

FUAD ZARBIYEV

Geneva Graduate Institute
Department of International Law
Case postale 136 • 1211 Geneva • Switzerland
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POSITIONS

Jan 2019- **Associate Professor of International Law**
Geneva Graduate Institute

Sep 2018- **Co-director, LL.M. in International Law**
Geneva Graduate Institute

Sep 2018- **Member of the Research Committee**
Geneva Graduate Institute

Feb 2016- **Assistant Professor of International Law**
Dec-2018 Geneva Graduate Institute

Sep 2010- **Global Research Fellow (Post-doc), Hauser Global Law Program**
May 2011 New York University School of Law, New York

VISITING APPOINTMENTS

2024 **Director of Studies at The Hague Academy of International Law** (Winter Session)

2023 **Lecturer in the 2023 Regional Course in International Law for Africa organized by the Codification Division of the United Nations Office of Legal Affairs**

2020, 2021,
2022, 2023 **Visiting Professor, Sciences Po Law School, Paris**

2022- 2024 **Senior Fellow, Research Group, 'The International Rule of Law – Rise or Decline?' Freie Universität Berlin, Humboldt Universität zu Berlin, Universität Potsdam and Social Science Research Center Berlin (Wissenschaftszentrum Berlin)**

EDUCATION

March 2010 **Geneva Graduate Institute**
PhD in International Law (*summa cum laude* avec les félicitations du jury)

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*)

AWARDS, FELLOWSHIPS, EXTERNAL FUNDING

- Sep 2019 **SNF grant** (CHF 810,079) for a three-year project titled 'The Domain of International Adjudication: Why States Abandon Decision Control?'
- 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

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

DEMYSTIFYING TREATY INTERPRETATION (with Andrea Bianchi) (under contract with Cambridge University Press due to appear in 2023)

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

Articles in Peer Reviewed Journals

'On the Judge-Centredness of the International Legal Self', 32 EUROPEAN JOURNAL OF INTERNATIONAL LAW (2021) 1139-1166

'The "Cash Value" of the Rules of Treaty Interpretation', 32 LEIDEN JOURNAL OF INTERNATIONAL LAW (2019) 33-45

'Saying Credibly What the Law Is. On Marks of Authority in International Law', 9 JOURNAL OF INTERNATIONAL DISPUTE SETTLEMENT (2018) 291-314

'Judicial Activism in International Law: A Conceptual Framework for Analysis', 3 JOURNAL OF INTERNATIONAL DISPUTE SETTLEMENT (2012) 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', 43 REVUE BELGE DE DROIT INTERNATIONAL (2010) 237-253

'Les politiques de la vérité juridique en droit international. Propos autour d'une controverse interjuridictionnelle', 18 FINNISH YEARBOOK OF INTERNATIONAL LAW (2007) 343-366

'Le phénomène séparatiste devant la Cour européenne des droits de l'homme', 19 OBSERVATEUR DES NATIONS UNIES (2005) 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', 59 REVUE TRIMESTRIELLE DES DROITS DE L'HOMME (2004) 621-644

Book Chapters

'Consent to Treaty Commitments: Endorsing Rules or Endorsing a Regime of Discursive Commitments?' in Samantha Besson (ed), CONSENTING TO INTERNATIONAL LAW (Cambridge University Press) (forthcoming 2023)

'COVID-19 and Research in International Law' in Jean d'Aspremont & Makane Mbengue (eds.), CRISIS NARRATIVES

'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 Rose Parfitt, THE PROCESS OF INTERNATIONAL LEGAL REPRODUCTION: INEQUALITY, HISTORIOGRAPHY, RESISTANCE, 32 EUROPEAN JOURNAL OF INTERNATIONAL LAW (2021) 1568-1571

Review of Robert Kolb, INTERPRÉTATION ET CRÉATION DU DROIT INTERNATIONAL. ESQUISSE D'UNE HERMÉNEUTIQUE JURIDIQUE MODERNE POUR LE DROIT INTERNATIONAL PUBLIC (Bruylant 2006), 22 LEIDEN JOURNAL OF INTERNATIONAL LAW (2009) 211-216

Review of Mashood A. Baderin, INTERNATIONAL HUMAN RIGHTS AND ISLAMIC LAW (Oxford University Press 2003), 3 REVISTA INTERNACIONAL DE PENSAMIENTO POLITICO (2007) 274-276

Varia

'Chatting with Fuad Zarbiyev', VÖLKERRECHTSBLOG, 18 November 2022

'The War in Ukraine and International Law', 31 March 2022, <https://executiveeducation.blog/themes/international-law/the-war-in-ukraine-and-international-law/>

'Of Bullshit, Lies and "Demonstrably Rubbish" Justifications in International Law', VÖLKERRECHTSBLOG, 18 March 2022

'De quoi l'invasion de l'Ukraine est-elle le nom?' LE TEMPS, 7 mars 2022

'Teaching and the "Theory/Practice" Divide', GLOBE, Graduate Institute Review, 28 (2021) 33

'Decolonisation and International Law', GLOBAL CHALLENGES, Issue no. 10 (2021) (available at <https://globalchallenges.ch/issue/10/decolonisation-and-international-law/>)

'Truth, Shame and International Law', Interview, 8 December 2020, <https://www.graduateinstitute.ch/communications/news/truth-shame-and-international-law>

'International Law in an Age of Post-Shame', (9) ESIL REFLECTIONS (2020)

'L'histoire, le droit et l'administration Trump' (with Mahmoud Mohamedou), LE TEMPS, 9 May 2020

CONFERENCES, WORKSHOPS AND TALKS

Selected as a Director of Studies at The Hague Academy of International Law (Winter Session, 2024)

Invited to participate in the closing discussion on 'Is International Law Fair?' in the Annual Conference of the

European Society of International Law (Aix-en-Provence, 2 September 2023)

Invited by the Codification Division of the United Nations Office of Legal Affairs to deliver a lecture in the 2023 Regional Course in International Law for Africa (7-8 March 2023)

Presentation at the Faculty Workshop of the International Law Department (paper titled 'From Authority Figures to Authoritative Attributes: Rethinking Authority in the International Legal Order'), Geneva Graduate Institute, 15 December 2022)

Presentation at Freie Universität Berlin (paper titled 'From Authority Figures to Authoritative Attributes: Rethinking Authority in the International Legal Order'), 8 December 2022

Invited participant at the workshop 'Derrida & International Law', University of Glasgow School of Law, 17 November 2022

Presentation at the conference 'Change and Resilience in International Law', Geneva Graduate Institute, 6 October 2022 (paper titled 'The ICJ and Specialized International Adjudicative Bodies: From Indifference to Authority-Trading')

Presentation at the workshop 'Change in International Law: Rules of Change or Changing Rules?', University of Groningen, 30 September 2022 (paper titled 'Are Joint Treaty Interpretations Controlling? The Changing Legal Regime of Authentic Treaty Interpretation')

Chair of the Panels 'In/ex-clusiveness in the Interpretation of International Law' and 'In/ex-clusiveness in International Adjudication', Annual Conference of the European Society of International Law, 1-2 September 2022

Presentation at the conference 'Consenting to International Law', College de France, 23-24 June 2022 (paper titled 'Consent to the Normative Content of Treaties: From Consent to Rules to Consent to an Argumentative Regime')

Chair and panelist at the workshop 'Sociological Perspectives on International Economic Law and Human Rights Law', European University Institute, 13-14 May 2022 (paper titled 'The Discursive Construction of the Foreign Investment Protection in International Law')

Organizer and panelist, 'The War in Ukraine and the Future of International Law', Geneva Graduate Institute, 4 May 2022

Presentation at ICON-S Mundo Conference (paper titled 'A Quiet Revolution in the Making? The Changing State Authority in Treaty Interpretation'), 8 July 2021

Presentation at the School of Law, University of Glasgow (paper titled 'The Legal Scholar as a Parrhesiast: The Courage of Truth and the Force of Tradition in Legal Scholarship'), 8 April 2021

Presentation at Leiden Hub on the Theory and History of International Law (paper titled 'Competing Claims to Deference-Entitlement in International Law: The Theory of Relative Authority of Alternatives') 24 March 2021

Discussant for a presentation by Mikhail Xifaras, 'The Theory of Legal Characters', Global Governance Center, Geneva Graduate Institute (15 March 2021)

Presentation at the workshop 'Concepts and Methods. When International Courts and Tribunals Defer to States', University of Oslo, 25 November 2020 (paper titled 'International Courts as Interpreters of Domestic Law: The Relative Authority of Alternatives')

Presentation at the Public International Law Discussion Group Event, Oxford University, 15 October 2020 (paper titled 'An "Orderly Division of Labor" amongst International Courts and Tribunals: Possible and/or Desirable?')

Convener of a panel discussion titled 'Capitalism's Language', Sciences Po Law School, Paris, 8 October 2020

Presentation at the Sciences Po Law School, Paris, 28 February 2020 (paper titled 'The Legal Scholar as a Parrhesiast: The Courage of Truth and the Force of Tradition in Legal Scholarship')

LCIL Friday Lecture, Lauterpacht Centre for International Law, University of Cambridge, 18 October 2019 (paper titled 'Linguistic Rationality as Discursive Commitment: Rethinking International Legal Normativity')

Panelist in a discussion on 'The Vienna Convention on the Law of Treaties at 50: an Anniversary Celebration', United Nations, Missions of Canada and Colombia to the UN, New York, 23 May 2019 (paper titled 'The Life and

Times of Consensualism in Treaty Commitments: Reassessing the Vienna Convention on the Law of Treaties)

Discussant for a presentation by Mii Halme-Tuomisaari titled "'Movement in the right direction": An ethnography of a human rights report', Geneva Graduate Institute, 8 April 2019

Convener of a conversation with Andrea Bianchi and Gerry Simpson titled 'International law and imagination', Geneva Graduate Institute, 3 April 2019

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

Participant 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

Presentation 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 (paper titled 'Extension du domaine de la lutte: A Sociological Account of Convergence and Discord in International Case Law')

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

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

Presentation at the Faculty Workshop of the International Law Department (paper titled 'Judge-centeredness of the international legal self'), Geneva 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', Geneva Graduate Institute, 14 May 2018

Presentation, 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

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

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

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

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

Presentation 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 (paper titled 'Is there a public international law paradigm in investment treaty arbitration?')

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', Geneva Graduate Institute, 30 May 2016

Participant (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 paper titled 'The Authority to Say What the International Law Is: Competing Claims and Emerging Patterns')

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

Presentation at the Faculty Workshop of the International Law Department (paper titled 'Authority to say what the

international law is: competing claims and emerging patterns'), Geneva 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

TEACHING

Geneva Graduate Institute

Situating International Law, Spring 2023; Compliance with International Law: Theories and Mechanisms, Fall 2019, Fall, 2021, Spring 2023; Politics of International Adjudication, Spring 2021; Trade of International Lawyer: Anatomy of Profession, Spring 2021, Spring 2022; Theory and Practice of Treaty Interpretation (together with Andrea Bianchi), Spring 2017, Spring 2018, Spring 2019, Spring 2020, Spring 2021, Spring 2022; A Discourse Analysis of International Law, Spring 2018, Spring 2019, Spring 2020; Transnational Legal Processes, Fall 2017, Fall 2018, Spring 2020; A Social Analysis of Transnational Law and Arbitration, Fall 2016, Fall 2017, Fall 2018, Fall 2019; Investment Treaty Law and Transnational Arbitration, Spring 2017; Rationality, Reason and Reasoning in International Law, Spring 2016; States and State-owned Companies in Transnational Legal Transactions, Spring 2016

Executive Education at Geneva Graduate Institute

'International Geneva: An Actor-Focused Perspective', Advocacy in International Affairs, Spring 2018, Spring 2019, Spring 2020, Spring 2021, Spring 2022; 'Participants in International Legal Processes', LL.M. in International Law, Spring 2016, Fall 2016, Fall 2017, Fall 2018, Fall 2019, Fall 2020; 'The International Law of Responsibility', LL.M. in International Law, Spring 2022; 'International Dispute Settlement', LL.M. in International Law, Fall 2022

ADMINISTRATIVE AND OTHER RESPONSIBILITIES AT GENEVA AGRADUATE INSTITUTE

Sep 2018 –	Co-director, LL.M. in International Law, Geneva Graduate Institute
Sep 2018 –	Member of the Research Committee, Geneva Graduate Institute
Spring 2022	Member of the Search Committee for an Assistant Professor in International Law, Geneva Graduate Institute
Spring 2021 –	Member of the Search Committee for an Assistant Professor of Development and Finance, Geneva Graduate Institute
March-Sep 2016/	
June-Sept 2022	Member of the Curriculum Reform Committee, Geneva Graduate Institute, International Law Department
Fall 2017	Member of the Search Committee for an Associate Professor in International History, Geneva Graduate Institute

ACADEMIC SERVICE

Organization of Conferences, Workshops & Seminars

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

Peer Reviews

REVIEWS FOR	Cambridge University Press (review of book proposals for the Cambridge Series of International and Comparative Law); Routledge (review of a book proposal for Routledge)
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Research on International Law Series); European Journal of International Law; Leiden Journal of International Law; 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; The International Journal of Human Rights; The Journal of World Investment & Trade

Editorial Responsibility

- Feb 2019 – 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

LEGAL PRACTICE

- Oct 2011- **Associate Attorney/Counsel/Consultant - Public International Law and International Arbitration**
Curtis, Mallet-Prevost, Colt & Mosle LLP, New York & Geneva
- Jan 2014 - **Member of the Bar of the State of New York**

REPRESENTATIVE CASES

- Counsel to the Republic of Kazakhstan in *Gold Pool JV Limited v. The Republic of Kazakhstan*, Permanent Court of Arbitration, Case No. 2016-23
- Counsel to the State of Kuwait in *Almasryia for Operating & Maintaining Touristic Construction Co. L.L.C. v. State of Kuwait*, ICSID, Case No. ARB/18/2
- 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