

Pr. Géraldine Giraudeau

French nationality/New Zealand Resident

*Full Professor of Public Law (Specialized in Public International Law)
Member and Secretary of the Scientific Committee of the Caledonian Marine Protected Area (mer de Corail)
Member of the ILA Committee on Submarine Cables and Pipelines under International Law*

Working languages: French, English and Spanish. Notions of standard Arabic.



ACADEMIC POSITIONS AND OTHER PROFESSIONAL ACTIVITIES

Since March 2020- Independent consultant/ Consultant for Law Aid International Chambers and Teaching Fellow at Waikato University

July 2019-February 2020 Academic sabbatical (allocated by the French National Council of Universities) dedicated to territorial issues in the Pacific

July 2017-July 2019 Professor of Public Law, University of New Caledonia, Nouméa (delegation)

2014-2017 Professor of Public Law, University of Perpignan Via Domitia

2012-2016 Assessor Judge at the French National Court of Asylum, appointed by the UN High Commissioner for Refugees

2011-2014 Assistant Professor at the University of Orleans

2006-2011 Research and teaching fellow, University Paris 1 Sorbonne and University Carlos III of Madrid

EDUCATION AND QUALIFICATIONS

2014- “Agrégation” (French opposition for Law Full Professor Recruitment)

2011- Qualification as Assistant Professor

2010- Ph.D. in Public International Law, University Paris 1 Sorbonne and University Carlos III of Madrid (cotutelle)

- Thesis subject: The International Judge and the Settlement of Territorial Disputes
- Mention: Most Honorable with Jury Congratulations - Proposal for a Thesis and Grant Award for Publication
- Prize of the doctoral school of law of the Sorbonne

2006- Master 2 International Law and International Organizations, University Paris 1 Sorbonne

2005- Master 1 Public Law specializing in International and European Law, University of Nantes (one semester in Erasmus at the University of Helsinki, Finland)

TEACHING

At the University of New Caledonia: Public international law, Law of the Sea, European Union law, International Relations, Constitutional evolution of French Overseas territories, Foreign Political Regimes.

Topics taught between 2011 and 2014 as an Assistant Professor at the University of Orleans, then between 2014 and 2017 as a Professor at the University of Perpignan: Public International Law, International Relations, Legal Systems and Comparative European law, Comparative Constitutional and Administrative Law, Common Law, European Union law, European Institutions.

Temporary courses at the Institute of International Affairs in Cairo (Material Law of the European Union, December 2012) and at the University of Seville (Asylum Law in Europe, April 2013 and February 2014).

EXPERT AND EVALUATION ACTIVITIES

From 2019, Member of the ILA Committee on Cables and Pipelines under International Law

From 2018, Secretary and member of the Scientific Committee of the Caledonian Marine Protected Area (mer de Corail)

2017-2019, direction of the Master in Law and the formation for the Bar opposition (UNC)

2016, member of the jury for the recruitment at the French National School of Administration (ENA) (international questions)

2016 Evaluation for the FNRS (Belgium)

2014 Member of the "Grand Oral" Examination for the Bar recruitment, Orléans, 2012

2007-2010 Member of the group « migrants and refugees » for national Amnesty International Spanish section (Madrid). In charge of human trafficking and stowaways.

COORDINATION AND PARTICIPATION IN COLLECTIVE RESEARCH PROJECTS

Since 2019 Researcher in the Project « Chagos in the South Pacific? Re-examining the Principle of Self-determination and the Transfer of Matthew and Hunter Islands from New Hebrides (Vanuatu) to New Caledonia » led by Otago University.

June 2018-Dec 2019 Project leader for the PIURN project on the creation in the Pacific of a bilingual academic network on climate change induced migrations in the Pacific (Coordination of a 52 min documentary on law and climate-induced migrations in the Pacific): <https://piurn.org/>.

Since 2018, participation to the "Beyond the Joint Development Agreement Project", D. Ong (dir.).

August 2018 Coordination of the "Developing International Law as a response for territorial challenges facing Oceania Islands", panel for the 72nd meeting of the International Law Association, Sydney.

2012- Member of the research project (DER 20414-C02-01) of the Ministry Spanish innovation and research on the reform of institutional institutions.

PUBLICATIONS

Main research topics: general international law, territorial issues, law of the sea, right of asylum/migrations

**: published in English*

-Monographs

Legal dictionary of French overseas territory (dir.), Lexis Nexis, 750 p., to be published in 2021.

Territorial challenges of the Pacific (dir.), PUNC, to be published in 2021.

Larje, *The institutional future of New Caledonia*, PUNC, 2018, 288 p.

G. Giraudeau, C. Guerin-Bargues, N. Haupais (dir.), *The religious fact in the construction of the State*, Proceedings of the conference of Orleans of June 2014, Paris, Pedone, 2016, 273 p.

(Dir.): *The Reform of International Economic Organizations in the Face of Globalization*, Franco-Spanish Day, Paris, Mare et Martin, 2015, 202 p.

Territorial disputes before the international judge: between law and transaction, Leiden, Martinus Nijhoff Publishers, 2013, x-547 p.

-Articles, contributions and chapters

30. Definitions of "Space" and "Internet" in V. Ndior (ed.), *Dictionnaire of the International Actuality*, Paris, Pedone, 2021.
29. Cuendet S. and Giraudeau G., "Exclusive Economic Zone-EEZ", *Dalloz Encyclopedia of International Law*, 2021-1.
- 28*. "France-Spain, Bay of Biscay Joint Development Agreement: an ambitious but outdated co-operation in shared offshore resources", Chapter 10 in D. Ong (eds.), *Beyond the Joint Development Agreement*, Routledge, to be published in 2021.
27. « The October 4th 2020 self-determination consultation in New Caledonia », *Bulletin juridique des collectivités locales*, n°12/2020, pp. 836-840.
26. « The *sui generis* status of New Caledonia in the French Republic », pp. 121-33 in M. Doat et J. Rios (dir.), *L'unité de l'Etat*, Mare et Martin, 2021.
25. G. Giraudeau and C. Gravelat, "The Implementation of Competences on the French Overseas EEZ and Continental Shelf: From the ambiguities of UNCLOS to the Complexity of Overseas Statutes", *Annuaire du droit de la mer*, 2018, pp. 45-72.
24. "Transition spaces in public international law", pp. 197-214 in A. Farinetti (dir.), *Territorial continuity and discontinuity*, Proceedings of the conference organized on November 12-13, 2015 at the University of Sceaux, Mare and Martin, 2019.
23. "Digital Law and Telecommunications. The Applicability of the Net Neutrality Principle in New Caledonia", *Cahier du Larje* 2018-6, Ch. Bidaud-Garon (dir.), pp. 48-54.
22. "The arbitral award rendered on the merits on 29 June 2017 in the case of the territorial and maritime dispute between Croatia and Slovenia", *French Yearbook of International Law (Annuaire français du droit international)*, 2017, p. 237-255.
21. "International Law and Constitutional Transitions", pp. 19-28 in Larje, *The Institutional Future of New Caledonia*, PUNC, 2018, 288 p.
- 20 bis. "La Santa Sede y el Consejo de Europa", *Anuario Espanol de Derecho Internacional*, c. 34, 2018, pp. 207-228.
20. "The Holy See and the Council of Europe", in A.-L. Chaumette and N. Haupais (eds.), *Religion and International Law*, Paris, Pedone, 2019, pp. 119-142.
19. "France and the right to asylum: some legal observations on procedures and the situation of individuals", *Ethique et Santé*, Volume 15, Issue 2, June 2018, pp. 97-104.
18. "New obligations and renewed obligations of states in the digital age", Proceedings of the symposium of the University of Perpignan (March 2017), S. Chatry and Th. Gobert (eds.), *Digital: new rights , new uses*, Mare and Martin, 2017.
- 17.*"Sharks Need Protection and Surfers Want Security: The Reunion Shark Control Program in the International Legal Framework", *Journal of Territorial and Maritime Studies*, 2017, vol. 4, No. 1, pp. 5-30.
- 16.*Chapter XIX, "Goal 16: Peace, Justice and Strong Institutions. Promote Just, Peaceful, and Inclusive Societies", 20 pp. Duran y Lalaguna, C.M. Diaz Barrado and C.R. Fernandez Liesa (eds.), *International Society and the Sustainable Development Goals*, Thomson Reuters, 2016, p. 523-546.
15. "Religion and secessionist movements", pp. 235-246, in G. Giraudeau, C. Bargues and N. Haupais (eds.), *The religious fact in the construction of the State*, Conference of Orleans of June 2014, Paris, Pedone, 2016, 273 p .

14. "On the case of Questions Concerning the Seizure and Detention of Certain Documents and Data (Timor-Leste v. Australia): when the International Court of Justice acts as a guarantee of State rights in relation to another adjudicative procedure, *French Yearbook of International Law* 2015, pp. 239-266.
13. "Saint-Pierre-et-Miquelon: from the cod war to the battle for black gold", in S. Cassella and L. Delabie (eds.), *Should international law be taken seriously?: liber amicorum for Prof. Eisemann*, Pedone, 2016, pp. 121-144.
12. "Non-legal grounds in territorial litigation", pp. 81-96, in F. Couveinhes Matsumoto and R. Nollez-Goldbach (eds.), *Non-Legal Reasons in International Judgments*, Proceedings of the ENS Colloquium of November 7, 2014, Paris, Pedone, 2016, 211 p.
- 11.* "The Principles of Confidentiality and NonInterference in the Communications with Lawyers and Legal Advisers (Legal Professional Privilege) on the recent ICJ and ECHR Case Law," *ASIL Insight*, Volume 20, Issue 16, October 24, 2016.
- 10.* A Slight Revenge and a Growing Hope for Mauritius and the Chagossians: The UNCLOS Arbitral Tribunal's Award of 18 March 2015 on Chagos Marine Protected Area (Mauritius v. United Kingdom), *Brazilian Yearbook of International Law*, vol. 12, No. 2, 2015, pp. 705-727.
9. "The articulation of international and European financial institutions", in G. Giraudeau (ed.), *The reform of international economic institutions to globalization*, Paris, Mare and Martin, 2015, 202 p.
8. "The remarkable entry of the ITLOS in the litigation of the maritime delimitation: the judgment of 14 March 2012 relating to the Bay of Bengal case", *Yearbook of the Law of the Sea*, 2012, Volume 17, pp. 93-118.
7. "The Abyei sentence of 22 July 2009 (Government of Sudan / Movement / Sudan People's Liberation Army)", Round Table of 22 October 2012 organized by the Association of Internationalists and IHEDN: "Partition and Distribution of Spaces : news from Africa (Sudan/Corn of Africa) ». Acts published in the magazine Aquilon n ° 9.
6. "The birth of South Sudan: is peace impossible?", *AFDI* (French yearbook of International Law), 2012, pp. 61-82.
5. "Return to a classic - Antonio Truyl y Serra, Genesis and Foundations of the Idea of a Universal Community: From Maximo Stoic Civitas to Civitas Modern Gentium, Lisbon, Separata da Revista da Faculdade de Direito da Universidade de Lisboa , 1958, 147 pp., RGDIP, 3/2012.
4. "The international powers of autonomous territorial entities", *AFDI* (French Yearbook of International Law), 2010, p. 167-195.
3. "The Judicial Discretionary Power of the Judge in the International Court of Justice", pp. 277-300 in W. Jakimowicz and P. Serrand (eds.), *The Discretionary Power. Comparative Approaches in French and Polish Law*, Proceedings of the Krakow Colloquium - Jagellonne University, March 23, 2012, Paris, Mare and Martin, 490 p.
2. Capítulo 9: Asia: The Asociación de Naciones del Sudeste Asiático (ASEAN) and the Asociación de Asia del Sur para la Cooperación Regional (SAARC) pp. 285-308 in Fernández Liesa (C.R.) and Cano Linares (A.) (eds.), *Los Procesos de Integración ante Crisis Financiera Internacional*, Civitas, 2012, 354 p.
1. Díaz Barrado (C.) and Manero Salvador (A.) (eds.), *Glosario de términos útiles para el análisis y estudio del Espacio Iberoamericano de Cooperación e Integración: Comercio, Cultura and Desarrollo*, Center for Ibero-American Studies from the Rey Juan Carlos University of Madrid and the University of Havana, Marcial Pons, 2009, 419 p. Drafting of the following references: article XXIV of G.A.T.T. (pp. 61-62), Official Development Assistance (pp. 68-69), food aid (pp. 73-75) and G.A.T.T. (pp. 268-269).

PRESS ARTICLES AND LEGAL WEBPAGES

6. « New Zealand at the Covid time : a State well prepared », Blog *Jus Politicum*, 20 April 2020.

5. « Territorial Cession in International Law: the Groenland example », *le Club des juristes*, 16 September 2019.
- 4.« Last elections in Fiji : a step in the democratic transition », Blog *Jus Politicum*, 17 December 2018.
3. «What to expect from 2018 New Caledonia Referendum? », Blog *Jus Politicum*, 13 December 2017.
2. « Debate around Net neutrality», *Droit & Technologies*, 4 December 2017.
- 1.« Unrooted Chagossian Battle is not over», *Jeune Afrique*, 9 August 2016.

COMMUNICATIONS

26. "Climate-Induced migrations in the Pacific", FAST! 4th annual meeting, COP21 anniversary, December 11th, Wellington, Victoria University.
25. « The October 4th 2020 self-determination consultation in New Caledonia» (Dir. R. Rambaud), November 6th 2020, Université de Grenoble.
24. « The Natural Park of the Coral Sea, A developing framework for an exceptional biodiversity », 2020 Pacific Climate Change Conference, 29 octobre: pacificoceanclimatechange.org.
23. « La noción de unidad territorial en Francia, el ejemplo de Nueva Caledonia », Jornada de Historia, Lenguaje, Comunicacion, Federalismo, Derechos Humanos y Humanitario, Universidad de Santiago de Estero, Argentina, 13-17 Juillet 2020.
- *22. "Outer-space colonization as a sustainable development", University of Waikato, December 12th 2019, speaker in the public event: "Mediating the Anthropocene: rules for living (well) on planet Earth", organized by Nathan Cooper.,u
21. "Legal specificities of New Caledonia", December 6th 2019 (visio), in Conference of Nantes on legal and linguistic exceptions, Dominique Garreau.
20. "The Caledonian Marine Protected Area (mer de Corail)", University of New Caledonia, May 28th 2019.
19. "The law of culture and the protection of the Pacific heritage", TROCA Symposium "New Caledonia: a multicultural project?", November 26, 2018.
18. "The *sui generis* case of New Caledonia in the French Republic", 27 September 2018, conference "What unity of the State in a plural legal system? Under the direction of M. Doat and J. Rios, University of Perpignan UPVD.
- *17. "The Evolution of the notion of territory in Oceania, a symptomatic example?", 20 August 2018, 72nd Biennial Meeting of ILA, Sydney.
16. "Extension of Continental Shelf and Maritime disputes in the Pacific", 3th July 2018, UNC, Nouméa, Colloquium on Territorial Issues in the Pacific
- *15. "The role of international law in recent constitutional evolutions in Pacific", 3 décembre 2017, Annual meeting of the Pacific Constitution Research Network, Port Vila, Vanuatu.
14. "The Application of International Law in Institutional Transitions", 17 November 2018, UNC Symposium on the Institutional Future of New Caledonia, Nouméa.
13. "The Precautionary Principle", Discussion of November 6, 2017, University of New Caledonia and Compagnie des Experts.
12. "New obligations and renewed obligations of states in the digital era", symposium of the University of Perpignan (March 10, 2017), S. Chatry and Th. Gobert (dir.), Digital: new rights, new uses.

11. "The right of asylum in France", Refugee Day SFTG, December 16, 2016.
10. "Neutrality of the net", University of Tours, Colloquium on neutrality and law, October 14, 2016, under the direction of Prof. F. Brunet.
9. "Relations between the Holy See and the Council of Europe", University of Nanterre, Religion and International Law, October 13, 2016, under the direction of Prof. N. Haupais and A.-L. Chaumette.
8. "El proceso de asilo y la crisis de los refugiados", University of Pampelona, 6 October 2016, Refugee Day.
7. "Lease Chagos by the United States for the benefit of Great Britain", Havana, May 7, 2016.
6. "Non-legal grounds in territorial litigation", Conference of 7 November 2014, Non-legal grounds in international judgments, ENS, Paris, under the direction of F. Couveinhes Matsumoto and R. Nollez-Goldbach.
5. "Religion and secessionist movements", The religious fact in the construction of the State, June 2014 Orleans symposium under the direction of G. Giraudeau, C. Bargues and N. Haupais.
4. "Judicial co-operation in the EU in el marco del asilo", Day of 23 April 2013 on police and judicial co-operation in the European Union, University of Huelva, Spain.
3. "The Abyei sentence of 22 July 2009 (Government of Sudan / Movement / Sudan People's Liberation Army)", Round Table of 22 October 2012 organized by the Association of Internationalists and the IHEDN.
2. "The articulation of international and European financial institutions", Franco-Spanish Day of 4 October 2012, The reform of international economic institutions facing the challenges of globalization, University of Orleans.
1. "Judicial discretion in the International Court of Justice", Krakow Conference - Jagiellonian University, Discretion. Comparative Approaches in French and Polish Law, Jakimowicz and P. Serrand (eds.), March 23, 2012.

INTERVENTIONS IN THE MEDIA

Promotion of the "Week against climate change", May 2019:

- "All researchers are working on climate change", *Les Nouvelles Calédoniennes*, May 27, 2019:

<https://www.lnc.nc/article/new-caledonia/all-the-researchers-work-on-the-warm-climatic>

- Morning radio guest RRB, May 29, 2019

- "Climate change: Will the future of the planet be played out in the courts? ", *Demain en Nouvelle-Calédonie*, May 30, 2019: <https://www.dnc.nc/change-climatic-future-of-the-planet-will-is-play-in-the-tribals/>

* ABC Australia, "Maritime disputes in the Pacific", 21 mars 2019, audio interview.

*Radio New Zealand International, "The Mathew and Hunter dispute between France and Vanuatu", March 8, 2018, audio interview.

"Net neutrality always at the heart of the debates", Law & Technologies, December 4, 2017

Commentary on the hearing of the petitioners for New Caledonia before the fourth commission of the AGONU, TV NC 1ère, October 5, 2017.

Commentary on current affairs related to North Korea, Radio NC 1ère, September 2017.