

NAJMAN ALEXANDER AIZENSTATD

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EDUCATION

YALE LAW SCHOOL, New Haven, CT.

Doctoral Candidate (J.S.D./ Ph.D. equivalent).

Master of Laws (LL.M) June, 2009.

LL.M Class Representative

Editor, Yale Journal of International Law (2012)

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

AIZENSTATD, Law practice

Independent legal professional specializing in international law, constitutional law, litigation and arbitration.

PORT ADMINISTRATOR, TERMINAL DE CONTENEDORES QUETZAL

Court appointed administrator for domain extinction of container port in the Pacific Ocean by request of the International Commission Against Impunity in Guatemala (CICIG) and the Public Prosecutor (2016-2017)

COMISIÓN DE RESOLUCIÓN DE CONFLICTOS DE LA CÁMARA DE INDUSTRIA DE GUATEMALA – CRECIG, (Chamber of Industry's Arbitration and Dispute Resolution Body)

Director, Board of Directors (2013-2017)

CENTRO PARA LA DEFENSA DE LA CONSTITUCIÓN – CEDECON (Center for the Defense of the Constitution)

Vice president (2015-2017)

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).

UNIVERSIDAD FRANCISCO MARROQUÍN (Francisco Marroquín University), Guatemala.
Professor of International Human Rights Law (2014) / Political Science Department.
Course Assistant, Intellectual Property Law (2003). / Law School.

INTER-AMERICAN COURT OF HUMAN RIGHTS, San José, Costa Rica.
Visiting Professional Attorney (January to April 2011).

UNIVERSIDAD COOPERATIVA DE COLOMBIA, Pasto, Colombia
Visiting Professor, International Law, Constitutional Law, Human Rights and Arbitration (2014)

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.

BAR ADMISSIONS

Attorney and Counselor at Law, State of New York, U.S.A. (2010-);
Lawyer and Notary, Guatemala (2005-).

PUBLICATIONS

- “El valor intrínseco del Estado de Roma de la Corte Penal Internacional y los desafíos legislativos para su implementación en Guatemala y Costa Rica”, *Revista Costarricense de Derecho Internacional*, Vol. VI (2017);
- “Towards a Uniform Basis for the Right to Identity in the Normative Framework of the American Convention on Human Rights”, *Inter-American and European Human Rights Journal*, Vol. 7, (2014);
- “Derecho Internacional en Guatemala. Documentos básicos” (*International Law in Guatemala. Basic materials*). Editorial Magna Terra, (2014).
- “El derecho a la norma ausente: el surgimiento de la inconstitucionalidad por omisión en Guatemala.” (*The right to an absent norm: the emergence of constitutional review by omission in Guatemala*) *Anuario de Derecho Constitucional Latinoamericano* Vol. 19 (2013).
- “Los tres desafíos legislativos para la implementación del Estatuto de Roma en Guatemala” (*The three legislative challenges for the implementation of the Rome Statute in Guatemala*) book chapter edited by the Comisión Nacional para el Seguimiento y Apoyo al Fortalecimiento de la Justicia. (2013) *in press*.

- “Comments on Professor Chia-Jui Cheng’s: “The Use of Force in the Charter of the United Nations and the Compatibility of the New Haven School’s Policy-Oriented International Law”. *Soochow Law Journal* (Taipei), Volume IX, No. 2, p. 209. July 2012
- “La Nación Dividida: Rasgos, Potencialidades y Desafíos de la Integración Regional en América Central” (*The Divided Nation: Potential and Challenges of Regional Integration in Central America*) book chapter in Héctor Fix Fierro, et. al (eds.). “IUS CONSTITUTIONALE COMMUNE LATINOAMERICANUM. RASGOS, POTENCIALIDADES Y DESAFÍOS”. In press, expected 2014.
- “A treinta años de la guerra: las Islas Malvinas (Falkland) y los Principios del Derecho Internacional” (*Thirty years after the war: the Malvinas (Falklands) and the Principles of International Law*) *Revista Estudios Internacionales*, Universidad de Chile Vol. 173 p.p .91-116 (2012)
- ICCA Guide on the New York Convention on Recognition and Enforcement of Foreign Arbitral Awards (official translation into Spanish) Permanent Court of Arbitration, The Hague (2013);
- “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);
- “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.

SELECTED LECTURES AND PRESENTATIONS

- Center for Human Rights and Peace Studies at Lehman College in the City University of New York (CUNY), lecture on “*The Role of International and National Courts in Enforcing Human Rights*”, New York City, November 28, 2012;
- Arbitration Center of the Chamber of Industry (CRECIG). Invited to deliver several lectures: “*Principles that are applicable to the enforcement of arbitral awards in accordance to the New York Convention*”, and “*Asymmetrical Arbitration Clauses*” Guatemala;
- 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.
- 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)*”;
- 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

CRECIG International Commercial Arbitration Moot Competition, Guatemala, Guatemala (2014 -).
Founder and Academic Director;

Willem C. Vis, International Commercial Arbitration Moot Court Competition, Vienna, Austria. (2012-2013) Team Coach, Yale Law School. Team was awarded honorable mentions for written and oral advocacy.

Paris International Arbitration Competition, Paris, France (2013)

Team Coach, Rafael Landivar University. Team advanced to semifinals and obtained a best memorial award.

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

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) and during the final of the national rounds in Guatemala (2014).

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.

LANGUAGES

Fluent in English and Spanish.

MEMBERSHIPS

Guatemalan Bar Association (*Colegio de Abogados y Notarios*); Center for the Defense of the Constitution (CEDECÓN); International Chamber of Commerce, Young Arbitrators Forum, Young International Counsel for Commercial Arbitration Program.

Appointed to the list of arbitrators of the Arbitration Center of the Chamber of Commerce (CENAC) and the Chamber of Industry (CRECIG).