

FUAD ZARBIYEV

Graduate Institute of International and Development Studies
International Law
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POSITIONS

- Sep 2018-* **Co-director, LL.M. in International Law**
Graduate Institute of International and Development Studies, Geneva
- Jan 2019-* **Associate Professor of International Law**
Present Graduate Institute of International and Development Studies, Geneva
- Feb 2016-* **Assistant Professor of International Law**
Dec-2018 Graduate Institute of International and Development Studies, Geneva
- Oct 2011-* **Associate Attorney and Counsel - Public International Law and International Arbitration Practice**
Jan 2016 Curtis, Mallet-Prevost, Colt & Mosle LLP, New York
- Sep 2010-* **Global Research Fellow, Hauser Global Law Program**
May 2011 New York University School of Law, New York

EDUCATION

- Sep 2009* **Graduate Institute of International and Development Studies (Geneva)**
PhD in International Law (*summa cum laude*)
- May 2010* **Harvard Law School**
Master of Laws (LL.M.)
- Aug 2004* **International Institute of Human Rights (Strasbourg)**
Diploma (*cum laude*)
- Jun 2003* **Institute of European Studies, Strasbourg**
Master in European Human Rights Law (*mention très bien*)
- Aug 2002* **Hague Academy of International Law**
Diploma (public international law)
- Jun 1998* **Baku State University**
Bachelor of Laws (with specialization in international law) (*with distinction*)

RESEARCH AND PUBLICATIONS

Monographs

LE DISCOURS INTERPRÉTATIF EN DROIT INTERNATIONAL: UN ESSAI CRITIQUE (Bruylant, 2015)

The Alumni Association Prize for an outstanding PhD thesis awarded by the International Law Department of the Graduate Institute of International and Development Studies

Selected as one of The European Journal of International Law Editors' Choices of Books in 2016

THE DOMAIN OF INTERNATIONAL ADJUDICATION: WHY STATES ABANDON DECISION CONTROL (under contract with Cambridge University Press)

DEMYSTIFYING TREATY INTERPRETATION (with Andrea Bianchi) (under contract with Cambridge University Press)

Articles in Peer Reviewed Journals

- 'The "Cash Value" of the Rules of Treaty Interpretation', *Leiden Journal of International Law* (2019)(32), 33-45
- 'Saying Credibly What the Law Is. On Marks of Authority in International Law' (2018)9(2) *Journal of International Dispute Settlement*, 291-314
- 'Judicial Activism in International Law: A Conceptual Framework for Analysis' (2012)3 *Journal of International Dispute Settlement*, 247-278 (Winner of the James Crawford Prize)
- 'Retour sur une situation insolite dans le contentieux international: décision du 3 juillet 2001 de la Commission de libre échange de l'ALENA et les procédures en cours' (2010) *Revue belge de droit international* 237-253
- 'Les politiques de la vérité juridique en droit international. Propos autour d'une controverse interjuridictionnelle' (2007) 18 *Finnish Yearbook of International Law* 343-366
- 'Le phénomène séparatiste devant la Cour européenne des droits de l'homme' (2005) 19 *Observateur des nations unies* 77-97
- 'Quelques observations sur le traitement de l'exception d'immunité juridictionnelle de l'Etat étranger par la Cour européenne des droits de l'homme' (2004) 59 *Revue trimestrielle des droits de l'homme* 621-644

Book Chapters

- 'Judicial Activism', Entry in *MAX PLANCK ENCYCLOPEDIA OF INTERNATIONAL PROCEDURAL LAW (EiPro)* (Oxford University Press 2018)
- 'From the Law of Valuation to Valuation of Law? On the Interplay of International Law and Economics in Fair-Market Valuation' in Theresa Carpenter, Marion Jansen & Joost Pauwelyn (eds.), *THE USE OF ECONOMICS IN INTERNATIONAL TRADE AND INVESTMENT DISPUTES* (Cambridge University Press 2017), 370-382
- 'Le mimétisme jurisprudentiel en droit international' in Vincent Négri & Isabelle Schulte-Tenckhoff (eds), *DISSEMINATION ET MIMÉTISME EN DROIT INTERNATIONAL: UN REGARD ANTHROPOLOGIQUE SUR LA FORMATION DES NORMES* (Pedone 2016) 59-71
- 'A Genealogy of Textualism in Treaty Interpretation', in Andrea Bianchi, Daniel Peat, & Matthew Windsor (eds.), *INTERPRETATION IN INTERNATIONAL LAW* (Oxford University Press 2015) 251-267
- 'L'interprétation téléologique des traités comme moyen de prise en compte des valeurs et intérêts environnementaux', in Hélène-Ruiz Fabri & Lorenzo Gradoni (eds.), *EMERGENCE ET CIRCULATION DE CONCEPTS JURIDIQUES EN DROIT INTERNATIONAL DE L'ENVIRONNEMENT: ENTRE MONDIALISATION ET FRAGMENTATION* (Société de législation comparée 2009) 199-242

Book Reviews

- Review of Robert Kolb, *INTERPRÉTATION ET CRÉATION DU DROIT INTERNATIONAL. ESQUISSE D'UNE HERMÉNEUTIQUE JURIDIQUE MODERNE POUR LE DROIT INTERNATIONAL PUBLIC* (Bruylant 2006), (2009) 22 *Leiden Journal of International Law* 211-216
- Review of Mashood A. Baderin, *INTERNATIONAL HUMAN RIGHTS AND ISLAMIC LAW* (Oxford University Press 2003), (2007) 3 *Revista Internacional De Pensamiento Politico* 274-276

CONFERENCES, WORKSHOPS AND TALKS

- Discussant for a presentation by Miia Halme-Tuomisaari titled "Movement in the right direction": An ethnography of a human rights report', 8 April 2019
- Convener and moderator of a conversation with Andrea Bianchi and Gerry Simpson titled 'International law and imagination', 3 April 2019

Convener and moderator of a panel discussion with B.S. Chimni titled 'A Global South perspective on international law', 8 March 2019

Invited speaker at the workshop titled 'International Law in 1923: A Snapshot Workshop' organized by Sciences Po School of Law and the School of Law of the University of Glasgow, Paris, 12 December 2018

Invited speaker at the workshop titled 'Sociological Perspectives on International Tribunals: Formal, Informal Rules, Functions and Symbols' organized by the Max Planck Institute Luxembourg for Procedural Law, Luxembourg, 8-9 November 2018

Discussant for a presentation by Ingo Venzke titled, 'An Extended Critique of International Adjudication', 29 October 2018

Discussant, 'Entangled Legalities' Workshop, The Graduate Institute, 25 May 2018

Presentation at the Faculty Workshop of the International Law Department ('Judge-centeredness of the international legal self'), The Graduate Institute, 17 May 2018

Discussant for a presentation by Terence Halliday and Susan Block-Lieb titled 'Global Lawmakers: The Sociology of International Organizations in the Crafting of World Markets', The Graduate Institute, 14 May 2018

Invited speaker, International Investment Law and Policy Speaker Series, Columbia Law School (presentation titled "Imaginative Qualities of Actual Things": Investment Treaty-Making and Precedents'), New York, 6 November 2017

Selected participant at the 11th Pan-European Conference on International Relations, Barcelona, 13-16 September 2017 (with a paper titled 'Writing about International Law in Dark Times')

Panelist, 'International Economic Disputes: At a Crossroads?', The Graduate Institute, 17 May 2017

Selected participant at the Third Workshop on the Sociology of International Law titled 'Cognitive Sociology, Culture, and International Law' (with a paper titled 'International Judicial Self: The Making of Identity in International Courts'), Copenhagen, 28-29 April 2017

Expert participant at the hearing organized by the Committee on Peace and International Security of the Inter-Parliamentary Union on 'International law as it relates to national sovereignty, non-intervention in the internal affairs of States and human rights', Geneva, 24 October 2016

Selected participant (with a paper titled 'Is there a public international law paradigm in investment treaty arbitration?') at the Fifth Biennial Conference of the Society of International Economic Law titled International Economic Law in a Diverse World, Johannesburg, 7-9 July 2016

Invited speaker at the workshop organized by the Manchester International Law Centre and the Amsterdam Centre for International Law titled 'Reason, Rhetoric, and Violence in the Argumentative Practice of International Law', Amsterdam, 10 June 2016

Lunch briefing: 'Beyond Power: The Authority of the UN Human Rights Treaty Bodies', The Graduate Institute, 30 May 2016

Selected participant (with a paper titled 'The authority to say what the international law is: competing claims and emerging patterns') at the 25th Annual SLS-BIICL Conference on Theory and International Law titled 'Beyond our comfort zone? Situating the authority of international lawyers, institutions, & other international actors', London, 25 April 2016

Panelist, Roundtable titled 'Russian Approaches to International Law', The Graduate Institute, 13 April 2016

Presentation at the Faculty Workshop of the International Law Department ('Authority to say what the international law is: competing claims and emerging patterns'), The Graduate Institute, 1 March 2016

Selected participant (based on a proposed paper titled 'On the judge-centeredness of the international legal self') at the 2015 Annual Conference of the European Society of International Law, September 2015

AWARDS AND FELLOWSHIPS

- Aug 2012* **James Crawford Prize**
Best article published in the Journal of International Dispute Settlement
- Sep 2012* **Alumni Association Prize, Graduate Institute of International and Development Studies**
Outstanding PhD thesis in International Law
- Sep 2010* **Hauser Global Research Fellowship**, NYU School of Law

TEACHING

Graduate Institute of international and Development Studies

Theory and Practice of Treaty Interpretation (together with Andrea Bianchi), Spring 2017, Spring 2018, Spring 2019

A Discourse Analysis of International Law, Spring 2018, Spring 2019

Transnational Legal Processes, Fall 2017, Fall 2018

A Social Analysis of Transnational Law and Arbitration, Fall 2016, Fall 2017, Fall 2018

Investment Treaty Law and Transnational Arbitration, Spring 2017

International Economic Law Clinic, Fall 2016, Fall 2017, Fall 2018 (together with Joost Pauwelyn)

Rationality, Reason and Reasoning in International Law, Spring 2016

States and State-owned Companies in Transnational Legal Transactions, Spring 2016

Executive Education

'International Geneva: An Actor-Focused Perspective', Advocacy in International Affairs, Spring 2018, Spring 2019

'*Dramatis Personae* of International Law', LL.M. in International Law, Spring 2016, Fall 2016, Fall 2017, Fall 2018

ADMINISTRATIVE RESPONSIBILITIES

- Sep 2018 –, Co-director, LL.M. in International Law, The Graduate Institute
- Fall 2017 – Search Committee Member, International History, The Graduate Institute
- March-Sep 2016 – Member of the Curriculum Reform Committee, The Graduate Institute, International Law
- Sep 2018 – Member of the Research Committee, The Graduate Institute

ACADEMIC SERVICE

Organization of Conferences, Workshops & Seminars

- Sep 2018* Co-Organizer of the Conference 'Knowledge Production and International Law' at the Graduate Institute
- Sep 2017- Sep 2018* Co-Convener of the Literature Forum in International Law
- Sep 2018- Co-Convener of the International Law Colloquium

Peer Reviews

- REVIEWS FOR German Law Journal
- ICSID Journal

Journal of International Economic Law

Journal of International Dispute Settlement

Melbourne Journal of International Law

Revue québécoise de droit international

Routledge (review of a book proposal for Routledge Research on International Law Series)

Editorial Responsibility

- Feb 2019 – General Editor, Journal of International Dispute Settlement
- Sep 2016 – Member of the Editorial Board, Brill Research Perspectives in International Legal Theory and Practice
- Dec 2018 – Book reviewer for the European Journal of International Law

REPRESENTATIVE LEGAL PRACTICE

Counsel to the Republic of India in *CC/Devas (Mauritius) Ltd., Devas Employees Mauritius Private Limited and Telecom Devas Mauritius Limited v. India*, Permanent Court of Arbitration, Case No. 2013-09

Counsel to the Republic of India in *Deutsche Telekom v. India*, Permanent Court of Arbitration, Case No. 2014-10

Counsel to the Republic of India in *Maxim Naumchenko, Andrey Polouektov and Tenoch Holdings Ltd) v. India*, Permanent Court of Arbitration, Case No. 2013-23

Counsel to the Republic of India in *Khaitan Holdings (Mauritius) Limited v. Republic of India*, Permanent Court of Arbitration, Case No 2018-50

Counsel to the Bolivarian Republic of Venezuela in *ConocoPhillips Petrozuata B.V., ConocoPhillips Hamaca B.V. and ConocoPhillips Gulf of Paria B.V. v. Bolivarian Republic of Venezuela*, ICSID, Case No. ARB/07/30

Counsel to the Bolivarian Republic of Venezuela in *Mobil Corporation, Venezuela Holdings, B.V., et al v. Bolivarian Republic of Venezuela*, ICSID, Case No. ARB/07/27

Counsel to the Bolivarian Republic of Venezuela in *Universal Compression International Holdings, S.L.U. v. The Bolivarian Republic of Venezuela*, ICSID, Case No. Arb/10/9

Counsel to an Indian state-owned company in *Devas Multimedia Private Limited v Antrix Corporation Limited*, International Chamber of Commerce, Case No. 18051/CYK

Counsel to a Venezuelan state-owned company in *Phillips Petroleum Company Venezuela Limited, Conocophillips Petrozuata B.V. v. Petroleos De Venezuela, S.A., Corpoguanipa, S.A., PDVSA Petroleo, S.A.*, International Chamber of Commerce, Case No. 20549/ASM/JPA (C-20550/ASM)

Legal Advisor to the Government of Costa Rica in *Dispute regarding Navigational and Related Rights (Costa Rica v. Nicaragua)*, International Court of Justice

Counsel to the United Arab Emirates in *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, International Court of Justice