

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 particular expertise in state immunity. Philippa advises governments, organisations, corporations and individuals on all aspects of immunity, including immunity from enforcement, diplomatic status, and related concepts such as act of state and non-justiciability.

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. Philippa has also worked as a legal adviser at the ICC.

She is Professor of Public International Law at King's College London. Philippa is also on the editorial boards of the British Yearbook of International Law, Journal of International Criminal Justice, and Leiden Journal of International Law.

Philippa was ranked as a 'Future Leader' in the 2018 and 2019 arbitration list, a 2018 'UK Bar: Rising Star' and a 2019 recommended arbitration junior by Who's Who Legal.

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Publications

- [Oppenheim's International Law: United Nations](#) (Oxford University Press 2017) (co-author).
- '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, Oxford University Press 2015) (co-author with Lady Hazel Fox QC).

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

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)

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

- 'State Responsibility for Modern Slavery: scenarios and avenues for accountability': British Academy Workshop at King's College London (16 November 2018).
- 'The practice of judging': American Society of International Law Annual Meeting, Washington DC (4-7 April 2018).
- 'Dispelling the 3 myths of UN financing': Launch of Oppenheim's International Law: United Nations, Foreign & Commonwealth Office (9 November 2017).
- '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

- *Legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965* (Request for Advisory Opinion): acting as counsel to the UK in advisory proceedings before the ICJ raising issues of decolonisation, self-determination and judicial discretion.
- *Maritime Delimitation in the Indian Ocean (Somalia v Kenya)*: acting as 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.
- *The Enrica Lexie Incident (Italy v India)*: acting as 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.
- *Botas Petroleum Pipeline Corporation v Tepe Insaat Sanayii AS* [2018] UKPC 31: acted as 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).

- *PAO Tatneft v Ukraine* [2018] EWHC 1797 (Comm): acting as 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).
- *Certain Iranian Assets (Islamic Republic of Iran v United States of America)*: acting as counsel in a case before the ICJ concerning the immunity and separate juridical status of Iran and its state-owned companies under the 1955 Treaty of Amity.
- *Alleged violations of the 1955 Treaty of Amity, Economic Relations, and Consular Rights (Islamic Republic of Iran v United States of America)*: acting as counsel in a case before the ICJ concerning the reimposition of sanctions on Iran by the United States announced on 8 May 2018.
- *Reyes v Al-Malki* [2017] UKSC 61: acted as counsel to the intervenor (Kalayaan) in a groundbreaking 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).
- *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: acted as counsel for the appellants in a case concerning special missions immunity and allegations of torture (led by Sudhanshu Swaroop QC).
- Counsel to a State in a case pending before the ICJ concerning treaty obligations and territorial sovereignty.

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 and ITLOS. During her time at the ICJ, she worked on 14 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.

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 and a Board Member of the [Young Public International Law Group](#).

She is Reader (Associate Professor) of Public International Law at King's College London and has published 4 books and more than 35 articles and chapters on international law.

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

- Counsel to a State in a case pending before the ICJ concerning treaty obligations and territorial sovereignty.
- [Legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965 \(Request for an Advisory Opinion\)](#) - Counsel to the United Kingdom. Hearings expected in 2018.
- [Maritime Delimitation in the Indian Ocean \(Somalia v. Kenya\)](#) - Counsel to the Republic of Kenya. Hearings on preliminary objections to jurisdiction were held in September 2016. Pending before the International Court of Justice.
- [ITLOS Case No. 24 The "Enrica Lexie" Incident \(Italy v. India\)](#) - Counsel to the Italian Republic. The Tribunal held hearings on provisional measures requested by Italy in August 2015 and issued its order the same month.
- [PCA Case No. 2015-28: The "Enrica Lexie" Incident \(Italy v. India\)](#) - Counsel to the Italian Republic. The Annex VII Arbitral Tribunal held a hearing to consider Italy's request for the prescription of provisional measures on 30 and 31 March 2016. The Arbitral Tribunal adopted its order in respect of Italy's request on 29 April 2016.
- Counsel to a State in a case pending before the ICJ concerning treaty obligations and immunities.
- Advising a State on a potential Application to the ICJ.
- Advising the FCO on an international matter (confidential).
- Advising a corporation on act of state and non-justiciability in a case before the English courts.
- Advised a corporation on the immunity of state-owned enterprises in a case pending before the Privy Council.
- Advised an individual on the nature and scope of diplomatic immunity in civil proceedings before the English courts.
- Advised a state on a territorial boundary dispute and various options for dispute settlement.

Human rights

Philippa acts and advises in relation to a wide range of human rights issues. She also worked on cases involving human rights issues at the International Court of Justice and 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](#). She is on the [Bar Panel of Human Dignity Trust](#).

Her recent experience includes:

- Counsel to a claimant before the United Nations Human Rights Committee.
- Advisory to an indigenous group on their legal claims and rights.
- 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
- [The Freedom and Justice Party & Ors, R \(On the Application Of\) v Secretary of State for Foreign and Commonwealth Affairs & Anor](#) [2016] EWHC 2010 (Admin) (05 August 2016) – instructed for the Court of Appeal proceeding in 2018. The case concerns 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.
- *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.
- *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 was ranked as a [‘Future Leader’](#) in the 2018 arbitration list by Who’s Who Legal.

Philippa has experience with inter-state litigation. She is interested in gaining experience in investment treaty arbitrations, under the ICSID and UNCITRAL Rules.

- 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. The Annex VII Arbitral Tribunal held a hearing to consider Italy’s request for the prescription of provisional measures on 30 and 31 March 2016. The Arbitral Tribunal adopted its order in respect of Italy’s request on 29 April 2016.

Recommendations

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](#)