Public international law
Freshfields acts as counsel for and advises States, corporations, international organisations, individuals and non-governmental organisations across the full spectrum of public international law.

Freshfields has acted as counsel in cases before all major international courts and tribunals, including the International Court of Justice, the International Tribunal for the Law of the Sea, inter-State arbitral tribunals constituted under the auspices of the Permanent Court of Arbitration, the European Court of Justice, the European Court of Human Rights, and many different specialized courts, tribunals and commissions.

Freshfields also has an active advisory practice, evaluating risks and opportunities presented by issues of public international law and helping clients determine their best course of action.

We are accustomed to working collaboratively with government officials, eminent professors and independent practitioners of international law, as well as technical experts such as hydrographers, cartographers, historians and geographers to formulate and implement a co-ordinated and coherent strategy.

Issues on which members of our team have recent experience include:

- sovereignty over territory
- boundary disputes
- the law of the sea
- rights to and regulation of natural resources, including hydrocarbons, minerals, fisheries, rivers and other fresh water
- inter-State arrangements for sharing resources
- Statehood: formation, dissolution and secession of States, and recognition of governments
- treaties: drafting, reservations, interpretation, application, modification and termination
- international environmental law
- trans-boundary pollution
- control over airspace
- State immunity and diplomatic immunity
- acting for investors and States in arbitrations under treaties on the protection of foreign investments
- issues of public international law arising before national or regional courts or regulatory authorities
- international human rights law
- business and human rights issues
- international sanctions
- international humanitarian law
- international criminal law

Members of our public international law practice come from both common law and civil law backgrounds, and among other languages can work in Arabic, Dutch, English, French, German, Italian, Japanese, Mandarin, Russian and Spanish. They hold doctorates in international law, regularly teach postgraduate courses at leading universities, and deliver and publish academic and practical papers on international law and its application.

Wherever public international law intersects with any national law or other area of specialisation, our team can collaborate with other members of the firm with the relevant expertise from among our 2500 lawyers, accomplished in 57 languages.
Acting as counsel in inter-State proceedings and advising States on inter-State disputes

- Representing Chile in a dispute with Bolivia before the International Court of Justice (ICJ) concerning Bolivia's claim to sovereign access to the Pacific Ocean
- Representing Italy in a dispute with India before the International Tribunal for the Law of the Sea (ITLOS) and an arbitral tribunal constituted under the UN Convention on the Law of the Sea concerning which of them has criminal jurisdiction over two Italian Marines
- Representing Slovenia in an inter-State case before the European Court of Human Rights against Croatia concerning the treatment by the Croatian authorities of a Slovenian bank
- Representing Chile before the ICJ in its case with Peru concerning the maritime boundary between them
- Representing Bahrain against Qatar before the ICJ in their dispute concerning sovereignty over territory and boundaries
- Representing Liechtenstein in its case against Germany before the ICJ concerning assets taken from Liechtenstein at the end of the Second World War
- Advising Belize in its dispute with Guatemala about sovereignty over territory and their maritime boundary
- Advising a European State in a dispute with a neighbouring State concerning issues of State succession, territorial sovereignty and their maritime boundary
- Advising Cambodia on its overlapping maritime claims with Thailand, including on the negotiation of a joint development treaty
- Advising Slovenia on a standing basis on issues of State succession
- Advising an Asian State on a standing basis on public international law issues as they arise

EXAMPLES OF OUR EXPERIENCE

SELECTED CASES BETWEEN STATES AND PRIVATE ENTITIES INVOLVING PUBLIC INTERNATIONAL LAW

- Representing East Mediterranean Gas and its German, Polish and US shareholders in four arbitrations against the Republic of Egypt and Egyptian State-owned entities concerning the cessation of gas supply from Egypt to Israel during the Arab Spring
- Representing the Government of Romania in an arbitration and subsequent annulment proceedings concerning the relationship between European Union treaties and bilateral investment protection treaties
- Representing the Republic of South Africa when foreign investors claimed that implementation of its Black Economic Empowerment policies in the mining sector contravened investment treaties
- Representing Electrabel SA in an arbitration against Hungary under the Energy Charter Treaty and in related proceedings before the Court of Justice of the European Union
- Representing the Republic of Turkey in two arbitrations under the Energy Charter Treaty and before the European Court of Human Rights in related proceedings

ADVICE TO PRIVATE COMPANIES AND INTERNATIONAL ORGANISATIONS ON PUBLIC INTERNATIONAL LAW

- Advising an international oil company on the impact of EU and UK sanctions against Russian and Ukrainian individuals
- Advising a multinational telecommunications company with investments in Iran, Syria and Sudan on international sanctions
- Advising the European Bank for Reconstruction and Development on a boundary dispute between one of its borrowers and a neighbouring State
- Advising the International Federation of Red Cross and Red Crescent Societies on issues of public international law and intellectual property protection relevant to the allocation of internet domain names
- Advising Germany's largest cargo container shipping line Hapag-Lloyd AG on its purchase of the United Arab Shipping Company, which was funded by multilateral treaty in 1976
- Advising numerous oil and gas companies on resource deposits in areas where sovereignty or boundaries are uncertain

Selected pro-bono engagements

- Assisting REDRESS with three amicus curiae submissions before the International Criminal Court concerning the charging of rape and sexual slavery as torture, and reparations for international crimes committed in the Democratic Republic of Congo and the Central African Republic
- Assisting the Human Dignity Trust regarding claims before the Inter-American Commission on Human Rights
- Advising OXFAM on the negotiation, ratification and implementation of a major international treaty negotiated in the UN General Assembly
- Filing complaints with the United Nations Human Rights Committee on behalf of individuals who have suffered breaches of their human rights under the International Covenant on Civil and Political Rights
CONTACT DETAILS

Ben Juratowitch QC
Global Head of Freshfields’ Public International Law Practice

+33 1 44 56 33 43
ben.juratowitch@freshfields.com
2 rue Paul Cézanne, 75008 Paris, France

“Clients highlight Ben Juratowitch QC as ‘thorough, strategic, innovative and clear in his thinking and advice’. He is “highly experienced in matters such as sovereignty over territory, maritime boundary delimitation and cross-border maritime pollution”.

Chambers France, 2017

He is “applauded for his ‘technical knowledge, leadership, effectiveness and remarkable ability to combine positions and propose a logical and satisfactory solution’.”

Chambers Global, 2017

He has been described as “a leading lawyer whose key strengths include innovative thinking, conceptual clarity and accessibility, and persuasiveness of his writing.”

Legal 500 Europe, 2017

“An established leader in PIL circles with dedicated practitioners in London, Paris, Washington DC, New York, Singapore, Rome and Berlin […] Continues to furnish a strong inter-State disputes practice and has developed an increasingly active international sanctions practice.”

Chambers Global, 2015

“Freshfields is a fantastic global practice, possibly the best in the world.”

Chambers UK, 2014

“Extremely active in state-to-state matters, particularly in relation to border disputes”.

Chambers Global, 2013

DESCRIPTIONS OF FRESHFIELDS’ PUBLIC INTERNATIONAL LAW PRACTICE

Freshfields is consistently ranked in Band 1 for Public International Law by Chambers and Partners, which based on interviews with our clients has described our practice as follows:

“Freshfields are of the highest quality and they are very good both on the substance and on the efficient running of the case.”

Chambers Global, 2017

“The firm also has a public international law practice that is ‘outstanding in legal precision and sophistication’.”

Legal 500 Europe, 2017

“Enjoys a first-class reputation noted for its experience in state-to-state disputes.”

Chambers Global, 2016

“An established leader in PIL circles with dedicated practitioners in London, Paris, Washington DC, New York, Singapore, Rome and Berlin […] Continues to furnish a strong inter-State disputes practice and has developed an increasingly active international sanctions practice.”

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