

# Shaheed Fatima QC

*“She is Supreme Court judge material, that is how good she is. She is extraordinary.”*

– CHAMBERS AND PARTNERS, 2016

Year of call: **2001**  
Appointed to silk: **2016**  
Degree: **LLB (Hons) (Glasgow), BCL (Oxon), LLM (Harvard)**



Shaheed has a broad practice which includes commercial law, civil liberties/human rights, public law/regulatory law and public international law. Many of her cases involve an international dimension and aspects of either conflict of laws or public international law.

The extensive scope of her practice is reflected in the wide range of courts in which she appears (English courts; the European Court of Human Rights; the Court of Justice of the European Union; UN treaty bodies; arbitral tribunals) and in her diverse clients, which include

- States (e.g. Bahrain; Cyprus; Iran; Rwanda; Russian Federation; UK);
- International organisations (e.g. the UN Refugee Agency; World Bank Group);
- Companies and regulatory bodies (e.g. Association of Chartered Certified Accountants; Gemfields; Glencore; Miramax; Royal Mail);
- NGOs (e.g. Amnesty; Justice; Liberty; Redress);
- UK Government Departments (e.g. Foreign and Commonwealth Office; Home Office; Treasury), and
- Prominent individuals (e.g. Prince Abdul Aziz of the Kingdom of Saudi Arabia; Gordon Brown, former UK Prime Minister and UN Special Envoy for Global Education; the UK Prime Minister; the Trustee for the liquidation of the business of Bernard L Madoff Investment Securities LLC; former Ukrainian President, Viktor Yanukovich).

In terms of the nature of her work: although Shaheed's work is wide-ranging she is often instructed on international law issues such as sovereign immunity and is as comfortable in a commercial law setting as she is in a public/human rights law setting. For example, in the commercial law context, she was instructed by the Russian Federation in relation to Yukos' \$50 billion arbitral award and by Prince Abdul Aziz in relation to a claim of over £12 million. In the public/human rights law context she was instructed in *Mohammed v Secretary of State for Defence* [2017] AC 821 (Supreme Court) which concerned detention in Afghanistan and the relationship between international human rights law and international humanitarian law and in *R (GCHR) v Prime Minister* [2018] EWCA Civ 1855 (Court of Appeal) which concerned an amendment to the Ministerial Code and the role/use of international law within domestic law.

Before becoming a QC in 2016, Shaheed was frequently instructed on UK Government work. She was a member of the Attorney General's Public International Law 'A' Panel (2014-2016) and the Attorney General's 'A' Panel (2011-2016), having previously been on the 'B' Panel (2009-2011). Examples of cases in which she was instructed by the UK Government whilst on the Panels include: cases before UN treaty bodies (e.g. the Committee on the Elimination of Discrimination Against Women); the Kosovo Advisory Opinion (International Court of Justice, 2010); *Shepherd v Germany* (Case C-472/13) [2015] QB 799 (Court of Justice of the European Union); *El Kott* (Case C-364/11, Grand Chamber, Court of Justice, 2012); and *Alarape v Secretary of State for the Home Department* (Case C-529/11) [2013] 1 WLR 2883 (Court of Justice).

In addition to advising and representing clients in specific cases, Shaheed has also been appointed to conduct wide-ranging legal reviews. In April 2017, she was appointed Chair of the Legal Panel to the Inquiry on Protecting Children in Conflict by Gordon Brown, former UK Prime Minister and is the lead author of the book that was produced as part of the Inquiry: *Protecting Children in Armed Conflict* (2018, Hart/Bloomsbury Publishing). In June 2018, she was appointed by the World Bank Group, as one of three external experts, to conduct a review of its policies, procedures and practices in order to improve the existing provisions and processes for tackling, reporting and reviewing allegations of sexual harassment and sexual exploitation and abuse.

Shaheed is a widely-recognised and award-winning lawyer. In January 2017, *The Lawyer* magazine named Shaheed as one of its 'Hot 100' leading lawyers. In December 2013 she was listed in *Chambers UK's Top Junior Bar 100*; in October 2013 she was awarded Junior of the Year in Human Rights and Public Law (by *Chambers Bar Awards*; and was shortlisted in the same category in 2011); and in 2005 she was awarded the Human Rights Lawyer of the Year Award (by *Liberty and Justice*). She is identified as a leading silk in the latest editions of both *Chambers UK* and *Legal 500* for her expertise in Administrative and Public Law, Civil Liberties and Human Rights, Commercial Litigation/Dispute Resolution and Public International Law.

Shaheed is working on the second edition of her book, *International Law and Foreign Affairs in English Courts* (forthcoming 2019; Hart/Bloomsbury). She is the lead author of *Protecting Children in Armed Conflict* (see above); a contributor to *The Oxford Handbook of Comparative Foreign Relations Law* (Curtis A. Bradley, editor; forthcoming 2019, Oxford University Press) and a contributor and founding editor of the transatlantic national security blog, *Just Security*.

Shaheed has taught law at Pembroke College (University of Oxford); Harvard Law School; New York University School of Law, and the Graduate Institute in Geneva.

She frequently gives lectures and speaks at conferences – especially on international law and national security related issues. Recent events include: the 2018 Annual Lecture of the International Humanitarian Law Unit (November 2018, University of Nottingham); the 30th Anniversary of the Bangalore Principles, BIICL (November 2018, London); the launch of *Protecting Children in Armed Security* (November 2018, London); the ILSA International Law Weekend (October 2018; New York) and the 2018 Eli Lauterpacht Lecture (October 2018; University of Cambridge).

She is a trustee of the British Institute of International and Comparative Law; a Council member of the International Law Association, British Branch; a member of NYU's Global Institute for Advanced Study External Advisory Council; a member of the Social Science Research Council Working Group on Security; an Advocacy Trainer for Gray's Inn and a member of their Scholarships Committee.

## EXPERIENCE

---

### Commercial

Shaheed has a diverse commercial law practice with a broad client base which includes States, international organisations and prominent individuals, including royalty.

She is an experienced advocate before both English courts and arbitral tribunals and has worked on cases in other jurisdictions, including in New York, where she was called to the Bar in 2002.

In addition to her general commercial law practice, she has particular expertise in cases involving (a) private international law/conflicts of law; (b) public international law issues, especially international law immunities and privileges, and (c) act of state or non-justiciability issues. Shaheed's practical expertise in private international law/conflict of laws and public international law is complemented by her academic interest in these areas: she is working on the second edition of her book, *International Law and Foreign Affairs in English Courts* (forthcoming 2019); was a research assistant for North and Fawcett, *Cheshire and North's Private International Law* (1999) and Crawford, *Private International Law in Scotland* (1998) and she contributed to Goode, *Commercial Law* (2005) (chapters 37 Conflict of Laws and 38 Commercial Litigation). She taught contract law at Pembroke College, Oxford from 2003-2005.

In October 2009 Legal Week included her in the "Top 10 Stars of the Commercial/Chancery Bar" with the comment, "clients refer to her as 'like having another silk on the case'."

***"An outstanding lawyer who's responsive, hugely intelligent and great with clients."***

— CHAMBERS AND PARTNERS, 2019

### Cases

#### **AAA v Gemfields plc**

Instructed for the corporate defendant in a mass tort claim arising out of the operation of a ruby mine in Mozambique. The case raises complex questions of conflict of laws; the law of Mozambique and corporate accountability for alleged human rights' violations.

#### **Harb v Prince Abdul Aziz**

[2018] EWHC 508 (Ch)

Acting for the defendant, HRH Prince Abdul Aziz, in response to a £12 million contract claim. The case involved many hearings and several judgments. For the judgments on immunity see: [2014] 1 WLR 4437 and [2016] 2 WLR 533. The first trial, and resulting judgment of Peter Smith J, was set aside by the Court of Appeal and led to a retrial in 2018. The Prince succeeded. Permission to appeal was refused.

**Vilca & others v Xstrata Limited and Xstrata Tintaya**

[2018] EWHC 27 (QB)

Instructed

for the two corporate defendants, resisting a personal injury claim arising out of a violent protest at a Peruvian copper mine. The case lasted for a number of years: it involved several contested disclosure applications and raised complex questions of conflict of laws; Peruvian law, especially the Peruvian law of limitation, and corporate accountability for human rights' violations. The defendants succeeded after a trial of the preliminary issue on Peruvian limitation. The claimants were refused permission to appeal.

**Hulley Enterprises Limited, Yukos Universal Limited, Veteran Petroleum Limited v Russian Federation**

(2015) (ongoing; pending before the Commercial Court)

Acting for the defendant, the Russian Federation, resisting the enforcement of a \$50 billion arbitral award including by reference to sovereign immunity.

**Madoff Litigation: Madoff Securities International Limited and Irving H Picard v Raven and others; Rubin v Eurofinance SA; Vizcaya Partners Ltd v Irving Picard**

[2011] EWHC 3102 (Comm); [2013] 1 AC 236; [2016] UKPC 5 (ongoing)

Multiple, cross-jurisdictional, ongoing claims: Shaheed is part of a legal team representing the Trustee in Bankruptcy of Bernard Madoff. She has been involved in a number of actions (including those listed above) in different jurisdictions seeking to recover part of the US\$50 billion which was lost under the Madoff Ponzi Scheme.

**IFC v (1) Punj Lloyd Limited (2) Punj Lloyd Upstream Limited**

(2016)

Acted for the claimant in a \$20 million claim regarding loan agreements.

**Desarrollo Inmobiliario v Kader Holdings Company Limited**

[2014] EWHC 1460 (QB)

Acted for the defendant regarding the recognition and enforcement of a Judgment of the Superior Court of Arizona.

**LCIA Arbitration**

(2013/2014)

Acted for the claimant in a multi-jurisdictional dispute arising in the hospitality industry.

**Jacobs Engineering Group Inc and another v Aker P&C Group AS and others**

(2013)

Acted for the claimant in relation to an indemnity claim brought under a share sale agreement.

### **Dane Associates Ltd v Government of the Republic Rwanda**

(2013) (ICC)

Acted for the Government of the Republic of Rwanda defending and counterclaiming in relation to a gas and electricity supply concession and concerning indirect expropriation, the relationship between Rwandan law, customary international law and international treaties.

### **Apex Global Management Ltd v Fi Call Ltd**

[2013] EWCA Civ 642

Acted for the Petitioner in applications brought by two Saudi Princes claiming immunity under the State Immunity Act 1978.

### **Global Torch Ltd v Apex Global Management Ltd**

[2013] EWCA Civ 819

Acted for the respondent in relation to applications seeking to have interlocutory applications heard in private.

### **Zeid v Credit Suisse (UK) Limited**

[2013] EWCA Civ 14

Acted for Egyptian shipping magnate's family in mis-selling claim of around \$70 million regarding highly leveraged structured products.

### **HSBC Trustee (CI) Ltd v Public Joint Stock-Company Commercial Bank Nadra**

(2012)

Acted for the Claimant in a \$60 million claim under a Guarantee which raised questions of choice of law and the proper interpretation and application of Ukrainian regulatory and banking law.

## **Civil Liberties & Human Rights**

Shaheed has a wide-ranging human rights practice with a varied client base which includes States, multi-national companies and NGOs.

Prior to being appointed QC, Shaheed was on the Attorney General's Panel of Counsel (A Panel, 2011-2016 and B Panel, 2009-2011) and was frequently instructed by Government Departments on human rights matters. Whilst many of her cases start as judicial review claims before the English courts, she is an experienced human rights advocate in other fora, including the European Court of Human Rights, UN treaty bodies and EU courts.

***“She gives clear and forceful advice.”***

— CHAMBERS AND PARTNERS, 2019

Shaheed's practical expertise in human rights is complemented by her academic interest in this area: she is a contributor and founding editor of Just Security an online forum on law, rights and national security and she is working on the second edition of her book, *International Law and Foreign Affairs in English Courts* (forthcoming 2019). She is also the lead author of *Protecting Children in Armed Conflict* (2018, Hart/Bloomsbury Publishing) which covers international humanitarian law, international criminal law and international human rights law.

She frequently speaks at conferences on human rights and has taught human rights courses at Harvard Law School, NYU School of Law and at the Graduate Institute of International and Development Studies in Geneva.

Her human rights expertise has been widely recognised. For example:

- in 2005, on an article on six star lawyers under the age of thirty, Shaheed was featured by *The Lawyer* as the "human rights champion";
- in 2007 she was awarded the Liberty/Justice Human Rights Lawyer of the Year Award for "her remarkable work, often on a pro bono basis. For her brilliant analysis, consistent arguments and commitment in debating human rights cases before both the British and the European Courts." and
- in 2013 she won Junior of the Year in Human Rights & Public Law, at the Chambers Bar Awards 2013 (and was shortlisted in the same category in 2011).

## Cases

### **Rustavi 2 Broadcasting Company Ltd and others v Georgia**

Instructed by the applicants in relation to a claim before the European Court of Human Rights concerning the freedom of expression of a broadcasting company and alleging violations by Georgia of Articles 6, 10 and 18 of the ECHR and Article 1 of Protocol No.1.

### **Report for World Bank Group on Sexual Harassment**

Appointed in June 2018 by the World Bank Group, as one of three external experts, to conduct a review of its policies, procedures and practices in order to improve the existing provisions and processes for tackling, reporting and reviewing allegations of sexual harassment and sexual exploitation and abuse.

### **AJ and others v UK**

Counsel for UK in relation to claims alleging that the UK has violated the UN Convention on the Elimination of Discrimination Against Women.

### **A v UK**

(UN Committee on the Elimination of Discrimination Against Women)

Counsel for UK in relation to a claim alleging that the UK violated the UN Convention on the Elimination of Discrimination Against Women.

### **Inquiry on Protecting Children in Conflict**

Chair of the Legal Panel for the Inquiry on Protecting Children in Conflict (chaired by former UK Prime Minister, Gordon Brown). The 5000-page report of the Legal Panel, of which Shaheed is the lead author, has been published as a book, *Protecting Children in Armed Conflict* (2019, Hart/Bloomsbury Publishing). It reviews the position of children in armed conflict by reference to the six grave violations, as identified by the UN Security Council, and by reference to international humanitarian law, international criminal law and international human rights law.

### **Advising UN Special Envoy for Global Education on Idlib Bombing**

Advised Gordon Brown, the UN Special Envoy for Global Education, on accountability as a matter of international humanitarian law, international criminal law and international human rights law arising out of the bombing of a school complex in Idlib, Syria October 2016.

### **R (Freedom and Justice Party) v SSFCO and others**

[2018] EWCA Civ 1719

Instructed by the interveners, Amnesty International and Redress, and made written submissions before the Divisional Court and the Court of Appeal on whether there is a customary international law rule regarding special missions immunity and on the relationship between public international law and domestic English law.

### **AAA v Gemfields plc**

Instructed for the corporate defendant in a mass tort claim arising out of the operation of a ruby mine in Mozambique. The case raises complex questions of conflict of laws; the law of Mozambique and corporate accountability for alleged human rights' violations.

### **Vilca & others v Xstrata Limited and Xstrata Tintaya**

[2018] EWHC 27 (QB)

Instructed for the two corporate defendants, resisting a personal injury claim arising out of a violent protest at a Peruvian copper mine. The case lasted for a number of years: it involved several contested disclosure applications and raised complex questions of conflict of laws; Peruvian law, especially the Peruvian law of limitation, and corporate accountability for human rights' violations. The defendants succeeded after a trial of the preliminary issue on Peruvian limitation. The claimants were refused permission to appeal.

### **Yanukovych v Council of the EU**

Instructed by the claimants (the former President of Ukraine, Viktor Yanukovych and his son, Oleksandr Yanukovych), in challenging the restrictive measures/sanctions imposed on them against the EU.

### **Mohamed v MoD**

[2014] EWHC 1369 (QB) and [2016] 2 WLR 247 (ongoing; pending before the Supreme Court)

Acting for claimants in Article 5 (unlawful detention in Afghanistan) claim which raises issues of Article 1 jurisdiction, attribution and the relationship between international humanitarian law and international human rights law.

### **Claimants v Council of the European Union**

(2014) (ongoing; pending before the General Court of the EU)

Acting for claimants challenging the imposition of sanctions arising out of the situation in the Ukraine.

### **CD v UK**

(2014) (ongoing; pending before the UN Committee on the Elimination of Discrimination Against Women)

Acting for UK in claim alleging that various statutory provisions are discriminatory.

### **Qureshi v UK**

(UN Committee on the Elimination of Discrimination Against Women, Communication No.62/2103, 25 Feb 2016)

Acted for UK in claim alleging discriminatory treatment in the immigration context.

### **Dzhakishev v Kazakhstan**

(UN Human Rights Committee, Communication No. 2304/2014, 6 Nov 2015)

Acted for the author in a complaint regarding, inter alia, violations of fair trial rights and arbitrary detention.

### **R (AB) v SSD**

[2013] EWHC 3908 (Admin)

Acted for claimant in Article 2 (investigative duty) claim in the context of an incident in Afghanistan.

### **R (M) v Secretary of State for the Home Department**

[2012] EWCA Civ 668

Acted for SSHD in Article 3 (investigative duty) claim in the context of a protest in an immigration removal centre.

## **Public & Regulatory**

Shaheed has a wide-ranging public law practice and acts for both claimants and defendants in judicial review claims.

***“Shaheed combines her individual skills with a really strong team ethic.”***

– CHAMBERS AND PARTNERS, 2019



Prior to being appointed QC, Shaheed was on the Attorney General's Panel of Counsel (A Panel, 2011-2016 and B Panel, 2009-2011) and was frequently instructed by Government Departments on public law matters. Whilst many of her cases start as judicial review claims before the English courts, Shaheed is an experienced public law advocate in other fora, including the European Court of Human Rights, UN treaty bodies and EU courts.

Shaheed's practical expertise in public law is complemented by her academic interest in this area: she is a contributor and founding editor of Just Security an online forum on law, rights and national security and she is working on the second edition of her book, International Law and Foreign Affairs in English Courts (forthcoming 2019).

She frequently speaks at conferences on national security issues and has taught national security courses at Harvard Law School, NYU School of Law and at the Graduate Institute of International and Development Studies in Geneva.

In 2013 she won Junior of the Year in Human Rights & Public Law, at the Chambers Bar Awards 2013 (and was shortlisted in the same category in 2011).

## Cases

### **Bacardi & Company Ltd v (1) Roosevelt Kamiller Whyms; (2) Carolyn Whyms; (3) Venice Bay Holdings Ltd**

Instructed by the defendants in relation to proceedings before the Privy Council (from the Court of Appeal of the Bahamas) raising a question of statutory construction.

### **R (Freedom and Justice Party) v SSFCO and others**

[2018] EWCA Civ 1719

Instructed by the interveners, Amnesty International and Redress, and made written submissions before the Divisional Court and the Court of Appeal on whether there is a customary international law rule regarding special missions immunity and on the relationship between public international law and domestic English law.

### **Yanukovych v Council of the EU**

Instructed

by the claimants (the former President of Ukraine, Viktor Yanukovych and his son, Oleksandr Yanukovych), in challenging the restrictive measures/sanctions imposed on them against the EU.

### **Mohamed v MoD**

[2014] EWHC 1369 (QB) and [2016] 2 WLR 247 (ongoing; pending before the Supreme Court)

Acting for claimants in Article 5 (unlawful detention in Afghanistan) claim which raises issues of Article 1 jurisdiction, attribution and the relationship between international humanitarian law and international human rights law.

### **R (Gulf Centre for Human Rights) v Prime Minister**

[2018] EWCA Civ 1855

Acted for the defendants (in the High Court and the Court of Appeal) in a judicial review claim challenging the decision to amend the Ministerial Code. The claim raised issues regarding the relationship between public international law and domestic English law.

### **Shepherd v Germany (Case C-472/13)**

[2015] QB 799 (European Court of Justice, Second Chamber)

Acted for the UK in preliminary ruling case regarding Article 9 of Council Directive 2004/83/EC on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection.

### **R (Ullah) v SSHD**

[2015] EWHC 337 (Admin)

Acted for defendant in judicial review claim regarding refusal of application for leave to remain.

### **Pension reform advice**

Advised HM Treasury on pension reform.

### **R (Whitston) v SSJ**

[2014] EWHC 3044 (Admin)

Acted for defendant in judicial review claim challenging consultation and decision to apply the LASPO reforms to mesothelioma cases.

### **R (AB) v SSD**

[2013] EWHC 3908 (Admin)

Acted for claimant in Article 2 (investigative duty) claim in the context of an incident in Afghanistan.

### **Kott and others (Case C-364/11)**

[2013] Imm AR 357 (European Court of Justice, Grand Chamber)

Acted for UK in preliminary ruling case regarding Article 12 of Council Directive 2004/83/EC on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection.

### **Alarape and Tijani (Case C-529/11)**

[2013] 1 WLR 2883 (European Court of Justice, Second Chamber)

Acted for UK in preliminary ruling case regarding Article 12 of Regulation of 1612/68/EEC on freedom of movement for workers.

**R (M) v Secretary of State for the Home Department**

[2012] EWCA Civ 668

Acted for SSHD in Article 3 (investigative duty) claim in the context of a protest in an immigration removal centre.

**Public International Law**

Shaheed has a diverse public international law practice with a broad client base which includes States, multi-national companies and prominent individuals, including royalty.

Prior to being appointed QC, Shaheed was on the Attorney General's Public International Law Panel of Counsel (2014-2016) and was frequently instructed by Government Departments on PIL matters. Many of the cases she is instructed in – including those before English courts and the European Court of Human Rights – involve significant PIL issues. These cases range from commercial law cases to human rights and public law cases. She has also been instructed, for her PIL experience, in other fora including arbitral tribunals, the International Court of Justice and EU courts.

Shaheed's practical expertise in PIL is complemented by her academic interest in this area: she is working on the second edition of her book, *International Law and Foreign Affairs in English Courts* (forthcoming 2019) and has taught human rights/national security courses with significant PIL content at Harvard Law School, NYU School of Law and at the Graduate Institute of International and Development Studies in Geneva. She is also the lead author of *Protecting Children in Armed Conflict* (2018, Hart/Bloomsbury Publishing) which covers international humanitarian law, international criminal law and international human rights law.

She frequently speaks at conferences on PIL, is a trustee of the British Institute of International and Comparative Law; a Council member of the International Law Association, British Branch and was part of the International Law Association's Study Group on "Principles on the engagement of domestic courts with international law".

***"She has real depth of knowledge and breadth of experience."***

– CHAMBERS AND PARTNERS, 2019

**Cases****Rustavi 2 Broadcasting Company Ltd and others v Georgia**

Instructed by the applicants in relation to a claim before the European Court of Human Rights concerning the freedom of expression of a broadcasting company and alleging violations by Georgia of Articles 6, 10 and 18 of the ECHR and Article 1 of Protocol No.1.

**Report for World Bank Group on Sexual Harassment**

Appointed in June 2018 by the World Bank Group, as one of three external experts, to conduct a review of its policies, procedures and practices in order to improve the existing provisions and processes for tackling, reporting and reviewing allegations of sexual harassment and sexual exploitation and abuse.

**AJ and others v UK**

Counsel for UK in relation to claims alleging that the UK has violated the UN Convention on the Elimination of Discrimination Against Women.

**A v UK**

(UN Committee on the Elimination of Discrimination Against Women)

Counsel for UK in relation to a claim alleging that the UK violated the UN Convention on the Elimination of Discrimination Against Women.

**Inquiry on Protecting Children in Conflict**

Chair of the Legal Panel for the Inquiry on Protecting Children in Conflict (chaired by former UK Prime Minister, Gordon Brown). The 5000-page report of the Legal Panel, of which Shaheed is the lead author, has been published as a book, *Protecting Children in Armed Conflict* (2019, Hart/Bloomsbury Publishing). It reviews the position of children in armed conflict by reference to the six grave violations, as identified by the UN Security Council, and by reference to international humanitarian law, international criminal law and international human rights law.

**Advising UN Special Envoy for Global Education on Idlib Bombing**

Advised Gordon Brown, the UN Special Envoy for Global Education, on accountability as a matter of international humanitarian law, international criminal law and international human rights law arising out of the bombing of a school complex in Idlib, Syria October 2016.

**Yanukovich v Council of the EU**

Instructed

by the claimants (the former President of Ukraine, Viktor Yanukovich and his son, Oleksandr Yanukovich), in challenging the restrictive measures/sanctions imposed on them against the EU.

**R (Freedom and Justice Party) v SSFCO and others**

[2018] EWCA Civ 1719

Instructed by the interveners, Amnesty International and Redress, and made written submissions before the Divisional Court and the Court of Appeal on whether there is a customary international law rule regarding special missions immunity and on the relationship between public international law and domestic English law.

**Harb v Prince Abdul Aziz**

[2018] EWHC 508 (Ch)

Acting for the defendant, HRH Prince Abdul Aziz, in response to a £12 million contract claim. The case involved many hearings and several judgments. For the judgments on immunity see: [2014] 1 WLR 4437 and [2016] 2 WLR 533. The first trial, and resulting judgment of Peter Smith J, was set aside by the Court of Appeal and led to a retrial in 2018. The Prince succeeded. Permission to appeal was refused.

### **Mohamed v MoD**

[2014] EWHC 1369 (QB) and [2016] 2 WLR 247 (ongoing; pending before the Supreme Court)

Acting for claimants in Article 5 (unlawful detention in Afghanistan) claim which raises issues of Article 1 jurisdiction, attribution and the relationship between international humanitarian law and international human rights law.

### **Hulley Enterprises Limited, Yukos Universal Limited, Veteran Petroleum Limited v Russian Federation**

(2015) (ongoing; pending before the Commercial Court)

Acting for the defendant, the Russian Federation, resisting the enforcement of a \$50 billion arbitral award including by reference to sovereign immunity.

### **R (Gulf Centre for Human Rights) v Prime Minister**

[2018] EWCA Civ 1855

Acted for the defendants (in the High Court and the Court of Appeal) in a judicial review claim challenging the decision to amend the Ministerial Code. The claim raised issues regarding the relationship between public international law and domestic English law.

### **Claimants v Council of the European Union**

(2014) (ongoing; pending before the General Court of the EU)

Acting for claimants challenging the imposition of sanctions arising out of the situation in the Ukraine.

### **CD v UK**

(2014) (ongoing; pending before the UN Committee on the Elimination of Discrimination Against Women)

Acting for UK in claim alleging that various statutory provisions are discriminatory.

### **Qureshi v UK**

(UN Committee on the Elimination of Discrimination Against Women, Communication No.62/2103, 25 Feb 2016)

Acted for UK in claim alleging discriminatory treatment in the immigration context.

### **Dzhakishev v Kazakhstan**

(UN Human Rights Committee, Communication No. 2304/2014, 6 Nov 2015)

Acted for the author in a complaint regarding, inter alia, violations of fair trial rights and arbitrary detention.

### **Shepherd v Germany (Case C-472/13)**

[2015] QB 799 (European Court of Justice, Second Chamber)

Acted for the UK in preliminary ruling case regarding Article 9 of Council Directive 2004/83/EC on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection.

### **Kott and others (Case C-364/11)**

[2013] Imm AR 357 (European Court of Justice, Grand Chamber)

Acted for UK in preliminary ruling case regarding Article 12 of Council Directive 2004/83/EC on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection.

### **Dane Associates Ltd v Government of the Republic Rwanda**

(2013) (ICC)

Acted for the Government of the Republic of Rwanda defending and counterclaiming in relation to a gas and electricity supply concession and concerning indirect expropriation, the relationship between Rwandan law, customary international law and international treaties.

### **Apex Global Management Ltd v Fi Call Ltd**

[2013] EWCA Civ 642

Acted for the Petitioner in applications brought by two Saudi Princes claiming immunity under the State Immunity Act 1978.

### **Advising Royal Mail Group Limited**

(2013)

Advising Royal Mail Group Limited on matters arising in relation to the Universal Postal Union.

### **Request for Advisory Opinion**

(2010) (ICJ)

Accordance with International Law of the Unilateral Declaration of Independence by the Provisional Institutions of Self-Government of Kosovo (Request for Advisory Opinion).

## ACHIEVEMENTS

---

### Education

LLB (Hons) (Glasgow), BCL (Oxon), LLM (Harvard)

### Prizes & Scholarships

Shaheed was a Kennedy Scholar and Gammon Fellow at Harvard Law School and was awarded three Scholarships by Gray's Inn (Karmel, Bedingfield and Arden).

## Publications

Shaheed is working on the second edition of her book, *International Law and Foreign Affairs in English Courts* (forthcoming 2019; Hart/Bloomsbury Publishing) (first ed: 2005 with a Foreword by Lord Bingham) (Hart Publishing). She is the lead author of *Protecting Children in Armed Conflict* (2018, Hart/Bloomsbury Publishing); a contributor to *The Oxford Handbook of Comparative Foreign Relations Law* (Curtis A. Bradley, editor; forthcoming 2019, Oxford University Press) and a contributor and founding editor of *Just Security* an online forum on law, rights and national security.

## Teaching

Shaheed's legal teaching experience includes the following:

- Retained Lecturer, Pembroke College, Oxford, 2003-2005, contract law.
- Lecturer, Harvard Law School, 2009, "The War on Terror and Human Rights in the UK".
- Global Professor of Law, NYU School of Law, 2012, "Post 9/11 National Security Law" and European Human Rights Law.
- Graduate Institute of International and Development Studies, Geneva, 2016, "Litigating International Human Rights Law: the UK Experience".

## Speaking

Shaheed frequently speaks at conferences and other events – especially on international law and national security related issues. Recent speaking appointments include:

- 2018 Annual Lecture of the International Humanitarian Law Unit (November 2018, University of Nottingham);
- 30th Anniversary of the Bangalore Principles, BIICL (November 2018, London);
- Launch of *Protecting Children in Armed Security* (November 2018, London);
- ILSA International Law Weekend (October 2018; New York);
- 2018 Eli Lauterpacht Lecture (October 2018; University of Cambridge);
- Preliminary Findings of Inquiry on *Protecting Children in Armed Conflict* (April 2018; New York);
- Public International Law in the Courts of the UK, BIICL (April 2018, London)
- International Courts in the 21st Century, ICON (July 2017, Copenhagen)

## Awards

In addition to being long recognised in the two leading legal directories, Chambers and Partners and the Legal 500, Shaheed is an award-winning barrister who has been widely recognised in other press/publications:

- 2013 Junior of the Year in Human Rights & Public Law, Chambers Bar Awards (Shaheed was shortlisted in the same category in 2011).
- 2007 Liberty/Justice Human Rights Lawyer of the Year Award (December 2007) – awarded for "her remarkable work, often on a pro bono basis. For her brilliant analysis, consistent arguments and commitment in debating human rights cases before both the British and the European Courts."
- 2007 Professions Woman of the Future Award (November 2007).

## Other Press

- 2017 The Lawyer, Hot 100 (February 2017): Shaheed was described as one of the "standouts" on the year's list, and as "the youngest female barrister to take silk in 2016 and already earmarked as Supreme Court judge material, who acted in several high-profile and controversial cases in 2016."
- 2013 Chambers UK's Top Junior Bar 100 (December 2013): Shaheed was included in the inaugural listing of the top barristers practising at the Bar of England & Wales with the comment: "she is an absolutely brilliant barrister, who devours complex issues with ease and responds with simple solutions".
- Top 10 Stars/Legal Week (October 2009): Shaheed was included in the "Top 10 Stars of the Commercial/Chancery Bar" with the comment, "clients refer to her as 'like having another silk on the case'."
- Management Today (July 2008): Shaheed was in the "35 women under 35" list.
- 10 Future Stars/Times Online (1.10.07): Shaheed was featured as one of ten "Future Stars of the Bar".
- Lawyer of the Week/The Times (26.6.07): Shaheed was "Lawyer of the Week".
- 6 Star Lawyers under 30/The Lawyer (18.4.05): in an article on six star lawyers under the age of thirty, Shaheed was featured as the "human rights champion".

## Memberships

Shaheed is a trustee of the British Institute of International and Comparative Law; a Council member of the International Law Association, British Branch; a member of NYU's Global Institute for Advanced Study External Advisory Council; a member of the Social Science Research Council Working Group on Security; an Advocacy Trainer for Gray's Inn and a member of their Scholarships Committee.

## Selected earlier reported cases

### Commercial

- FHR European Ventures LLP v Cedar Capital Partners LLC [2011] EWHC 2308 (Ch)
- C v D (2008) 1 Lloyd's Rep 239
- Cambridge Gas Transport Corp v Navigator Holdings plc [2007] 1 AC 508
- Rusal Litigation (2005-2008)
- Travelers Casualty and Surety Company of Canada v Sun Life Assurance Company of Canada (UK) Limited [2007] Lloyd's Rep IR 619
- Ansol Ltd v Tajik Aluminium Plant and others [2006] EWHC 2374 (Comm)
- Ashton Investments Ltd v OJSC Russian Aluminium and others [2006] EWHC 2545 (Comm)

### Civil Liberties & Human Rights

- Al-Skeini v UK (2011) 53 EHRR 18 (Grand Chamber, European Court of Human Rights' judgment) and [2008] 1 AC 153 (House of Lords)
- Al-Jedda v UK (2011) 53 EHRR 23 (Grand Chamber, European Court of Human Rights' judgment) and [2008] 1 AC 332 (House of Lords)
- R (Hassan) v Secretary of State for Justice [2011] EWHC 1359 (Admin)
- Roose v (1) Parole Board (2) Secretary of State for Justice [2010] EWHC 1780 (Admin)
- R (Bary) v (1) Governor of HMP Long Lartin (2) SSJ (2010) ACD 59
- Ahmed and others v HM Treasury [2010] 2 AC 534



- Re M (Children) [2010] 1 FLR 1355
- A v H (Registrar General for England and Wales and SSJ intervening) [2010] 1 FLR 1
- SSHD v AF and others (JUSTICE intervening) [2010] 2 AC 269
- R (Al-Sweady) v SSD [2009] EWHC 1687 (Admin) and (2010) HRLR 2
- Al-Saadoon and Mufdhi v United Kingdom (EHRC intervening) App. No. 61498/09
- Entico Corporation v UNESCO (Secretary of State for Foreign and Commonwealth intervening) (2008) 1 Lloyd's Rep 673
- Animal Defenders International v Secretary of State for Culture, Media and Sport [2008] 1 AC 1312 (House of Lords)

## Public & Regulatory

- Al-Skeini v UK (2011) 53 EHRR 18 (Grand Chamber, European Court of Human Rights' judgment) and [2008] 1 AC 153 (House of Lords)
- Al-Jedda v UK (2011) 53 EHRR 23 (Grand Chamber, European Court of Human Rights' judgment) and [2008] 1 AC 332 (House of Lords)
- R (Hassan) v Secretary of State for Justice [2011] EWHC 1359 (Admin)
- Roose v (1) Parole Board (2) Secretary of State for Justice [2010] EWHC 1780 (Admin)
- R (Bary) v (1) Governor of HMP Long Lartin (2) SSJ (2010) ACD 59
- Ahmed and others v HM Treasury [2010] 2 AC 534
- Re M (Children) [2010] 1 FLR 1355
- A v H (Registrar General for England and Wales and SSJ intervening) [2010] 1 FLR 1
- SSHD v AF and others (JUSTICE intervening) [2010] 2 AC 269
- R (Al-Sweady) v SSD [2009] EWHC 1687 (Admin) and (2010) HRLR 2
- R (People and Planet) v HM Treasury [2009] EWHC 3020 (Admin)
- R (Corner House Research) v Director of the Serious Fraud Office (JUSTICE intervening) [2009] 1 AC 756 (House of Lords)
- Al-Saadoon and Mufdhi v United Kingdom (EHRC intervening) App. No. 61498/09
- R (Brown) v (1) SSWP (2) SSBERR [2008] EWHC 3158 (Admin)
- R v Asfaw (UNHCR intervening) [2008] 1 AC 1061
- Animal Defenders International v Secretary of State for Culture, Media and Sport [2008] 1 AC 1312 (House of Lords)

## Public International Law

- Al-Skeini v UK (2011) 53 EHRR 18 (Grand Chamber, European Court of Human Rights' judgment) and [2008] 1 AC 153 (House of Lords)
- Al-Jedda v UK (2011) 53 EHRR 23 (Grand Chamber, European Court of Human Rights' judgment) and [2008] 1 AC 332 (House of Lords)
- Ahmed and others v HM Treasury [2010] 2 AC 534
- A v H (Registrar General for England and Wales and SSJ intervening) [2010] 1 FLR 1
- Al-Saadoon and Mufdhi v United Kingdom (EHRC intervening) App. No. 61498/09
- R (Corner House Research) v Director of the Serious Fraud Office (JUSTICE intervening) [2009] 1 AC 756 (House of Lords)
- R v Asfaw (UNHCR intervening) [2008] 1 AC 1061

- Entico Corporation v UNESCO (Secretary of State for Foreign and Commonwealth intervening) (2008) 1 Lloyd's Rep 673
- Mariam Aziz v Aziz and HM the Sultan of Brunei (Intervener) [2008] 2 All ER 571