

T. 020 7404 3447 (Practice manager, Paul Venables 020 7611 9405)
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Called (Australia)1987 SC 1997 Called (United Kingdom) 1999



Main Areas of Practice

Arbitration & Mediation
Environmental
International
Public

James is Whewell Professor of International Law at the University of Cambridge. He is also Director of the Lauterpacht Research Centre for International Law, also at Cambridge. Before moving to Cambridge in 1992 he was a Member of the Australian Law Reform Commission; from 1992 he was a member of the International Law Commission, and was responsible in that capacity for the ILC's Draft Statute for an International Criminal Court (1994) and the ILC's Articles on State Responsibility (2001).

James has an extensive practice in international law and international arbitration, appearing before the ICJ, ITLOS, ICSID and ICC tribunals. He has been an arbitrator in ICSID and ad hoc arbitrations as well as in inter-state cases, he is a member of the ICSID panel of arbitrators, author of numerous books, and senior editor of the British Yearbook of International Law.

Notable Cases:

Before the International Court of Justice

[Certain Phosphate Lands in Nauru \(Nauru v Australia\)](#) ICJ Rep 1992 p240 (counsel for Nauru) (settled in August 1993)

[Territorial Dispute \(Libya v Chad\)](#) ICJ Rep 1994 p 6 (counsel for Libya)

[East Timor Dispute \(Portugal v Australia\)](#) ICJ Rep 1995 p 90 (counsel for Australia)

[Aerial Incident of 3 July 1988 \(Islamic Republic of Iran v United States of America\)](#) (counsel for Iran) (withdrawn pending settlement negotiations; settled 1996: see ICJ Rep 1996 p 9)

[Request for an Investigation of the Situation \(New Zealand v France\)](#) ICJ Rep 1995 p 288 (counsel for Pacific Island States seeking to intervene: Samoa, Solomon Islands, Federated States of Micronesia, Marshall Islands)

[Legality of the Use by a State of Nuclear Weapons in Armed Conflict \(Advisory Opinion\)](#), ICJ Rep 1996 p 66 (counsel for Solomon Islands)

[Legality of the Threat or Use of Nuclear Weapons \(Advisory Opinion\)](#), ICJ Rep 1996 p 226 (counsel for Solomon Islands)

[Land and Maritime Dispute \(Cameroon v Nigeria\)](#) ICJ Rep 1996 p 13 (Interim Measures) (counsel for Nigeria); ICJ Rep 1998 p 275

[Case concerning the Oil Platforms \(Islamic Republic of Iran v United States of America\)](#) (senior counsel for Iran) ICJ Reports 1996 p 803

[Gabcikovo-Nagymaros Barrage System \(Hungary v Slovakia\)](#) ICJ Rep 1997 p 7 (senior counsel for Hungary)

[Case concerning Sipidan and Ligitan \(Malaysia v Indonesia\)](#) (counsel for Malaysia)

[Case concerning Application of the Convention on the Prevention and Punishment of the Crime of Genocide \(Croatia v. Serbia\)](#) (senior counsel for Croatia)

[Case concerning Certain Property \(Liechtenstein v. Germany\)](#) ICJ Reports 2006 p 6 (senior counsel for Liechtenstein)

[Case concerning Pulau Batu Puteh \(Malaysia v Singapore\)](#), judgment of 23 May 2008 (senior counsel for Malaysia)

[Advisory Opinion on Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory](#), ICJ Reports 2004 p. 136 (counsel for Palestine)

[Maritime Delimitation in the Black Sea \(Romania v Ukraine\)](#), ICJ Reports 2009, judgment of 3 February 2009 (senior counsel for Romania)

[Dispute regarding Navigational and Related Rights \(Costa Rica v Nicaragua\)](#), judgment of 13 July 2009 (senior counsel for Costa Rica)

[Territorial and Maritime Dispute \(Nicaragua v Colombia\)](#) (Merits) (senior counsel for Colombia)

[Aerial Herbicide Spraying \(Ecuador v. Colombia\)](#) (senior counsel for Colombia)

[Application of the International Convention on the Elimination of All Forms of Racial Discrimination \(Georgia v. Russian Federation\)](#) (senior counsel for Georgia), Provisional measures application in International Court of Justice; senior counsel for Georgia. Case concerns ethnic cleansing in Georgia following Russian intervention of August 2008. Provisional measures granted: Order of 15 October 2008

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Notable Cases

Maritime Dispute (Peru v. Chile) (senior counsel for Chile)
Kosovo Advisory Opinion (senior counsel for United Kingdom)
Macedonia v Greece (senior counsel for Greece)

Before Other International Tribunals

Islamic Republic of Iran v United States of America, Cases Nos. A15(IV) and A24 Award No. 590-A15(IV)/A24-FT, 28 Dec 1998) (Iran-United States Claims Tribunal, Full Tribunal) (counsel for Iran)

Prosecutor v Blaškić (Objection to the Issue of Subpoenae duces tecum) (International Criminal Tribunal for the Former Yugoslavia, Trial Chamber II) (1997) 110 ILR 606, on appeal, *ibid.* 668) (counsel for the Prosecutor)

Tradex Hellas SA v Albania (1996, 1999) 5 ICSID Reports 43 (ICSID Tribunal) (senior counsel for Albania)

Case concerning Southern Blue-fin Tuna (Australia & New Zealand v Japan) Order for interim measures of protection, International Tribunal for the Law of the Sea, 26 August 1999 38 ILM 1624 (1999), 117 ILR 148; Annex VII arbitration, Washington, May 2000, 119 ILR 508 (Part XV arbitration) (senior counsel for Australia)

Islamic Republic of Iran v United States of America, Case No. A30 (Iran-United States Claims Tribunal, Full Tribunal, pending) (counsel for Iran)

Eritrea/Ethiopia Boundary Commission (Boundary Commission under the auspices of the Permanent Court of Arbitration, 2001) (counsel for Eritrea) 41 ILM 1057

Eritrea/Ethiopia Compensation Commission (Commission under the auspices of the Permanent Court of Arbitration, 2001) 42 ILM 1027, 1056 (counsel for Eritrea) 42 ILM 1056

The Volga (Russia v Australia) (Prompt Release) (International Tribunal for the Law of the Sea), 42 ILM 159

Case Concerning Land Reclamation by Singapore in and around the Straits of Johor (Request for Provisional Measures) (International Tribunal for the Law of the Sea, 2003) (leading counsel for Malaysia)

Barbados v Trinidad and Tobago (Annex VII Tribunal under the 1982 Convention) (2006) 45 ILM 798 (senior counsel for Trinidad and Tobago)

Baglihar Dam dispute (Pakistan v India) (proceedings before a Neutral Expert under the Indus Waters Agreement) (senior counsel for Pakistan)

Abyei Dispute (Government of Sudan/Sudan People's Liberation Movement, PCA, senior counsel for Republic of Sudan)

Plus counsel for applicant or respondent in numerous arbitrations (ICC, UNCITRAL, ICSID, NAFTA, etc.)

Experience as Judge/Arbitrator

Judge, OECD Administrative Tribunal (1993, reappointed 1996, 1999, 2002)

Dabhol Power Company v State of Maharashtra (ad hoc arbitration under UNCITRAL Rules, 1995) (interim award on jurisdiction and arbitrability, 7 February 1996; subsequently settled by consent order) (President of the Tribunal)

Larsen v Hawaiian Kingdom (presiding arbitrator; ad hoc arbitration under the auspices of the Permanent Court of Arbitration, award terminating arbitration, February 2001), 119 ILR 566

Newfoundland/Nova Scotia, Maritime Boundary Arbitration (member of Tribunal, appointed by the Government of Canada) first phase, Fredericton, Award of 17 May 2001; second phase, Award of 26 March 2002

Compañía de Aguas del Aconquija S.A. & Vivendi Universal v Argentine Republic (ICSID Case No. ARB/97/3), Decision of 3 July 2002, 41 ILM 1037, 125 ILR 43 (member of ad hoc Committee)

Mondev International Ltd v United States of America (ICSID Case No ARB(AF)/99/2), Award of 11 October 2002, 42 ILM 85; 125 ILR 98 <http://www.state.gov/documents/organization/14442.pdf> (member of Tribunal)

Waste Management, Inc. v United Mexican States (ICSID Case No. ARB(AF)/00/3) (President), Decision on Preliminary Objection, 24 July 2002; 41 ILM 1315; Award, 30 April 2004 (President of Tribunal)

Yaung Chi Oo Trading Pte. Ltd v Government of Myanmar (ASEAN Case No. ARB 01/1, member of Tribunal), Final Award, 31 March 2003, 42 ILM 540 (member of Tribunal)

Case concerning the MOX Plant, Republic of Ireland v United Kingdom (Arbitration under UNCLOS Annex VII) 42 ILM 1118 (party-appointed arbitrator for Republic of Ireland)

SGS Société Générale de Surveillance SA v Republic of the Philippines (ICSID Case No. ARB/02/6) decision on jurisdiction and admissibility (member of Tribunal)

Jacobs Gibb Limited v The Hashemite Kingdom of Jordan (ICSID Case No. ARB/02/12) (party-appointed arbitrator, pending)

EnCana Corporation v Government of the Republic of Ecuador (LCIA-administered Arbitration UN3481) (President of the Tribunal)

ZG Specialty Insurance Co v Sovereign Risk Insurance Ltd (AAA Arbitration) (member of the Tribunal, settled)

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Notable Cases

[Republic of Armenia v Helennic Telecommunications Organization SA \(ICC Arbitration 10905/ACS/FM\)](#) (member of the Tribunal, settled)

[Channel Tunnel Group Ltd & Another v Secretary of State for Transport & Another](#) (President of the Tribunal), Partial Award of 30 January 2007

[Tembec Inc. v United States of America \(NAFTA Chapter 11 Arbitration\)](#) (member of Tribunal, consolidated)

[MTD Equity Sdn Bhd v Republic of Chile \(ICSID Case ARB/01/07\)](#) (member of annulment Committee)

[CMS Gas Transmission Co v Argentine Republic \(ICSID Case ARB/01/08\)](#) (member of annulment Committee)

[Asian Village Antigua Limited v Government of Antigua and Barbuda \(UNCITRAL Arbitration under the auspices of the LCIA\)](#) (Sole arbitrator), Award of 28 September 2007.

[Chemtura Corporation v Government of Canada \(NAFTA Chapter 11 Arbitration, member of Tribunal, pending\)](#)

[Trans-Global Petroleum Inc v Hashemite Kingdom of Jordan \(ICSID Arbitration, member of Tribunal, pending\)](#)

[Liman Caspian Oil BV & NCL Dutch Investment BV v Republic of Kazakhstan \(ICSID Case No. ARB/07/14, member of Tribunal, pending\)](#)

[Railroad Development Corporation v Republic of Guatemala \(ICSID Case No. ARB/07/23, member of Tribunal, pending\)](#)

Expert Witness

[Trade Practices Commission v Australia Meat Holdings Pty Ltd](#) (1988) 83 Australian Law Reports 299 (Federal Court of Australia, Wilcox J)

[Schexnider v McDermott International Inc](#) (DC, La (WD), 1988, Civil Action No 81-2358) (evidence on oath for plaintiff)

[Simoneaux v McDermott International Inc](#) (SC, La, 1989) (evidence on deposition for plaintiff)

[Propend Pty Ltd v Singh & Commissioner for the Australian Federal Police \(UK High Court Laws J, 1996, CA, 1997, leave to appeal to the House of Lords refused\)](#) (evidence on oath for defendant, evidence upheld on appeal), 111 ILR 611

[Adviser to and Expert Witness on behalf of the Department of Justice, Government of Canada, Reference re Secession of Quebec](#) (Canada, Supreme Court) 115 ILR 536

[Citoma Trading Ltd v Federative Republic of Brazil, Court of Appeal 1999](#), on appeal from J H Rayner (Mincing Lane) Ltd & ors v

Expert Witness on behalf of the Department of Justice, Government of Canada, [Democracy Watch and another v Attorney-General of Canada](#) (Ontario Superior Court of Justice, Court file 01-CV-211576)

Expert Witness on behalf of the Department of Justice, Government of Canada, [Council of Canadians and another v Attorney-General of Canada](#) (Ontario Superior Court of Justice, Court file Court File No. 01-CV-208141), reprinted in (2005) 2(5) Transnational Dispute Management.

Expert witness on behalf of [Talisman Energy Inc., Presbyterian Church of Sudan & others v Talisman Energy, Inc & Republic of Sudan](#), 244 F Supp 289 (DNY, 19 March 2003)

Expert Witness on behalf of the Department of Justice, Government of Canada, [Council of Canadians and another v Attorney-General of Canada](#) (Ontario Superior Court of Justice, Court file Court File No. 01-CV-208141), reprinted in (2005) 2(5) Transnational Dispute Management.

In addition, expert reports on international law in numerous arbitrations.

Counsel before National Courts

[R v Lyons and others](#) [2002] 4 All ER 1028 (HL) (junior counsel for the Appellants)

[R \(Al Jeddah\) v Secretary of State for Defence](#), [2007] UKHL 58 (senior counsel for the interveners, Liberty & Justice)

[The Republic of Croatia v The Republic of Serbia](#), [2009] EWHC 1559 (Ch) (senior counsel for Croatia)

Miscellaneous

Legal Adviser to the Crown Prince of Jordan, Israel Jordan Treaty of Peace, Araba Crossing Point, 26 October 1994: (1995) 34 ILM 43.

Retained by Shipping Conference Services to advise foreign shipping companies on application of Australian legislation to conference trades (1988-93, 1996, 2000, 2004).

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Directories' Recommendations

Chambers & Partners 2010 recommends James Crawford SC as a star individual in Public International Law; "*he has an incredible brain and is able to rise to any challenge*", "*faultless knowledge but is also approachable as he is not a man to stand on his authority and status*" and "*the best in the business*". He is also ranked as a leading silk (band 1) in International Arbitration; "*eloquent and remarkably intellectual presentation style*".

Legal 500 2009 recommends Professor James Crawford SC as a leading silk in Public International Law (band 1), "*pre-eminent in public international law*".

Employment

University of Adelaide: Lecturer, August 1974-7; Senior Lecturer, 1977-82; Reader, 1982-3; Professor of Law (personal chair), 1983-6.

Australian Law Reform Commission: Commissioner (full-time) 1982-84.

University of Sydney: Challis Professor of International Law, 1986-92; Dean, Faculty of Law, 1990-92.

University of Cambridge: Whewell Professor of International Law; Professorial Fellow of Jesus College (1992-); Director, Lauterpacht Research Centre for International Law (1995-2003, 2006-); Chair, Faculty Board of Law (2003-6).

Publications

The Creation of States in International Law (Oxford, Clarendon Press, 1979) i-xxviii, 1-498.

The Rights of Peoples (editor) (Clarendon Press, Oxford, 1988; paperback, 1992) i-x, 1-236.

The Law of the Sea in the Asia Pacific Region (editor, with DR Rothwell) (Nijhoff, Dordrecht, 1995) ix + 282 pp.

(coedited with Philip Alston) *The Future of UN Human Rights Treaty Monitoring* (Cambridge, Cambridge University Press, 2000) i-xxx, 1-530

The ILC's Articles on State Responsibility: Introduction, Text and Commentaries (Cambridge, Cambridge University Press, 2002) xxviii + 384pp.; also published in French (Pedone, Paris, 2003), xvi & 461 and in Spanish (Dykinson, Madrid, 2004), 461

International Law as an Open System. Selected Essays (Cameron & May, London, 2002) pp. 1-607

Australian Courts of Law (4th edn with Brian Opeskin, Oxford University Press, Melbourne, 2004) xii, 1-308

Foreign Investment Disputes. Cases, Materials and Commentary (with R Doak Bishop and W Michael Reisman) (Kluwer Law International, The Hague, 2005) lv + 1653

Rights in One Country: Hong Kong and China (University of Hong Kong, 2005) (1-xviii, 1-42)

The Creation of States in International Law (2nd edn, Oxford University Press, 2006) i-lxii, 1-870

The Law of International Responsibility (edited with A Pellet, S Olleson, to be published by Oxford University Press, May 2010)

Tertiary Education & degrees

Adelaide University, 1966-1971;

BA (English & History-Politics), 1971;

LLB (first class honours), 1971;

Stow Scholar;

Australian Shell Scholar, 1971

DPhil (Oxon, 1977)

LLD (Cantab, 2004)

Juris Doctor honoris causa (Pázmány Péter

Catholic University of Budapest, 2005;

University of Paris-I Sorbonne, 2007)

Professional Qualifications

Barrister and Solicitor of the High Court of Australia (1977).

Barrister of the Supreme Court of New South Wales (called 6/11/1987);

Senior Counsel (appointed 7/11/97).

Barrister, Gray's Inn (called March 1999);

Foundation Member of Matrix Chambers.