

GIOVANNA E. GISMONDI

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EDUCATION

S.J.D. 2021

Georgetown University Law Center, Washington DC.

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

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

LL.M. in International Legal Studies 2001

Georgetown University Law Center, Washington DC

Law Degree 1994

Universidad De Lima (J.D. equivalent)

Dissertation: Peru, Outer Space Law and Telecommunications: Legal frameworks
and Policy Challenges for the Geostationary orbit.

Committee: Nicolas De Pierola y Balta (Chair), Carolina Loayza Tamayo, Jose Perla
Anaya.

LL.B. 1991

Universidad De Lima, Lima Peru

RESEARCH AND TEACHING INTERESTS

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|--|--|
| - International Business Transactions | - Human Rights and Environmental Protections |
| - International Trade | - Foreign Investment and the Environment |
| - International Investment Law and Arbitration | - Business and Human Rights |
| - International Environmental Law | - Business Law |
| - International Human Rights Law | - Torts |
| - Public International Law | - Contracts |

ACADEMIC APPOINTMENTS

THE GEORGE WASHINGTON UNIVERSITY LAW SCHOOL, Washington, DC

Visiting Associate Professor of Law, Spring 2024 – Present

- Courses taught:
 - International Environmental Law
 - Human Rights and Environmental ProtectionAdvisor: Advanced Writing Requirement
- Environmental Law Program Fellow, Spring 2024 – Present
 - Mentor J.D. and LL.M. students in research projects, independent studies, and thesis development
 - Provide editorial feedback on student submissions for law reviews and external publications

GIOVANNA E. GISMONDI

- Evaluate and select outstanding student work for awards
- Organize and coordinate speaker panels, symposia, webinars, and academic roundtables
- Represent the Environmental and Energy Law Program at conferences
- Create content for media platforms highlighting program, students, and alumni achievements

THE UNIVERSITY OF OKLAHOMA COLLEGE OF LAW, Norman, OK

Adjunct Professor, Summer 2002 – Spring 2014

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

Advisor: Graduation Writing Requirement, Student Mentorship and Thesis Supervision.

- Co-Director, Latin American Law Center, 2006 – 2012
 - Hosted annual visits from Latin American faculty and indigenous leaders
 - Mentored students in Latin American and Civil Law
 - Promoted academic cooperation with Latin American law schools
 - Led outreach initiatives to expand the center's network across the Americas
 - Coordinated guest lectures and workshops in line with the center's mission

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 ACADEMIC APPOINTMENTS

THE UNIVERSITY OF OKLAHOMA, Norman, OK

COLLEGE OF INTERNATIONAL STUDIES

- M.A. in Global Studies [Online], Lecturer, Spring 2024 – Present

Courses taught:

- International Human Rights Law
- Human Rights and Environmental Protection
- 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

Courses taught:

- Public International Law
- International Human Rights Law

- Comparative Law
- International Minority Rights Law
- NAFTA and other Free Trade Agreements
- Introduction to International Relations

Service:

- Admissions Committee Member (2009–2014)
- Liaison, J.D./M.A. in International Studies (2009–2014)
- Advisor, International Students Association (2009–2014)

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 Participation | 2010
- Harvard Program on Humanitarian Policy and Conflict Research, 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

- Prepare annotated headnotes and commentary on cases
- Contact: LawReporters@oup.com

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

- Make preliminary assessments of manuscripts before initiating the review process
- Coordinate the peer review process and oversee feedback integration
- Advise the Editors-in-Chief on thematic and substantive handling of upcoming volumes
- Maintain relationships with contributors and editors to ensure deadlines are met and publications are released on schedule

Contact: Selma.Hoedt@degruyterbrill.com

PUBLICATIONS

Books

INTERNATIONAL ENVIRONMENTAL LAW AND INTERNATIONAL HUMAN RIGHTS LAW IN INVESTMENT TREATY ARBITRATION: 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. 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, (with BORZU SABAHİ & 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

Denial of Justice: The Latest Indigenous Land Disputes before the European Court of Human Rights and the Need for an Expansive Interpretation of Protocol I, 18 YALE HUM. RTS. & DEV. L.J. 1 (2017).

Available at: <https://openyls.law.yale.edu/entities/publication/26d3fa88-2993-4f11-b4ce-ae508b78ba7f>

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/?s=gismondi>

This article considers and assesses whether the interests of foreign investors should trump the human right to a clean, healthy, and sustainable environment, particularly in light of the limited jurisdictional scope of investment tribunals. It argues for a balanced approach that upholds environmental and human rights obligations alongside legitimate investment protections, ensuring that private economic interests do not override states' duties to safeguard public welfare and ecological integrity.

Work in Progress: Full Draft Completed

From the Right to Property to the Right to a Healthy Environment: Advancing Climate Justice through the Inter-American Human Rights System

This article examines the evolving environmental jurisprudence of the Inter-American Human Rights System (IAHRS), emphasizing the Court's increasing ability to address complex challenges like climate change through innovative legal reasoning and expanded remedies. It critiques the system's earlier reliance on property rights for environmental protection and traces a gradual shift toward more responsive legal frameworks. Focusing on the landmark *La Oroya Community v. Peru* case, the article identifies key substantive, procedural and remedial advancements that pave the way for climate litigation. It situates these developments within broader international and domestic trends, arguing that the Inter-American Court is emerging as a transformative leader in the field of environmental human rights.

SELECTED PRESENTATIONS AND COMMENTARIES AT PROFESSIONAL CONFERENCES

Organizer and Moderator, Dispute Resolution in Investment Arbitration with Human Rights and Environmental Dimensions: What Have We Learned from Recent Case Law?, The 2025 J.B. and Maurice C. Shapiro Environmental Law Symposium, Organized by *The George Washington Environmental and Energy Law Program*, Washington, D.C., March 20, 2025.

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*, 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.

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.

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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 (AALS), 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

Upon request