

Professor Philippa Webb

CALL: 2006 (NEW YORK); 2016 (ENGLAND AND WALES)

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Languages: French (proficient); Japanese (proficient); Italian (conversational); Dutch (conversational)



Overview

Philippa's practice covers all aspects of public international law. She acts for states and private entities in domestic and international courts on a wide range of issues. These include state and diplomatic immunities, territorial and maritime boundaries, treaty obligations, law of the sea, state responsibility, human rights, humanitarian law, law of international organisations and international criminal law.

She has been described as "the foremost expert on state immunity" and is counsel in ground-breaking cases in international and English courts. Philippa advises on all aspects of immunity, including immunity from enforcement, diplomatic status, and related concepts such as act of state. She is appointed to the Attorney General's Public International Law B Panel of Counsel.

Philippa is a specialist in relation to the International Court of Justice (ICJ). She served as the Legal Officer and Special Assistant to Judge Rosalyn Higgins GBE QC during her presidency and in this capacity was involved in 15 inter-state cases. Philippa has since appeared as counsel and advocate in 7 ICJ cases. Philippa has also worked as a legal adviser at the ICC.

She is Professor of Public International Law at King's College London and Director of the Centre for International Governance and Dispute Resolution. She has held visiting positions at the University of Oxford, the Graduate Institute in Geneva, the University of Notre Dame and Université Paris Nanterre. She is on the Committee of Legal Experts for the Commission of Small Island States on Climate Change and International Law.

Publications

- [*The Right to a Fair Trial in International Law*](#), 1000 pages (OUP 2021) (with Amal Clooney), awarded the American Society of International Law's Certificate of Merit 2022.
- [*Oppenheim's International Law: United Nations*](#) (OUP 2017) (with Dame Rosalyn Higgins GBE QC, Dapo Akande, Sandesh Sivakumaran, and James Sloan), awarded the American Society of International Law Certificate of Merit 2019.
- 'The Immunity of States, Diplomats and International Organizations in Employment Disputes: The New Human Rights Dilemma?' (2016) 27(3) *European Journal of International Law* 745.
- [*The Law of State Immunity*](#) (3rd edn, OUP 2015) (Lady Hazel Fox QC) cited by the leading courts in the UK, US, Canada, Germany, and South Africa.
- [*The Genocide Convention: The Travaux Préparatoires*](#) (Martinus Nijhoff, 2008) (with Hiram Abtahi), cited by international courts and tribunals.

Philippa was shortlisted for 2022 “Barrister of the Year” by *The Lawyer*. She has been ranked as a top junior in Public International Law, a ‘Future Leader’ in arbitration and a ‘UK Bar: Rising Star’.

Education

- Yale Law School: Doctorate (JSD) in Public International Law (2011)
- Yale Law School: Masters (LLM) in International Law (2004)
- European University Institute: Diploma in International Criminal Law, Cum Laude (2004)
- University of New South Wales: Bachelor of Laws (LLB), University Medal, ranked first in year (2002)
- University of New South Wales: Bachelor of Asian Studies (Advanced Japanese Studies) (Hons), University Medal, ranked first in year (2000)

Professional memberships

- American Law Institute’s project, Restatement Fourth, Foreign Relations Law of the United States: International Advisory Panel (2014–)
- American Society of International Law
- Attorney General’s Specialist Public International Law C Panel of Junior Counsel (2017–2022)
- British Institute for International and Comparative Law: Public International Law Advisory Panel (2015–)
- Clooney Foundation for Justice: Board Member and Secretary (2016–)
- European Society of International Law: Board Member (2016–2020)
- Human Dignity Trust: member of the Bar Panel (2018–)
- International Law Association (British Branch)
- The Honourable Society of the Inner Temple
- Young Public International Law Group: Board Member (2016–)

Lectures / talks

- Invited keynote speaker, ‘International Fair Trial Day’, International Bar Association Human Rights Institute, Palermo, Italy, 18 June 2022
- Invited discussant, Workshop in honour of Judge Giorgio Gaja, All Souls College, University of Oxford, 10 June 2022
- Invited named lecturer, ‘The Right to a Fair Trial in the Digital Age’, The Harry Weinrebe Annual Lecture in Human Rights, British Institute of International & Comparative Law, 17 May 2022 (with Amal Clooney)
- Invited panelist, ‘Digitalisation of Human Rights’, American Society of International Law Annual Conference, Washington DC, April 2022
- Invited annual lecturer, ‘The Right to a Fair Trial in International Law’, The Crawford Lecture in International Law (hosted by Freshfields LLP), 13 April 2021 (with Amal Clooney)
- “State Immunity and Commercial Law: An ever decreasing sphere?” Commercial Court 125th Anniversary Seminar Series (17 November 2020).
- Good Faith in Inter-State Adjudication, American Society of International Law Annual Meeting, 25 June 2020.
- Invited keynote speaker, ‘State Responsibility for Modern Slavery’, Annual Lecture of the International Quarterly of International and

Comparative Law, British Institute of International and Comparative Law, London (2 March 2020).

- Invited panellist, 'The commercial activity exception to diplomatic immunity: avenues to accountability', State Accountability under Private, Public and International Law, LSE in collaboration with the University of Toronto, London (9 November 2019).
- Moderator and steering committee member, 'Effective Advocacy in Inter-State Proceedings', London Conference on International Law (4 October 2019).
- Invited panellist, 'Diplomatic Immunities: Testing the Boundaries', Launch of the Cambridge Handbook on Immunities and International Law, Embassy of Belgium in London (19 September 2019).
- Invited academic expert, 'Reflections on the *Jam v IFC* Judgment', 2019 Meeting of the Legal Advisers of the UN System, International Maritime Organization Headquarters, London (18 June 2019).
- Invited panellist, 'Contracting with the Government', Transnational Construction Arbitration and ADR in the 21st Century, King's College London, Centre for Construction Law & Dispute Resolution, (6 June 2019).
- 'The practice of judging': American Society of International Law Annual Meeting, Washington DC (4-7 April 2018).
- 'State Immunity and Dispute Resolution under the UN Convention for the Law of the Sea': Nippon Foundation Training Programme for Diplomats, International Tribunal for the Law of the Sea, Hamburg, Germany (11 September 2017).
- 'Non-state actors and UN Treaties': United Nations University/National University of Singapore/United Nations Workshop on UN Treaties, Greentree Estate New York (9-11 April 2017).

Example cases

- International Court of Justice: *Guatemala's Territorial, Insular and Maritime Claim (Guatemala/Belize)*: counsel to Belize in the dispute concerning Guatemala's claims to territory and maritime areas.
- UK Supreme Court: *Wong v Basfar*, [2022] UKSC 20: counsel to the claimant in the first case in the world in which a leading court has concluded that the alleged exploitation of a domestic worker in circumstances of modern slavery falls within the "commercial activity" exception to diplomatic immunity in Article 31(1)(c) of the Vienna Convention on Diplomatic Relations 1961 (led by Tim Otty QC).
- English High Court: *Al Masarir v Kingdom of Saudi Arabia* [2022] EWHC 2199: counsel to the claimant in a case ruling that Saudi Arabia is not immune under the UK State Immunity Act for alleged use of spyware to infiltrate the iPhones of a prominent human rights activist. The first case to find an exception to sovereign immunity for allegations related to

spyware (led by Richard Hermer QC).

- International Court of Justice: *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar)*: counsel to The Maldives as an intervenor in the case in support of The Gambia.
- International Court of Justice: *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*: counsel to a state intervening in support of Ukraine.
- European Court of Human Rights: *Ukraine v. Russia (X)*, counsel to Ukraine in a case against the Russian Federation arising from the invasion of Ukraine in February 2022.
- International Court of Justice: *Legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965 (Request for Advisory Opinion)*: counsel to the UK in advisory proceedings before the ICJ raising issues of decolonisation, self-determination and judicial discretion.
- International Court of Justice: *Maritime Delimitation in the Indian Ocean (Somalia v Kenya)*: counsel to the Republic of Kenya in a dispute over the maritime boundary between the two States pending before the ICJ. This is the first time that either State has come before the ICJ.
- Inter-State Arbitration: *The Enrica Lexie Incident (Italy v India)*: counsel to the Italian Republic in a case before the Permanent Court of Arbitration concerning an incident approximately 20.5 nautical miles off the coast of India involving the “Enrica Lexie”, an oil tanker flying the Italian flag, and India’s subsequent exercise of criminal jurisdiction over the vessel and two Italian marines from the Italian Navy (led by Daniel Bethlehem QC).
- UK Supreme Court: *Reyes v Al-Malki* [2017] UKSC 61: counsel to the intervenor (Kalayaan) in a case on diplomatic immunity. The appeal was unanimously allowed, with the court holding that the former diplomat did not enjoy immunity for the employment and alleged mistreatment of his domestic servant (led by Richard Hermer QC).
- Privy Council: *Botas Petroleum Pipeline Corporation v Tepe Insaat Sanayii AS* [2018] UKPC 31: counsel for the respondents in an appeal to the Privy Council in a case on the meaning of “property of a state” in an enforcement context. It held that state immunity does not extend to the property of state-owned entities. Such property is not to be considered “property of a state” that is immune from enforcement (led by Stuart Catchpole QC).
- *The Freedom And Justice Party and others, R (On the Application Of) v The Secretary of State for Foreign and Commonwealth Affairs and another (Rev 2)* [2018] EWCA Civ 1719: counsel for the appellants in a case concerning special missions immunity and allegations of torture (led by Sudhanshu Swaroop QC).
- *PAO Tatneft v Ukraine*[2018] EWHC 1797 (Comm): counsel to Ukraine in a case concerning an effort to enforce a US\$112 million investment BIT award in favour of Russian oil producer Tatneft against Ukraine, raising issues of state immunity (led by Philip Edey QC).

Public international law

Philippa advises clients from all over the world on a wide range of international law issues. She has acted as counsel in cases before the ICJ, PCA, ECtHR and ITLOS. During her time at the ICJ, she worked on 15 cases involving the law of the sea, territorial sovereignty, immunities, genocide, the use of force, human rights, diplomatic protection, and environmental matters.

Her expertise is recognized by her appointment to the International Advisory Panel for the American Law Institute’s project Restatement Fourth, Foreign Relations Law of the United States. She is also appointed to the Attorney General’s Public International Law B Panel of Counsel.

Philippa was elected to the Board of the European Society of International Law (2016-2020). She is a member of Public International Law Advisory Panel, British Institute for International and Comparative Law, a Board Member of the [Young Public International Law Group](#), and a member of the Committee of Legal Experts for the Commission of Small Island States on Climate Change and International Law. She is also appointed to the Legal Task Force for Accountability for Crimes Committed in Ukraine.

She is Professor of Public International Law at King’s College London and has published 5 books and more than 50 articles and chapters on international law.

Her lecture for the United Nations Audiovisual Library of International Law is available [here](#).

- International Court of Justice: *Guatemala’s Territorial, Insular and Maritime Claim (Guatemala/Belize)*, pending
- International Court of Justice: *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar)*, counsel for The Maldives as intervenor, pending
- International Court of Justice: *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*, counsel to a state intervening in support of Ukraine, pending

- European Court of Human Rights: *Ukraine v. Russia (X)*, counsel to Ukraine, pending
- International Court of Justice: *Legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965*, Advisory Opinion 2019
- International Court of Justice: *Maritime Delimitation in the Indian Ocean (Somalia v Kenya)*
- [ITLOS Case No. 24 The “Enrica Lexie” Incident \(Italy v India\)](#) – Counsel to the Italian Republic.
- [PCA Case No. 2015-28: The “Enrica Lexie” Incident \(Italy v India\)](#) – Counsel to the Italian Republic.
- *Botas Petroleum Pipeline Corporation v Tepe Insaat Sanayii AS* [2018] UKPC 31
- Advising the FCDO on international law matters (confidential)
- Advising an international organization on its immunities in relation to locally engaged persons.
- Advising a state on human rights issues arising in a bilateral relationship with another state.
- Advising a company on foreign act of state and sovereign immunity issues in the context of arbitration and related proceedings in the English court.
- Advising a former head of state on immunity issues in proceedings in the English court.

Human rights

Philippa acts and advises in relation to a wide range of human rights issues before domestic and international courts and bodies. She is the co-author of *The Right to a Fair Trial in International Law* (OUP 2021, with Amal Clooney), which has been described as ‘a tour de force’ (Karim Khan QC, International Criminal Court Prosecutor-elect), ‘a must-read book for everyone in the field: judges, scholars, students, civil servants, NGOs and all over the world’ (Judge Tulkens, former Vice-President of the ECtHR), ‘the definitive work now on fair trial rights’ (Professor van Schaack, Stanford University), ‘An outstanding book ... It creates the basis by which a vigilance can be exercised’ (Zeid Ra’ad Zeid Al Hussein, former UN High Commissioner for Human Rights), and ‘essential for judges at all stages of proceedings and academics and students’ (Judge Sir Howard Morrison KCMG CBE QC, British Judge at the International Criminal Court). She has conducted training on human rights for government officials in the UK and overseas. She is Board Member and Secretary of the [Clooney Foundation for Justice](#) and on the [Bar Panel of Human Dignity Trust](#). She is ranked in directories for international human rights law.

Her recent experience includes:

- English High Court: [Al Masarir v Kingdom of Saudi Arabia \[2022\] EWHC 2199](#): counsel to the claimant in a case ruling that Saudi Arabia is not immune under the UK State Immunity Act for alleged use of spyware to infiltrate the iPhones of a prominent human rights activist. The first case to find an exception to sovereign immunity for allegations related to spyware.
- Counsel to a state intervening in a case before the International Court of Justice concerning allegations of genocide.
- Counsel to a claimant before the United Nations Human Rights Committee.
- Counsel in a case before the European Court of Human Rights brought by an entity against Turkey for violations of the European Convention on Human Rights, including the right to property and freedom of thought, conscience and religion
- Counsel in leading cases on diplomatic immunity and allegations of modern slavery:
 - UK Supreme Court: [Wong v Basfar, \[2022\] UKSC 20](#): counsel to the claimant in the first case in the world in which a leading court has concluded that the alleged exploitation of a domestic worker in circumstances of modern slavery falls within the “commercial activity” exception to diplomatic immunity in Article 31(1)(c) of the Vienna Convention on Diplomatic Relations 1961 (led by Tim Otty QC).
 - [Reyes v Al-Malki \[2017\] UKSC 61](#) – Counsel to the intervenor, Kalayaan. The appeal was unanimously allowed, with the Court holding that the former diplomat did not enjoy immunity for the employment and alleged mistreatment of his domestic servant.
 - [Ms C Reyes and Ms T Suryadi -v- Mr J Al-Malki and Mrs Al-Malki and Others \[2015\] EWCA Civ 32](#) – advised the intervenor, Kalayaan, in this case on the interaction between diplomatic immunity, the State Immunity Act 1978 and European law.
- [The Freedom and Justice Party and others, R \(On the Application Of\) v Secretary of State for Foreign and Commonwealth](#)
- [Affairs & Anor \[2018\] EWCA Civ 1719](#) and [The Freedom and Justice Party and others, R \(On the Application Of\) v Secretary of State for Foreign and Commonwealth Affairs & Anor \[2016\] EWHC 2010 \(Admin\)](#) The case concerned allegations of torture and the customary international law on special missions immunity.
- Advised Amnesty International (with Sudhanshu Swaroop QC) on an Amicus Intervention before the Constitutional Court of South Africa in a case concerning the immunity of President al-Bashir of the Sudan.

- *Bobby James Moore v Texas*, Docket Number 15-797 United States Supreme Court – Death penalty case. I was Amicus on the Brief of International Law and Human Rights Institutes, Societies, Practitioners and Scholars as Amici Curiae in Support of Petitioner’s Application for Certiorari, 2016.
- Legal advisor to the UN Special Rapporteur on Counter-Terrorism and Human Rights regarding the inquiry into the legality of drones (2013).
- Legal advisor to a State regarding the International Criminal Court, including forming part of the official delegation to the Kampala Review Conference (2010).
- Legal advisor to a State regarding its treaty obligations (including reporting to treaty bodies) under the Convention against Torture and the International Covenant on Civil and Political Rights (2010-2015).

Arbitration

Philippa is ranked as a [‘Future Leader’](#) by Who’s Who Legal.

She has experience with inter-state litigation and is in gaining experience in investment treaty and commercial arbitrations, under the ICSID and UNCITRAL Rules, including in the related proceedings before English courts involving resistance to or enforcement of awards. She was invited to speak on immunity and act of state issues in arbitration on the occasion of the 125th Anniversary of the Commercial Court in 2020.

Counsel to a company in an arbitration and in related enforcement proceedings in the Commercial Court concerning a state’s cancellation of a lucrative mining licence. The state eventually settled on terms very favourable to the company.

- Privy Council: *Botas Petroleum Pipeline Corporation v Tepe Insaat Sanayii AS* [2018] UKPC 31: counsel for the respondents in an appeal to the Privy Council in a case on the meaning of “property of a state” in an enforcement context. It held that state immunity does not extend to the property of state-owned entities. Such property is not to be considered “property of a state” that is immune from enforcement (led by Stuart Catchpole QC).
- Counsel to Ukraine in a dispute before the Commercial Court relating to the enforcement of a foreign arbitral award.

[PCA Case No. 2015-28: The “Enrica Lexie” Incident \(Italy v India\)](#) – Counsel to the Italian Republic in a case concerning a dispute involving human rights, immunities and the law of the sea. The Award was issued in 2020.

Recommendations

She has a premonition for which issues will matter and what you need to focus on when building a case. Her style remains unnervingly calm in stressful situations. [Chambers UK Bar 2023](#)

She's absolutely brilliant. [Chambers UK Bar 2023](#)

She is a leading expert on the law on immunities and already presents silk-level legal advisory work. [Chambers UK Bar 2023](#)

She is a rare practitioner who can distil knowledge into advice swiftly - she has an amazing practice. [Chambers UK Bar 2023](#)

Philippa is an intellectual force to be reckoned with. She has masses of wealth of knowledge of public international law just simply stored in her head. Even though her academic credentials are impeccable, she is still practical and makes her advice and drafting accessible. [The Legal 500 UK Bar 2023](#)

An incredible academic mind. [Chambers UK Bar 2022](#)

An excellent advocate - very thoughtful, very acute analytical skills. [The Legal 500 UK Bar 2022](#)

She's a joy to work with and the foremost expert on state immunity. [Chambers UK Bar 2022](#)

The go-to expert on state immunity issues - well known for her expertise in ICJ practice, she is equally at home handling inter-state arbitration proceedings. [The Legal 500 UK Bar 2021](#)

An excellent junior, she made a very good impression before the ICJ. [The Legal 500 UK Bar 2020](#)

The leading expert on state immunity. Bright, cheerful and tireless. [Chambers UK Bar 2020](#)

She has been incredible at distilling complex international issues into simple terms for clients. [Chambers UK Bar 2019](#)

Really plugged into the international law arena, I wouldn't hesitate to use her. [The Legal 500 UK Bar 2019](#)

Future Leader 2018 'UK Bar: Rising Star' [Who's Who Legal](#)

She is fantastic – her expertise and knowledge is invaluable. Her specialism is state immunity and she is just brilliant in terms of her speed and knowledge. [Chambers UK Bar 2018](#)

Philippa Webb has built 'a highly respected academic reputation' and stands out among peers in the arbitration space as 'the top of her generation for sure'. [Who's Who Legal 2019](#)