

## Brendan Plant

CALL: 2019 (ENGLAND AND WALES); 2004 (SOLICITOR, AUSTRALIA)

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Languages: Italian (conversational); French (conversational); Spanish (conversational)



### Overview

Brendan has a broad practice covering all aspects of public international law and commercial arbitration. He has advised states, NGOs and private entities on a wide range of issues, including territorial sovereignty and land boundaries, maritime delimitation and the law of the sea, international environmental law, international investment protection, immunities, sanctions, the law of treaties, human rights, refugee law, and international cultural heritage law. He also has experience in contentious commercial matters. Brendan has acted in cases before a variety of international courts and tribunals, including the International Court of Justice, the European Court of Human Rights, the African Commission on Human and Peoples' Rights, the UN Committee Against Torture, and the East African Court of Justice. He has also acted in cases before national courts, including the UK Supreme Court and the High Court of Australia.

He was previously an academic research panelist at Blackstone Chambers (2015–2021), where he assisted on questions concerning human rights and refugee law, media law, privacy and data protection, and he has practised at major law firms in Sydney and London. He has also held research fellowships at a number of institutions, including the British Institute of International and Comparative Law.

Brendan is co-author of *Evidence before the International Justice* (2009, *BIICL*), and author of *Effectiveness and the Adjudication of Territorial Disputes* (forthcoming, *Oxford University Press*). He teaches international law and contract law at the University of

### Publications

#### Books

- *Effectiveness and the Adjudication of International Territorial Disputes*, Oxford University Press, forthcoming (2022).
- *International Legal Positivism in a Post-Modern World* (assistant editor; with J Kammerhofer & J d'Aspremont (eds)), Cambridge University Press, 2014.
- *Evidence before the International Court of Justice* (with Anna Riddell), British Institute of International and Comparative Law, 2009, 420pp.

#### Articles and book chapters

- 'Acquisition of State Territory' (with Malcolm Shaw and Sam Wordsworth), in *Greenwood and Sarooshi* (eds), *Oppenheim's International Law: Peace* (10th edition) (awaiting publication, 2022).
- 'Proof, ICJ', *Max Planck Encyclopedia of International Procedural Law* (awaiting publication, 2022).
- 'Expert Evidence and the Challenge of

Cambridge, and has lectured on all aspects of public international law at universities around the world.

## Education

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- University of Cambridge: Doctor of Philosophy (2014)
- London School of Economics and Political Science: MSc in Human Rights with Merit (2006)
- College of Law, Sydney: Graduate Diploma of Legal Practice (2004)
- University of Sydney: Bachelor of Laws with First Class Honours (2003)
- University of Sydney: Bachelor of Economics (Social Sciences) with Honours in Government (2002)

## Major awards / prizes / scholarships

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- Awarded the 2015 Yorke Prize by the University of Cambridge Faculty of Law for a PhD dissertation of “exceptional quality... which makes a substantial contribution to its field of legal knowledge”.
- Winner of Max Planck Encyclopedia of Public International Law Prize 2014.
- Recipient of Squire Studentship and Yorke Grant from the University of Cambridge (2008–11).
- Cambridge Trust Extraordinary Bursary (2009/10).
- DAAD Academic Research Grant (2011).
- Chevening Scholarship (2005/06).

Procedural Reform in International Dispute Settlement’, *Journal of International Dispute Settlement* (2018).

## Case notes

- ‘Note on Arbitral Award of 3 October 1899 (*Guyana v Venezuela*) (Decision on Jurisdiction) (ICJ)’ (2021) 60 *International Legal Materials* 1112.
- ‘Sovereignty, Science and Cetaceans: the Whaling Case before the ICJ’ (2015) 74 *Cambridge Law Journal* 40.
- ‘*Cadder v Her Majesty’s Advocate* (Scotland)’ [2011] *Oxford Reports on International Law*, ILDC 1614.
- ‘International Court of Justice: Application of the Convention on the Prevention and Punishment of the Crime of Genocide (*Bosnia and Herzegovina v Serbia and Montenegro*)’, *Bulletin of International Legal Developments*, (2007), Issue 5, p.57.

## Blog posts

- ‘[The Dispute between Guyana and Venezuela over the Essequibo Region](#)’, 11 April 2018, *EJIL:Talk!* Blog.

## Professional memberships

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- Associate Professor and Director of Studies in Law, Downing College, University of Cambridge.
- Fellow, Lauterpacht Centre for International Law, University of Cambridge.

## Lectures and presentations

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- ‘Continuing Challenges in Enforcement of the 2016 Arbitral Award on the South China/West Philippine Sea’, Philippine Bar Association, 30 April 2021.
- ‘International Investment Law and the Law of Treaties’, Jilin University, March–April 2021.
- ‘International Law Governing Forcible Actions’, NATO Defense College, 12 March 2020.
- ‘Non-forcible Means of Changing the Territorial Status Quo’, Conference on ‘The Use of Force in Relation to Sovereignty Disputes over Land Territory’, British Institute of International and Comparative Law, 27 March 2018.
- ‘Satellite Evidence in International Litigation’, Workshop on ‘Regulatory Uses of Satellite Data on Land and at Sea’, Oxford Martin School, University of Oxford, 26 March 2018.

- 'Prospects for Reforming the Use of Expert Evidence in International Dispute Settlement', paper given at symposium on 'The Expert in the International Adjudicative Process', Max Planck Institute for Procedural Law, Luxembourg, 27-28 April 2017.
- 'The "Standard of Review" in the Whaling in the Antarctic Case', Queen Mary University of London, 23 September 2016.
- 'The Treatment of Evidence by the ICJ in Boundary and Territorial Disputes', International Boundaries Research Unit Training Workshop, 16 April 2012.

A full list is available upon request.

## Key cases

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- *Application for Revision of the 2008 Judgment in the Case concerning Sovereignty over Pedra Branca/Pulau Batu Puteh (Malaysia v Singapore)*, International Court of Justice, 2016-18.
- *Request for Interpretation of the 2008 Judgment in the Case concerning Sovereignty over Pedra Branca/Pulau Batu Puteh (Malaysia v Singapore)*, International Court of Justice, 2016-18.
- *R (Bashir and others) v Secretary of State for the Home Department* [2018] UKSC 45 (UK Supreme Court).
- *DRJ & others v Commissioner of Victims Rights* [2021], High Court of Australia.
- *Communication on behalf of Various Victims, UN Committee Against Torture* [2022].
- Advised WWF in relation to a claim involving questions of international environmental law, protection of cultural heritage and human rights before the East African Court of Justice (2019).
- Advised Greenpeace International and Amnesty International in relation to litigation in multiple jurisdictions concerning serious breaches of human rights and international environmental law (2011-12).
- Acted for a private client in a complaint to the African Commission of Human and People's Rights concerning questions of territorial sovereignty and human rights (2017).