

Jonathan Worboys

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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



armed conflicts.

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Areas of Expertise

European Law and International Trade

Jonathan is ranked in Legal 500 for his work on EU withdrawal and European law, being commended by Silks for “*the way he sparks off ideas*”. Jonathan is highly experienced working with UK Government departments in responding to complex legal and policy issues arising out of the UK’s withdrawal from the EU.

Current and recent work includes:

- ***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).
- ***Sanctions*** – advising the Foreign & Commonwealth Office in relation to various EU law sanctions issues (led by Sir Alan Dashwood QC).
- ***EU withdrawal*** – advising and acting for the Foreign & Commonwealth Office and other United Kingdom Government departments (including MOJ and DEFRA) on a continuing basis in respect of complex legal and policy issues arising out of the UK’s withdrawal from the EU, including advising on issues relating to *the Agreement on the withdrawal of the UK from the EU and European Atomic Energy Community* (2017 to present).
- ***Competition law and State aid*** – advising commercial parties on questions of EU competition law and State aid.
- ***Commercial Agents Regulations*** – advising a French company on the application of the Commercial Agents Regulations – (ongoing).
- ***Customs Cooperation and Mutual Administration Assistance Agreements*** – advising UK Government departments on questions relating to customs related issues and CCMAAs with third countries (sole counsel).
- ***Free trade agreements and WTO engagement*** – working on various aspects UK – third country trade and association agreements post EU withdrawal and engagement with the World Trade Organization post EU withdrawal (details confidential).
- ***A Permanent Mission of a State to the WTO*** – adviser to the Permanent Mission of a State to the World Trade Organization and other economic institutions.
- ***Jurisdiction and applicable law*** – advising on and dealing with cases relating to the Brussels Recast Regulation, Rome I and II Regulations.

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.