

## Hussein Haeri

PARTNER | LONDON

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Hussein Haeri KC is a partner in the international arbitration and public international law teams and co-head of the Middle East group.

Hussein jointly leads the firm's international arbitration team and leads the firm's public international law team. He is a solicitor-advocate of the senior courts of England and Wales and was appointed King's Counsel in 2024. Hussein has experience of working on international legal and dispute resolution matters in London, Paris, New York and South Africa for over 15 years. He is also a Solicitor-Advocate of the Eastern Caribbean Supreme Court (BVI).

Hussein co-heads the firm's Middle East group and leads many cases involving the Middle East and North Africa region.

Hussein is recognised as a 'leading individual' by Legal 500 for both International Arbitration and Public International Law, which states that 'the practical and solutions driven Haeri is outstanding' and that 'he combines huge intellectual powers with great client handling and gives straight-to-the-point advice'. He is also recognised in the Legal 500's Arbitration Powerlist, by Who's Who Legal and by Chambers and Partners, which refers to him as 'an outstanding lawyer, combining a great attention to detail with a view of the big picture' with 'excellent case management and strategic skills'. Chambers and Partners notes that 'Hussein has an outstanding analytical ability and he's a dream to work with'.

He has worked as counsel and advocate on arbitrations under all the major rules, including ICSID, UNCITRAL, LCIA, ICC, SCC and SIAC Rules, as well as in ad hoc arbitrations. His clients include governments, multinational corporations and international organisations.

He has served as counsel in state-state proceedings before the International Court of Justice and in national courts, including the courts of England and Wales, on public international law issues.

Hussein's public international law practice includes advising governments and international organisations on international investment law, constitutional and human rights matters, sovereign immunity, energy and natural resources, international humanitarian law, sanctions, the law of the sea and treaty and legislation drafting.

Hussein is a Senior Fellow on International Investment Law at SOAS, University of London. He is a Member of the Faculty at the University of Rome, Roma Tre University, Certificate Course in International Commercial and Investment Arbitration. He has also taught international arbitration and public international law to graduate students at the London School of Economics, Kings College London and University College London in the UK and at Sciences Po and the University of Versailles in France. He has published extensively in the fields of international law and international arbitration.

In addition to his work as counsel, he sits as an arbitrator.

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## Track record

### Advising a Government in South-East Asia on a potential WTO claim

A Withers team advised a Government in South-East Asia on a potential WTO claim.

### Advising a Middle Eastern State on public international law issues

We advised a Government in the Middle East on public international law issues regarding accession to a multilateral treaty and international organisation.

### UK-based services company

We advised a UK-based services company on sanctions at the UK, EU and US levels.

### A Mainland Chinese industrial conglomerate in a claim against the Federal Republic of Nigeria

Acting for a PRC industrial conglomerate in a billion-dollar treaty claim against the Federal Republic of Nigeria under the China-Nigeria bilateral investment treaty. The claim was for expropriation and breaches of fair and equitable treatment and other standards regarding an investment in a 10,000-hectare free trade zone and joint venture agreement with Ogun State in Nigeria.

### ICSID arbitration

Scholz GmbH v Kingdom of Morocco Counsel of the Claimant in an ICSID arbitration related to a metals recycling business.

## UNCITRAL arbitration

Asian investor v Sub-Saharan African State Counsel of the Claimant in an UNCITRAL arbitration related to a free trade zone.

## International Court of Justice

Advising a State on proceedings before the International Court of Justice concerning a human rights treaty.

## UN Committee on the Rights of the Child

Advising an international organisation on a successful representation to the UN Committee on the Rights of the Child regarding El Salvador's obligations under the United Nations Convention on the Rights of the Child.

## Government legal challenge

Advising a Government on a legal challenge to measures of another Government concerning human rights and constitutional issues.

## Italian energy company

Representing an Italian energy company on a successful ad hoc arbitration concerning the construction of a hospital in Libya.

## Bilateral investment treaty

Advising a government in Europe on drafting a model bilateral investment treaty and negotiating a bilateral investment treaty with another government.

## Public international law

Advising a State in relation to international aviation and sovereignty issues under public international law.

## State-to-State dispute

Advising a State on potential State-to-State dispute in relation to international environmental law issues.

## State - freedom of navigation

Advising a State in relation to issues pertaining to freedom of navigation and the law of the sea.

## Russia sanctions

Advising an international organisation on EU-Russia sanctions.

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## Talks

- '*Renewing the Relationship between Treaty and Custom in International Investment Law*', BIICL Investment Treaty Forum (ITF) Conference - March 2019
- '*Investment Arbitration: Five Controversies*', SOAS, University of London - October 2017
- '*Investment Arbitration in Ukraine and the CIS*', Law Society of England and Wales - March 2017
- '*W(h)ither ICSID jurisdiction?*', Quadrant Chambers Conference, London - April 2016
- '*ASEAN and Investment Treaty Arbitration*', KLRCA / RAIF Conference, Kuala Lumpur, Malaysia - May 2015
- '*The BVI and Bilateral Investment Treaties*', Business BVI International Arbitration Conference, British Virgin Islands - May 2015
- '*Costs in Investment Treaty Arbitration*', Investment Treaty Forum Conference of the British Institute of International and Comparative Law, London - October 2013
- '*State-State Disputes in International Environmental Law*', New York City Bar Conference on Developments in International Environmental Compliance and Enforcement - April 2013
- '*Arbitral Agreements and Awards as Investments in Investment Treaty Arbitration*', Investment Treaty Forum Seminar of the British Institute of International and Comparative Law, Paris - February 2013
- '*The Future of the UN: Four Predictions*', The International Conference on Cultural Diplomacy and the UN, UN Headquarters, New York - February 2012
- BIICL Investment Treaty Forum Conference, "Renewing the Relationship between Treaty and Custom in International Investment Law" - 2019.
- SOAS, University of London, "Investment Arbitration: Five Controversies" - 2017
- Law Society of England and Wales, "Investment Arbitration in Ukraine and the CIS" - 2017

## External publications

*'Sovereign Wealth Funds: Transnational Regulation and Dispute Resolution'*, Withers and British Institute of International and Comparative Law, Co-author, 2021

*'And You Are?: Dual Nationals in Investment Treaty Arbitration'*, BCDR International Arbitration Review, Wolters Kluwer, 2016.

*'The Non-Disputing State Party in Investment Arbitration: An Interested Player on the Third Man Out'* in *Practicing Virtue: Inside International Arbitration* (Editors: D. Caron, S. Schill, A. Smutny and E. Triantafyllou), Oxford University Press, Oxford - 2015

*'Investment Treaty Arbitration increasingly utilized'*, Connecticut Law Tribune, March 2017

*'A Tale of Two Standards: "Fair and Equitable Treatment" and the Minimum Standard in International Law'*, 27(1) *Arbitration International* (2011). This article was awarded the LCIA Gillis Wetter Memorial Prize for 2010-2011

*'Fairness and the Final Word'*, *Turkish Commercial Law Review*, Volume 2(1) - Summer 2016

*'New rules in the new year: SIAC's Investment Arbitration Rules'*, *Asia Business Law Journal*, January 2017

*'Asean and Investment Treaty Arbitration'*, *The Arbitrator & Mediator* - December 2015

*'Cuba libre - but with investment protection'*, Global Arbitration Review - November 2015

*'How the Pechstein case has brought CAS's independence into question'*, Global Arbitration Review - September 2015

## Admissions and Qualifications

King's Counsel, 2024, England and Wales

England and Wales, 2008

Eastern Caribbean Supreme Court (BVI), 2020

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## Education

London School of Economics, LLM (Distinction), International Business Law, 2005

McGill University, B.A. Hons 1st Class Honours, Political Science, IDS, Economics, 2002

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## Languages

English

French

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## Memberships

ICC Task Force on Trusts and Arbitration

London Court of International Arbitration (LCIA)

LCIA Arab Users' Council

Arbitrator Panellist at Kuala Lumpur Regional Centre for Arbitration

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## Key dates

Year joined: 2014

Year became partner: 2014

Year of Silk: 2024

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