



## Sir FRANK BERMAN, KCMG, QC

Born 1939

Visiting Professor of International Law, Universities of Oxford, Cape Town and King's College London

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### Practice

- International Arbitration
- Public International Law

Sir Franklin (Frank) Berman joined HM Diplomatic Service in 1965 and was Legal Adviser to the Foreign & Commonwealth Office from 1991-99. Since 2000 he has been in practice in Essex Court Chambers specializing in international arbitration and advisory work in international law. He is Visiting Professor of International Law at Oxford and the University of Cape Town.

His 40-year career in international law and diplomacy has spanned a wide and varied field, including settlement of disputes; the law of treaties; State responsibility; diplomatic and State immunity; maritime delimitation; the law of the Continental shelf; outer space and nuclear energy; the law of international organisations; the UN Security Council; the laws of war and neutrality; international criminal tribunals; and numerous other areas. He is well-placed in the light of this extensive experience for advisory work in all areas of public international law, for international dispute-settlement proceedings of all kinds and for international commercial arbitration.

His appointment to the International Court of Justice as Judge ad hoc in the Case concerning Certain Property (Liechtenstein v. Germany) confirms his high international standing in the field.

In 2010 he was appointed a Member of the Permanent Court of Arbitration.

He was appointed by the British Government in 2004 to the list of Arbitrators under the Washington Convention (ICSID), and is currently sitting or has recently sat in three ICSID arbitrations as Chairman\* and seven as Party-appointed Arbitrator\*\* (both claimant and host State), and in three ICSID annulment proceedings\*\*\*, as well as in arbitrations under the ICC, Stockholm Arbitration Institute and LCIA (sole arbitrator), PCA and ad hoc.

\* The Rompetrol Group N.V. v. Romania; Alemanni v. Argentine Republic; Global Trading Resource Corp. & others v. Ukraine

\*\* F-W Oil Interests, Inc. v. Republic of Trinidad & Tobago; Bayindir Insaat Turizm Ticaret Ve Sanayi A.S. v. Islamic Republic of Pakistan; Russell Resources International Limited & others v. Democratic Republic of the Congo; Libananco Holdings Co. Ltd v. Republic of Turkey; Unglaube (Marion and Reinhard) v. Republic of

Costa Rica (joined cases); Vattenfall AB & others v. Federal Republic of Germany  
 \*\*\* Consortium R.F.C.C. v. Kingdom of Morocco; Empresas Lucchetti v. Peru; CECF Transgabonais v. Republic of Gabon

He is the former Chairman of the Diplomatic Service Appeal Board, and the Appeals Boards of the WEU and IOPCF, and currently chairs the Claims Committee of the Austrian General Settlement Fund for Victims of Nazi persecution. In 2006 the Republic of Austria awarded him the Grand Decoration of Honour in Gold with Star.

Career	2003—05 2000 1992 1991—99  1966 1965	Judge: (ad hoc) International Court of Justice Essex Court Chambers Silk (Hon) Legal Adviser to the Foreign & Commonwealth Office Call: Middle Temple (Hon. Bencher 1997) Joined HM Diplomatic Service
Education	1965  1963  1960 1959	MA, Wadham & Nuffield Colleges, University of Oxford  BA (1st Class Honours in Jurisprudence), Wadham & Nuffield Colleges, University of Oxford BSc, University of Cape Town BA (Mathematics), University of Cape Town
Awards	1995  1961	Hon. Fellow, later Fellow, Wadham College, University of Oxford Rhodes Scholar
Languages		French & German (both fluent)
Publications		Editor, <i>McNair's Law of Treaties</i> General Editor, Oxford International Law Library
Member		Austrian National Claims Committee for the Victims of Nazi Persecution (Chairman) British Institute of International and Comparative Law (Board of Trustees) British Year Book of International Law (Editorial Board) Commercial Bar Association (COMBAR) London Common Law and Commercial Bar Association
Specific Areas		<b>International Arbitration</b>  Arbitrator in ICSID, LCIA, PCA, Stockholm Institute & ICC cases.  <b>International Adjudication</b>  Judge ad hoc on the International Court of Justice for the case between Liechtenstein and Germany over <i>Certain Property</i> .  <b>Public International Law</b>  An active member of numerous bodies concerned with international

law and its practical application; International Law Association: Chairman, Committee on the Accountability of International Organizations, Study Group on the Role of Soft Law Instruments in International Investment Law

## Cases

### **Whilst in Government Service**

Arbitration between the UK and France on the Delimitation of the Continental Shelf in the Channel and W. Approaches (Deputy Agent)

Young Loan Arbitration (*UK, US, France, Belgium and Switzerland v Federal Republic of Germany*) (UK Agent)

### **International Court of Justice**

Lockerbie Cases (*Libya v UK, Libya v USA*) (UK Agent)

Advisory Proceedings on the Legality of the Threat or Use of Nuclear Weapons (UK Agent)

Kosovo Cases (*Federal Republic of Yugoslavia v UK and ors*) (Agent and Counsel for the UK)

If you require further information please contact [clerksroom@essexcourt.net](mailto:clerksroom@essexcourt.net)