



Freshfields Bruckhaus Deringer

Public international law



A first class public international law practice

"Top-tier firm with a stellar reputation in public international law circles." (Chambers Global, 2019)



Freshfields acts as counsel for and advises States, corporations, international organisations, individuals and non-governmental organisations across the full spectrum of public international law.

Freshfields has acted as counsel in cases before all major international courts and tribunals, including the International Court of Justice, the International Tribunal for the Law of the Sea, inter-State arbitral tribunals constituted under the auspices of the Permanent Court of Arbitration, the European Court of Justice and the European Court of Human Rights.

Freshfields also has an active advisory practice, evaluating risks and opportunities presented by issues of public international law and helping clients determine their best course of action.

We are accustomed to working collaboratively with government officials, eminent professors and independent practitioners of international law, as well as technical experts such as hydrographers, cartographers, historians and geographers to formulate and implement a co-ordinated and coherent strategy.

Issues on which members of our team have recent experience include:

- sovereignty over territory
- boundary disputes
- the law of the sea
- international human rights law
- rights to and regulation of natural resources, including hydrocarbons, minerals, fisheries, rivers and other fresh water
- inter-State arrangements for sharing resources

- Statehood: formation, dissolution and secession of States, and recognition of governments
- treaties: drafting, reservations, interpretation, application, modification and termination
- international environmental law
- trans-boundary pollution
- control over airspace
- State immunity and diplomatic immunity
- acting for investors and States in arbitrations under treaties on the protection of foreign investments
- issues of public international law arising before national or regional courts or regulatory authorities
- business and human rights issues
- international sanctions
- international humanitarian law
- international criminal law.

Members of our public international law practice come from both common law and civil law backgrounds, and among other languages can work in Arabic, Dutch, English, French, German, Italian, Japanese, Mandarin, Russian and Spanish. They hold doctorates in international law, regularly teach postgraduate courses at leading universities, and deliver and publish academic and practical papers on international law and its application.

Wherever public international law intersects with any national law or other area of specialisation, our team can collaborate with other members of the firm with the relevant expertise from among our 2,500 lawyers, accomplished in 57 languages.

Our experience

Selected cases as counsel in inter-State proceedings and advising States on inter-State disputes

- Representing **Chile** in a dispute with Bolivia before the ICJ concerning Bolivia's claim to sovereign access to the Pacific Ocean
- Representing **Italy** in a dispute with India before the International Tribunal for the Law of the Sea (ITLOS) and an arbitral tribunal constituted under the UN Convention on the Law of the Sea concerning which of them has criminal jurisdiction over two Italian Marines
- Representing **Slovenia** in proceedings commenced against Croatia before the European Court of Human Rights
- Representing **Chile** before the ICJ in its case with Peru concerning their maritime boundary
- Representing **Belize** in advisory opinion proceedings before the ICJ on whether the decolonisation of Mauritius was lawfully completed under international law
- Representing **Liechtenstein** in its case against Germany before the ICJ concerning assets taken from Liechtenstein at the end of the Second World War
- Representing **Bahrain** against Qatar before the ICJ in their dispute concerning sovereignty over territory and boundaries
- Advising **Slovenia** on a standing basis on issues of State succession
- Advising **multiple States** on disputed sovereignty over islands
- Advising **numerous States** on a standing basis on public international law issues as they arise

Members of our team have also been counsel or legal advisers to the following States prior to joining Freshfields

- **Slovenia** in its arbitration with Croatia concerning their maritime and land boundaries
- **Myanmar** in its maritime boundary delimitation case with Bangladesh before ITLOS
- **Kosovo** in the advisory proceedings before the ICJ concerning its unilateral declaration of independence
- **Argentina** in its international environmental law dispute with Uruguay before the ICJ, concerning the River Uruguay
- **Romania** in a dispute before the ICJ with Ukraine concerning maritime delimitation in the Black Sea
- **Iran** in three inter-State disputes (Cases B1, B61 and A15) arising before the Iran-US Claims Tribunal
- **Iran** in its dispute with the United States before the ICJ concerning the use of armed force in the Gulf
- A **South-East Asian State and its national oil company** on the negotiated resolution of a maritime boundary and associated commercial arrangements
- An **Asian State** in an inter-State arbitration concerning sovereignty over islands
- A **G20 State** on international criminal responsibility for the conduct of its armed forces during military operations
- A **G20 State** on the protection and management of underwater cultural heritage

Our experience

Selected examples of advice to private companies and international organisations on public international law issues

- Advising an **international oil company** on the impact of EU and UK sanctions against Russian and Ukrainian individuals
- Advising an **international telecommunications company** on international law issues arising out of State succession, including questions of acquired rights
- Advising the **European Bank for Reconstruction and Development** on a boundary dispute between one of its borrowers and a neighbouring State
- Advising Germany's largest cargo container shipping line **Hapag-Lloyd AG** on its purchase of the United Arab Shipping Company, which was founded by multilateral treaty in 1976
- Advising **international oil companies** on the status under international law of cross-border and disputed-border hydrocarbon deposits

Selected cases between States and private entities involving public international law

- Representing the **Republic of South Africa** when foreign investors claimed that implementation of its Black Economic Empowerment policies in the mining sector contravened investment treaties
- Representing the **Republic of Turkey** in three arbitrations commenced by a foreign investor under the Energy Charter Treaty, and in related proceedings before the European Court of Human Rights
- Representing the **Republic of Latvia** in an arbitration brought by an Estonian investor under the Latvia-Estonia BIT concerning the conduct of various Latvian government and judicial bodies
- Representing a **Southeast Asian State** in an UNCITRAL investor-State arbitration brought by an individual and associated company with regard to an alleged confiscation of real estate and other assets
- Representing the **State of Ukraine** in an SCC arbitration defending claims under international law and domestic law by an investor in relation to offshore oil and gas deposits in Crimea
- Representing a **Middle Eastern State** in the first ever BIT case brought against it, concerning the scope of BIT protections in the context of a GSM telecoms licence tender process
- Representing **East Mediterranean Gas** and its German, Polish and US shareholders in four arbitrations against the Republic of Egypt and Egyptian State-owned entities concerning the cessation of gas supply from Egypt to Israel during the Arab Spring

Selected pro-bono work

- Assisting **REDRESS** with three amicus curiae submissions before the International Criminal Court concerning the charging of rape and sexual slavery as torture, and reparations for international crimes committed in the Democratic Republic of Congo and the Central African Republic
- Advising the **International Federation of Red Cross and Red Crescent Societies** on issues of public international law
- Assisting the **Human Dignity Trust** regarding claims before the Inter-American Commission on Human Rights
- Filing complaints with the **United Nations Human Rights Committee** on behalf of two human rights defenders from a Central Asian State concerning violations of the International Covenant on Civil and Political Rights
- Advising an **international NGO** providing advice to small and developing States on the negotiation of a multilateral environmental treaty
- Advising **international NGOs** on the application of international and regional sanctions regimes

Freshfields has a consistently top ranked public international law practice

Freshfields has been ranked as “Band 1” every year for public international law by Chambers Global.



Heavily involved in state-to-state disputes, with substantial expertise in boundary delimitation, sovereignty disputes and state immunity.

Chambers Global, 2019, PIL



They are fantastic to work with and have a super team of young lawyers who do spectacular work.

Chambers Global, 2019, PIL



The group continues to be considered a '*truly outstanding firm*' and a '*strong force*' in the PIL field.

Chambers Global, 2018, PIL



A public international law practice that is '*outstanding in legal precision and sophistication*'.

Legal 500 Europe, 2017



Freshfields are of the highest quality and they are very good both on the substance and on the efficient running of the case.

Chambers Global, 2017, PIL



Enjoys a first-class reputation noted for its experience in state-to-state disputes.

Chambers Global, 2016, PIL

Key contacts



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Ben is the global head of Freshfields' public international law practice. He has been counsel for a broad range of states, corporations, international organisations and individuals before the ICJ, ITLOS, European Court of Human Rights and international arbitral tribunals. He teaches an annual course of seminars on international dispute settlement at the University of Paris Descartes and has published widely on issues of international law.



Will Thomas

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Will specialises in public international law, investment arbitration and international commercial arbitration involving States and State-owned entities. He is a visiting lecturer at King's College, London and Sciences Po, Paris.



[A] popular choice for public international law disputes ... One client reported: 'He is a pleasure to deal with. He is exceptionally smart, quick to get on top of a brief, and then launches in with determination'

Chambers Global, 2019, PIL

Global head of PIL Ben Juratowitch QC enjoys a strong reputation for his broad-ranging PIL work, covering sovereignty, boundary issues, human rights cases and investment disputes. One impressed source enthused that 'he is an extremely serious, extremely capable, first-class lawyer' who has 'a very good sense of working in a team'

Chambers Global, 2018, PIL

'The best advocate I have come across in my career'; 'he understood perfectly what the tribunal was asking and gave precise and very intelligent answers on legal issues'

Who's Who Legal, 2018

Clients highlight Ben Juratowitch QC as 'thorough, strategic, innovative and clear in his thinking and advice'. He is head of the public international law practice and as such is highly experienced in matters such as sovereignty over territory, maritime boundary delimitation and cross-border maritime pollution

Chambers France, 2017



Will Thomas is well versed in representing clients in significant investor-state and state-to-state disputes, including cases before the ICJ and the ECHR. Sources describe him as 'excellent – a good advocate as well as being very sound in his judgement of running cases'

Chambers UK, 2019, PIL

'He is very intelligent, can pinpoint key issues and is excellent in cross-examination'

Chambers Global, 2018, Investor-State Arbitration

'An excellent lawyer ... a proper PIL specialist'

Chambers Global, 2017, PIL

London-based Will Thomas is active across the PIL sphere, representing both states and corporations in investment treaty arbitrations as well as advising on boundary disputes, sanctions and human rights matters. One commentator highlighted his 'profound international law knowledge and very client-friendly approach'

Chambers Global, 2019

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