



Khawar Qureshi QC

Year of Silk: 2006

Year of Call: 1990

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Overview

Khawar Qureshi is a QC at Serle Court Chambers and McNair Chambers Qatar.

Khawar was called to the Bar (Queen Mother's Scholar, Middle Temple) in 1990 and took Silk in 2006. In 1993 he was the youngest advocate to have appeared in the International Court of Justice. He has taught Commercial law at Cambridge University, Public International law at Kings London and was appointed a Visiting professor in Commercial Law at the University of London in 2006. He was appointed a Deputy High Court Judge in 2013 and is a bencher of Middle Temple.

Khawar has consistently been recognised by the legal directories as one of the leading advocates in commercial litigation, international arbitration, public international law, administrative and constitutional law.

Khawar has made extensive appearances in the English Court at all levels, and in many international arbitration/commercial matters for and against more than 60 governments. He was an "A" Panel UK Government Treasury Counsel from 1999-2006. Khawar has been Chairman of TheCityUK Legal Services group which is designated by the UK Ministry of Justice as the lead organisation to promote UK legal services internationally.

Areas of expertise

- Commercial Litigation
- Public International Law
- Arbitration
- Administrative and Public Law
- Regulatory and Disciplinary
- Human Rights

Recommendations

International Arbitration: General Commercial and Insurance (*Chambers & Partners*)

Nominated for International Arbitration Silk of the Year 2007

Public International Law (*Chambers & Partners*)

Quotes

Chambers and Partners 2014

"He delivers the goods, and is particularly good at difficult cases. He is part of the team and very flexible. As such he's completely what the modern barrister should be like."

"He is a very powerful advocate who works incredibly hard and gets on top of both the legal issues and the facts."

Chambers & Partners 2008

"Combines his PIL practice with expertise in international commercial arbitration and public law, and is recommended for his "excellence" in arbitrations involving state immunity and sovereign responsibility. He regularly acts for and against foreign governments, and has appeared before the ICJ"

"One of the few arbitration barristers who has effectively bridged the gap between public international and commercial work. His stock continues to rise after having been involved in the humongous Dabhol dispute. Interviewees say he's a barrister with phenomenal integrity who is effortlessly able to cross jurisdictions: "A terrifically forensic cross-examiner", Qureshi's practice extends into human rights and corruption, while he is also a well known arbitral writer and speaker"

Legal Week December 2006 listed as one of the top 20 New QC's

"A thought leader in his work"

Chambers & Partners 2006

"Barrister Khawar Qureshi of Serle Court is highly respected for his coverage of international arbitration and associated points of PIL. He often acts for the UK government in cases with a PIL angle in the English courts, with recent cases having concerned issues associated with terrorism, torture, sanctions and extradition. He also offers experience of acting for foreign governments and individuals."

"He fights exceptionally hard for his clients"

Legal 500 2006

"Solicitors identify "Khawar Qureshi's PIL background mixed with first-rate commercial expertise. In this respect he has won further admiration for handling cases of commercial and international law elements in their entirety. His strong domestic and international profile has won him a role as treasury counsel in the UK and advisory mandates from foreign states."

Commercial Litigation

- Ridley and others v. Dubai Islamic Bank – claim before the English Commercial Court to enforce security in the sum of \$600 million in the aftermath of the financial crisis in Dubai
- Czech National Bank – enforcement of multi-million dollar guarantee
- Frazer Nash Companies – claim concerning shareholder dispute
- Mariam Aziz v. Fatimah Lin – claim concerning alleged fraud
- Re: A Russian Investment Fund – advising upon potential commercial court proceedings
- Advising on potential commercial Court proceedings involving high net worth CIS parties

- *Tullow v. Heritage* – advising and representing Heritage in Commercial Court proceedings concerning a claim for an indemnity arising out of the sale/purchase of oil interests in Uganda
- *Republic of Djibouti v. Boreh and others* – advising and representing the Claimant in respect of proceedings concerning a USD100 million claim for benefits acquired by abuse of position. Worldwide freezing order/foreign law strike out hearings/Public International Law Act of State/Non justiciability issues

Public International Law

- Successfully defeating a claim to State Immunity against enforcement of an arbitral award against a State's assets
- Advising and representing a State on issues concerning an inter-state treaty
- Advising and representing a State on issues concerning property rights subsequent to independence and Inter-State Bi-Lateral Treaty issues
- Advising and representing in respect of an UNCITRAL BIT claim against a State concerning Customs Inspection Services
- Advising a South East Asian Sovereign Wealth Fund on Investment Treaty based claims against a State
- Advising Bond Holders on claims against Argentina
- Advising Investors on an ICSID claim against a South American State
- Advising on the enforcement of a judgment against a State subject to UN/EU Sanctions
- Advising an International Organisation upon its Immunity from Jurisdiction (Headquarters agreement) and international constitutional issues
- Advising a State on an ad-hoc arbitration agreement entered into with another State in respect of sensitive political issues
- Advising Investors on an Energy Charter Treaty Claim against an EU State
- Advising Investors on an ICSID claim against a West African State (mining sector)
- Advising Investors on an ICSID claim against an EU State (infrastructure concession dispute)
- Advising and representing a major Oil company in ICC proceedings against an East African State concerning alleged improper imposition of taxes (issues of Act of State)
- Advising and representing the Republic of Djibouti in civil proceedings in the English Commercial Court (Act of State, non-justiciability and State Immunity issues arising relating to strike out of a Counterclaim)

Arbitration

- Multi-million dollar ICC arbitration (non-English Law) successfully brought against an African State in respect of a long term contract for provision of custom inspection services
- Multi-million dollar ICC arbitration (non-English Law) successfully brought against a South American State in respect of the supply of goods and services
- Advising on EFTA and ICSID proceedings against a European State in the aftermath of the collapse of its banking sector
- Advising a US oil major on potential ICSID and UNCITRAL claims against a West African State concerning disruption to exploration rights in one of the largest oil finds in West Africa
- Advising in respect of an investment arbitration claim against a South Asian State
- Advising and representing a State shipping entity in LMAA arbitration proceedings concerning delay and damage to a vessel
- *Re: Moser Baer* - Advising and representing in respect of a claim for USD450 million relating to a long term contract for the supply of solar panels (Commercial Court/Court of Appeal anti-suit proceedings, contract rectification proceedings and LCIA arbitration)
- Advising an arbitral institution upon a potential bias claim against an arbitrator appointed in an inter-state dispute
- *Re: ICS v. Argentina* – advising and representing the Claimant in BIT/UNCITRAL proceedings
- *AES v. Kazakhstan* – advising and representing the State in ICSID proceedings concerning energy sector investments
- Advising in respect of an arbitration claim relating to extractive industries investments in Africa

- Advising and representing a State Shipping entity in respect of LMAA proceedings concerning a long terms iron ore shipping contract
- Advising and representing in respect of LCIA proceedings relating to a multi-million pound joint venture dispute in the electrical sector
- Advising and representing an Israeli company in respect of proceedings relating to a joint venture in the Bio-tech sector
- Advising a Gas Producer on a potential arbitration relating to gas prices
- Advising and representing a GCC Financial Institution in respect of a Share Purchase Agreement dispute (DIAC arbitration/English arbitrators)
- Advising and representing a Gulf Head of State in respect of an infrastructure (Port) development ICC arbitration (Paris)
- Advising and representing a Gulf Sovereign Wealth Fund in respect of LCIA proceedings concerning alleged multi-billion dollar funding agreement disputes
- Advising an East African State Petroleum entity in respect of Swiss arbitration proceedings (exploration licence dispute)
- Advising and representing a construction company in a FIDIC contract multi-million dollar ICC dispute in the GCC

Arbitration Act 1996 proceedings:

- Advising upon and acting as Counsel in unreported Section 68/69 applications before the English High Court
- Film & Entertainment v. Merchant Ivory Productions - successfully resisting a Section 68/9 challenge to enforcement of a US arbitration award
- ICS v. Kenya - successfully obtaining freezing order relief against Bank accounts held by state entities in support of enforcement of an arbitration award
- Re Moser Baer – anti-suit injunction (and appeal)
- Sabah Shipping – enforcement of an arbitral award
- Re X: enforcement of an arbitral award against a South Asian State
- Ferrostatal – anti-suit injunction/enforcement of an arbitral award
- Advising upon a potential challenge to arbitrators (ICC dispute)

Administrative and Public Law

Imperial Energy Plc – appearing before the Take Over Panel in the context of a disputed take over

Re: Berlusconi and Mills – representing the Prosecutor of Milan in evidence gathering proceedings before the English Court (cross examining witnesses in England for proceedings in Italy)

Re: Lotfi Raissi – representing the Home Secretary in Judicial Review proceedings (upto and including the Court of Appeal) concerning a claim to compensation arising out of the detention of the Claimant allegedly in connection with September 11th incidents

Re: Koopman and Georgiadis – representing the Director of the SFO in Judicial Review proceedings concerning a South African Mutual Legal Assistance request (alleged corruption)

Re: Ramy Lakah – representing the Director of the SFO in Judicial Review proceedings

Re: Jeffrey Tesler – advising and representing the Director of the SFO in Judicial Review proceedings concerning a US Mutual Legal Assistance request (re: Halliburton and alleged corruption in the Nigerian Bonney Island LNG project)

Campaign Against the Arms Trade v. FCO and MOD – appointed as the first ever Special Advocate in an appeal before the Information Tribunal relating to a Freedom of Information Act request seeking documents evidencing sales of weapons to Saudi Arabia since 1969. Cross-examined various witnesses in closed sessions.

Re: X – advising and representing State authorities in respect of a challenge to extradition of an individual allegedly implicated in an attempted coup

Re: an African State – advising the SFO in respect of a mutual legal assistance request made by an African State

concerning alleged corruption underpinning large scale commercial contracts

Advising the SFO in respect of a high profile mutual legal assistance request made by an EU state concerning alleged criminality (dumping of hazardous waste)

Advising a major multi-national corporation on an alleged corruption investigation

Re: Silverleaf – representing Directors in the first case brought before the Qatar Financial Centre Court

Re: QFCRA/Al-Mal – advising Directors of a Bank subject to regulatory intervention

Advising a leading EU Bank in respect of US Sanctions enforcement

Re: Abacha – advising and representing the Home Secretary in respect of a contested MLA request

Re: Nigeria – advising and representing the Nigerian Government in Judicial Review proceedings in Jersey

Re: Garnet – advising and representing the Guernsey authorities in respect of a failed legal challenge relating to “no-consent” vis-à-vis suspicious transactions and financial regulation (Court of Appeal/Privy Council)

Re: Telecoms – advising and representing one of the world’s leading telecom operators in respect of a dispute (foreign regulatory and Court proceedings) concerning Mobile Telephone Licence/interference by the incumbent – leading to sanctions against the incumbent

Re: Bribery Act 2010 – advising a listed company in respect of SFO investigations

Re: Evans v. MOD/FCO – Special Advocate in Judicial Review proceedings concerning alleged mistreatment of prisoners returned to Afghan authorities by UK forces

Qualifications

LLB, LLM, (Cantab) (First Class)

Appointments

1999-2006 - One of around 20 Barristers appointed by the UK Government as “A” Panel Treasury Counsel to advise and represent the UK Government in civil matters.

1998 to 2008 – Member/Vice Chairman Bar Council International Relations Committee & Chairman Public International Law Committee

October 2006 – Appointed as Queen’s Counsel.

March 2008- Appointed as Head of Chambers of the first ever Barristers’ Chambers established outside the UK (McNair Chambers in Qatar)

October 2010 - Appointed as a part time civil Judge (Recorder).

2010 – Present - Chairman of the CityUK Legal Services and Dispute Resolution Group (representing the Legal Services profession of the UK and designated by the UK Ministry of Justice as the lead agency to promote UK legal services overseas)

January 2013 - Appointed as a Deputy Judge of the High Court (dealing with civil and commercial matters)

Memberships

Commercial Bar Association

International Law Association

Administrative Law Bar Association

British Institute of International and Comparative Law

Publications

Legal Handbook Series - author Khawar Qureshi QC (publisher Wildys) (March 2016)

Public International Law before the English Courts - (foreword Lord Phillips)

Conflict of Interest in Arbitration - (Wildys) (foreword Sir Bernard Rix)

Investment Treaty Claims - (foreword Professor Schreuer and Professor Dolzer)

New Law Journal articles :-

[Umpires on sticky wickets](#)

Khawar Qureshi QC provides an update on recent accusations of arbitrator bias

[Immunity update](#)

Khawar Qureshi QC reports on recent immunity decisions of the High Court

[Nowhere to hide](#)

State immunity—states & litigants beware, says Khawar Qureshi QC

[A risky business?](#)

Khawar Qureshi QC outlines recent developments in arbitrator impartiality

[Arbitration Act 1996: key cases 2013-14 \(Pt 2\)](#)

Khawar Qureshi QC reviews recent key arbitration decisions made by the High Court

[Arbitration Act 1996: key cases 2013-14 \(Pt 1\)](#)

Khawar Qureshi QC provides an overview of recent key arbitration decisions

[Assisted Dying Bill: time to reflect?](#)

The Assisted Dying Bill as currently drafted is highly unsatisfactory & in need of significant amendments, say

Khawar Qureshi QC & Catriona Nicol

[Time for change? Pt 2](#)

In the second of two leading articles, Khawar Qureshi QC puts ethics in international arbitration under the spotlight

[Time for change?](#)

In the first of two leading articles, Khawar Qureshi QC puts ethics in international arbitration under the spotlight

[Laying down the law](#)

Establishing the proper law of an arbitration agreement is key, says Khawar Qureshi QC

[Can't we all just get along?](#)

Khawar Qureshi QC highlights the key Arbitration Act 1996 decisions in 2011

[A global view](#)

Khawar Qureshi QC reports on the recent leading cases involving public international law & the English courts

[Intervention or interference?](#)

Khawar Qureshi QC examines the legality of the UN's stance on Libya

[Book review: International Corruption](#)

This is a timely and excellent book consisting of 11 chapters, written by leading practitioners and experts examining selected jurisdictions and issues concerning corruption, together with six...

[Money walks?](#)

In the midst of the financial crisis, there have been significant developments which are seen as potential challenges to London's pre-eminent role as a dispute resolution hub.

[Too hot to handle](#)

Khawar Qureshi QC reports on how fraud & corruption are dealt with in the arbitral process

[United states?](#)

Khawar Qureshi QC considers the enforcement of a foreign judgment against a sovereign state

A major first

Ahmed: Khawar Qureshi QC reports on the Supreme Court's landmark decision

Absolute power

Do English courts have too much power in arbitration proceedings? asks Khawar Qureshi QC

A double act

Should we be concerned if arbitrator & counsel are from the same chambers? Khawar Qureshi QC reports

International Rescue

Part two: Khawar Qureshi QC reflects on the growth of public international law in the English courts

International rescue

Part one: Khawar Qureshi QC charts the growth of public international law before the English courts

Constitutional renewal or re-packaging?

Khawar Qureshi QC considers the changing role of the attorney general

Strike Back

Is the Commercial Court striking back? asks Khawar Qureshi QC

Preserving the status quo

Khawar Qureshi QC and Tom Sprange discuss the latest developments in freezing orders

Perilous times

Is the UK/EU approach to corporation regulation too heavy-handed? Khawar Qureshi QC reports

Ruling supreme

Khawar Qureshi QC examines the challenges ahead for the UK Supreme Court

Growing up fast

In the first of two articles marking 10 years of the Arbitration Act 1996, Khawar Qureshi QC discusses some key cases

Under review

Khawar Qureshi QC considers the relationship between judicial review and Article 6

Arbitration and Article 6

Khawar Qureshi QC examines recent case law testing the impact of human rights on the arbitral process

Professional Qualifications

Called to the Bar (Middle Temple) 1990, (Queen Mother's Scholar, Middle Temple Colombos Public International Law Prizewinner and Middle Temple Public Law Prizewinner)

Academic

1989-1993 – Visiting lecturer in Commercial Law, University of Cambridge

1995- 2002- Visiting lecturer in Public International Law, King's College London

2006-2013- Visiting Professor in Commercial Law, London University

2010 onwards - Halsbury Law Exchange (Lexis Nexis) Board Member