

# Belinda McRae

CALL: 2014

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Languages: French (proficient)



## Overview

Belinda has developed a busy and wide-ranging practice, focusing on public international law, civil fraud and complex contract disputes, jurisdiction challenges (including relating to Brexit), and all aspects of international arbitration (including enforcement and challenges to awards in London-seated arbitrations).

Since she joined Chambers in 2015, she has appeared in the Supreme Court (five times), in the Court of Appeal (including as sole counsel), in the High Court (Commercial Court, Chancery Division, Administrative Court and Family Division), before international courts (including the International Court of Justice, the International Tribunal for the Law of the Sea and the European Court of Human Rights) and before arbitral tribunals under a variety of rules (including UNCITRAL, ICSID, LCIA, ICC, and LMAA).

Belinda has appeared in several high-profile cases, the subject matter of which attest to the diversity of her practice. These include acting on behalf of a group of lenders in linked Commercial Court anti-suit and arbitration proceedings worth nearly US\$3 billion (*Africa Finance v Aiteo* [2022] EWHC 768 (Comm); *Aiteo v Shell* [2022] EWHC 2912 (Comm)); on behalf of the Claimant in a complex pensions fraud claim (*Trafalgar v Hadley & Ors* [2023] EWHC 651 (Ch); [2023] EWHC 1184 (Ch); [2023] EWHC 1867 (Ch); [2023] EWHC 2670 (Ch); [2022] EWCA Civ 1639); on behalf of the Foreign Secretary in the Venezuela Gold case before the Supreme Court concerning the recognition of heads of government (*Guaidó Board v Maduro Board* [2023] AC 156); on behalf of Ukraine in the *Ukraine v Russia* application arising out of the Russian invasion heard by the European Court of Human Rights in 2024; and on behalf of the United Kingdom in climate change advisory

## Publications

- 'Article 18 of the VCLT' in Waibel and Kulick (eds), **General International Law in International Investment Law - A Commentary** (2024)
- '[Setting aside judgments for fraud: not an 'open sesame' for repeat litigation](#)' ThoughtLeaders4 FIRE Magazine Vilamoura Edition (May 2024)
- 'Service under lockdown' ThoughtLeaders4 FIRE Magazine (November 2020).
- **The Anti-Suit Injunction** (2nd edn), Oxford University Press 2019 (contributor to several chapters).
- 'LCIA Arbitration Rules' in Weigand and Baumann (eds), **Practitioner's Handbook on International Commercial Arbitration** (2019) (co-author).
- 'What next for the Brussels I Regulation (Recast)?' *The Lawyer* (March 2017) (co-author).
- 'What would Brexit mean for the Brussels regime?' (2016) 33 *Journal of International Arbitration* 483 (co-author).
- 'Interventions in Arbitration Awards by the English Courts' in LexisNexis

proceedings before the International Court of Justice and the International Tribunal for the Law of the Sea, and in the Palestine advisory proceedings before the International Court of Justice (2023-present).

In addition to her counsel work, Belinda is regularly appointed as Arbitrator by parties and institutions alike. In 2024, Belinda was appointed by the Lord Chancellor as a Court Examiner; she also qualified as a Commercial Mediator. In addition, Belinda is a member of the Attorney General's Civil and Public International Law Panel and is regularly instructed by the Foreign Office in that capacity (as well as by a range of other Governments).

Belinda is described as 'absolutely exceptional', a 'fabulous oral advocate' and a 'go-to junior' by the legal directories, in which she is ranked across the fields of commercial litigation, public international law and international arbitration. In 2022, she was the winner of 'International Arbitration Junior of the Year' at The Legal 500 Bar awards (and nominated for the same award in 2023). She was also included as one of The Legal 500 Top 10 barristers under 8 years' call in commercial litigation for two years.

Before joining Chambers, Belinda was an Associate at Freshfields Bruckhaus Deringer LLP. She brings a modern, practical and team-oriented approach to her work as a result. Belinda has also worked in international courts and tribunals in Cambodia, Tanzania and Australia, including as an associate to the Hon. Justice Dyson Heydon AC, at Australia's highest court. She is a graduate of the Universities of Cambridge and Queensland.

A selection of Belinda's most recent reported/ public cases is set out below. More comprehensive information is available on request.

## Education

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- University of Cambridge: LLM, First Class (2011)
- University of Queensland: BA/LLB, First Class (2009)

## Awards / prizes / scholarships

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- Foundation Scholarship, Jesus College, University of Cambridge (2011)
- Australian Bicentennial Scholarship (2010)
- Cambridge Commonwealth Trust Scholarship (2010)
- University of Queensland Law School Valedictorian (2009)
- University of Queensland Travel Scholarship and Grant (2008)
- Dr MHM Kidwai Memorial Prize (2007)
- Semi-finalist, International Jessup Moot Court Competition, Washington DC (2007)
- Winner and Third-Placed Oralist, Australian Jessup Moot Court Competition (2007)
- Allens Arthur Robinson Law Prize for Overall Excellence (2006)
- Winner, Asia-Pacific Red Cross International Humanitarian Law Moot, Hong Kong (2006)
- Winner, Red Cross International Humanitarian Law Moot, Perth (2005)
- Runner-up, Sir Harry Gibbs National Constitutional Law Moot, Brisbane (2004)
- Dean's Commendation for High Achievement (2004-2007)

Arbitration Resource Book (2016) (co-author).

## Professional memberships

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- Attorney General's Panel of Civil Counsel (London C Panel)
- Attorney General's Panel of Civil Counsel (Public International Law C Panel)
- Bar European Group
- Commercial Bar Association (COMBAR)
- International Council for Commercial Arbitration (ICCA)/Young ICCA
- LCIA's Young International Arbitration Group (YIAG)
- London Conference for International Law 2022 and 2024 Steering Committee
- Lord Chief Justice's Advisory Committee on Brexit and Civil Jurisdiction (2016-2017)

## Lectures / talks

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- Launch of [General International Law in International Investment Law - A Commentary](#) King's College London (10 June 2024)
- [Crisis-Ready or Crisis-Prone? Scrutinising International Law and Dispute Resolution mechanisms](#) Herbert Smith Freehills/ Twenty Essex event for LIDW24 (6 June 2024)
- [The Identity of Governments in International Law](#) Seminar at UCL Law (3 June 2024)
- [Independence / Impartiality of arbitrators](#) Lecture at King's College Executive Course on International Commercial Arbitration (31 May 2024)
- [Meet the Female Arbitrators](#) ERA Pledge Event (20 March 2023)
- [In conversation with Judge Yuji Iwasawa of the International Court of Justice](#) London Conference on International Law (10-11 October 2022)
- ['WWL and GAR Live: Future Leaders Arbitration'](#) (7 April 2022)
- ['Challenges to Investment Treaty Claims in the English Courts'](#), Cambridge Arbitration Days (2 April 2022)
- 'The Great Debate - The Best Forum for Resolving Corporate Disputes: To Arbitrate or Litigate?', Australian Arbitration Week (20 October 2021)
- ['Arbitrators: Appointment, Challenge, Duties and Powers'](#), Lecture at King's College London Professional Certificate on International Arbitration (2 July 2021)
- ['How to get your first arbitral appointments'](#), ICC Arbitration & ADR Technical webinar' (22 April 2021)

- ‘The Dynamic Growth of the Anti-Suit Injunction’, LCLCBA (6 November 2019)
- ‘Brexit and dispute resolution’, Lecture at King’s College London, Executive LLM (Advanced International Dispute Resolution) (20 July 2019)

## Example cases

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- *Obligations of States in respect of Climate Change* (Request for Advisory Opinion) (2023-present): counsel for the United Kingdom in advisory proceedings before the International Court of Justice concerning States’ climate change obligations and their legal consequences (with Ben Juratowitch KC, Penelope Nevill and others).
- *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem* (Request for Advisory Opinion) (2023-present): counsel for the United Kingdom in advisory proceedings before the International Court of Justice concerning the Occupied Palestinian Territory (with Professor Dan Sarooshi KC).
- *Trafalgar v Hadley & Ors* [2023] EWHC 651 (Ch); [2023] EWHC 1184 (Ch); [2023] EWHC 1867 (Ch); [2023] EWHC 2670 (Ch); [2022] EWCA Civ 1639): counsel for the Claimant in long-running proceedings concerning a complex pensions fraud, and involving a myriad of interim applications – including Norwich Pharmacal/ Bankers Trust Orders and a summary judgment application concerning the claimant’s bribery claim that went to the Court of Appeal (with Justin Higgo KC).
- *Public Institution for Social Security v Al Rajaan* (2020-2022): counsel for the twenty-first defendant in a claim of over US\$800 million brought by a Kuwaiti Government entity against over 40 defendants in the Commercial Court, alleging a wide-ranging fraud committed against the State pension fund (with Blair Leahy KC).
- *The “Maduro Board” of the Central Bank of Venezuela v The “Guaidó Board” of the Central Bank of Venezuela* [2023] AC 156; [2022] 2 WLR 167: counsel for the Foreign Secretary intervening in high-profile commercial proceedings before the Supreme Court on issues concerning the recognition of foreign heads of government and the foreign act of State doctrine (with Sir James Eadie KC, Sir Michael Wood KC and Jason Pobjoy).
- *Corinna Zu Sayn-Wittgenstein-Sayn v His Majesty Juan Carlos Alfonso Victor Maria de Borbon y Borbon* (2022): counsel for the former King of Spain in a high-profile case before the High Court and Court of Appeal involving preliminary issues of state immunity and service (including as related to Brexit) (with Sir Daniel Bethlehem KC, Philippa Webb and Ben Silverstone). Belinda made oral submissions on His Majesty’s behalf at the consequential hearing in March 2022.
- *Africa Finance Corporation (AFC) (and others) v Aiteo Eastern E&P Company Limited* [2022] EWHC 768 (Comm): counsel for the successful claimants in a hard-fought anti-suit claim in support of two ICC arbitrations arising out of two facilities agreements to the value of US\$2 billion, leading to a three-day Commercial Court trial (with Ben Juratowitch KC).
- *AAA PLC v Persons Unknown* (2021-2022): sole counsel for the first respondent/ defendant in a fraud-related harassment claim under the Media and Communications List of the Queen’s Bench Division, involving resisting an appeal before the Court of Appeal in relation to an interim injunction and a Part 11 jurisdiction challenge on service and material non-disclosure grounds.

## Arbitration

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### Arbitration claims before the English courts

- *Aiteo Eastern E&P Co Ltd v Shell Western Supply and Trading Ltd* [2023] 1 Lloyd’s Rep. 1: counsel for the defendants in two jurisdiction challenges made under section 67 of the Arbitration Act 1996 concerning inchoate arbitration agreements and the consolidation of arbitration proceedings (with Ben Juratowitch KC and Catherine Jung).
- *Africa Finance Corporation (AFC) (and others) v Aiteo Eastern E&P Company Limited* [2022] EWHC 768 (Comm): counsel for the successful claimants in a hard-fought anti-suit claim in support of two ICC arbitrations arising out of two facilities agreements to the value of US\$2 billion, leading to a three-day Commercial Court trial (with Ben Juratowitch KC).
- *Y v State of X* (2021): sole counsel for an Eastern Europe State seeking to resist the enforcement of an award under the UK’s ICSID enforcement regime.
- *PL Holdings v The Republic of Poland*(2018-present): counsel for the defendant in enforcement proceedings under ss 66 and 103 Arbitration Act 1996 pending before the Commercial Court involving questions as to the applicability of the CJEU’s judgment in Achmea (with Sara Masters KC).

- *RJ v HB*[2018] EWHC 2833 (Comm) and [2018] EWHC 2958 (Comm): counsel for the defendant in challenge to an award under s 68 Arbitration Act 1996 involving a novel question as to the removal of an arbitrator by the court (with Charles Kimmins KC).
- *W v X Company*[2017] EWHC 3430 (Comm): counsel for the claimant in Commercial Court proceedings, successfully obtaining a rare order under s 42 Arbitration Act 1996 to enforce a peremptory order of a tribunal, as well as uncontested orders under s 43 and s 44 (with Michael Ashcroft KC).
- *The Kyrgyz Republic v Stans Energy Corp and Kutisay Mining LLC*[2017] EWHC 2539 (Comm): counsel for the defendants in Commercial Court proceedings, successfully resisting a challenge to the jurisdiction of an UNCITRAL tribunal in an investment treaty claim under s 67 Arbitration Act 1996 (with Ben Juratowitch KC).
- *Section 66 Application*(2016-2017): counsel for the defendant in Commercial Court proceedings resisting the enforcement of a US\$1.2 billion LCIA Award in the Commercial Court under s 66 Arbitration Act 1996, which ultimately settled (with Laurence Rabinowitz KC, Charles Kimmins KC and others).

## Commercial arbitration

- *LCIA Arbitration* (2024-present): counsel for the defendant in arbitration proceedings arising out of an SPA (with Philip Edey KC).
- *ICC Arbitrations* (2020-present): counsel for the claimants in two separate ICC arbitrations seeking to recover a substantial debt arising out of facilities agreements created to finance the purchase of an interest in a substantial oil mining lease in Nigeria (with Ben Juratowitch KC and Freshfields Bruckhaus Deringer LLP).
- *LCIA Arbitration* (2020-present): sole counsel for the claimant claiming under a logistics services agreement in respect of a substantial power plant project in South America.
- *LCIA Arbitration* (2019): counsel for the respondent in a London-seated arbitration arising out of the collapse of business relations between two individuals, concerning allegations of fraud and forgery (with Paul Lowenstein KC).
- *ICC Arbitrations* (2019-2020): counsel for the claimants in linked ICC arbitration proceedings seated in Hong Kong arising out of a private equity investment (with Charles Kimmins KC).
- *LCIA Arbitration* (2019-2020): counsel for the respondents in a dispute concerning the sale of shares in a mining investment in Africa and the alleged failure of the respondents to offer the claimant the first right of refusal (with Paul Key KC and Adam Woolnough).
- *ICC Arbitrations*(2018-2020): counsel for the claimant in two consolidated arbitrations under the ICC Rules arising out of a high-value corporate acquisition (with Nigel Rawding KC).
- *LMAA Arbitrations*(2017-2018): counsel for the claimant in two arbitration references under the LMAA Terms concerning the breach of termination of agreements for the sale and purchase of two newbuilding vessels (with Michael Ashcroft KC).
- *UNCITRAL Arbitration*(2017): part of the counsel team for the claimant, a major national oil company, in a US\$300+ million dispute under a drilling services contract (with Duncan Matthews KC and Edward Ho), including applications before the Court of Appeal and Supreme Court (with Timothy Young KC).

## Investment arbitration

- *X v State Y* (2023-present): counsel for an investor in a BIT claim made under the 1976 UNCITRAL Rules in connection with a substantial gold reserve (with Ben Juratowitch KC).
- *Invenergy v Republic of Poland* (PCA Case No. 2018-40) (2019-present): counsel for the Republic of Poland in a claim arising under the US-Poland BIT concerning the claimants' alleged US\$700 million investment in the wind energy sector (with Guglielmo Verdirame KC and Michal Hain).
- *C v State D*(2018): sole counsel for the claimant in an investment treaty case under the Greece-Russia BIT for claims including breach of the fair and equitable treatment standard.
- *A v State B* (2017): sole counsel for the respondent in an investment treaty case under the India-UK bilateral investment treaty brought under the UNCITRAL Rules for claims including a breach of the fair and equitable treatment standard.
- *China Heilongjiang International Economic & Technical Cooperative Corp (and others) v Mongolia*(PCA Case No. 2010-20): counsel for the Claimants in a PCA-administered ad hoc arbitration (using both the UNCITRAL and ICSID Rules for guidance) under the China-Mongolia BIT relating to the expropriation of a mining licence (with Peter Turner KC).
- *Yosef Maiman v The Arab Republic of Egypt*(PCA Case No. 2012-026) and *Ampal-American Israel Corporation v The Arab Republic of Egypt* (ICSID Case No. ARB/12/11): counsel for two consortiums of investors in multi-billion dollar arbitrations under the UNCITRAL and ICSID Rules against Egypt involving the cessation of gas supply to Israel (with Freshfields Bruckhaus Deringer LLP).
- *Guaracachi America & Rurelec v Bolivia*(PCA Case No. 2011-17): counsel for the claimants in a UNCITRAL arbitration



seated in The Hague and administered by the PCA regarding measures taken by Bolivia affecting their investments in the electricity industry (with Freshfields Bruckhaus Deringer LLP).

## Arbitrator appointments

- *LCIA Arbitration* (2021-2022): sole arbitrator appointed by the LCIA in a dispute relating to the non-payment of solicitor's fees.
- *LCIA Arbitration* (2021): sole arbitrator appointed by the LCIA in a claim made under a sales and purchase contract for granular sulphur involving the application of the defence of force majeure in the context of COVID-19.
- *LCIA Arbitration* (2020): sole arbitrator appointed by the LCIA in a claim for outstanding amounts alleged to be due under a facilities agreement.
- *LCIA Arbitrations* (2019): sole arbitrator appointed by the LCIA in three separate commercial arbitrations in the field of consumer credit loans.
- *LMAA Arbitration* (2016): tribunal-appointed arbitrator in a dispute under a voyage charterparty on the Exxonmobil VOY2005 form involving a claim for freight, interest and costs.

## Civil fraud

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- *Trafalgar Multi Asset Trading Company Limited (In Liquidation) v D&A Nominees* (2023 – present): counsel for the claimant in a claim concerning alleged breaches of directors' duties under ss. 172-174 of the Companies Act 1996 (with Justin Higgo KC; sole counsel at CCMC).
- *Trafalgar v Hadley & Ors* [2023] EWHC 651 (Ch); [2023] EWHC 1184 (Ch); [2023] EWHC 1867 (Ch); [2023] EWHC 2670 (Ch); [2022] EWCA Civ 1639): counsel for the claimant in long-running proceedings concerning a complex pensions fraud, and involving a myriad of interim applications – including Norwich Pharmacal/Bankers Trust Orders and a summary judgment application concerning the claimant's bribery claim that went to the Court of Appeal (with Justin Higgo KC).
- *Charles Claire and Lynx Gold v Woolgar* (Claim No. BL-2023-000519): sole counsel for the claimants at a CCMC in proceedings concerning claims for breach of fiduciary duty, breach of Quistclose trust and in deceit brought against a former agent and fiduciary (among other things).
- *Public Institution for Social Security v Al Rajaan* (2020-2022): counsel for the 21<sup>st</sup> defendant in a claim of over US\$800 million brought by a Kuwaiti Government entity against over 40 defendants in the Commercial Court, alleging a wide-ranging fraud committed against the State pension fund (with Blair Leahy KC).
- *AAA PLC v Persons Unknown* (2021-2022): sole counsel for the 1<sup>st</sup> respondent/defendant in a fraud-related harassment claim under the Media and Communications List of the Queen's Bench Division, involving resisting an appeal before the Court of Appeal in relation to an interim injunction and a Part 11 jurisdiction challenge on service and material non-disclosure grounds.
- *Medsted Associates Ltd v Canaccord Genuity Wealth (International) Ltd* [2019] EWCA Civ 83, [2019] 1 WLR 4481 (appeal) and [2020] EWHC 2952 (Comm) (quantum): counsel for the successful appellants in a case concerning the alleged receipt of secret commissions by introductory brokers (with Henry Byam-Cook KC).

## Commercial litigation

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- *Trafalgar Multi Asset Trading Company Limited (In Liquidation) v D&A Nominees* (2023 – present): counsel for the Claimant in a claim concerning alleged breaches of directors' duties under ss. 172-174 of the Companies Act 1996 (with Justin Higgo KC; sole counsel at CCMC).
- *Trafalgar v Hadley & Ors* [2023] EWHC 651 (Ch); [2023] EWHC 1184 (Ch); [2023] EWHC 1867 (Ch); [2023] EWHC 2670 (Ch); [2022] EWCA Civ 1639): counsel for the claimant in long-running proceedings concerning a complex pensions fraud, and involving a myriad of interim applications – including Norwich Pharmacal/Bankers Trust Orders and a summary judgment application concerning the claimant's bribery claim that went to the Court of Appeal (with Justin Higgo KC).
- *Aiteo Eastern E&P Co Ltd v Shell Western Supply and Trading Ltd* [2023] 1 Lloyd's Rep. 1: counsel for the defendants in two jurisdiction challenges made under section 67 of the Arbitration Act 1996 concerning inchoate arbitration agreements and the consolidation of arbitration proceedings (with Ben Juratowitch KC and Catherine Jung).
- *Charles Claire and Lynx Gold v Woolgar* (Claim No. BL-2023-000519): sole counsel for the claimants at a CCMC in proceedings concerning claims for breach of fiduciary duty, breach of Quistclose trust and in deceit brought against a former agent and fiduciary (among other things).
- *Africa Finance Corporation (AFC) (and others) v Aiteo Eastern E&P Company Limited* [2022] EWHC 768 (Comm): counsel for the successful claimants in a hard-fought anti-suit claim in support of two ICC arbitrations arising out of two facilities agreements to the value of US\$2 billion, leading to a three-day Commercial Court trial (with Ben Juratowitch KC).

- *Public Institution for Social Security v Al Rajaan* (2020-2022): counsel for the twenty-first defendant in a claim of over US\$800 million brought by a Kuwaiti Government entity against over 40 defendants in the Commercial Court, alleging a wide-ranging fraud committed against the State pension fund (with Blair Leahy KC).
- *Ablynx NV v VHSquared Ltd and Others* (2020-2021): counsel for the claimants in an appeal before the Supreme Court concerning a substantial jurisdictional challenge in a patent case involving novel issues as to Articles 24(4), 25 and 31(2) of the Brussels Regulation (with Thomas Raphael KC).
- *AAA PLC v Persons Unknown* (2021-2022): sole counsel for the first respondent/ defendant in a fraud-related harassment claim under the Media and Communications List of the Queen's Bench Division, involving resisting an appeal before the Court of Appeal in relation to an interim injunction and a Part 11 jurisdiction challenge on service and material non-disclosure grounds.
- *Dynasty Co for Oil and Gas Trading Ltd v Kurdistan Regional Government of Iraq y* [2021] 3 WLR 1095; [2021] 2 Lloyd's Rep. 275: counsel for the claimant in a US\$1.6 billion claim arising out of a production sharing contract in Iraq, raising complex issues of state immunity and the application of the Brussels Regulation in a preliminary issue trial before the Commercial Court (with Charles Kimmins KC, Richard Waller KC and Daniel Benedyk).
- *Medsted Associates Ltd v Canaccord Genuity Wealth (International) Ltd*[2019] EWCA Civ 83, [2019] 1 WLR 4481 (appeal) and [2020] EWHC 2952 (Comm) (quantum): counsel for the successful appellants in a case considering novel points of law as to whether the introducing broker owed fiduciary duties to the introduced clients; this later led to a three-day quantum trial (with Henry Byam-Cook KC).

## Private international law

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- *Corinna Zu Sayn-Wittgenstein-Sayn v His Majesty Juan Carlos Alfonso Victor Maria de Borbon y Borbon* (2022): counsel for the former King of Spain in a high-profile case before the High Court and Court of Appeal involving preliminary issues of state immunity and service (including as related to Brexit) (with Sir Daniel Bethlehem KC, Philippa Webb and Ben Silverstone).
- *AAA PLC v Persons Unknown* (2021-2022): sole counsel for the first respondent/ defendant in a fraud-related harassment claim under the Media and Communications List of the Queen's Bench Division, involving resisting an appeal before the Court of Appeal in relation to an interim injunction and a Part 11 jurisdiction challenge on service and material non-disclosure grounds.
- *Ablynx NV v VHSquared Ltd and Others* (2020-2021): counsel for the claimant in an appeal before the Supreme Court concerning a substantial jurisdictional challenge in a patent case involving novel issues as to Articles 24(4), 25 and 31(2) of the Brussels Regulation (with Thomas Raphael KC).
- *Dynasty Co for Oil and Gas Trading Ltd v Kurdistan Regional Government of Iraq y* [2021] 3 WLR 1095; [2021] 2 Lloyd's Rep. 275: counsel for the claimant in a US\$1.6 billion claim arising out of a production sharing contract in Iraq, raising complex issues of state immunity and the application of the Brussels Regulation in a preliminary issue trial before the Commercial Court (with Charles Kimmins KC, Richard Waller KC and Daniel Benedyk).

## Public international law

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### Inter-State cases (in the public domain)

- *Obligations of States in respect of Climate Change* (Request for Advisory Opinion) (2023-present): counsel for the United Kingdom in advisory proceedings before the International Court of Justice concerning States' climate change obligations and their legal consequences (with Ben Juratowitch KC, Penelope Nevill and others).
- *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem* (Request for Advisory Opinion) (2023-present): counsel for the United Kingdom in advisory proceedings before the International Court of Justice concerning the Occupied Palestinian Territory (with Professor Dan Sarooshi KC).
- *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v Russian Federation)* (2023-present): counsel for Australia in contentious proceedings brought by Ukraine against the Russian Federation under the Genocide Convention (with Dr Stephen Donaghue KC, Solicitor General of Australia, and Kate Parlett).
- *Request for an Advisory Opinion submitted by the Commission of Small Island States on Climate Change and International Law* (Request for Advisory Opinion submitted to the Tribunal) (2023-2024): counsel for the United Kingdom in advisory proceedings before the International Tribunal for the Law of the Sea concerning States Parties' obligations under UNCLOS in relation to harm caused by anthropogenic greenhouse gases (with Ben Juratowitch KC, Amy Sander and Courtney Grafton).
- *Ukraine v The Russian Federation* (Application No. 11055/22; European Court of Human Rights, 2022-present): counsel for Ukraine in an application relating to violations of Articles 2, 3, 5, 8, 10 and 11 of the European Convention (among others)

arising out of Russia's invasion of Ukraine on 24 February 2022 (with Timothy Otty KC, Guglielmo Verdirame KC and juniors from Twenty Essex and Blackstone Chambers).

- *Certain Iranian Assets*(2019-present): counsel to the United States of America in proceedings brought by Iran in the International Court of Justice concerning alleged violations of the Treaty of Amity (with Sir Daniel Bethlehem KC).
- *Case B1 (Claims 2 and 3), Iran v. United States*(2017-present): counsel to the United States of America in proceedings before the Iran – U.S. Claims Tribunal concerning the foreign military sales program between Iran and the United States in the 1970s and 1980s. Belinda argued on behalf of the United States before the Full Tribunal at hearings in February and May/June 2018, April 2019 and June 2019 (with Sir Daniel Bethlehem KC).

## Domestic cases

- *The “Maduro Board” of the Central Bank of Venezuela v The “Guaidó Board” of the Central Bank of Venezuela* [2023] AC 156; [2022] 2 WLR 167: counsel for the Foreign Secretary intervening in high-profile commercial proceedings before the Supreme Court on issues concerning the recognition of foreign heads of government and the foreign act of State doctrine (with Sir James Eadie KC, Sir Michael Wood KC and Jason Pobjoy).
- *Corinna Zu Sayn-Wittgenstein-Sayn v His Majesty Juan Carlos Alfonso Victor Maria de Borbon y Borbon* (2022): counsel for the former King of Spain in a high-profile case before the High Court and Court of Appeal involving preliminary issues of state immunity and service (including as related to Brexit) (with Sir Daniel Bethlehem KC, Philippa Webb and Ben Silverstone). Belinda made oral submissions on His Majesty's behalf at the consequential hearing in March 2022.
- *Western Sahara Campaign UK v HMRC and Foreign Office* [2022] EWHC 3108 (Admin): counsel for the defendants and first interested party in relation to a judicial review concerning the UK-Morocco FTA and its compatibility with the international law of self-determination, involving issues including the foreign act of state doctrine, non-justiciability and treaty interpretation (with Sir James Eadie KC and Paul Luckhurst).
- *Barnett LBC v AG (A Child)* [2022] EWCA Civ 1505; [2021] Fam. 404; [2021] 3 WLR 875: counsel for the Foreign Secretary in this claim under the Human Rights Act 1998 concerning the application of diplomatic immunity in a case of alleged child abuse, which was heard before the High Court (Family Division) and the Court of Appeal (with Sir James Eadie KC, Professor Vaughan Lowe KC, Joanne Clement KC and Jason Pobjoy).
- *Shamima Begum v Secretary of State for the Home Department* [2021] AC 765 and [2020] 1 WLR 4267: counsel for the UN Special Rapporteur in a case relating to a British citizen detained in Syria, intervening on public international law issues relating to arbitrary deprivation of citizenship before the Supreme Court and Court of Appeal (with Guglielmo Verdirame KC and Jason Pobjoy).
- *Dynasty Co for Oil and Gas Trading Ltd v Kurdistan Regional Government of Iraq* [2021] 3 WLR 1095; [2021] 2 Lloyd's Rep. 275: counsel for the claimant in a US\$1.6 billion claim arising out of a production sharing contract in Iraq, raising complex issues of state immunity and the application of the Brussels Regulation in a preliminary issue trial before the Commercial Court (with Charles Kimmins KC, Richard Waller KC and Daniel Benedyk).
- *Sathanathan v Brigadier Fernando* (Westminster Magistrates Court, 2019): sole counsel for the Foreign Secretary intervening in the prosecution of a former Sri Lankan diplomat on the question of his entitlement to diplomatic immunity.

## Public law and human rights

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- *Ukraine v The Russian Federation* (Application No. 11055/22; European Court of Human Rights, 2022-present): counsel for Ukraine in an application relating to violations of Articles 2, 3, 5, 8, 10 and 11 of the European Convention (among others) arising out of Russia's invasion of Ukraine on 24 February 2022 (with Timothy Otty KC, Guglielmo Verdirame KC and juniors from Twenty Essex and Blackstone Chambers).
- *Western Sahara Campaign UK v HMRC and Foreign Office* [2022] EWHC 3108 (Admin): counsel for the defendants and first interested party in relation to a judicial review concerning the UK-Morocco FTA and its compatibility with the international law of self-determination, involving issues including the foreign act of state doctrine, non-justiciability and treaty interpretation (with Sir James Eadie KC and Paul Luckhurst).
- *Barnett LBC v AG (A Child)* [2022] EWCA Civ 1505; [2021] Fam. 404; [2021] 3 WLR 875: counsel for the Foreign Secretary in this claim under the Human Rights Act 1998 concerning the application of diplomatic immunity in a case of alleged child abuse, which is proceeding to the Court of Appeal in November 2022 (with Sir James Eadie KC, Professor Vaughan Lowe KC, Joanne Clement KC and Jason Pobjoy).
- *Shamima Begum v Secretary of State for the Home Department* [2021] AC 765 and [2020] 1 WLR 4267: counsel for the UN Special Rapporteur in a case relating to a British citizen detained in Syria, intervening on public international law issues relating to arbitrary deprivation of citizenship before the Supreme Court and Court of Appeal (with Guglielmo Verdirame KC and Jason Pobjoy).
- *B (Algeria) v Special Immigration Appeals Commission and the Secretary of State for the Home Department*[2018] UKSC 5: counsel for the secretary of state in her appeal to the Supreme Court which concerned the circumstances in which immigration bail may be granted to an individual (with Robin Tam KC).

- *The Queen (on the application of VC) v The Secretary of State for the Home Department* [2018] EWCA Civ 57: counsel for the secretary of state in an appeal concerning an unlawful detention claim, as well as a claim under the Equality Act 2010 that 'reasonable adjustments' had not been made (with Julie Anderson).
- *R (on the application of O) v Secretary of State for the Home Department*[2016] UKSC 19; [2016] 1 WLR 1717; [2016] 4 All ER 1003: counsel for the secretary of state in a Supreme Court unlawful detention case relating to the application of Home Office policy relating to the detention of the mentally ill pending deportation (with Robin Tam KC and Julie Anderson).

## Shipping

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- *NYK Bulkship (Atlantic) NV v Cargill International SA* [2016] UKSC 20; [2016] 1 WLR 1853: counsel for the respondent in a Supreme Court case raising important points on the NYPE form and agency in the context of delegated or vicarious performance of contractual rights and obligations (with Timothy Young KC).

## Sports law

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- *Jersey Football Association v UEFA, Court of Arbitration for Sport (CAS 2016/ A/4787)* (2017): counsel for the appellant in its appeal against UEFA's refusal to admit it to membership of UEFA, which was partially upheld (with Christopher Hancock KC).

## Recommendations

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Her magic way of putting together really complex arguments and making it seem so obvious, together with her excellence at cross-examination, makes her unbelievable. [Chambers UK Bar 2024](#)

She is an analytical powerhouse, writes extremely quickly and is a pleasure to work with. [Chambers UK Bar 2024](#)

Highly personable and intelligent. Great judgement – a silk in the making. She is an excellent lawyer. She is quick on her feet, very clear in her advocacy, and is very skilled as a cross-examiner. [The Legal 500 UK Bar 2024](#)

A fantastic can-do attitude, always ready to roll her sleeves up. Belinda has a formidable intellect which she combines with excellent litigation skills and instincts – a real star. [The Legal 500 UK Bar 2024](#)

She has gone from strength to strength and is involved in high-profile international arbitration cases. [Chambers UK Bar 2023](#)

She is a fantastic advocate. She can deal with extremely complex topics and narrow them down in an understandable manner for the tribunal. [The Legal 500 UK Bar 2023](#)

Combines a stellar academic knowledge of public international law with formidable strategic and practical deployment. [The Legal 500 UK Bar 2023](#)

Solicitors can't think of anyone they would rather instruct on a commercial claim [The Legal 500 UK Bar 2023](#)

she out-performs advocates with generations more experience [The Legal 500 UK Bar 2023](#)

One of the best communicators in the business. An intellectual powerhouse with a straight forward communication style. [The Legal 500 UK Bar 2022](#)

A go-to junior in the public international law arena. Her work is of extremely high quality. [The Legal 500 UK Bar 2022](#)

A quite brilliant knowledge of, and application of, international law. Also very easy to deal with and always on hand to help. [The Legal 500 UK Bar 2022](#)

She has gone from strength to strength and is involved in high-profile international arbitration cases. [Chambers UK Bar 2022](#)

Belinda McRae is 'absolutely exceptional in commercial arbitration' and 'will certainly be a huge name in the years to come' according to impressed sources who add that 'she masters new and complex legal issues like no other'. [Who's Who Legal 2021](#)

A brilliant communicator both as an advocate and an advisor - makes difficult points clear. [The Legal 500 UK Bar 2021](#)

A fabulous oral advocate: her presentations are always well thought out, eloquent, detailed and compelling. She is clear and effective when standing in front of a tribunal. [Chambers UK Bar 2021](#)



A rapier-sharp junior. [The Legal 500 UK Bar 2021](#)

She has a superb grasp of substantive principles in arbitration law and in public international law. [The Legal 500 UK Bar 2021](#)

Her instinct for procedure is second to none, and her work rate and drafting is exceptional. [The Legal 500 UK Bar 2020](#) ('Commercial litigation – Top ten under eight years' call')

A rising star of the international arbitration Bar. [The Legal 500 UK Bar 2020](#)

Very client friendly but hard as tempered steel with the other side. [The Legal 500 UK Bar 2018](#) ('Commercial litigation – Top ten under eight years' call')

Future Leader [Who's Who Legal 2018, 2019, 2020, 2021](#) (Arbitration)

Effusive sources call Belinda McRae 'one of the best of her generation' in the arbitration space, describing her as 'one to watch'. She is a 'very smart' barrister whose 'good commercial and public international law experience' have been recognised by a wide range of UK and international sources. [Who's Who Legal 2018](#)