



## Languages

- Bengali
- English
- French
- German
- Gujarati
- Hindi
- Hungarian
- Irish
- Italian
- Japanese
- Kashmir / Mirpuri
- Mandarin
- Portuguese
- Punjabi
- Spanish
- Swahili
- Turkish
- Turkish
- Ukranian
- Welsh

## Publications

**Schmitthoff: The Law and Practice of International Trade**  
(12th Edition) Sweet And Maxwell [Definitive trade law text – Carole Murray/David Holloway]

**International Arbitration Law Review**  
(Sweet & Maxwell - General Editor David Holloway)

**The Independence Principle of Letters of Credit and Demand Guarantees**  
(Oxford University Press, 2011, Professor Nelson Enonchong)

**Brussels I recast passed**  
Neil A. Dowers and David Holloway.  
Int. A.L.R. 2013, 16(2), N18-N21 International Arbitration Law Review (2013)

**Interest rate swaps and the sale of the unknown: blind alleys, an enfeebled equity and the triumph of certainty over fairness - (2014)**  
1 JIBFL 9. Paul Marshall. Journal of International Banking & Finance Law (2014)

**Humpty Dumpty is broken: "unsuitable" and "inappropriate" swaps transactions**  
11 JIBFL 679. Paul Marshall. Journal of International Banking & Finance Law (2014)

**Part 2: Novating mis-sold swaps: the poverty of narrowly contractual analysis - (2015)**  
1 JIBFL 11. Paul Marshall. Journal of International Banking & Finance Law (2015)



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Legal 500

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## International Group



# International Group

The No5 Chambers International Group advise and act in a wide variety of international matters.



“ Unashamedly modern, No5 has a strong client service ethic and... offers strong leadership, competitive fees and genuine specialist expertise.”

Chambers & Partners

The team brings together skills gained over many years working around the world with major companies and organisations in both legal and commercial roles, and includes both Queen’s Counsel and former Judges.

Not only does the group have specialist industry experience but also specific regional, cultural and language knowledge, particularly in India, Turkey, China and the Far East, the Middle East, the Cayman Islands and the British Virgin Islands where members have lived and worked extensively. All of this gives No5 a highly commercial approach, with a team who are well versed and experienced in managing the particular demands of international practice.

We regularly advise and represent clients ranging from multi-national companies, governments and state-owned entities, to individuals engaged in international trade and commerce and are able to offer expertise in all aspects of international

dispute resolution, whether in the courts of England and Wales or under the auspices of the major arbitral institutions, in ad hoc arbitration, investment treaty arbitration and ADR. We also act as arbitrators, adjudicators and mediators.

Members of the group are regularly instructed both as individuals or together in small teams, and are also used to working as part of multi-national legal teams in matters requiring expertise of more than one legal jurisdiction or system of law.

We have particular experience of disputes relating to jurisdiction and conflicts of laws and also of matters involving the interaction between arbitration and the national courts (enforcement proceedings, challenges to jurisdiction, stays etc)

We also offer complimentary advice and consultation on non-contentious matters involving public and private international law.\*

## What we do

### Advisory work on all matters of International Law including:

- advisory work in the context of commercial negotiations
- drafting commercial contracts including joint venture contracts
- pre-action advisory work and dispute avoidance
- expert witness work on matters of English law
- advice to states and investors on issues relating to investment treaties
- planning and environment

### Contentious work

- Advocacy in the English courts
- Advocacy before international tribunals – members have experience of arbitrations conducted under the rules of most of the major institutional arbitral rules including UNCITRAL, LCIA, ICC, LMAA
- Advice and drafting in proceedings before the English courts and before international tribunals
- Specific experience in jurisdictional disputes/conflicts of laws
- Enforcement of judgments and awards
- Worldwide Freezing Orders

## Sectors of expertise

- Arbitration and trade
- Banking
- Business Immigration and International Human Rights
- Carriage of goods by land, sea and air
- Commercial Litigation
- Commodities
- Construction
- Crime
- Energy sector- all aspects from production and exploration to sale, carriage and insurance
- Family disputes
- Fraud
- ICSID (International Centre for Settlement of Investment Disputes)
- International commercial joint ventures
- International Property & Development
- International sale of goods
- Investment disputes
- IP, Media, and IT
- Jurisdiction
- LIBOR
- Personal Injury and Clinical Negligence
- Planning and environment
- Regulatory trade work
- Sports Law
- Technology and know-how licensing contracts
- Telecoms sector
- Trade finance

## Key Cases

SAS v France - European Court of Human Rights - Strasbourg. The case concerned the complaint of a French national, who is a practising Muslim, that she is no longer allowed to wear the full-face veil in public following the entry into force, on 11 April 2011, of a law prohibiting concealment of one’s face in public places (law no. 2010-1192 of 11 October 2010).

**Advising and successfully representing the Turkish Prime Minister, in his libel claim against The Telegraph following the publication of false stories.**

**Svenska v Government of Lithuania [2006] 2 Lloyds Rep 1 (Comm Court) and [2006] EWCA 1529 (Court of Appeal).**

Commodities dispute involving sale of chemicals, breach of implied terms - LMAA arbitration.

**Advising in relation to franchise agreements for internationally renowned Turkish chef**

**Acting in a criminal trial in the Grand Court in the Cayman Islands**

**Instructed in relation to US\$200 million claim for breach of joint venture agreement to develop Italian exploration concession. Arbitration under UNCITRAL Rules, venue Houston.**

Dabhol Power Project in Maharashtra, India. Instructed by the Indian Government in bilateral investment treaty (“BIT”) arbitrations commenced by GE and Bechtel under the Indo-Mauritius BITs.

**Commodities dispute - oil trading contracts - value US\$5 million. Instructed as counsel in LMAA proceedings London involving issues of contractual construction, force majeure, remedies.**

**Jurisdiction dispute - instructed by large Gulf Telecoms company in successful challenge to the jurisdiction of the High Court (in favour of UAE arbitration).**

## Who can instruct us?

In recent years the rules that govern how you can access the services provided by English barristers have changed, allowing our group to accept instructions from clients by the following routes:

### UK Clients

The following people may instruct barristers either on behalf of clients or on their own account in any matter for all types of work:

- Solicitors
- In house counsel and in house legal teams
- Other authorised litigators
- Parliamentary agents, patent agents, trademark agents and notaries
- European lawyers registered with The Law Society
- Employed barristers and/or European lawyers registered with the Bar Council
- Legal Advice Centres designated by the Bar Council
- Public Access clients
- Licensed Access clients

### International Clients

We are pleased to be able to offer International clients - be they lawyers, businesses or private individuals - direct access to us for the following services:

- Specialist advice on all areas of the laws of England and Wales, European Community and International Law, including Human Rights law
- Specialist advice and assistance on the drafting, interpretation and enforceability of contracts governed by the law of England and Wales, or the laws of other common law countries
- Specialist advice on commercial situations presenting legal, factual or technical difficulties
- Litigation: acting as an advocate in foreign courts in which a particular barrister has rights of audience
- Arbitration services acting as an advocate or as an appointed arbitrator
- Mediation and other alternative dispute resolution services (as mediators, advocates or advisers)
- Expert witness services
- Specialist advocacy services before European and international courts and tribunals
- Specialist advice and assistance in the preparation of litigation or in a non-litigious context

If you wish to conduct litigation in the courts of England & Wales we will be able, if necessary, to give you an initial assessment of your case at very competitive rates and will also be able to advise on the most suitable firm of UK solicitors to use. (Under English law, a solicitor will have to be instructed once court proceedings are to be commenced.)

\* Subject to prior agreement by the Clerking team.