Jonathan Worboys



Call: 2010

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Jonathan is a leading junior, with a practice spanning all aspects of public, commercial and international law. He acts in judicial reviews, regulatory appeals, jurisdiction challenges, sanctions, national security, competition, procurement and subsidy control cases before all levels of the English courts (High Court, Court of Appeal and Supreme Court) and before specialist domestic tribunals (Investigatory Powers Tribunal, Special Immigration Appeals Commission). He also acts in cases before international courts and tribunals (International Court of Justice, International Criminal Court, European Court of Human Rights) and the courts of British Overseas Territories.

Jonathan has been shortlisted twice for International Law Junior of the Year at the Legal 500 Bar Awards. He is described in the legal directories as "*practical and commercial*", a "*polished advocate*", "*proactive, responsive and easy to work with*" and "*a star in the making*". He is particularly well-known for his human rights and national security work.

> ***Clear and pragmatic***
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Current and recent cases include: (i) acting for Ofgem in the successful defence of a Competition and Markets Authority appeal concerning a proposed modification to the Connection and Use of System Code governing electricity charging (*CMP344*); (ii) acting for UK Government departments in sanctions challenges under the Russia and Iran Regulations, including those brought by way of judicial review (e.g. *Zhao Yao Shipping Limited ("The Smyrtos") v Secretary of State for Transport and others)*; (iii) acting for the Government in litigation concerning the seizure of Special Advocates' material and the application of CPR 31.22 to Special Advocates (*Al-Libi v Home Office and others)*; (iv) acting for the Chancellor of the Duchy of Lancaster in cases concerning forced divestment under the National Security and Investment Act 2021 (*FTDI Holdings Limited v Chancellor of the Duchy of Lancaster)*; and (v) acting in cases raising questions of international law and British Overseas Territories law, including in respect of the Chagos Archipelago (*negotiating the UK-Mauritius treaty)*, extradition warrants (*Abraham v Secretary of State for Foreign, Commonwealth and Development Affairs)*, the application of Article 6 ECHR to consular decisions (*(C3) v Secretary of State for Foreign, Commonwealth and Development Affairs)* and the arms trade (*Al-Haq v Secretary of State for Business and Trade)*.

In 2024, Jonathan was appointed as Constitutional Counsel to the Overseas Territories Department at the Foreign, Commonwealth and Development Office, to advise the Secretary of State on disallowance procedures in the British Overseas Territories. He is on the Attorney General's B Panel of civil and public international law counsel. He commenced practice at the Bar in 2015 following several years working for Public International Law & Policy Group in Washington DC and WilmerHale in London.

Expertise

Sanctions

Jonathan has an established sanctions practice covering s. 38 SAMLA challenges to designations and OFSI licensing decisions, advice on corporate transactions and cases concerning penalties for trade sanctions breaches. He also has experience in sanctions cases raising questions of insolvency.

Zhao Yao Shipping Limited ("The Smyrtos") v Secretary of State for Transport and others

S. 38 SAMLA claim and parallel judicial review.

Paramount Energy and Commodities DMCC, Paramount Energy and Commodities SA and Neils Oscar Troost v Secretary of State for Foreign, Commonwealth and Development Affairs

S. 38 SAMLA challenge in respect of the designation of two entities and one individual for carrying on business in the Russian energy sector.

Evtushenkova v Secretary of State for Foreign, Commonwealth and Development Affairs

S. 38 SAMLA challenge to designation.

Advisory work

Acting for Office of Trade Sanctions Implementation in various sanctions enforcement and compliance cases.

Advisory work

Acting for a bank on several sanctions-related questions in respect of a US$2bn bond issuance.

Achievements

Appointments

Attorney General B Panel of Counsel

Attorney General C Panel of Public International Law Counsel

Constitutional Counsel to the Overseas Territories Department at the Foreign, Commonwealth and Development Office

Senior Legal Adviser, Public International Law & Policy Group.

Education

- Bachelor of Civil Law, University of Oxford (2011).
- Bachelor of Laws, King's College London (First Class Honours) (2009) (Russian Law prize).

Publications

Book Chapters

- *The Interpretation and Application of Peace Agreements,* International Law and Peace Settlements (Cambridge University Press) (forthcoming).
- *Elections and Electoral Law,* Handbook on Post-Conflict State Building (Edward Elgar Publishing) (forthcoming).

Law Journal

- *Decision Pursuant to Article 15 of the Rome Statute on the Authorisation of an Investigation into the Situation in the Islamic Republic of Afghanistan (29(2) ILM, 280 – 301 (2020))*.
- *Reflections on a Potential Peace Treaty for the Korean Peninsula* YJIL Forum (August 2018) (co-authored).
- *Belhaj v. Straw (Eng. Wales Ct. App.)* (54(6) ILM, 1069 – 1114 (2015)).
- *Report on the Protection of Civilians in the Non-International Armed Conflict in Iraq: UNHRC Res S-22/1; UNSCRs 2170 and 2178* (54(2) ILM 306 – 346 (2015)).
- Book Review: *Customary International Law in Times of Fundamental Change* (25 (2) KLJ (2014)).
- *Preventing Mass Atrocity Crimes: The Responsibility to Protect and the Syria Crisis,* 45 (1 and 2) CWRJIL (2012) (co-authored)).

Policy Articles and Op-Eds

- *The Legal Case for Using Force to Prevent a Government from Employing Chemical Weapons to Commit Mass Atrocities*, The Atlantic Council, Sept. 2012 (co-authored).
- *Chemical Red Lines on Syria*, Foreign Policy, Dec. 2012 (co-authored).
- *Preventing Atrocity Crimes*, The Atlantic Council, Sept. 2012 (co-authored).

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