

## Jonathan Ketcheson

CALL: 2016 (ENGLAND AND WALES); 2022 (BRITISH VIRGIN ISLANDS)

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### Overview

Jonathan practises across all Chambers' areas of expertise, with a particular focus on international arbitration and investment treaty arbitration. He has acted for states and investors in investment treaty arbitrations, under both the ICSID Convention and the UNCITRAL rules. Jonathan has also acted for companies in international commercial arbitrations under the ICC, LCIA and LMAA rules. He is also appointed to the Attorney General's Public International Law C Panel of Counsel.

He initially qualified as a solicitor in Australia, practising in commercial litigation, before working as an associate to Justice Crennan of the High Court of Australia. Jonathan was also a senior associate at Hogan Lovells in London, specialising in investment treaty arbitration, public international law and international arbitration.

Prior to joining the bar, Jonathan was a research assistant to Professor James Crawford (later Judge Crawford of the International Court of Justice) and completed a doctorate on international dispute settlement at the University of Cambridge under the supervision of Professor Crawford and Professor Zac Douglas. Jonathan was also an assistant to the Bahrain Independent Commission of Inquiry.

He was admitted to the Bar of the East Caribbean Supreme Court, British Virgin Islands in 2022.

### Publications

- 'Should Expropriation Risk Be Taken into Account in the Assessment of Damages?' (2017) 32(1) *ICSID Review – Foreign Investment Law Journal* 193 (co-author).
- 'Investment Arbitration: Learning from Experience' in S Hindelang and M Krajewski (eds), *Shifting Paradigms in International Investment Law* (Oxford University Press, 2016).
- 'The Law 42 Arbitrations: Ecuador's Efforts to Capture "Extraordinary Profits" of Oil Companies' (2015) 16 *Journal of World Investment and Trade* 734.
- 'Defining "investment" in shareholder claims' (2013) 8 *Global Arbitration Review*.
- 'The International Minimum Standard and Fair and Equitable Treatment. By Martins Papatrakis' (book review) (2012) 83 *British Yearbook of International Law* 185.
- 'National Courts and the International Rule of Law. By Andre Nollkaemper' (book review) (2011) 82 *British Yearbook of International Law* 540.

## Education

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- University of Cambridge: PhD (2013)
- University of Cambridge: LLM, First Class (2006)
- University of Queensland: LLB, First Class (2003)
- University of Queensland: Bachelor of Science in Mathematics (2002)

## Example cases

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- Acting for the claimants in *Diag Human SE and Mr. Josef Stava v Czech Republic* (PCA Case No. 2018-20) (with Guglielmo Verdirame KC and Philip Riches KC).
- Acting in a challenge brought under s 67 and s 68 of the Arbitration Act 1996 in respect of an investment treaty award (with Philip Riches KC).
- Acting for the Hellenic Republic in *Iskandar Safa and Akram Safa v Hellenic Republic* (ICSID Case No. ARB/16/20) (with Guglielmo Verdirame KC) (ICSID).
- Acting in a claim against a State-owned electricity company in relation to the development of a power project in an African country (with Philip Riches KC) (UNCITRAL arbitration administered by the LCIA).
- Acting in a challenge brought under s 68 of the Arbitration Act 1996 in respect of an LCIA Award (with Paul Lowenstein KC).
- Acting for a claimant in respect of a dispute over the enforcement of a mortgage (with Duncan Matthews KC).
- Acting for a bank in a dispute related to the financing of a coal mine – it is alleged that the financing was obtained through fraud (with Paul Lowenstein KC).
- Acting for a CIS State in a claim brought under an investment law (UNCITRAL arbitration).
- Acting for a CIS State in a claim brought under an investment agreement (UNCITRAL arbitration).
- Acting for a mining company in relation to a dispute concerning the interpretation of a long-term contract of affreightment (with Thomas Raphael KC) (ad hoc London arbitration).
- Acting for a construction company in an expropriation claim brought against a State pursuant to a concession contract (with Richard Waller KC and Keir Howie) (LCIA arbitration).
- Acting for a shipowner in relation to a claim for cargo damage caused by fumigation (LMAA arbitration).
- Advising a shipbuilder on the impact of proceedings in an EU member state on parallel LMAA arbitrations.
- Acting for Vietnam in three separate investment treaty claims, two under the France-Vietnam BIT and one under the investment chapter of the US-Vietnam FTA (UNCITRAL arbitrations).\*
- Acting for Mongolia in a claim brought under the Energy Charter Treaty and an investment agreement (UNCITRAL arbitration).\*
- Acting for a US entity in a claim against a Middle Eastern government entity (LCIA arbitration).\*
- Advising a UK investor in relation to a claim against an African State in relation to the alleged expropriation of a real estate development (ICSID).\*

\* Denotes work undertaken while practising as a solicitor

## Recommendations

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First class at drafting and building an argument. Very quick. [The Legal 500 UK Bar 2022](#)