

Jonathan Worboys

Call: 2010

DD: +442078222054 j.worboys@4newsquare.com
M: +447453873102

Clerk: James Barrass

j.barrass@4newsquare.com

+442078222047



Jonathan has a versatile practice, specialising in public international law, European law and international trade, international arbitration and commercial law. Since joining the Bar, Jonathan has:

- acted as counsel and legal adviser to States, corporations, private individuals and NGOs in some of the most significant recent legal matters (e.g. EU withdrawal, the ICJ *Chagos Request for an Advisory Opinion* and *Micula v Romania* enforcement proceedings);
- developed a unique public international law advisory practice, where he works with clients on an ongoing and long-term basis to find solutions to complex legal and policy issues;
- represented clients in cases at all levels of the English courts (High Court, Court of Appeal and Supreme Court);
- acted for clients in arbitration proceedings under most of the major arbitral rules (e.g. ICC, UNCITRAL, LCIA);
- acted against States in arbitration enforcement proceedings before the English Courts, and acted for private parties in arbitration-related court proceedings;
- acted for Governments, opposition groups and private parties during multiple high stakes international negotiations, peace processes and cases before the UN (e.g. Sudan's peace process and the Syrian peace process; cases before the UN Working Group on Arbitrary Detention, UN Special Rapporteurs and Universal Periodic Reviews);
- been engaged by the Foreign & Commonwealth Office to advise on a continuing basis as an Assistant Legal Adviser for more than two years in relation to the law of treaties and EU Withdrawal.

Jonathan is ranked in Legal 500 for his work on EU withdrawal and European law where he is commended by Silks for “*the way he sparks off ideas*”. His work with the Public International Law & Policy Group on the documentation of international crimes against the Rohingya has recently been cited by the International Criminal Court more than 20 times during the Court's *Decision Pursuant to Article 15 of the Rome Statute on the Authorisation of an Investigation into the Situation in Bangladesh/Myanmar*, and was cited by the Prosecutor more than 50 times in her request to commence an investigation.

Jonathan is a Visiting Lecturer in public international law at King's College London and a Senior Legal Adviser with the Public International Law & Policy Group in Washington DC. He has published and spoken widely on a variety of areas within international law and is a leading expert on peace processes and the peaceful resolution of major international and non-international



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armed conflicts.

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Areas of Expertise

Commercial Law

Jonathan represents clients in a range of commercial disputes including those relating to business investments, the sale and supply of goods and service, product liability, group actions, occupiers' liability and personal injury. His work often focuses on cases with an international dimension and he frequently acts as counsel in cases raising questions of jurisdiction and / or applicable law. Since joining the Bar, Jonathan worked on cases with Cypriot, German, Greek, Iraqi, Korean and Kuwaiti governing law. He is familiar at advising on issues of service and enforcement against States.

Current and recent work includes:

- ***Palram v LG Chem Limited (Commercial Court)*** – junior counsel for a defendant in an application to set aside service of the Claim Form and Particulars of Claim out of the jurisdiction (common law rules, parallel proceedings, complex questions as to the applicable law).
- ***Volkswagen NOx Emissions Group Litigation (2018-2019)*** – junior counsel to Volkswagen.
- ***Dana UK Axle Ltd v Freudenberg Sealing Technologies GmbH & Co (Commercial Court)*** – junior counsel for a Claimant in a claim for £7m+ in respect of a defective product.
- ***Defective products*** – claims and trials relating to allegedly defective products, including washing machines and defective vehicles.
- ***Commercial Agents Regulations*** – advising a French company on the application of the Commercial Agents Regulations – (ongoing).
- ***A franchise dispute*** – advising on a potential franchise dispute following purchase of a franchise (potential claim in excess of £100k).
- ***A telecommunications-based dispute*** – acting for a Claimant in respect of a telecommunications-based dispute – (ongoing)
- ***Enforcement of a personal guarantee*** – acting for a Defendant in respect of a claim for enforcement of a personal guarantee (ongoing).
- ***Insurance disputes*** – acting for insurers in defending claims relating to losses arising out of damage to property and claims for diminution in value (approximately 10+ cases or County Court appeals).
- ***Micula & Others v Romania (Commercial Court; Court of Appeal; Supreme Court)*** – junior counsel for the First Claimant in enforcement proceedings arising out of the Award in ICSID Case No. ARB/05/20 (led by Sir Alan Dashwood QC and Patrick Green QC).
- ***A v State B (Commercial Court) (sole counsel)*** – acting for a claimant in relation to a \$25m arbitration enforcement. Complex questions as to State Immunity and service (details confidential).
- ***A section 69 Arbitration Act Appeal*** – acting for a major UK entity in an appeal on a point of law under section 69 of the Arbitration Act 1996.

Qualifications & Memberships

Education

- Bachelor of Civil Law, University of Oxford (2011).
- Bachelor of Laws, King's College London (First Class Honours) (2009) (Russian Law prize).

Book Chapters

- *The Interpretation and Application of Peace Agreements*, International Law and Peace Settlements (Cambridge University

Press) (forthcoming).

- *Elections and Electoral Law*, Handbook on Post-Conflict State Building (Edward Elgar Publishing) (forthcoming).

Law Journal

- *Decision Pursuant to Article 15 of the Rome Statute on the Authorisation of an Investigation into the Situation in the Islamic Republic of Afghanistan* (29(2) ILM, 280 – 301 (2020)).
- *Reflections on a Potential Peace Treaty for the Korean Peninsula* YJIL Forum (August 2018) (co-authored).
- *Belhaj v. Straw* (Eng. Wales Ct. App.) (54(6) ILM, 1069 – 1114 (2015)).
- *Report on the Protection of Civilians in the Non-International Armed Conflict in Iraq: UNHRC Res S-22/1; UNSCRs 2170 and 2178* (54(2) ILM 306 – 346 (2015)).
- Book Review: *Customary International Law in Times of Fundamental Change* (25 (2) KLJ (2014)).
- *Preventing Mass Atrocity Crimes: The Responsibility to Protect and the Syria Crisis*, 45 (1 and 2) CWRJIL (2012) (co-authored)).

Policy Articles and Op-Eds

- *The Legal Case for Using Force to Prevent a Government from Employing Chemical Weapons to Commit Mass Atrocities*, The Atlantic Council, Sept. 2012 (co-authored).
- *Chemical Red Lines on Syria*, Foreign Policy, Dec. 2012 (co-authored).
- *Preventing Atrocity Crimes*, The Atlantic Council, Sept. 2012 (co-authored).

Invited Lectures and Other Speaking Engagements

- *Human Rights in Saudi Arabia*, the UN Human Rights Council, June 2018.
- *Burma's Constitutional Reform Process*, PILPG and DLA Piper, Dec. 2013.
- *International Law and Transitional Justice*, Integrity Research and Consulting, Dec. 2013.
- *Peace Agreements in International Law*, 9 Bedford Row International, Dec. 2012.
- *State Interventions: Somalia to Libya*, George Washington University, Nov. 2012.
- *International Law and the English Legal System*, American University J.D/M.A, Oct. 2012.
- *The Responsibility to Protect*, Georgetown University, Sept. 2012.