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November 2016

Book review: Public International Law before the English Courts

Author: Khawar Qureshi

Publisher: Wildy, Simmonds and Hill Publishing (2016)

ISBN13: 9780854901951

Format: Paperback (also e-book)

Price: £19.95

Public international law is now a major part of English legal practice. While the core claim may be about contract, tort, tax, crime, judicial review, company law or other areas, there are often public international law issues affecting the case. Khawar Qureshi QC has brought his long, diverse and respected practice in these areas into the publication of this book.

Qureshi sets out clearly and well some of the key issues. For example, he investigates the approach of English courts to treaty interpretation, and jurisdictional and diplomatic immunities, and shows how often these arise in practice. He clarifies the difference between act of state and non-justiciability, which is still being debated before the courts, as well as offering helpful insights on the growing area of sanctions. In all these chapters, he provides a deep knowledge of the cases – and some of the personalities – to enliven and enhance his writing.

My only concern is that he could have gone further. While I recognise the restrictions of what can be covered in such a book, there is only a limited discussion of human rights, environmental law or state responsibility, each of which is highly influenced by international law. He also avoids some interesting issues of public international law, such as the responsibilities of non-state actors and of international organisations.

Nevertheless, what is covered in this book is very well done, clearly and coherently written, and offers valuable summaries. Such a book is necessary and needed. Indeed, in a recent case, Lord Justice Lloyd Jones, one of the leading judges with expertise in public international law, made this remark: 'Given the generally beneficent character of international law the presumption should be in favour of its application [in English common law].' I recommend this book as being clearly beneficial to anyone new to this area or wanting to know more.

Reviewer Professor Robert McCorquodale, British Institute of International and Comparative Law

