

## FACUNDO PÉREZ-AZNAR

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**Nationality:** Swiss – Argentine  
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### AREAS OF EXPERTISE

International Investment Law – International Trade Law – International Dispute Settlement – Public International Law

### EDUCATION

2009 – 2014 PhD in International Law  
**Graduate Institute of International and Development Studies, Geneva.** PhD in International Law. Thesis Title: “Non-Discrimination and Most-Favoured-Nation Clauses in International Investment Law”. Doctoral supervisor: Prof. Pierre-Marie Dupuy.

2002 – 2004 Master in International Law  
**Graduate Institute of International Studies, Geneva.** *Diplôme d’études approfondies (DEA)* in International Relations with a specialization in International Law.

1996 – 2001 Law Degree  
**National University of La Plata, Argentina, School of Law.**

### PROFESSIONAL EXPERIENCE

Since 2013 *-Independent consultant*, advising different Governments, International Organizations and law firms in matters related to International Economic Law and International Dispute Settlement.  
**-Graduate Institute of International and Development Studies, Geneva.** *Senior Researcher* at the Geneva Center for International Dispute Settlement (CIDS).  
**-University of Buenos Aires, School of Law.** *Associate Professor* of International Economic Law in the Master of International Relations.

2012 – 2014 *Of Counsel* in the law firm **Guglielmino & Asociados**, which defends Latin-American countries in investment arbitrations, mostly ICSID and UNCITRAL.

2010 – 2012 **Graduate Institute of International and Development Studies, Geneva.** *Research and Teaching Assistant* to Professor Joost Pauwelyn in the courses International Trade Law and International Investment Law. *Coordinator* of the Doctoral Seminar and *Supervisor* of the Trade and Investment Law Clinic. *Academic Advisor* in the Summer Programme on the WTO, International Trade and Development.

2006 – 2009 **General Attorney’s Office of the Argentine Republic,** *Legal Counsel* in the Area of International Affairs, which is in charge of handling the interest of the Argentine Republic in international disputes (mostly ICSID and UNCITRAL arbitrations), working in more than twenty ICSID arbitrations. Since 2008, *Responsible of the team* working on ICSID cases related to water concessions; generation, transportation and distribution of electricity; and construction contracts.

2006 – 2009 **Catholic University of Argentina,** Institute of International Relations, *Assistant Professor* of International Law.

2005 – 2006 **Ministry of Foreign Affairs of Argentina,** *Legal Officer* in the Direction of Latin American Economic Integration, which is in charge of negotiating agreements in the framework of the Latin American Integration Association (LAIA/ALADI).

2003 – 2004 **International Labour Office,** Geneva, Switzerland. *Legal Officer* in the International Standards Department, Social Protection and Labour Conditions Branch.

2002 – 2003 **United Nation's Peace Keeping Operation in Congo (MONUC)**  
*Human Right Officer* in the province of Nord-Kivu, Democratic Republic of Congo.

### SELECTED INVESTMENT CASES WHERE I WAS INVOLVED AS COUNSEL

*-Transban Investments Corp. v. Bolivarian Republic of Venezuela* (ICSID Case No. ARB/12/24)  
*-Fábrica de Vidrios Los Andes, C.A. and Owens-Illinois de Venezuela, C.A. v. Bolivarian Republic of Venezuela* (ARB/12/21)  
*-Blue Bank International & Trust (Barbados) Ltd. v. Bolivarian Republic of Venezuela* (ICSID Case No. ARB/12/20)  
*-Valle Verde S.L. v. Bolivarian Republic of Venezuela* (ICSID Case No. ARB/12/18)

- Flughafen Zürich A.G. and Gestión e Ingeniería IDC S.A. v. Bolivarian Republic of Venezuela* (ICSID Case No. ARB/10/19)
- Vestey Group Ltd v. Bolivarian Republic of Venezuela* (ICSID Case No. ARB/06/4)
- Impregilo S.p.A. v. Argentine Republic* (ICSID Case No. ARB/08/14)
- Ambiente Ufficio S.p.A. and others v. Argentine Republic* (ICSID Case No. ARB/08/9)
- HOCHTIEF Aktiengesellschaft v. Argentine Republic* (ICSID Case No. ARB/07/31)
- ICS Inspection and Control Services Limited v. Argentine Republic* (PCA Case)
- Urbaser S.A. and Consorcio de Aguas Bilbao Bizkaia, Bilbao Biskaia Ur Partzuergoa v. Argentine Republic* (ICSID Case No. ARB/07/26)
- Impregilo S.p.A. v. Argentine Republic* (ICSID Case No. ARB/07/17)
- Giovanni Alemanni and others v. Argentine Republic* (ICSID Case No. ARB/07/8)
- Abaclat and others v. Argentine Republic* (ICSID Case No. ARB/07/5)
- Daimler Financial Services AG v. Argentine Republic* (ICSID Case No. ARB/05/1)
- Wintershall Aktiengesellschaft v. Argentine Republic* (ICSID Case No. ARB/04/14)
- SAUR International v. Argentine Republic* (ICSID Case No. ARB/04/4)
- EDF International S.A., SAUR International S.A. and León Participaciones Argentinas S.A. v. Argentine Republic* (ICSID Case No. ARB/03/23)
- Suez, Sociedad General de Aguas de Barcelona S.A. and Vivendi Universal S.A v. Argentine Republic* (ICSID Case No. ARB/03/19)
- Suez, Sociedad General de Aguas de Barcelona S.A. and Interagua Servicios Integrales de Agua S.A. v. Argentine Republic* (ICSID Case No. ARB/03/17)
- CMS Gas Transmission Company v. Argentine Republic* (ICSID Case No. ARB/01/8)

#### **SELECTED PUBLICATIONS**

- “The Fictions and Realities of MFN clauses in International Investment Agreements” *AJIL Unbound* (2018)
- “The Use of Most-Favoured- Nation Clauses to Import Substantive Treaty Provisions in International Investment Agreements”, in 20 *Journal of International Economic Law* 777–805 (2017).
- “Investment Protection in Exceptional Situations: Compensation-for-Losses Clauses in IIAs”, in 32(3) *ICSID Review - Foreign Investment Law Journal* 696–720 (2017).
- “Brazil and Argentina’s Participation in Global Financial Governance” (with Henrique Choer Moraes), in *Rethinking Stakeholder Participation in Global Governance: Challenges and Reforms in Financial and Health Institutions*, Ayelet Berman, Tim Büthe, Martino Maggetti, Joost Pauwelyn (Eds.), OUP (forthcoming).
- “Brazil and Argentina’s Participation in Global Health Governance” (with André de Mello e Souza), *ibid.*
- “Federal States and Investment Arbitration” in *Yearbook on International Investment Law & Policy* 2015-2016 (OUP 2017), pp 326-355.
- “Cuba Treaty Overview” (with Florencia Sarmiento) in *Investment Claims* (OUP 2016).
- “Local Litigation Requirements in International Investment Agreements: Their Characteristics and Potential in Times of Reform”, 17(4) *Journal of World Investment and Trade* 536–561 (2016).
- “Argentina Treaty Overview”, in *Investment Claims* (OUP 2016).
- “Solución de controversias en materia de inversiones extranjeras”, in González Napolitano (ed.), *Derecho Internacional Público*, Errepar (2015).
- “El poder regulatorio del estado en cuestiones mediambientales y el derecho internacional de las inversiones” (with Jorge Viñuales) in *Anuario Mexicano de Derecho Internacional* (2011).
- “Drawing the limits of free transfer provisions” (with Alejandro Turyn), in Kyo-Hwa Chung, Asha Kaushal and Michael Waibel (eds.), in *The Backlash against Investment Arbitration*, Cameron May (2010)
- “El trato justo y equitativo en la jurisprudencia internacional y la alegada fragmentación del derecho internacional”, in Barboza, Julio (ed.), in *Temas Recientes de la Comisión de Derecho Internacional*, CARI, Buenos Aires (2007)
- *Countermeasures in the WTO Dispute Settlement System - An Analysis of their Characteristics and Procedure in the Light of General International Law*, Graduate Institute of International Studies, Geneva, (2006), 140 pp.

#### **HONOURS AND SCHOLARSHIPS**

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| 2009 – 2011 | <b>Graduate Institute of International and Development Studies, Geneva. Full Scholarship</b> for the academic years 2009-2010 and 2010-2011.   |
| 2004        | <b>Graduate Institute of International Studies, Geneva. Mariano García Rubio Prize</b> to the best dissertation in International Law for the academic year 2003-2004 for the monograph: “ <i>Countermeasures in the WTO Dispute Settlement System: An Analysis of its Characteristics and Procedure in Light of General International Law.</i> ” |
| 2002 – 2004 | <b>Canton of Fribourg, Switzerland. Full Scholarship</b> for the academic years 2002-2003 and 2003-4.  |

#### **LANGUAGES**

**Spanish:** *Mother tongue; English and French:* *Fluent, full working knowledge.*