism and Effective Governance, May 2019

Moderator, Roundtable Discussion, *Populism and Democracy?* (Jan-Werner Müller, Jim Cronin and Amílcar Antonio Barreto), Clough Center for Constitutional Democracy, Boston College, April 12, 2019

Presenter: *Solidarity and Human Rights: Conference in Honor of Wiktor Osiatyński*, University of Connecticut, April 2019

Moderator: *Human Rights in Aid of Development in Jinxed Africa*, Presentation by Raymond Atuguba, Clough Center for Constitutional Democracy, Boston College, March 27, 2019

Panelist, Book Talk, Mark Tushnet, Sanford Levinson and Mark Graber, *Constitutional Democracy in Crisis?*, Harvard Law School, Oct. 2018

Paper Presenter, *Rights and Queues*, Yale Legal Theory Workshop, Yale Law School, Nov. 17, 2017; International Law Colloquium, The University of California, Berkeley, School of Law, April 4, 2017; Constitutions and Inequality Conference, The University of NSW, August 2017; Junior Faculty Exchange, The University of California, Hastings College of the Law, April 7, 2017; Rights Reading Group, University de los Andes, Colombia, Oct. 27, 2016; Harvard/Stanford/Yale Junior Faculty Forum, Yale Law School, June 28-29, 2016; Prague Colloquium on Philosophy and the Social Sciences, Prague, Czech Republic, May 18, 2016

### Representative Community Service

WBUR Forum Network, Introduction to Ruth Rubio Marín, *Reparations for Historic Institutional Violence: Learning from Transitional Justice?*, BC Lowell Lecture, <https://forum-network.org/lectures/ruth-rubio-marin-reparations-historic-institutional-violence/> Boston College, Oct. 25, 2018,

Guest Speaker Live, *Hacking the Constitution*, WBUR, Boston's National Public Radio's Open Source, <http://radioopensource.org/> Boston, Feb. 18, 2016

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### ACADEMIC AFFILIATIONS

- American Society of International Law; The Association of American Law Schools; International Society of Public Law (ICON-S); Law and Society Association
- Economic and Social Rights Working Group (University of Connecticut); International Social & Economic Rights Project (iSERP); Member, Collaborative Research Network, Law and Society Association, Economic and Social Rights; Women in International Law (Duke Law School)

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### PEER REVIEW AND OTHER SERVICE

- National Science Foundation (NSF) (United States) Grant review: 2016, 2014; National Research Foundation (NRF) South Africa: 2021; Swiss National Science Foundation (SNSF) Grant review: 2021-2022
- Academic presses review: Oxford University Press; Cambridge University Press; Rowman & Littlefield; University of Toronto Press
- Academic journals review: Australian Feminist Law Journal; Australian Journal of Human Rights; Australian Journal of Political Science; Australian Year Book of International Law; American Journal of Comparative Law; Bioethics; e-Pública: Revista Eletrónica de Direito Público (E-Public: Electronic Journal of Public Law) (Portugal); Ethics & International Affairs; European Constitutional Law Review; Federal Law Review; Global Constitutionalism; Health and Human Rights; Humanity; International Journal of Constitutional Law (ICON); Journal of Human Rights; Journal of Political Philosophy; London Review of International Law; Modern Law Review; Nordic Journal of Human Rights; Regulation & Governance; Sydney Law Review; Transnational Environmental Law; UNSW Law Journal; University of Tasmania Law Review; South African Journal of Human Rights

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### LANGUAGES

English (first language) · German (advanced) · French (basic)

*Last updated, Mar. 2022*