

JOSEF OSTRÁNSKÝ

Rue de Carouge 48, Geneva, 1205, Switzerland

+41 76 615 35 89, josef.ostransky@graduateinstitute.ch

Nationality: Czech

Professional Experience, Training and Teaching:

- 09.2016 – present **Lecturer, MIDS – LL.M. in International Dispute Settlement, Graduate Institute, University of Geneva, Geneva, CH, Courses: The Organization of International Dispute Settlement; International Commercial and Investment Arbitration**
- 2015 - 2016 **Visiting Professor, Masaryk University, Faculty of Law, Brno, Czech Republic; Course: International Investment Law and Arbitration (English); Supervision of Master theses**
- 2013 - 2016 **Researcher, Graduate Institute of International and Development Studies (IHEID), in the SNF funded project 'The Impact of International Investment Agreements and Arbitration on Good Governance in Argentina, Czech Republic, India and Mexico'; led by Profs Z. Douglas QC and S. Randeria**
- 2012 – 2016 **Research Assistant, Geneva Center for International Dispute Settlement (CIDS); assisting to Profs G. Kaufmann-Kohler and Z. Douglas QC, applications for academic funding**
- 2011 **Student Assistant, International Investment Arbitration Project, assisting to Prof Thomas Schultz, analysing empirical data relating to investment arbitration**
- 05.2011 – 05.2012 **Deloitte Legal, attorneys-at-law, Brno, Czech Republic, Junior Associate (Dispute Resolution Group)**
- 09.2010 – 04.2011 **Ambruz & Dark, attorneys-at-law, Brno, Czech Republic, Paralegal**
- 09.2009 – 08.2010 **ATLAS Consulting, s.r.o., intern for a development of an information system (CODEXIS)**

Education:

- 2017 **PhD in International Law, Graduate Institute of International and Development Studies (IHEID), Geneva, Thesis: "The State Regulatory Powers in International Investment Law " (supervisor: Prof Z. Douglas QC), magna cum laude (thesis), summa cum laude (viva)**
- 2011 - 2012 **LL.M. in International Dispute Settlement, MIDS (UniGe, IHEID), Hans Wilsdorf Scholar, with Distinction, GPA 5,80/6,00**
- 2006 - 2011 **Master's of Law (Mgr.), Masaryk University, Faculty of Law, Brno, Czech Republic**

Spring 2009

Erasmus (student exchange), Aarhus University, School of Law, Denmark

Summer Courses and Workshops:

- 07.2013 *The Hague Academy of International Law*, Summer Programme in Public International Law
- 05.2012 *FIAA (Foundation for International Arbitration Advocacy) Certificate*, 'Questioning of Fact Witnesses in International Arbitration'

Academic Publications (in English):

Journal Articles and Book Chapters:

- 'Is the Law of Treaties an Obstacle or a Conduit for the Reform of Investor-State Dispute Settlement?', (forthcoming 2017) 32 *Emory International Law Review* (with B. McGarry);
- 'An Exercise in Equivocation: A Critique of Legitimate Expectations as a General Principle of Law under the Fair and Equitable Treatment Standard', in Gattini, A; Tanzi, A, Fontanelli, F, *General Principles of Law and International Investment Arbitration* (Brill, forthcoming)
- 'Sovereign Default Disputes in Investment Treaty Arbitration: Jurisdictional Considerations and Policy Implications', (2015) 3 *Groningen Journal of International Law* 1, 27
- 'Opening the International Law's Black Box: Pedro J. Martinez-Fraga, C. Ryan Reetz: Public Purpose in International Law: Rethinking Regulatory Sovereignty in the Global Era – Review', (2015) *Transnational Dispute Management* 3;
- 'The Termination and Suspension of Bilateral Investment Treaties due to an Armed Conflict', (2015) 6 *Journal of International Dispute Settlement* 1, 136;
- 'The Legal Framework for Counterclaims in Investment Treaty Arbitration', (2014) 31 *Journal of International Arbitration* 3, 357 (with D. Atanasova, A. Martínez Benoit);
- 'How Can States Use Exceptions in Treaties to Defend Tobacco Control Legislation?', (2012) 9 *Transnational Dispute Management* 5;
- 'Tobacco Investment Disputes – Public Policy, Fragmentation of International Law and Echoes of the Calvo Doctrine', (2012) 3 *Czech Yearbook of International Law* 161.

Working papers, reports, and blogposts:

- 'Modifying the ICSID Convention under the Law of Treaties', EJIL: Talk! <https://www.ejiltalk.org/modifying-the-icsid-convention-under-the-law-of-treaties/> (11 May 2017) (with B McGarry);
- *World Investment Forum: Multidisciplinary Academic Conference - Report from Plenary session*, Report for OGEMID prepared in cooperation with UNCTAD and T. Schultz from the Graduate Institute (18 October 2014) (with Ch Giannakopoulos);
- *World Investment Forum: Multidisciplinary Academic Conference - Report from Conference session: Systemic Issues and Institutions*, Report for OGEMID prepared in cooperation with UNCTAD and T Schultz from the Graduate Institute (15 October 2014);
- 'Counterclaims in Investor-State Dispute Settlement under International Investment Agreements', *CTEI Working Papers* 2012, 5 (with D. Atanasova, A. Martínez Benoit).

Presentations and Conferences:

- *'Host State's Regulatory Powers in International Investment Law'*, ELSA Summer School of International Investment Law, Kapodistrian University of Athens, Greece, August 2017;
- *'Legitimate Expectations and Fair and Equitable Treatment'*, General Principles of Law and International Investment Arbitration, Università degli Studi Padova, Italy, May 2015;
- *'Sovereign Defaults in Investment Treaty Arbitration'*, Seminar on International Trade Law, Tehran University, Iran, Kish International Campus, February 2013;
- *'Intellectual Property Protection in the Tobacco Investment Disputes'*, Lecture for the Tehran Central Bar Association, Iran, February 2013.

Other Academic Achievements and Honours:

- **Foreign Direct Investment International Moot Competition:**
 - 2013 – Case Committee, Drafting of the FDI Moot 2014 case;
 - 2011-2014 - co-coach of Masaryk University team;
 - 2010 – team member for Masaryk University team, 2nd Best Memorial for Claimant.
- **Masaryk University, Student Research Competition:**
 - 2010 - *'Expropriation in International Investment Law'*, Dean's Award, 1st Place in the Public Law Section;
 - 2008 – *'Concept of Justice in the Work of Jacques Derrida'*, Dean's Award, 1st Place in the Legal Theory Section;
- **Phillip C. Jessup International Moot Court Competition:**
 - 2010 - National Champions, 13th best written memorials in International Finals (Washington, D. C.)

Selected Affiliations:

- *American Society of International Law*
- *British Institute of International and Comparative Law*
- *Young ICCA*

Languages:

- Czech: **native speaker**
- English: **C2** (TOEFL iBT; November 2014 overall score 118)
- Slovak: **C1**
- French: **B2** (Bell School International, University of Geneva)
- Spanish: **A2** (University Exam from Legal Spanish)
- German: **A1** (Oesterreich Institut, Kursabschluss Prüfung)
- Russian: **A1**

Hobbies:

- Music; Literature (American, Latin American, Japanese); Movies (American independent, Korean, Japanese cinematography); Cooking and Food; Travelling; Sports (yoga, cycling).