

Jonathan Worboys

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Jonathan is recognised as a leading junior, with a practice spanning all areas of public, commercial and international law. He is regularly instructed in high-profile and significant cases, often at the intersection of private, public and international areas of law. Jonathan has a particular focus on disputes with an international dimension. He has been nominated for 'International Law Junior of the year' previously at the Legal 500 Bar Awards.

Jonathan's clients are wide-ranging and include States (seven different States in the last eight years), UK Government departments (e.g. Foreign, Commonwealth and Development Office, Department for Business and Trade, Chancellor of the Duchy of Lancaster), businesses and multinational corporations, high-net worth individuals, NGOs, civil society groups and international organizations (multinational development banks and specialised agencies of international organizations). Jonathan appears as sole counsel and as part of a team before domestic and international courts and tribunals.



***Thoroughly modern
lawyer***

CHAMBERS & PARTNERS

Jonathan has experience acting in cases before a variety of courts and tribunals, including: all levels of the English courts (High Court; Court of Appeal; Supreme Court); the courts of British Overseas Territories; specialist domestic tribunals (Special Immigration Appeals Commission, Investigatory Powers Tribunal); international arbitration tribunals; the International Court of Justice; the International Tribunal for the Law of the Sea; the European Court of Human Rights; the International Criminal Court; internationalised tribunals such as the Kosovo Specialist Chambers. He also has experience working on cases before UN Special Procedures (UN Working Group on Arbitrary Detention; UN Special Rapporteurs; UN Working Group on Enforced Disappearances) and the UN Human Rights Council (e.g. during Universal Periodic Reviews). He appears in a range of public, commercial and international law cases, including commercial judicial reviews, jurisdiction challenges and inter-State disputes.

Recent examples of Jonathan's practice include:

- *R (C3) v State for Foreign, Commonwealth and Development Affairs* (Syria consular assistance and repatriation; applicability of Article 6 ECHR to consular decisions; acting for the Secretary of State for Foreign, Commonwealth and Development Affairs);
- *R (Al-Haq) v Secretary of State for Business and Trade* (exports in the Gaza conflict, the Lawyer Top 20 Cases 2025; acting for the Secretary of State for Business and Trade);
- *R (FTDIHL Holdings Limited) v Chancellor of the Duchy of Lancaster* (divestment under the National Security and Investment Act 2021);
- *Ferguson and others v United Kingdom* (same sex marriage rights in Bermuda; acting for the UK before the European Court of Human Rights);
- *Viegas and others v Cutrale* and *Fundao Group Litigation* (competition group action; anti-suit injunctions in the context of group litigation);
- *Chagos Archipelago* (acting for the UK and Secretary of State for Foreign, Commonwealth and Development Affairs in litigation and negotiations concerning the Chagos Archipelago, from 2015-present);
- *Grand Ethiopian Renaissance Dam* (acting for the Government of Sudan in respect of its dispute with the Government of Ethiopia relating to the GERD dam).

Jonathan commenced practice at the Bar in 2015. Prior to this, he worked as a consultant in international law and in the arbitration team at WilmerHale, London. He was also a Visiting Lecturer at King's College London. 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 is also a Senior Legal Adviser at the Public International Law & Policy Group in Washington DC.

Expertise

Public International

Jonathan has a broad public international law practice with cases ranging from State immunity in the employment context to trade licences, inter-State negotiations and armed conflicts. Jonathan has particular expertise in cases concerning international law in the domestic courts and cases relating to foreign policy. He is ranked in Legal 500, Chambers Bar and Chambers Global for public international law.

Chagos Request for an Advisory Opinion (International Court of Justice)

counsel for the United Kingdom.

Prosecutor v. Dominic Ongwen (International Criminal Court Appeals Chambers)

counsel appearing on whether the ICC's procedural and statutory framework allows for the shifting the burden of proof to the defence in cases of mental incapacity;

Specialist Prosecutor v. Gucati and Haradinaj (Kosovo Specialist Chambers)

co-counsel for Mr Haradinaj in one of the first cases before the KSC. Delivered opening speech for Mr Haradinaj; appeared as counsel before the court during Gucati defence and examined all Gucati defence witnesses; examined two Prosecution witnesses that were recalled.

Prosecutor v. Bosco Ntaganda (International Criminal Court Appeals Chambers)

counsel appearing on the meaning of "attacks" in Article 8(2)(e)(iv) of the Rome Statute;

Decision Pursuant to Article 15 of the Rome statute on the Authorisation of an Investigation into the Situation in Bangladesh/Myanmar (International Criminal Court)

investigation into crimes against the Rohingya cited more than 20 times in the Court's decision and more than 50 times by the Prosecutor in her request to commence an investigation.

Lazareva v Kuwait, ICSID Case No. UNCT/19/1

investment claim arising out of a series of measures by Kuwaiti authorities, including unsubstantiated charges against the claimant, her harassment and improper detention);

Micula & Others v Romania (Commercial Court; Court of Appeal; Supreme Court)

junior counsel for the First Claimant in enforcement proceedings arising out of the Award in ICSID Case No. ARB/05/20 (led by Sir Alan Dashwood KC and Patrick Green KC);

Advising a State in respect of a series of potential investment treaty disputes

(details confidential).

An individual v a European State

advising on the extra-territorial application of Article 5 ECHR (led by Cherie Blair CBE KC);

R (C3) v State for Foreign, Commonwealth and Development Affairs

(Syria consular assistance and repatriation; acting for the Secretary of State for Foreign, Commonwealth and Development Affairs);

R (Al-Haq) v Secretary of State for Business and Trade (exports in the Gaza conflict, the Lawyer Top 20 Cases 2025);

A v State B (Commercial Court)

acting for a claimant in relation to a \$25m arbitration enforcement. Issues of State immunity and service (sole counsel).

Ferguson and others v United Kingdom (ECtHR)

acting for the United Kingdom in respect of alleged breaches of Articles 9 and 12, read alone or together with Article 14 arising out of the Bermuda Domestic Partnership Act 2018 (led by Jessica Wells, with Tom Cross and Jackie McArthur);

Bytyqi v Republic of Serbia

advising the family of three American-Kosovan Albanians killed by Serbian police in a proposed claim to the European Court of Human Rights for breach of the investigative duty under Article 2 ECHR.

R (Alhoubi) v Secretary of State for Foreign, Commonwealth and Development Affairs and others

(challenge to Government policy in respect of providing diplomatic assistance to student dependants to depart Gaza);

Evtushenkova v Secretary of State for Foreign, Commonwealth and Development Affairs (Court review challenge to sanctions designations)

acting for the Secretary of State (Led by David Blundell KC);

Lorenzo v Spain

case concerning a declaration of incompatibility under the Human Rights Act in respect of s. 4(2)(a) State Immunity Act 1978. Acting for the Secretary of State.

Bancoult (No 5) and Chagossian Committee Seychelles v Secretary of State for Foreign and Commonwealth Affairs

counsel acting for the Foreign, Commonwealth and Development Office in judicial review proceedings arising out of United Kingdom policy regarding the British Indian Ocean Territory;

EU Withdrawal

advising and acting for the Foreign, Commonwealth and Development Office and other United Kingdom government departments (including MOJ and DEFRA) on legal issues arising out of the United Kingdom's withdrawal from the European Union (2017 to 2021);

Maritime boundary delimitations

acting for a government in two maritime boundary delimitations;

IHL

advising a State on inter-State international humanitarian law obligations;

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

claim in respect of alleged failures arising out of consular assistance. Acting for the Secretary of State.

Cyprus Colonial litigation

junior counsel for the Foreign, Commonwealth and Development Office in claims relating to alleged historic abuse arising out of the Cyprus Emergency in the 1950s.

Treaty law

acting for and advising various United Kingdom government departments on treaty issues relating to approximately 50+ treaties. Issues advised on have included questions relating to form and substance, termination, suspension, revival, reservations and declaration, entry into force, State succession, territorial application and dispute resolution;

Constitutional negotiations

advising and acting for the United Kingdom in constitutional negotiations between the Government of St Helena and the United Kingdom;

International Air Services Agreement

legal counsel/legal advisor to a State during negotiations for an air services agreement;

Law of the sea

advising and acting for the United Kingdom in respect of a range of law of the sea issues (details confidential);

Immunities

advising an international organization on immunity issues arising out of its operations (sole counsel);

A Permanent Mission of a State to the WTO

adviser to the Permanent Mission of a State to the World Trade Organization and other economic institutions;

The Ministry of Justice of Government B

counsel to the Ministry of Justice of Government of B in respect of a series of extradition requests concerning international crimes;

The Ministry of Justice of Government D

advising the Ministry of Justice of Government D on accession to the Rome Statute to the International Criminal Court;

Yemen's peace process

advising parties to Yemen's peace process on transition issues, including state structure, constitutional drafting processes and UN engagement (2018 – 2020);

Environmental treaty ratification

advising a group of States on ratifying a protocol to a multilateral environmental treaty;

Customs Cooperation and Mutual Administration Assistance Agreements

advising HMRC on questions relating to customs related issues and CCMAAs with third countries (sole counsel);

The Ministry of Justice of the Government of A

counsel to the Ministry of Justice of Government of A in an international investigation into alleged international crimes;

The Ministry of Justice of Government C

advising the Ministry of Justice of Government C on the establishment of transitional justice mechanisms and cooperation with the International Criminal Court;

Sudan's peace process

advising Sudan's peace process on legal and process related issues including ceasefires, accountability mechanisms and resource sharing (2019 – 2020);

Syria's peace process

advising members of the Syrian opposition during Geneva peace negotiations and the UN led Constitution drafting processes with the Government of Syria (2016 – 2020).

UNCLOS: fit for purpose in the 21st Century? (2021)

contributing to evidence for the Foreign, Commonwealth and Development Office.

Marsha Lazareva v Kuwait (human rights complaints)

counsel to Marsha Lazareva in her human rights complaints against Kuwait. Marsha Lazareva is a Russian national and businesswoman who is detained in Kuwait on charges of embezzlement. Complaints submitted to the UN Working Group on Working Group on Arbitrary Detention, Special Rapporteurs, UN Reprisals mechanisms and engagement with the UN through the Universal Periodic Review (led by Cherie Blair CBE, KC);

UN Special Procedures

advising States and individuals in respect of numerous complaints before UN Special procedures.

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).

UN Human Rights Council

adviser to the Permanent Mission of Sierra Leone to the UN Human Rights Council. Attended the 23rd, 24th and 27th sessions of the UN Human Rights Council as a member of Sierra Leone's delegation;

Universal Periodic Review

strategic and legal advice to a State in respect of various aspects of its Human Rights Council Universal Periodic Review;

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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