

Guglielmo Verdirame QC

SILK: 2019 | CALL: 2006

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Languages: Italian (fluent); French (proficient); German (proficient);
Modern Hebrew (conversational)



Overview

Guglielmo acts as counsel in cases before English courts, international courts and tribunals. His cases have involved the full breadth of public international law including investment law, treaty interpretation, immunities and privileges, trade, human rights, law of armed conflict and national security, and boundary disputes.

He has an extensive practice in investment treaty arbitration. He is currently instructed, as lead counsel or co-counsel, for investors and states in several cases under the Energy Charter Treaty as well as Bilateral Investment Treaties (see list below).

Until taking silk, Guglielmo sat as a member of the UK Attorney General's A Panel of Counsel in Public International Law. He has appeared for the UK Government before the International Court of Justice (ICJ), UK Supreme Court and Court of Appeal in some of the leading PIL disputes.

[Privacy notice](#)

Education

- 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

Publications

- Joint editor of *Debating Concepts on International Law in Europe and the United States* (Cambridge University Press, forthcoming).
- Joint editor of *The Routledge Handbook of War, Law and Technology* (Routledge, 2019).
- 'Costs in Investment Treaty Arbitration' in C Giorgetti (ed), *Litigating International Investment Disputes* (Brill-Nijhoff 2014) (co-author).
- *Who Guards the Guardians? UN Accountability for Human Rights Violations* (Cambridge University Press, 2011), Winner Winner of the Biennial ACUNS Book Award

Professional memberships

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

Lectures/talks (Recent)

- Humanitarian Organisations and Public International Law': Carabinieri Officers Academy, Rome (27 October 2017).
- 'Universal Values and Ordinary Virtues': speech at launch of Michael Ignatieff's Ordinary Virtues, King's College London (29 September 2017).
- 'Immunities and Special Missions': International Bar Association - Annual Conference 'The World in Crisis', The Hague (4 February 2017).
- 'The Twilight of Human Rights Law? A Response to Eric Posner': Seminar on 'Human Rights and Development', Yeoh Tiong Lay Centre for Politics, Philosophy and Law, King's College London (28 October 2016).
- 'Nagorno-Karabakh: Impasses and Opportunities for Settlement (An International Law Perspective)': Keynote Address, Conference on Identity and Politics in Azerbaijan, School of Oriental and African Studies, London (18 October 2016).

Example cases

English courts

- *Miller v Secretary of State for Exiting the European Union* [2017] UKSC 5: counsel for the Secretary of State in the case on the limits of prerogative powers to begin the withdrawal of the UK from the EU (the "Article 50" case). The Supreme Court found against the government.
- *Freedom and Justice Party and others v Foreign and Commonwealth Office and Director of Public Prosecutions* [2016] EWHC 2010 (Admin); [2018] EWCA Civ 1719: counsel to the Foreign and Commonwealth Office (FCO) in a case concerning immunities of members of special missions. The High Court found in favour of the FCO, and the Court of Appeal upheld the judgment.
- *In the matter of Boris Becker* (2018): counsel to the trustees in bankruptcy in the case concerning Mr Becker's assertion of immunity on the basis of his alleged appointment as a diplomat of the Central African Republic. Mr Becker conceded the case shortly before the hearing.

Inter-state disputes

- Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (*Marshall Islands v United Kingdom*) International Court of Justice: counsel to the United Kingdom in a case concerning the UK's compliance with the Nuclear Non-Proliferation Treaty. The UK won at the preliminary stage.
- The "Enrica Lexie" Incident (*Italy v India*) International Tribunal for the Law of the Sea/Permanent Court of Arbitration: counsel to the Italian Republic in a case about the rules of international law governing the exercise of jurisdiction over Italian officials following an incident in the high seas. The case is pending.

Investor-state disputes

- *Oleg Deripaska v Montenegro* Permanent Court of Arbitration Case No 2017-07: lead counsel to the investor in a claim for breach of expropriation and fair and equitable treatment in respect of the biggest foreign investment in Montenegro. The case is pending.
- *Iskandar Safa and Akram Safa v Hellenic Republic* ICSID Case No ARB/16/20: lead counsel to the Hellenic Republic in a claim for breach of investment treaty standards in relation to the naval shipyards in Greece. The case is pending.
- *Gilward Investments BV v Ukraine* ICSID Case No ARB/15/33: counsel to the Republic of Ukraine in a claim for breach of a bilateral investment treaty in relation to investments in the aviation sector. The case is pending.
- *Littop Enterprises Ltd et al v Ukraine* SCC Arbitration V 2015/092: counsel to the Republic of Ukraine in a multi-billion US\$ claim under the Energy Charter Treaty. The case is pending.
- *Cortec Mining Kenya Ltd, Cortec (Pty) Ltd and Stirling Capital Ltd v Republic of Kenya* ICSID Case No ARB/15/29: lead counsel to the Republic of Kenya in a claim for \$2 billion brought by investors in the mining sector. The tribunal dismissed all claims and awarded partial costs to Kenya.

Investment arbitrations

Representative selection of recent/current work (2016-2019)

- *ČEZ, a.s. v Republic of Bulgaria* (ICSID Case No. ARB/16/24) – Counsel to the Claimant.
- *Cortec Mining Kenya Limited, Cortec (Pty) Limited and Stirling Capital Limited v Republic of Kenya* (ICSID Case No. ARB/15/29) – Counsel to the State.
- *Diag Human SE and Mr. Josef Stava v Czech Republic* (PCA Case No. 2018-20) – Counsel to the Claimant.
- *Gilward Investments B.V. v Ukraine* (ICSID Case No. ARB/15/33) – Counsel to the State.
- *Impresa Pizzarotti & C. S.p.A. v Kingdom of Morocco* (ICSID Case No. ARB/19/14) – Counsel to the Claimant.
- *Iskandar Safa and Akram Safa v Hellenic Republic* (ICSID Case No. ARB/16/20) – Counsel to the State.
- *Littop Enterprises Limited et al. v Ukraine* (SCC Arbitration V 2015/092) – Counsel to the State.
- *Oleg Deripaska v Montenegro* (PCA Case No. 2017-07) – Counsel to the Claimant.
- *Surfeit Harvest Investment Holding Pte Ltd (Singapore) v Republic of China (Taiwan)*, Permanent Court of Arbitration – Counsel to the Claimant.

Representative selection of pre-2016 work

- *Türkiye Petrolleri Anonim Ortaklığı v Republic of Kazakhstan*, ICSID Case No. ARB/11/2 – Counsel to the State.
- *Kardassopoulos and Fuchs v Republic of Georgia*, ICSID Case Nos. ARB/05/18 and ARB/07/15 [Georgia-Greece BIT, Georgia-Israel BIT, and Energy Charter Treaty] – Adviser to the Investor.
- *Foresti and De Carli v Republic of South Africa* (ICSID/ARB/07/01) – Counsel to the Investor.

Other international courts / tribunals

Representative selection of recent/current work (2016-2018)

- *Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v United Kingdom)*, International Court of Justice – Counsel for the United Kingdom, instructed by the Foreign and Commonwealth Office.
- *The “Enrica Lexie” Incident (Italy v India)*, Provisional Measures, International Tribunal for the Law of the Sea – Counsel for the Italian Republic, instructed by the Ministry of Foreign Affairs of the Italian Republic.
- *The “Enrica Lexie” Incident (Italy v India)*, Permanent Court of Arbitration – Counsel for the Italian Republic, instructed by the Ministry of Foreign Affairs of the Italian Republic.

Representative selection of pre-2016 work

- *Exxon Mobil v Russian Federation and Sakhalin Oblast*, UNCITRAL/Stockholm – Counsel for the Russian Federation, instructed by Egorov, Puginsky, Afanasiev.
- *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 – Counsel to the Claimant.
- Adviser to the Government of Laos on multi-jurisdictional enforcement proceedings in *Thai-Lao Lignite (Thailand) Co., LTD and Hongssa Lignite (LAO PDR) Co., Ltd v Government of the Lao People’s Democratic Republic* [Ad Hoc Arbitration under UNICTRAL Rules].
- *Adrian Mutu v Chelsea FC (Court of Arbitration for Sports 2008/A/1644)* – Counsel to the Claimant.

Domestic proceedings

Representative selection of recent/current work (2016-2018)

- *Miller v Secretary of State for Exiting the European Union* (“The Article 50 case”), [2017] UKSC 5, UK Supreme Court – Counsel for the Secretary of State.
- *Yalland & Wilding v Secretary of State for Exiting the European Union* (“The EEA case”), High Court – Counsel for the Secretary of State.
- *Freedom and Justice Party and others v Foreign and Commonwealth Office and Director of Public Prosecutions*, [2016] EWHC 2010 (Admin) – Counsel for the Foreign and Commonwealth Office.
- *Al-Juffali v Estrada*, [2016] EWCA Civ 176 – Counsel for the Foreign and Commonwealth Office.
- *Belhaj v Jack Straw & Others*, Supreme Court of England and Wales (instructed in an advisory role by the Government Legal Department).
- *Ministry of Defense v Serdar Mohammed*, Supreme Court of England and Wales (instructed in an advisory role by the Government Legal Department).
- Case on immunity arising under the Vienna Convention on Diplomatic Relations (instructed by the UK Foreign Office and the Government Legal Department).
- Case on law of armed conflict/national security (instructed by the UK Foreign Office and the Government Legal Department).

Representative selection of pre-2016 work

- *Kumar Lama v R*, [2014] EWCA Crim 1729 (Court of Appeal) – Amicus Curiae appointed by the Attorney General at the request of the Court to provide assistance to the Court on issues of immunity *ratione materiae* of state officials and UN immunity.
- *Republic of Italy et al. v Sotheby’s*, Claim No. HQ09X00180 (High Court of Justice) – Counsel to the Italian Republic (case settled after a mediation and protracted negotiations).
- *R (Al Rawi and others) v Secretary of State for Foreign and Commonwealth Affairs and Secretary of State for the Home Department (United Nations High Commissioner for Refugees intervening)* [2006] EWCA Civ 1279 – Counsel to the Claimant.

Expert / advisory

- Expert Opinion to one of Europe’s largest green energy companies on a large foreign investment.
- Expert Opinion for the global security company G4S on issues of international human rights/corporate social responsibility in relation to its business activities in Israel and the Occupied Palestinian Territories.
- Advice to an African State on boundary issues States.
- Advice to the Republic of Honduras and NYU’s Urbanisation Project on the Establishment of Charter Cities and issues of national sovereignty/territorial integrity.
- Advice for an Asian State on potential proceedings in the International Court of Justice under a human rights treaty (proceedings were not commenced).
- Advice to the Republic of Turkey on certain pieces of EU legislation.

- Advice on litigation strategy in connection to restitution claims brought under Article 1, Protocol I of the ECHR.
- Advice to investors on potential arbitration proceedings under various Bilateral Investment Treaties and the Energy Charter Treaty.
- UN sanctions on Iran (for a bank).
- Sanctions on Zimbabwe (for a bank).
- Re-structuring of assets/investments worth in excess of \$1bn with a view to maximising international legal protection (for a high-net worth Asian businessman).
- Compliance with the laws of war in an internal armed conflict (for a non-state actor).

Arbitral appointments

- International Chamber of Commerce (ICC) – Case No. EXP/410/ICANN/27.
- International Chamber of Commerce (ICC) – Case No. EXP/414/ICANN/31.
- International Chamber of Commerce (ICC) – Case No. EXP/415/ICANN/32.
- London Court of International Arbitration – Arbitration No. UN122272 (commercial dispute – case settled).

Recommendations

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](#)