

# Guglielmo Verdirame KC

SILK: 2019 | CALL: 2006

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Languages: Italian (native proficiency); French and German (limited professional proficiency); Modern Hebrew (elementary proficiency)



## Overview

Lord Verdirame KC specialises in public international law, international arbitration (especially investment treaty arbitration and inter-state arbitration), human rights and constitutional law. His practice covers the full range of public international law including international dispute resolution; immunities; foreign investment protection; law of the sea; territorial and maritime boundary disputes; status of territories; human rights; use of force; law of armed conflict; international organisations; sanctions; trade.

Guglielmo has acted as counsel in many high-profile cases before international courts and tribunals, including before the ICJ, ITLOS, Annex VII Tribunal under UNCLOS. He was counsel for the UK in the last dispute to be brought against the UK in the International Court of Justice (*Marshall Islands v UK*), and for the Italian Republic in the *Enrica Lexie Incident* dispute before both the UN Tribunal for the Law of the Sea and the arbitral tribunal in the Permanent Court of Arbitration. He is currently instructed for Ukraine in the case against Russia arising from the recent conflict in the European Court of Human Rights.

Guglielmo has also been instructed in some of the highest-level litigation involving international law issues in the English courts. Before the Supreme Court, he was counsel for the government in the first *Miller* case on the UK's withdrawal from the European Union, and for the UN special rapporteur on counter-terrorism and human rights in the *Shamima Begum* case. He has recently acted for Princess Haya of Jordan in the widely reported proceedings between her and the Prime Minister of the UAE, which have led to very important judgments on the immunity of heads of government and on foreign act of State. He is regularly instructed, including by

## Professional memberships

- British Institute of International and Comparative Law
- European Society of International Law
- Commercial Bar Association
- American Society of International Law

## Lectures/talks (Recent)

- 'James the Scholar: International Law as a System', *Teacher, Scholar, Lawyer, Judge: Celebrating James Crawford*, Lauterpacht Centre for International Law, Cambridge, 29 May 2022.
- 'General Principles of Law and Ubuntu', *Introducing Ubuntu into Public International Law*, Justice, Lincoln's Inn, London, 10 May 2022.
- 'Comments on the Government's Proposal to reform the HRA', *A Modern Bill of Rights?*, Justice, London, 10 February 2022 (online).
- 'Do New Realities Require New Rights?', Colloquium in W. Shulz and S. Raman *The Coming Good Society* (2020), Oxford Centre for Ethics in AI, 3 February 2022 (online).

the Foreign Office, in cases concerning armed conflict and immunities.

Guglielmo is much in demand as counsel in international arbitration, and he is particularly sought-after by investors and states for his expertise and experience in investment arbitration (under BITs, ECT or investment chapters of FTAs). On the investor side of his practice recent highlights include winning a US\$600 million investment claim against a European state. On the state side, they include successfully defending Ukraine from a US\$6 billion Energy Charter Treaty claim, and Kenya from a US\$2 billion BIT claim. He has acted in arbitral proceedings under all the main institutional rules (ICSID, ICSID- Additional Facility, PCA, UNCITRAL, ICC, SCC, LCIA, Court of Arbitration for Sport). While he works mainly as counsel, Guglielmo has also sat as arbitrator (PCA, ICC, LCIA).

Guglielmo has a very busy advisory practice for governments and multinational corporations. He is regularly instructed to advise on complex legal matters in very sensitive political, economic and diplomatic contexts. In this role, he has worked closely with the upper political and administrative echelons of a number of European, Asian and African states, as well as the top management of multinational corporations.

For many years, Guglielmo combined his professional career at the Bar with academia. He is still Professor of International Law at King's College London, albeit only on a part-time basis. In past, he was a Fellow of the Lauterpacht Centre for International Law at the University of Cambridge; a Fellow of Merton College, Oxford; and a Visiting Professorial Fellow at Harvard Law School and a Visiting Professor at Columbia Law School. He has published extensively in the field of public international law, and currently sits on the Advisory Board of the *American Review of International Arbitration*.

Lord Verdirame KC was [appointed to a life peerage in October 2022](#). He will sit in the House of Lords as a non-affiliated member.

- 'Cross-Examination of Fact Witnesses in Remote/Hybrid Hearings', XIII Annual Conference, ICC Russia Arbitration Conference, 2 December 2021 (online).
- 'International Law and the Future of Democracy', Jindal Society of International Law, New Delhi, 8 September 2021 (online).
- 'The Ireland/Northern Ireland Protocol', *UK and European Law in the new UK-EU Partnership*, Bar European Group – 2021 Spring Conference, 22 May 2021 (online).
- 'On the Continuing Relevance of Conceptual Argument in International Law', *Launch of the Cambridge Companion of Legal Philosophy*, 13 July 2020 (online).
- 'Democratic v Authoritarian International Law', Online Symposium on Democracy, YTL Centre for Politics, Philosophy and Law, King's College London, 26 June 2020 (online).
- 'A look to the horizon: where will trade and investment law, investment protection and investor-state dispute settlement be in 10/20 years?', *The London Conference on International Law: Engaging with International Law*, 4 October 2019.
- 'Passive Investments and Investment Treaty Protection', Disruptive Developments: CIS Disputes, Twenty Essex PIL Seminar, 1 October 2019.

## Education

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- London School of Economics and Political Science: PhD
- University of Oxford: MA (titular only)
- University of London: LLM
- University of Bologna: Laurea in Giurisprudenza – magna cum laude

## Example cases

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Please see below for a selection of cases in different areas.

### Inter-state disputes (including disputes with/between international organisations)

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- Counsel for Ukraine in *Ukraine v Russia*, Application No. 11055/22, European Court of Human Rights.
- Counsel for the UK in *Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands United Kingdom)*, International Court of Justice.
- Counsel for Italy in *The "Enrica Lexie" Incident (Italy India)*, International Tribunal for the Law of the Sea.
- Counsel for Italy in *The "Enrica Lexie" Incident (Italy India)*, Annex VII Arbitration under UNCLOS, Permanent Court of

Arbitration.

- Adviser to several States on potential inter-state proceedings (ICJ or arbitral) on a wide range of matters, including WWII-related claims, state immunity, boundary disputes, law of the sea issues.
- Advisory work on various matters arising under the UK-EU Withdrawal Agreement.

## Investor-state arbitration

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- Counsel for the investor (instructed by Skils) in *ČEZ v. Republic of Bulgaria* (ICSID Case No. ARB/16/24).
- Counsel to the Investor (instructed by Withers) in *Scholz Holding GmbH v Kingdom of Morocco*, ICSID Case No. ARB/19/2.
- Counsel for the investor (instructed by Mischo de Reya) in *Diag Human SE and Josef Stava v Czech Republic*, PCA Case 2018-20.
- Counsel for Ukraine (instructed by the Ministry of Justice of Ukraine and Latham & Watkins) in *Gilward Investments B.V. v. Ukraine* (ICSID Case No. ARB/15/33).
- Counsel for Ukraine (instructed by the Ministry of Justice of Ukraine and Latham & Watkins) *Littop Enterprises Limited et al. v. Ukraine* (SCC Arbitration V 2015/092).
- Counsel for Greece (instructed by the Legal Council of the Hellenic State, and Holman Fenwick Willan) in *Iskandar Safa and Akram Safa v. Hellenic Republic*, (ICSID Case No. ARB/16/20).
- Counsel for Poland (instructed by the Prokuratoria Generalna, and Withers) in *Invenergy Renewables LLC et al v. Poland* (PCA Case No. 2018-40).
- Counsel for Kenya (instructed by DLA Piper), *Cortec Mining Kenya Limited, Cortec (Pty) Limited and Stirling Capital Limited v. Republic of Kenya* (ICSID Case No. ARB/15/29).
- Counsel for the investor (instructed by Egorov, Puginsky, Afanasiev) *Oleg Deripaska v. Montenegro*, Permanent Court of Arbitration, Case No. 2017-07.
- Counsel for the investor in *Impresa Pizzarotti & C. S.p.A. v. Kingdom of Morocco* (ICSID Case No. ARB/19/14).
- Counsel for the investor in *Surfeit Harvest Investment Holding Pte Ltd (Singapore) v. Republic of China (Taiwan)*, Permanent Court of Arbitration.
- Counsel for Kazakhstan (instructed by Reed Smith) in *Türkiye Petrolleri Anonim Ortakligi v Republic of Kazakhstan*, ICSID Case No. ARB/11/2.
- Counsel for the investor (instructed by Webber Wentzel Brown) in *Foresti and De Carli v Republic of South Africa* (ICSID/ARB/07/01).
- Adviser (instructed by Skadden Arps) in *Kardassopoulos and Fuchs v. Republic of Georgia*, ICSID Case Nos. ARB/05/18 and ARB/07/15.
- Advisory work for various investors and states on potential investment treaty proceedings, notices of dispute (or response to them) arising from investments in different sectors (oil & gas, renewable energies, gambling, financial investments etc).

## International arbitrations (other than inter-state or investor state)

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- Arbitrator in *Ge Gao, Hongwei Meng, Zihong Meng and Ziheng Meng (China) v. INTERPOL*, PCA 2019-1.
- Counsel for NATO on a number of private disputes.
- Counsel for Russia in *Exxon Mobil v. Russian Federation and Sakhalin Oblast*, UNCITRAL/Stockholm.
- Counsel for claimant in *Adrian Mutu v Chelsea FC*, Court of Arbitration for Sports 2008/A/1644.

## Human rights/armed conflict

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- Counsel for the UN Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism in *R (on the application of Begum) (Respondent) v Secretary of State for the Home Department (Appellant)*, [2020] UKSC and [2020] EWCA Civ 918.
- Counsel for the applicant in *Getty v Republic of Italy*, Application no. 35271/19, European Court of Human Rights.
- Counsel in *Hanan v Germany*, Application no. 4871/16, European Court of Human Rights.
- Counsel for the application in *Case of J. v Peru*, Preliminary objection, merits, reparations and costs, Judgment of

November 27, 2013. Series C No. 275, Inter-American Court of Human Rights.

- *Amici Curiae* Submission on the Court's territorial jurisdiction in Palestine (with Professor Robert Badinter, Professor Irwin Cotler, Professor David Crane, Professor Jean-François Gaudreault-DesBiens, Lord David Pannick), ICC-01/18, Pre-Trial Chamber I, International Criminal Court.
- Assisted the Government (FCO and/or MoD) in an advisory role in a number of cases arising from the post-9/11 counter-terrorism/military interventions (including *Belhaj*, *Serdar Mohammed*).
- Extensive advisory work (for governments, non-state actors) on obligations under various treaties including the ECHR; ICCPR; Geneva Conventions/Hague Conventions; the Arms Trade Treaty; CoE Convention on Action against Trafficking in Human Beings ("ECAT"); 1951 Refugee Convention; 1969 OAU Refugee Convention.
- Extensive advisory practice on business and human rights issues (including on the UN Guiding Principles on Business and Human Rights) including advice for:
  - a FTSE 100 on business and human rights in connection with activities in Palestine
  - a world-leading armaments industry on human rights issues in connection with unmanned vehicles
  - a major European energy company on business and human rights issues in connection with activities in Western Sahara

## Sanctions

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- Advisory work for both governments and private clients on the international and domestic law issues in connection with Russian sanctions imposed by UK and EU, and with UN sanction regimes.
- As an academic, Guglielmo pioneered the field of UN compliance with human rights and has written on compliance of international sanctions with due process and human rights.

## Domestic proceedings

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- *R (on the application of Begum) (Respondent) v Secretary of State for the Home Department (Appellant)*, [2020] UKSC and [2020] EWCA Civ 918.
- *Her Royal Highness Haya Bint Al Hussein v His Highness Mohammed Bin Rashid Al Maktoum*[2021] EWFC 94.
- *Re Al M (Immunities)*[2021] EWHC 660 (Fam).
- *Re Al M*[2021] EWHC 303 (Fam).
- *Miller v Secretary of State for Exiting the European Union* ("The Article 50 case"), [2017] UKSC 5, UK Supreme Court.
- *Freedom and Justice Party and others Foreign and Commonwealth Office and Director of Public Prosecutions*, [2016] EWHC 2010 (Admin); [2018] EWCA Civ 1719.
- Assisted Ukraine (instructed by Quinn Emmanuel) in an advisory capacity in *Ukraine v Law Debenture Trust Corporation*, [2018] EWCA Civ 2026 (Court of Appeal).
- *Al-Juffali v. Estrada*, [2016] EWCA Civ 176.
- Counsel for the trustees in bankruptcy in the High Court insolvency proceedings against Boris Becker on the matter of his claim for immunity as a diplomat for the Central African Republic.
- Amicus Curiae appointed by the Attorney General to assist on public international law issues in *Kumar Lama v R*, [2014] EWCA Crim 1729 (Court of Appeal).

## Publications, public engagement

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Guglielmo is the author of numerous academic publications in the fields of public international law, arbitration, comparative law, and legal and political philosophy.

He contributes regularly to academic debates on international law, as well as to wider public argument on political and economic issues with an international law dimension. In addition to academic publications (books, chapters in books, peer-reviewed journals), he does so by speaking at conferences; writing for the non-academic press; making submissions to government and parliamentary consultations; and consulting for public policy think-tanks and human rights organisations. He is not a contributor to twitter, Facebook or other social media.

He is currently a member of editorial committee/advisory board of the following journals: *American Review of International Arbitration*; *Cambridge Journal of International and Comparative Law*; *International Community Law Review*.

A partial list of publications [can be downloaded here](#).

## Recommendations

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Highly knowledgeable and incredibly persuasive as an advocate. [The Legal 500 UK Bar 2023](#)

An extremely bright barrister who is creative and prepared to give strong commercial advice. [Chambers UK Bar 2023](#)

He explains matters so clearly, is brilliant with clients. [The Legal 500 UK Bar 2023](#)

A master of his trade in the sphere of investor-state disputes with a fierce intellect and excellent client management skills. [Chambers UK Bar 2023](#)

He is a persuasive advocate and just a class act. [The Legal 500 UK Bar 2023](#)

He has very good analytical judgement and is very responsive. [Chambers UK Bar 2023](#)

A decisive thinker who is focused in his oral contributions and effective on paper. He has a thoughtful approach that gives clients great confidence. [Chambers UK Bar 2022](#)

Beautifully prepared, and leaves no stone unturned: novel areas and arguments don't faze him. He relishes a fight on uncertain ground and delivers brilliantly. A class act. [The Legal 500 UK Bar 2022](#)

He's knowledgeable and thoughtful. [Chambers UK Bar 2022](#)

Extremely erudite, very reliable and a real expert." "A very deep thinker with a deep understanding of PIL. [Chambers UK Bar 2021](#)

Top of the list for public international law. Very strong and highly knowledgeable in international issues. [The Legal 500 UK Bar 2021](#)

A very talented international lawyer. [Chambers UK Bar 2020](#)

Has excellent technical detailed knowledge of public international law, and is a superb advocate. [The Legal 500 UK Bar 2020](#)

Extremely thorough, a pleasure to work with and has excellent knowledge of PIL issues. [Chambers UK Bar 2020](#)

Particularly good in the practical application of PIL in novel commercial situations. [The Legal 500 UK Bar 2018](#)

An excellent team player with acute insight, who has a very easy working manner. [Chambers UK Bar 2019](#)

He has a deep intellectual knowledge, is very interested in BIT arbitration and is experienced in state-on-state matters. [Chambers UK Bar 2018](#)

Very impressive and very highly regarded. [The Legal 500 UK Bar 2017](#)

He's excellent and very well versed in PIL. [Chambers UK Bar 2017](#)