

GIOVANNA E. GISMONDI

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EDUCATION

S.J.D. 2021

Georgetown University Law Center

Dissertation: International Human Rights Law and Environmental Law
in Investment Treaty Arbitration.

Advisors: David P. Stewart (Chair),
Don Wallace, Jr., Borzu Sabahi.

LL.M. in International Legal Studies 2001

Georgetown University Law Center

Law Degree 1994

Universidad De Lima

Thesis: Peru, Outer Space Law and Telecommunications.

LL.B. 1991

Universidad De Lima

RESEARCH AND TEACHING INTEREST

Public International Law; International Human Rights Law; International Environmental Law;
Human Rights and the Environment; International Investment Law & Arbitration; USMCA
(NAFTA); International Trade Law; Minority Rights in International Law; International Indigenous
Peoples Law.

ACADEMIC EXPERIENCE

THE GEORGE WASHINGTON UNIVERSITY LAW SCHOOL: Washington DC.

*Visiting Associate Professor of Law and Environmental Law Program Fellow, Spring 2024 -
Present.*

Course taught:

Fall 2024: Human Rights and Environmental Protection

Fall 2025: International Environmental Law (scheduled)

Advisor: Advanced Writing Requirement

THE UNIVERSITY OF OKLAHOMA: Norman, Oklahoma.

COLLEGE OF INTERNATIONAL STUDIES

M.A. in Global Studies [Online]

Lecturer, Spring 2024 – Present

Course taught: International Human Rights Law, Public International Law

M.A. in International Relations

Lecturer, Spring 2008 – Fall 2023

Course taught: Public International Law

B.A. and M.A. in International Studies

Lecturer, Fall 2005 – Spring 2014.

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Courses taught: International Human Rights Law; Public International Law; International Minority Rights Law; Comparative Law; NAFTA and other Free Trade Agreements; Introduction to International Relations.

Service

- Member, Admissions Committee, Master of Arts in International Studies (2009-2014).
- Liaison, J.D./Master of Art in International Studies (2009-2014).
- Advisor, International Students Association (2009-2014).

COLLEGE OF LAW

Adjunct Professor, Summer 2002 – Spring 2014.

Courses taught: International Human Rights Law; War Crimes and Prosecutions; International Trade and Investment Law; NAFTA and other Free Trade Agreements; Latin American Legal Systems.

Advisor: Graduation Writing Requirement

Co-Director, Latin American Law Center, 2006-2012

- Hosted one Latin American faculty and/or indigenous leader annually.
- Arranged training for Latin American academics, lawyers, judges, government, and indigenous leaders.
- Bridged the University of Oklahoma College of Law with law schools and institutions in Latin America and promoted institutional cooperation between institutions.
- Coordinated webinars, conferences, and the weekly Fellows Lecture.

UNIVERSIDAD DE LIMA FACULTAD DE DERECHO: Lima, Peru.

Assistant Professor, January 1993 – December 1995

Course taught: Public International Law.

Service: Advisor, International Law Study Circle (CEDEII), 1994-1996.

OTHER TRAINING COURSES

The Erik Castrén Institute of International Law and Human Rights	Helsinki - Finland Diploma (2014)
The René Cassin Foundation - International Institute of Human Rights	Strasbourg, France Performance Certificate (2011)
International Center for University Human Rights Teaching (CiedhU)	Strasbourg, France Performance Certificate (2011)
Hague Academy of International Law	The Hague, Netherlands, Certificate of Attendance and Participation (2010)
Harvard Program on Humanitarian Policy and Conflict Research: Advanced Professional Training on Human Rights in Times of Conflict	Cambridge, USA Certificate of Participation & Completion (2009)

EDITORIAL POSITIONS

Case Law Reporter, Oxford Reports on International Human Rights Law, Oxford
Public International Law (OPIL), July 2023 – Present

Contact: LawReporters@oup.com

- Prepare annotated headnotes and provide commentary on cases decided on the merits and admissibility decisions.

Managing Editor, *BRILL Research Perspectives in International Investment Law and Arbitration*, Brill | Nijhoff, July 2017 – Present.

Contact: marie.sheldon@brill.com [Ms. Marie Sheldon]

- Conduct a preliminary evaluation of manuscripts and contact peer reviewers for further examination.
- Provide advice to the Editors-in-Chief on the thematic handling of the series.
- Correspond and maintain relationships with contributors, peer reviewers and editors-in-Chief, including setting author deadlines and timeframes for the timely completion of projects.
- Keep Editors in Chief abreast of workload/workflow and status of assigned accounts on a timely basis.

PUBLICATIONS

Books

INTERNATIONAL ENVIRONMENTAL LAW AND INTERNATIONAL

HUMAN RIGHTS LAW IN INVESTMENT TREATY ARBITRATION: The Contribution of Host States' Argumentation in Reshaping International Investment Law, *Wolters Kluwer* 2023.

Available at <https://law-store.wolterskluwer.com/s/product/international-human-rights-and-environmental-law-in-investment-treaty/01t4R00000PBOjQQAX>

Policies aimed at the expansion of transnational capital are sometimes implemented at the expense of growing social inequality and popular frustration in host countries. This timely and deeply researched volume identifies – and offers new insights into – the growing use of and reliance upon international environmental and human rights law in the arbitration of investor–State disputes. It presents a comprehensive and pragmatic approach to the most effective way to connect international investment law to the protection of human rights and the environment. Based on an analysis of 30 arbitral awards, this book demonstrates how recent investment treaty arbitration – and in particular respondent States' argumentation in arbitral proceedings – highlights the human rights and environmental considerations connected with such factors as the following: the fair and equitable treatment clause; jurisdictional obstacles; treaty conflict; role of amici curiae; and damages. As investment arbitration continues to be challenged by growing demands for greater public involvement and for participation of third parties that are affected by the proceedings, this book responds to the need to reshape the investment regime into more human rights and environmentally friendly system.

INTERNATIONAL INVESTMENT LAW AND ARBITRATION: HISTORY, MODERN PRACTICE, AND FUTURE PROSPECTS, (coauthored with BORZU SABAHI & IAN A. LAIRD).

Brill Research Perspectives in International Investment Law and Arbitration, *BRILL / Nijhoff* 2018

DOI: https://doi.org/10.1163/9789004363038_002

Available at <https://brill.com/display/title/36347>

International Investment Law is one of the most dynamically growing fields of International Law as shown by the volume of Bilateral Investment Treaties (BITs) and investment chapters in a growing number of regional and mega-regional trade agreements. This book explores the origin, evolution, and operation of International Investment Law. It discusses the main actors and institutions, the protections afforded to foreign investments and investors, and the content of modern BITs. This book additionally overviews the current backlash against investment treaty arbitration.

Peer Reviewed Journals

Bridging Human Rights and Environmental Protection: Challenges and Opportunities within the InterAmerican Human Rights System.

Palgrave Macmillan, *forthcoming* April 2025

This article explores the evolving relationship between human rights and environmental protection within the framework of the Inter-American Human Rights System (IAHRS). It examines the historical and legal foundations that have shaped the intersection of these two critical areas of law and policy in the Americas. Through a review of seminal cases and regional legal instruments, the article identifies both opportunities and limitations in leveraging human rights law to advance environmental protection. Finally, the article proposes actionable recommendations for strengthening the capacity of the IAHRS to address the growing global environmental crisis while protecting fundamental human rights. This work provides a critical perspective on how international human rights law can play an integral role in promoting environmental justice and sustainability in the Americas.

Denial of Justice: The Latest Indigenous Land Disputes before the European Court of Human Rights and the Need for an Expansive Interpretation of Protocol 1, 18 Yale Hum. Rts. & Dev. L.J. 1 (2017). Online available at: <https://openyls.law.yale.edu/handle/20.500.13051/5786>

In its three latest decisions on indigenous land rights, the European Court of Human Rights (ECtHR) has afforded scant protection to indigenous peoples. Through an analysis of each case in terms of substantive and procedural law, this Article identifies the challenges indigenous peoples face when pursuing their claims before the Court. I argue that the European Court's narrow interpretation of the "right to peaceful enjoyment of possessions" codified in Protocol 1 (Article 1) of the European Convention on Human Rights (ECHR) has failed to consider the importance of collective lands in securing the cultural survival of indigenous peoples, their economic well-being, and their social and spiritual integrity. In contrast, other regional human rights systems have adopted a more progressive stance that conforms to prevalent international norms and standards. I propose that the Court adopt an evolving interpretation of Protocol I and consider non-European international legal instruments and the decisions of other human rights bodies in its jurisprudence. At a broader level, incorporating these standards and

decisions into ECtHR decisions will contribute to the coherence and unity of indigenous peoples' rights under international law.

Law Review Essays

The Renco Group Inc. v. Republic of Peru: An Assessment of the Investor's Main Contentions in the Midst of Environmental Degradation, 59 Harv. Int'l L. J. 1 (2017). Online Journal, available at: <https://journals.law.harvard.edu/ilj/wp-content/uploads/sites/84/Renco-Group-Article-1.pdf>

This paper considers and assesses whether the interests of foreign investors should trump the human right to a clean, healthy, and sustainable environment given the limited scope of the jurisdiction of investment tribunals.

SELECTED PRESENTATIONS AND COMMENTARIES AT PROFESSIONAL CONFERENCES

Moderator, [Constitutional Innovations in Animal Rights and the Rights of Nature](#): The Peruvian Model, organized by The George Washington Environmental and Energy Law Program, Washington, D.C., 30 January 2025 (webinar).

Panelist, The Human Right to Breathe Clean Air: A Comparative Regional Overview, Panel on [Climate Change Activism and International Litigation](#), jointly co-sponsored by the Sections on Environmental Law, International Human Rights Law, Global Engagement, and Climate Change Activism & International Litigation, *2025 AALS Annual Meeting*, San Francisco, 7 – 11 January 2025.

Panelist, La Oroya Community v. Peru: A Case Study in the Challenges of Protecting Environmental Human Rights in the Inter-American Human Rights System, Panel on Bridging Human Rights and Environmental Protection: Challenges and Opportunities, [The Crossroad of International Environmental Law Enforcement Symposium](#), Cohosted by the *European Society of International Law (ESIL)*, Universitat Oberta de Catalunya and gLAWcal – Global Law Initiatives for Sustainable Development, Barcelona, Spain, 2– 3 December 2024.

Panelist, The Latest Developments on the Right to a Healthy Environment within the InterAmerican Human Rights System, [GW Environmental Law Fellows Panel](#), Organized by *The George Washington Environmental and Energy Law Program*, Washington, D.C., 19 September 2024.

Presentation, Upgrading Environmental Rights within the InterAmerican Human Rights System: The Role of the Inter-American Court of Human Rights, *Pace / Haub Environmental Law Program*, Eleventh Annual Future Environmental Law Professors Workshop (FELPW), Pace | Elisabeth Haub School of Law, 6 September 2024.

Moderator, [The Rights of Nature and the triple planetary crisis: Lessons learned from Ecuador](#), organized by The George Washington Environmental Law Program, Earth Law Center, and the Center for Democratic and Environmental Rights (online webinar) 17 July 2024.

Speaker, *Legal Jargon en Español: La Protección de los Derechos de los Pueblos Indígenas en el Derecho Internacional*, Latin American Law Student Association (LALSA), Georgetown University Law Center, Washington, D.C., 18 March 2018.

Panelist, *10 Years after Torres v. State: International Human Rights, Death Row, and Oklahoma*, The University of Oklahoma – Constitutional Studies Students Association, April 14th, 2014.

Panel organizer and Moderator, *The Santiago Atitlan massacre and issues of Justice in Guatemala*. The Sovereignty Symposium XXIV, Oklahoma City, OK, 2011.

Panelist, *The Struggle Against Impunity for Serious Crimes in Guatemala and the concept of Universal Jurisdiction*. The Sovereignty Symposium, XXIII, Oklahoma City, OK, 2010.

Panelist, *Human Rights and Recent Developments of Protection of Indigenous Peoples under International Law*, 2009 Oklahoma Statewide Conference, Amnesty International USA. Norman, OK, April 4, 2009

Panelist, *Mary and Carrie Dann v. The United States: Victory for Indian Land Rights*. The Sovereignty Symposium XX, International Law Panel; Oklahoma City, OK, May 2007.

Panelist, *Human Rights and The Rights Of Indigenous Peoples under International Law: Evolving Jurisprudence and Perspectives Ahead*; Universidad de Buenos Aires School of Law, Buenos Aires, Argentina, March 2007.

Panelist, *Government Procurement and the North American Free Trade Agreement (NAFTA)*, Second International Conference on Government Procurement, Universidad de Lima School of Law, Lima, Peru, July 2006.

Panelist, *The Inter-American System for the Protection of Indigenous People's Rights*, International Law Panel, Sovereignty Symposium XVIII; Oklahoma City, OK, May 2005.

SELECTED MEDIA CONSULTATION

On air interviews

CNN Café interview with Carolina Melo concerning President Humala's rejection of former President Fujimori's plea for Pardon, on air interview, June 11th 2013.

CNN Internacional with Guillermo Arduino, interview on President Ollanta Humala after his first year in office, on-air interview, July 28th 2012.

CNN Spanish–Panorama Mundial with Fernando del Rincon, interview on an evaluation of President Ollanta Humala first year in office, on-air interview, July 27th 2012

CNN–Spanish with Carlos Montero, interview on Paraguay and the threat of economic sanctions after removal of President Lugo, on-air interview, June 27th 2012.

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CNN–IN SESSION (Court TV), Ryan Smith interview on criminal procedure and prison conditions in Peru, on-air interview, January 13, 2012.

CNN–Spanish with Lucia Navarro, interview on the sentencing to Jordan Van der Sloot case, on-air interview, January 13, 2012.

NTN 24 Television with Andrea Betancourt and Hector Fabio Cardona, interview on the trial to Joran Van der Sloot case, on-air interview, January 11 2012.

CNN–IN SESSION (Court TV), Christi Paul and Jean Casarez interview on criminal investigation and prosecution under the Peruvian Legal System, on-air interview, January 11, 2011.

CNN–Spanish with Carlos Montero, interview on the Peruvian Criminal Law, on-air interview, January 11 2011.

CNN–IN SESSION (Court TV), Christi Paul and Jean Casarez interview on the Trial to Joran Van Der Sloot case, on-air interview, January 6, 2012.

CNN–HLN, ISSUES with Jane Velez-Mitchell (JVM) interview on the prosecution of Joran Van der Sloot, on-air interview, January 6, 2012.

CNN–IN SESSION (Court TV), Vinnie Politan and Jean Casarez interview on The Peruvian Criminal Justice System and Prison Conditions, on-air interview, June 23, 2010.

CNN–IN SESSION (Court TV), Ryan Smith interview on the Peruvian Criminal Law and the Joran Van Der Sloot case, on-air interview, June 23, 2010.

PROFESSIONAL LEGAL EXPERIENCE

Attorney, Mario Linares Abogados, Lima, Peru, 1994 - 2000.

Practiced commercial law, contracts, government procurement, and labor law.

Ministry of Foreign Affairs, Bureau of Air Sovereignty, Lima, Peru, Intern, Sept. 1991 - February 1993.

BAR ADMISSIONS

Lima Bar Association, Lima, Peru (inactive)

PROFESSIONAL AFFILIATIONS

American Association of Law Schools, Executive Committee,
Section on Law in the Americas (2024-present).

International Law Association American Branch (ABILA) (2016-present)

American Society of International Law (ASIL) (2016-present)

LANGUAGES

Spanish (native)

English (fluent)

REFERENCES

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ADDITIONAL REFERENCES

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Lewis Katz Building University Park
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