

## **Hervé ASCENSIO**

Professor at the Sorbonne Law School  
University Paris 1, Panthéon-Sorbonne

Born on 15 December 1970, in Montbéliard (France)  
Chevalier in the French National Order of Merit

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### **Qualifications:**

“Agrégation” in Public Law (2000); Doctorate in Law (1997, “L’autorité de chose décidée en droit international public”); master degrees in General Theory and Philosophy of Law (Paris X-Nanterre, 1996) and Law of International and European Economic Relations (Paris X-Nanterre, 1992); degree of the Institute of Political Studies of Paris (1991).

### **Professional Experience:**

*Since 2005:* professor of law at the Sorbonne Law School, University of Paris 1 (Panthéon-Sorbonne); courses on general international law, international economic law, international investment law, international criminal and humanitarian law.

*University functions:* director of the Master Degree in Global Business Law & Governance (degree in cooperation with Columbia University, City University of Hong Kong, and Melbourne University).

*Previously:* professor of law at the Universities of Aix-Marseille III (2003-2005) and Paris 13 (2000-2003); associate professor at the University of Paris X-Nanterre (1998-2000); research assistant and teacher at the University of Paris X-Nanterre (1992-2000); law clerk at the Directorate of Legal Affairs of the French Ministry of Foreign Affairs (1997-1998).

### **Other activities:**

*Legal Expertise, Consultancy, Arbitration:* counsel of the French Government in three cases before the International Court of Justice (one in course: *Immunities and Criminal Proceedings – Equatorial Guinea v. France*); expert before investment arbitral tribunals (among which *Ampal*, for Egypt; *Lao Holdings & Sanum*, for Laos); arbitrator in an ICSID case (ARB/18/16); member of the Court of Conciliation and Arbitration within the OSCE (designated as alternate arbitrator by France, 2013-2019 and 2019-2025); acting as expert before French parliamentary committees on questions of public international law.

*Professional Membership:* member of the French Society for International Law (former Secretary General, 2004-2008), the American Society of International Law, the International Law Association, the Société de Législation comparée.

*Assessment of Teaching and Research:* elected member of the French National Council of Universities (2019-2023); member of the Advisory Council of the Max Planck Institut Luxembourg (since 2016); former member of the jury of “aggregation” in public law (2011-2012); former expert for the Research Grants Council of Hong Kong (2013-2016).

*Courses or lectures abroad (in French or English):* University of Vienna (2019), University of Buenos Aires (2018), City University of Hong Kong (2019, 2012-2016), Cornell University (Ithaca USA, 2015), University CEUB (Brasilia, 2014-2015); Institut de droit des affaires internationales (Cairo, 2008-2010), The Hague Academy of International Law (director of studies, French section, summer 2010), etc.

## Selected Publications:

### *i/ Ouvrages / Books:*

- *Droit international économique*, PUF, Paris, 2018, xviii-375 p. [*International Economic Law* (handbook), 2<sup>nd</sup> ed. forthcoming in 2020] ;
- *Les principes communs de la procédure administrative : Essai d'identification*, P. Gonod & H. Ascensio (dir.)(eds.), Mare & Martin, 2019, 242 p. [*Common Principles of Administrative Procedure: Search for an Identification*]
- *Dictionnaire des idées reçues en droit international*, H. Ascensio, P. Bodeau-Livinec, M. Forteau, F. Latty, J.-M. Sorel, M. Ubéda-Saillard (dir.)(eds.), Pedone, Paris, 2017, 606 p. [*Dictionnaire of Received Ideas on International Law*, book in honour to Prof. Alain Pellet]
- *Le pouvoir normatif de l'OCDE*, SFDI/OCDE, H. Ascensio, N. Bonucci (dir.)(eds.), Pedone, Paris, 2014, 148 p. [*The Normative Power of the Organization for Economic Co-operation and Development*] ;
- *Droit international pénal – 2<sup>ème</sup> édition révisée*, H. Ascensio, E. Decaux, A. Pellet (dir.)(eds.), Pedone, Paris, 2012, 1280 p. [*Treatise on International Criminal Law*] ;
- *La soumission des organisations internationales aux normes internationales relatives aux droits de l'homme*, SFDI/IIDH, H. Ascensio, J.F. Flauss (dir.), Pedone, Paris, 2009, 142 p. [*Applicability of International Human Rights Law to International Organizations*] ;

### *ii/ Articles:*

- « Les Principes directeurs rattrapés par le droit ? L'exemple du droit français », in Nicola Bonucci et Catherine Kessedjian (dir.), *40 ans des lignes directrices de l'OCDE pour les entreprises multinationales / 40 Years of the OECD Guidelines for Multinational Enterprises*, Pedone, Paris, 2018, pp. 79-88 [an article on recent French statutes on corporations' duties in light of the OECD Guidelines] ;
- [avec/with Beatrice Bonafè] « L'absence d'immunité des agents de l'Etat en cas de crime international : pourquoi en débattre encore ? », *RGDIP*, vol. 122, 2018, n°4, pp. 821-850 [“The lack of immunities of foreign State's officials for international crimes: why still discuss it?”]
- « Les activités normatives des entreprises multinationales », in Société française pour le droit international, *L'entreprise multinationale et le droit international*, Pedone, Paris, 2017, pp. 265-278 [“Normative Activities of Multinational Corporations”] ;
- « Les actes unilatéraux étatiques en droit de la mer », in Mathias Forteau, Jean-Marc Thouvenin (dir.), *Traité de droit international de la mer*, Pedone, Paris, 2017, pp. 190-203 [“Unilateral Acts in the Law of the Sea”, in a treatise on the international law of sea] ;
- « La conduite de la procédure dans l'arbitrage d'investissement et les droits de l'homme: intérêt et limites d'une comparaison », in Walid Ben Hamida et Frédérique Coulée (dir.), *Convergences et contradictions du droit des investissements et des droits de l'homme : une approche contentieuse*, Pedone, Paris, 2017, pp. 105-118 [“Conduct of the Procedure in Investment Arbitration and Human Rights: Interest and Limits of a Comparison”] ;
- « Article 31 of the Vienna Conventions on the Law of Treaties and International Investment Law », *ICSID Review – Foreign Investment Law Journal*, vol. 31, n°2, 2016, pp. 366-387 ;
- « Le droit non-écrit dans la jurisprudence des tribunaux d'investissement », in Paolo PALCHETTI (a cura di), *L'incidenza del diritto non scritto sul diritto internazionale ed europeo*, Editoriale Scientifica, Milano, 2016, pp. 115-130 [“Non-Written Law in the Jurisprudence of Investment Tribunals”] ;

- « Abuse of Process in International Investment Arbitration », *Chinese Journal of International Law*, vol. 13 (4), 2014, 763-785 ;
- « Le règlement des différends entre organisations internationales et personnes privées », in E. Lagrange et J.-M. Sorel (dir.), *Traité de droit des organisations internationales*, LGDJ, Paris, 2013, 1121-1145 [“The Settlement of Disputes Between International Organizations and Private Parties” in a treatise on the law of international organizations] ;
- « Relations extérieures », in M. Troper et D. Chagnollaud (dir.), *Traité international de droit constitutionnel*, vol. II, *Distribution des pouvoirs*, Dalloz, Paris, 2012, pp. 659-704 [Chapter on “External Relations” in a treatise on constitutional law] ;
- « Le Pacte mondial et l’apparition d’une responsabilité internationale des entreprises », in L. Boisson de Chazournes et E. Mazuyer (dir.), *Le Pacte mondial, dix ans après – The Global Compact, Ten Years After*, Bruylant, Bruxelles, 2011, pp. 167-184 [“The Global Compact and the Emergence of International Liability for Corporations”] ;
- « Article 70 – Consequences of the termination of a treaty », in O. Corten and P. Klein (ed.), *The Vienna Conventions on the Law of Treaties*, Oxford University Press, Oxford, 2011, vol. II, pp. 1585-1611 ;
- « Rapport introductif », in H. Gherari et Y. Kerbrat (dir.), *L’entreprise dans la société internationale*, Pedone, Paris, 2010, pp. 13-41 [“Introductory Report” on the Role of Corporations in Global Legal Perspective] ;
- « Les fins de la sanction externe », in I. Pingel (dir.), *Les sanctions de l’Union européenne*, Pedone, 2006, pp. 69-82 [“The Motives of Unilateral External Sanctions” in a book on the sanctions adopted by the European Union] ;
- « L’interrégulation et les relations internationales entre Etats », in M.-A. Frison-Roche (dir.), *Les risques de régulation*, Presses de Sciences Po et Dalloz, Paris, 2005, pp. 93-114 [“Inter-regulation and Inter-States Relations”, in a book on the risks of transnational economic regulation] ;
- « La notion de juridiction internationale en question », in SFDI, *La juridictionnalisation du droit international*, Pedone, 2003, pp. 163-202 [“Questioning the Concept of an International Court”] ;
- « L’*amicus curiae* devant les juridictions internationales », *RGDIP*, 2001/4, pp. 897-930 [“*Amicus curiae* before International Courts”].