

# Jonathan Ketcheson

CALL: 2016

✉ [enquiries@twentyessex.com](mailto:enquiries@twentyessex.com)

☎ +44 (0)20 7842 1200



## Overview

Jonathan practises across all Chambers' areas of expertise, including international arbitration, public and private international law, shipping, banking, and commercial law generally. 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 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 (now Judge Crawford of the International Court of Justice) and completed a doctorate on international dispute settlement at the University of Cambridge under Professor Crawford's supervision. Jonathan was also an assistant to the Bahrain Independent Commission of Inquiry.

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## 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 Paporinskis' (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* (with Guglielmo Verdirame QC and Philip Riches) (PCA Case No. 2018-20)
- Acting for the Hellenic Republic in *Iskandar Safa and Akram Safa v Hellenic Republic* (with Guglielmo Verdirame ) (ICSID).
- 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 QC) (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 QC 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 (LMAA 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