

## 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

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### International Arbitration

Jonathan acts as counsel for commercial parties, private individuals and States in high-profile arbitrations under the LCIA, ICC, ICSID, UNCITRAL and AAA rules. He also acts in arbitration related court proceedings before the English courts, in particular enforcement matters, where he is experienced acting against States in cases raising questions ranging from service to sovereign immunity.

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).
- ***A v State B (Commercial Court)*** – acting for a claimant in relation to a \$25m arbitration enforcement. Complex questions as to State Immunity and service (details confidential) (sole Counsel).
- ***Lazareva v Kuwait (Kuwait – Russia 1994 BIT)*** – working with Crowell & Moring on aspects of the *Lazareva v Kuwait* ICSID administered investment claim (claims arising out of a series of measures by Kuwaiti authorities, including unsubstantiated charges against the claimant, her harassment and improper detention).
- ***A London seated UNCITRAL arbitration*** – acting for a claimant in a \$150m London seated UNCITRAL arbitration against a State arising out of contract disruption due to an armed conflict (led by George Spalton).
- ***A London seated LCIA London arbitration*** – representing a gaming company in a London seated LCIA arbitration against a European State in relation to a dispute regarding a gaming license (led by Wendy Miles QC).
- ***A DIFC seated ICC arbitration*** – representing a sub-contractor in an ICC arbitration arising out of the construction of a Middle East airport (led by Wendy Miles QC).
- ***A London seated LCIA arbitration*** – representing a gaming company in a London seated LCIA arbitration arising out of a share purchase agreement (led by Wendy Miles QC).
- ***A domestic ad hoc – commercial arbitration*** – advising in relation to a potential domestic ad hoc commercial arbitration arising out of failure to pay for services provided (sole counsel).
- ***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 (led by Prashant Popat QC).

## Qualifications & Memberships

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### 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.