

Kate Parlett

CALL: 2015 (ENGLAND AND WALES); 2010 (SOLICITOR,
ENGLAND AND WALES); 2005 (SOLICITOR, AUSTRALIA)

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Overview

Kate specialises in public international law and international arbitration. Her practice covers the full range of public international law including land and maritime boundaries, law of the sea, state responsibility, treaty obligations, immunities, the use of force, international humanitarian law, international trade law, human rights, environmental law and sanctions. She also represents states and investors in investment treaty arbitrations, including under the ICSID and UNCITRAL rules.

Kate has extensive experience as an advocate before international tribunals and domestic courts. Kate has been instructed and appeared before the International Court of Justice in disputes concerning land and maritime boundaries, transboundary environmental harm, and treaty and other international obligations, as well as in advisory opinions. She has also appeared before the International Tribunal for the Law of the Sea and has been instructed in several cases before the European Court of Human Rights. She has recently appeared before the English courts in cases involving diplomatic immunity, head of government immunity, Foreign Act of State, and challenges to an investment award under the Arbitration Act 1996.

She also sits as arbitrator in international commercial disputes across a range of sectors and institutional rules. Kate holds Australian nationality only.

Kate is recommended as a leading junior for public international law in the legal directories. She has been most recently described as having a 'first rate intellect, very well-organised mind, very diligent and able to get on with whatever the task - including complex

Publications

- [Judging the Law of the Sea \(OUP, 2022\), with Professor Natalie Klein](#)
- [The Cambridge Companion to the International Court of Justice \(CUP, 2023\), edited with Professor Carlos Espósito](#)
- ['COVID-19 and Investment Treaty Claims' Kluwer Arbitration Blog \(30 March 2020\) with Dr Federica Paddeu](#)
- 'Into the Void: A Counsel Perspective on the Need to Articulate Rules Concerning Disclosure Before the ICJ' 113 (2019) *AJIL Unbound* 302, and (2020) *ASIL Proceedings* 219, with Amy Sander
- 'Advocacy' in *Max Planck Encyclopedia of International Procedural Law* (2019) (with Samuel Wordsworth QC)
- 'Parties' engagement with experts in international adjudication' (2018) 9(3) *Journal of International Dispute Settlement*
- 'The Relevance of State Conduct in Territorial Disputes' in M Kohen and M Hébié (eds), *Research Handbook on Territorial Disputes in International Law* (Edward Elgar 2018).
- 'Jurisdiction of the Arbitral Tribunal in

factual and expert issues.’

Kate has taught public international law, international investment and commercial arbitration, and international human rights law at the universities of Cambridge, Paris-II (Panthéon-Assas), Queen Mary (University of London), Queen’s University (Canada), Queensland and at the Graduate Institute in Geneva.

Philippines v China under UNCLOS and in the Absence of China’ (2016) *AJIL Unbound*

- ‘Beyond the four corners of the Convention: expanding the scope of jurisdiction of law of the sea tribunals’ (2017) *Ocean Development and International Law*
- [The Individual in the International Legal System: Continuity and Change in International Law \(CUP, 2011\)](#)
- [The Law of International Responsibility \(OUP, 2011\), edited with James Crawford, Alain Pellet and Simon Olleson](#)

Professional memberships

- Attorney General’s Public International Law B Panel (2017–present).
- British Institute of International and Comparative Law: member of the Public International Law Advisory Panel.
- Cambridge Journal of International and Comparative Law: Academic Review Board.
- American Society of International Law.

Education

- University of Cambridge: PhD in Public International Law (2009)
- University of Cambridge: Master of Laws in International Law, First Class (2005)
- University of Queensland: Bachelor of Laws, First Class (2001)
- University of Queensland: Bachelor of Arts, Major in History (1999)

Example cases

- Instructed by Australia in the advisory opinion proceedings before the International Tribunal for the Law of the Sea, relating to climate change.
- Instructed by Australia in the advisory opinion proceedings before the ICJ, relating to climate change.
- Counsel for the defendants to an investment treaty award challenge under the Arbitration Act 1996 in the Commercial Court, in *The Czech Republic v Diag Human SE and Josef Stava*.
- Instructed by Belize in *Guatemala’s Territorial, Insular and Maritime Claim (Guatemala/Belize)* before the ICJ.
- Counsel for the investor (instructed by Skils) in *ČEZ v. Republic of Bulgaria* (ICSID Case No. ARB/16/24).
- Representing Her Royal Highness Princess Haya bint Al Hussein in proceedings in the English courts against the Prime Minister of the UAE, in relation to complex issues of diplomatic immunity, head of government immunity, and Foreign Act of State.
- Instructed by Australia in its Article 63 intervention in *Allegations of Genocide under the Convention on the Prevention and Punishment of Genocide (Ukraine v Russian Federation)* before the ICJ.
- Representing the UK Foreign Office in the English Courts in *Charles & Dunn v FCDO*, a case concerning the existence and

scope of immunity of the spouse of a US diplomat in the UK.

- Instructed by the United Kingdom in *Hanan v Germany*, a case before the European Court of Human Rights concerning issues of extraterritorial jurisdiction in the context of an armed conflict.
- Instructed by Costa Rica in *Land Boundary in the Northern Part of Isla Portillos (Costa Rica v Nicaragua)* before the ICJ.
- Instructed by Costa Rica in *Maritime Delimitation in the Caribbean Sea and the Pacific Ocean (Costa Rica v Nicaragua)* before the ICJ.
- Instructed by Chile in *Obligation to Negotiate Access to the Pacific Ocean (Bolivia v Chile)* before the ICJ.
- Advising a State on the prospects of a claim under the General Agreement on Trade in Services under the WTO dispute settlement mechanisms.

Public international law

- Instructed by Australia in the advisory opinion proceedings before the International Tribunal for the Law of the Sea, relating to climate change.
- Instructed by Australia in the advisory opinion proceedings before the ICJ, relating to climate change.
- Instructed by Australia in its Article 63 intervention in *Allegations of Genocide under the Convention on the Prevention and Punishment of Genocide (Ukraine v Russian Federation)* before the ICJ.
- Instructed by Belize in *Guatemala's Territorial, Insular and Maritime Claim (Guatemala/Belize)* before the ICJ.
- Representing the UK Foreign Office in the English Courts in *Charles & Dunn v FCDO*, a case concerning the existence and scope of immunity of the spouse of a US diplomat in the UK.
- Representing Her Royal Highness Princess Haya bint Al Hussein in proceedings in the English courts against the Prime Minister of the UAE, in relation to complex issues of diplomatic immunity, head of government immunity, and Foreign Act of State.
- Instructed by the United Kingdom in *Hanan v Germany*, a case before the European Court of Human Rights concerning issues of extraterritorial jurisdiction in the context of an armed conflict.
- Advising on the scope and effect of domestic legislation implementing the UN Convention on the Law of the Sea.
- Advising on the enforcement of a political risk insurance policy in connection with proceedings under a bilateral investment treaty in the natural resources sector in Asia.
- Representing applicants before the European Court of Human Rights in a case involving expropriation of property rights in a substantial piece of land in eastern Europe.
- Instructed by Costa Rica in *Land Boundary in the Northern Part of Isla Portillos (Costa Rica v Nicaragua)* before the ICJ.
- Instructed by Costa Rica in *Maritime Delimitation in the Caribbean Sea and the Pacific Ocean (Costa Rica v Nicaragua)* before the ICJ.
- Instructed by Chile in *Obligation to Negotiate Access to the Pacific Ocean (Bolivia v Chile)* before the ICJ.
- Acting for Media Legal Defence Initiative intervening in proceedings before the Court of the Economic Community of West African States, involving allegations of judicial corruption and breaches of the right to freedom of expression.
- Advising a State on a joint development zone for maritime areas, to permit exploration and exploitation of hydrocarbons by two neighbouring States while a maritime boundary dispute is pending.
- Advising an international organization on the implementation of its international law privileges by the Internet Corporation for Assigned Names and Numbers (ICANN).
- Acting for a coalition of NGOs intervening in a case before the European Court of Human Rights concerning freedom of expression.
- Instructed by Costa Rica in *Certain Activities Carried Out by Nicaragua in the Border Area (Costa Rica v Nicaragua)* before the ICJ.
- Instructed by Costa Rica in *Construction of a Road in Costa Rica Along the San Juan River (Nicaragua v Costa Rica)* before the ICJ.
- Instructed by Chile in *Maritime Dispute (Peru v Chile)* before the ICJ.
- Instructed by Costa Rica in *Navigational and Related Rights on the San Juan River (Costa Rica v Nicaragua)* before the ICJ.

International arbitration

- Counsel for the defendants to an investment treaty award challenge under the Arbitration Act 1996 in the Commercial Court, in *The Czech Republic v Diag Human SE and Josef Stava*.
- Counsel for the investor (instructed by Skils) in *ČEZ v. Republic of Bulgaria* (ICSID Case No. ARB/16/24).
- Counsel for the investor in UNCITRAL proceedings involving a dispute over a plant in an eastern European State, involving complex issues of state succession.
- Counsel for the investor in *Energoprojekt A.S. v Republic of Bulgaria* (ICSID Case No. ARB/15/19), under a bilateral investment treaty and the energy charter treaty.
- Counsel for the State in *RSM Production Corporation v Saint Lucia* (ICSID Case No ARB/12/10).
- Counsel for the investor in *Electrabel v Republic of Hungary* (ICSID Case No ARB/07/19).
- Counsel for the State in *Cambodia in Cambodia Power Company and EDC v Kingdom of Cambodia* (ICSID Case No ARB/09/18).

Arbitrator experience

- Co-arbitrator in an LCIA arbitration concerning an agreement for the provision of intelligence in support of legal disputes (London seat, English law).
- Co-arbitrator in an LCIA arbitration concerning a dispute arising from a loan and guarantee (London seat, English law).
- Presiding arbitrator in an ICC arbitration concerning construction of a steel plant (New Delhi seat, Indian law).
- Emergency arbitrator in an ICC proceeding involving a shareholders' dispute and removal of individuals from the board of a joint venture company in the property development sector in Eastern Europe, including a virtual hearing (London seat, English law).
- Sole arbitrator in a US\$20 million ICC dispute under a guarantee in the hospitality sector in the Middle East, including a bifurcated partial award on jurisdiction, and using virtual hearings (London seat, English law).
- President of a three-member tribunal in a US\$10 million ICC dispute under a contract for the supply of coal (London seat, English law).
- Sole arbitrator in a SIAC dispute concerning the purchase of a vessel (London seat, English law).
- Sole arbitrator in an ICC dispute concerning franchising agreements in the education sector in Asia, where Respondent failed to participate (London seat, Indian law).
- Co-arbitrator in an ICC dispute concerning a joint venture in the telecommunications sector in Asia (London seat, Indian law).
- Sole arbitrator in an ICC dispute concerning a contract for provision of services in the pharmaceutical sector, including a virtual hearing with witness evidence (London seat, English law).

Human rights

- Instructed by Australia in its Article 63 intervention in *Allegations of Genocide under the Convention on the Prevention and Punishment of Genocide (Ukraine v Russian Federation)* before the ICJ.
- Instructed by the United Kingdom in *Hanan v Germany*, a case before the European Court of Human Rights concerning issues of extraterritorial jurisdiction in the context of an armed conflict.
- Representing applicants before the European Court of Human Rights in a case involving expropriation of property rights in a substantial piece of land in eastern Europe.
- Acting for Media Legal Defence Initiative intervening in proceedings before the Court of the Economic Community of West African States, involving allegations of judicial corruption and breaches of the right to freedom of expression.
- Advising a State on the implications of a decision of the European Court of Human Rights in the light of EU law Advising non-governmental organizations on an intervention before the European Court of Human Rights.

Energy and natural resources

- Counsel for the investor (instructed by Skils) in *ČEZ v. Republic of Bulgaria* (ICSID Case No. ARB/16/24).

- Counsel for the investor in *Energopro A.S. v Republic of Bulgaria* (ICSID Case No. ARB/15/19).
- Advising on the enforcement of a political risk insurance policy in connection with proceedings under a bilateral investment treaty in the natural resources sector in Asia.
- Counsel for the State in *RSM Production Corporation v Saint Lucia* (ICSID Case No ARB/12/10).
- Counsel for the investor in *Electrabel v Republic of Hungary* (ICSID Case No ARB/07/19).
- Counsel for the State in *Cambodia in Cambodia Power Company and EDC v Kingdom of Cambodia*. (ICSID Case No ARB/09/18)
- Advising a State on a joint development zone for maritime areas, to permit exploration and exploitation of hydrocarbons by two neighbouring States while a maritime boundary dispute is pending.

Recommendations

Her strategic vision for the most difficult cases is spot on, her intellectual rigour is outstanding, and her attention to detail is exceptional. She's an extraordinarily talented lawyer. [Chambers UK Bar 2023](#)

First rate intellect, very well-organised mind. [The Legal 500 UK Bar 2023](#)

Very diligent and able to get on with whatever the task – including complex factual and expert issues. [The Legal 500 UK Bar 2023](#)

A good advocate with a strong, analytical mind who is hands-on and diligent." "She is responsive and accurate. [Chambers UK Bar 2022](#)

Kate is a fantastic, talented lawyer: hardworking, clever, a great advocate and also a joy to work with. She holds her own against far more senior people with aplomb. [The Legal 500 UK Bar 2022](#)

Kate Parlett is a 'stellar practitioner with a real understanding of client needs in relation to international arbitration' who possesses 'extensive experience representing clients from a wide range of sectors in cross-border disputes' [Who's Who Legal, Arbitration 2021 - Future Leaders](#)

Extremely diligent, a very strong intellect and a very good written and oral advocate. She ticks all the boxes and is a good team player. [Chambers UK Bar 2021](#)

Great knowledge of the law and ability to communicate it to (non-specialist) lawyers and non-lawyers. Clear written advice. [The Legal 500 UK Bar 2021](#)

Fantastic cross-examination skills, including attention to detail, tenacity and just the right level of aggression. [The Legal 500 UK Bar 2021](#)

She has a fantastic grasp of ECHR jurisprudence, and a depth of knowledge of PIL issues. [The Legal 500 UK Bar 2020](#)

An expert on public international law, deemed a 'very knowledgeable and confident' practitioner who 'asks insightful and probing questions'. [Who's Who Legal, UK Bar, 2020](#)

Possesses a very strong academic background in public international law." "Very confident and knowledgeable. [Chambers UK Bar 2020](#)

Very hard-working, committed to her work and reliable. [Chambers UK Bar 2019](#)

Really excellent, very bright, and very hardworking. [The Legal 500 UK Bar 2019](#)

Kate Parlett stands out as 'one of the top barristers in public international law in London', and is well versed in handling complex international arbitration disputes. She is recognised particularly as 'a leading light in the law of the sea'. [Who's Who Legal, UK Bar, 2018](#)

She has a good International Court of Justice pedigree. [Chambers UK Bar 2018](#)