

NAJMAN ALEXANDER AIZENSTATD

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EDUCATION

YALE LAW SCHOOL, New Haven, CT.

Doctoral Candidate (J.S.D.), 2012;
Master of Laws (LL.M) June, 2009.
LL.M Class Representative
Editor, Yale Journal of International Law (2012)
Team Coach, Willem C. Vis International Commercial Arbitration Moot (2012-2013)

UNIVERSIDAD FRANCISCO MARROQUIN, Guatemala City, Guatemala.

Licenciado en Ciencias Jurídicas y Sociales, Abogado y Notario with honors *Cum Laude* (2005)
Honor Roll (2003, 2004);
Member of the Editorial Board of the Law Journal;
Elected as Member of the Honor Tribunal (2000, 2001 and 2002).
Represented Guatemala in several international law moot court competitions.

MAX PLANCK INSTITUTE FOR COMPARATIVE PUBLIC LAW AND INTERNATIONAL LAW, Heidelberg, Germany.

Research Fellowship, (October 2009- April 2010) (Awarded by Prof. Dr. Armin von Bogdandy).

INTERNATIONAL ACADEMY FOR ARBITRATION LAW, Paris, France.

Summer Program on Arbitration Law, (July 2- 20)
Obeid Law Firm Scholar

XIAMEN ACADEMY OF INTERNATIONAL LAW, Xiamen, People's Republic of China

Summer Program on International Law (July 4th – July 24th 2010). Awarded a full scholarship.

HARVARD UNIVERSITY, John F. Kennedy School of Government.

Leadership, Organizing and Action: Leading Change (June 2011)
Organization of American States' Scholar

PROFESIONAL EXPERIENCE

UNIVERSIDAD RAFAEL LANDIVAR, (*Rafael Landivar University Law School*), Guatemala

Professor of Law, International Public Law (2007, 2010-).
Assistant Professor of Law, International Public Law II (2006).

In addition to academic work, I have been involved in directing strategic litigation related to genocide, torture, protection of women against violence and the rights of indigenous peoples'.

INTER-AMERICAN COURT OF HUMAN RIGHTS, San José, Costa Rica.

Visiting Professional Attorney (January to April 2011).

UNIVERSIDAD DEL ISTMO, Guatemala

Professor of Law and Economy (2011).
Designated by the Law School Board of Directors as thesis reviewer.

BELTRANENA, DE LA CERDA & CHAVEZ (Law firm), Guatemala

Associate Attorney (2004-2008).

Legal counsel to private companies and individual clients mainly in corporate, energy, arbitration and constitutional matters. Handled complex litigation and arbitration. Argued cases before all high courts. Directed several landmark cases.

UNIVERSIDAD FRANCISCO MARROQUÍN (Francisco Marroquín University Law School), Guatemala.

Course Assistant, Intellectual Property Law (2003).

BAR ADMISSIONS

Attorney and Counselor at Law, State of New York, U.S.A. (2010-);

Lawyer and Notary, Guatemala (2005-).

PUBLICATIONS

- “*La responsabilidad internacional de los Estados por actos ilícitos, crímenes internacionales y daños transfronterizos*” (*International State Responsibility for wrongful acts, international crimes and transborder damages*) Anuario Mexicano de Derecho Internacional Vol. XII (2012).
- “*From Beggars to Citizens: The Right of Non Discrimination in the Admission to Commercial Establishments Open to the Public*”. Vol. 17 No. 3 ILSA Journal of International and Comparative Law 473 (2011);
- “*Reflejos del Derecho de la Unión Europea en las Decisiones de la Corte Centroamericana de Justicia*” (*Reflections of European Union Law in the decisions of the Central American Court of Justice*) (25 Revista General de Derecho Europeo, España, 2011);
- “*International Commission Against Impunity in Guatemala*”, keyword article contribution to the Max Planck Encyclopedia of Public International Law, Rüdiger Wolfrum (ed.), Oxford University Press. (2012);
- “*Guyana v. Suriname Arbitral Award*”, keyword article contribution to the Max Planck Encyclopedia of Public International Law, Rüdiger Wolfrum (ed.), Oxford University Press. (2012);
- “*International Law in China: The Xiamen Academy of International Law*”, Vol. XXV No. 2 International Law Quarterly, Florida Bar International Law Section 26 (2010);
- “*Medir con la Misma Vara: Parámetros Generales de Escrutinio Judicial para la Evaluación de Limitaciones al Derecho Constitucional a la Igualdad*”. (Measuring with the same Yardstick: General Parameters of Judicial Scrutiny for the Evaluation of Limitations to the Constitutional Right to Equality) 58 Revista del Colegio de Abogados y Notarios de Guatemala, 29-58 (2009); Also selected to in order to be reprinted in: Opus Magna Constitucional Guatemalteco 2011, Tomo II, Corte de Constitucionalidad, 429-454 (2011);
- “*Cláusulas Asimétricas del Arbitraje*” (*Asymmetric Arbitration Clauses*), 25 Revista de la Facultad de Derecho de la U. Francisco Marroquín 23 (2007);
- “*Origen y Evolución del Concepto de Genocidio*” (*Origin and Evolution of the concept of Genocide*). 25 Revista de la Facultad de Derecho de la U. Francisco Marroquín 11 (2007);
- “*Consideraciones sobre el Droit de Suite: Análisis Crítico del Derecho de los Artistas a Obtener una Participación en el Precio de Reventa de sus obras*”. (Considerations on *Droit de Suite*:

Critical Analysis of the Right of Artists to obtain a participation in the resale value of their Works) 24 Revista de la Facultad de Derecho de la U. Francisco Marroquín 21 (2005);

- “*Droit de Suite: El Derecho de los Artistas a obtener una participación en el precio de reventa de sus obras*” (*Droit de Suite: The Right of Artists to obtain a participation in the resale value of their works*). 24 Revista de la Facultad de Derecho de la U, Francisco Marroquín 11 (2005);
- “*Regulation of Insolvency and Creditor’s Rights in Guatemala*”, World Bank Forum on Insolvency and Creditor’s Rights. Rio de Janeiro, Brazil (2004). (with Rodolfo Alegria Toruño).
- “Issues that U.S. corporate counsel should consider when doing business in Guatemala”, Inside (Corporate Counsel Publication), New York State Bar Association, Vol. 29 No 1. Spring/Summer 2011.

Research Projects:

- La cuestión Islas Malvinas (Falklands) y los principios del Derecho Internacional [The Falklands (Malvinas) affair and the principles of international law], accepted paper at Revista del Instituto de Estudios Internacionales de la Universidad de Chile;
- *Materiales Básicos de Derecho Internacional* [Basic Documents in International Law] (book project, expected in early 2013);
- *ICCA Guide on the New York Convention on Recognition and Enforcement of Foreign Arbitral Awards (official translation into Spanish) (in press 2013);*
- *La inconstitucionalidad por omisión en Guatemala: novedoso desarrollo jurisprudencial del control de constitucionalidad.* [Unconstitutional actions by omisión in Guatemala: new development of the jurisprudence in judicial review (accepted in Revista conmemorativa de los 50 años de la Universidad Rafael Landivar);
- *Un nuevo supuesto de competencia contenciosa: Competencia de la Corte Interamericana de Derechos Humanos para aplicar el Derecho Comunitario Centroamericano* [A new área of competence: Jurisdiction by the Inter-American Court of Human Rights in order to apply Central American Community Law].

SELECTED LECTURES AND PRESENTATIONS

- Office of the United Nation’s High Commissioner for Human Rights in Guatemala, Workshop on Strategic Litigation for Women’s Rights Organizations. Invited to deliver lecture: “*Amicus Curiae: Do Courts need friends?*” Guatemala, November 30, 2011.
- Arbitration Center of the Chamber of Industry (CRECIG). Invited to deliver lecture: “*Principles that are applicable to the enforcement of arbitral awards in accordance to the New York Convention*”, Guatemala, June 27, 2012;
- Symposium “*Diálogo Jurisdiccional entre Cortes de Integração Europeias e Latino-americanas (Jurisdictional dialogue between integration courts in Europe and Latin America)*” organized by the University of Innsbruck, Konrad Adenauer Foundation and Escola da Magistratura do Paraná. Foz de Iguaçu, Brasil; 28 October 2010. Lecture: “*Reflejos de la Jurisprudencia europea en la jurisprudencia de la Corte Centroamericana (Reflections of european jurisprudence in the decisions of the Central American Court)*”;

- Xiamen Academy of International Law, Xiamen, People’s Republic of China; 16 July 2010. Lecture: “Guyana v. Suriname Arbitral Award”.
- Max Planck Institute for Comparative Public Law and International Law, *Coloquio Iberoamericano*, 23 March 2010. Lecture: “Luxemburg in Managua: The Decisions of the European Court of Justice in the Jurisprudence of the Central American Court of Justice”.
- Max Planck Institute for Comparative Public Law and International Law, seminar/meeting *Referentenbesprechung*, 1 March 2010. Lecture: “The Central American Integration System.
- McGill University, Graduate Students Symposium, April 2009. Lecture: “Re-Union: History, Challenges and Identity within the Regional Court of Justice in Central American Integration and the European Union. Grant awarded by Yale Law School in order to give presentation.

INTERNATIONAL MOOT COURT COMPETITIONS

Willem C. Vis, International Commercial Arbitration Moot Court Competition, (2012-2013)
Team Coach, Yale Law School

Phillip C. Jessup, International Law Moot Court Competition, Washington D.C. (2003).
International Championship Rounds. Guatemalan National Champion. Best team oralist. Best placement during the international rounds in Guatemala’s history, to date. Appointed as a Judge during the International Championship Rounds in Washington D.C. (2008)

Eduardo Jiménez de Arréchaga, International Human Rights Law Moot Court Competition, San José, Costa Rica (2001). Semifinalist. Best Memorial (form). Oralist in every round, including semifinals held at the Inter-American Court of Human Rights.

IV International Arbitration Moot Court Competition organized by the University of Buenos Aires and the University of El Rosario. Buenos Aires, (2011). Team Coach.

LANGUAGES

Fluent in English and Spanish.

MEMBERSHIPS

American Society of International Law; New York State Bar Association; Guatemalan Bar Association (*Colegio de Abogados y Notarios*); Center for the Defense of the Constitution (CEDECON); International Chamber of Commerce, Young Arbitrators Forum, Young International Counsel for Commercial Arbitration Program (Mentor: Prof. Jan Paulsson).

Included in the list of Arbitrators of the Centro de Arbitraje de la Industria de la Construcción, A.C (Arbitration Center of the Construction Industry). México.