

Charles Claypoole

Contact Information

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Education

B.A/M.A. Law and Social Anthropology, University of Cambridge
Bar Vocational Course, Inns of Court School of Law, London
LL.M., University of Heidelberg

Bar Qualifications

England and Wales

Areas of Expertise

Charles Claypoole is an associate in the London office of Latham & Watkins. He is a member of Latham & Watkins' International Dispute Resolution and Public International Law Practice Groups. His practice focuses on public international law and international commercial arbitration.

Mr. Claypoole advises both sovereign States and private clients on a wide range of contentious and non-contentious public international law and related dispute resolution issues, including: the protection of international investments under bilateral and multilateral investment treaties; State sovereignty over natural resources; land and maritime boundary issues; the UN Convention on the Law of the Sea (UNCLOS); UN, EU and domestic trade sanctions regimes; international humanitarian and human rights law.

Mr. Claypoole also advises and represents clients in all aspects of international commercial arbitration and related judicial proceedings.

Mr. Claypoole has extensive experience in representing clients in proceedings before a variety of international judicial and arbitral bodies including the International Court of Justice, the Iran-United States Claims Tribunal, ICSID, ICC, LCIA and *ad hoc* arbitral tribunals. Mr. Claypoole is an experienced advocate.

Prior to joining Latham & Watkins Mr. Claypoole practiced in Paris in the public international law / international arbitration group of Frere Cholmeley – Eversheds. Mr. Claypoole has also worked as a lawyer at the registry of the European Court of Human Rights (ECHR) in Strasbourg, France.



*Associate,
Litigation Department,
London*

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Representative Matters

Highlights of Mr. Claypoole's contentious practice, prior to joining the firm, have included:

Public international law / investment arbitration

- Advising the Government of Ukraine in an ICSID arbitration brought under a bilateral investment treaty in relation to a petrochemicals project (GEA v Ukraine)
- Advising the Government of Ukraine in an UNCITRAL arbitration brought under a bilateral investment treaty in relation to a ship-building contract
- Advising the Government of Azerbaijan in an ICSID arbitration brought under a bilateral investment treaty in relation to the management of an electricity network (Barmek v Azerbaijan)
- Advising a Dutch investor in an ICSID arbitration brought against Turkey under a bilateral investment treaty and the Energy Charter Treaty relating to a BOT contract for a gas-fired power plant (Alapli v Turkey)
- Advising a U.S. investor in respect of a potential claim under a bilateral investment treaty relating to a petrochemicals project in a Latin American State
- Advising a U.S. investor in respect of a potential claim under a bilateral investment treaty relating to failings of a stock market regulator in an Asian State
- Advising the Government of Barbados in respect to its claim to Outer Continental Shelf submitted to the UN Commission on the Limits of the Continental Shelf
- Advising the Government of Ukraine in the case concerning maritime delimitation in the Black Sea (Romania v Ukraine) before the International Court of Justice
- Advising the Government of Yemen in an ICSID arbitration brought under a bilateral investment treaty in relation to a construction project (DLP v Yemen)
- Advising the Government of Iran in several cases before the Iran-United States Claims Tribunal
- Advising the Government of Pakistan in the jurisdictional phase of an ICSID arbitration brought under a bilateral investment treaty in relation to a construction project (Bayindir v Pakistan)
- Advising the Government of Indonesia in the case concerning sovereignty over Pulau Ligitan and Pulau Sipadan (Indonesia / Malaysia) before the International Court of Justice
- Advising the Government of Ethiopia in the arbitration before the Eritrea-Ethiopia Boundary Commission administered by the Permanent Court of Arbitration
- Advising the Government of Yemen in the arbitration with Eritrea concerning territorial sovereignty and maritime delimitation administered by the Permanent Court of Arbitration
- Advising on several cases brought before the European Court of Human Rights

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International commercial arbitration

- Advising a European energy company in respect of a potential ICC arbitration against a State oil company.
- Advising a UK biofuels company in an LCIA arbitration with seat in London
- Advising a Turkish construction company in a major pipeline dispute (ICC arbitration with seat in Paris)
- Advising a French company in a telecommunications dispute involving international roaming rights (ICC arbitration with seat in Paris)
- Providing expert advice regarding denial of justice and the application of OHADA uniform laws in an ICC arbitration with seat in Paris
- Advising an Iranian construction company in a dispute under a joint venture agreement in respect of a major construction project (ICC arbitration with seat in Vienna)
- Advising a Government in respect of the termination of a major defence contract with a State-owned company (ICC arbitration with seat in The Hague)
- Advising an Italian aviation company in an ICC arbitration with seat in Paris
- Advising a group of companies in a dispute involving trademark licensing in China (ICC arbitration with seat in Paris)

Other highlights of Mr. Claypoole's practice have included:

- Acting as legal secretary in an investment arbitration brought under the Swiss Rules of International Arbitration
- Advising various companies on U.N., E.U., and U.S. sanctions (Libya, Iran, Sudan, Former Republic of Yugoslavia and Iraq)
- Advising international energy companies on issues of international humanitarian law in the context of the occupation of Iraq
- Advising Governments and international energy companies on various issues of the Law of the Sea (Gulf of Guinea, West Africa, Israel / Palestine, Western Sahara, the Persian Gulf and the Timor Sea)
- Advising Governments and international energy companies in respect of joint development agreements and associated obligations under international law
- Advising in respect of the Lockerbie criminal trial

Speaking Engagements and Publications

Mr. Claypoole regularly speaks at industry and academic events and has published a number of papers on various issues of international law.

Recent engagements and publications include:

- Kings College London, 2003-present, lecturer in MA course "International Boundary Studies"
- Paper ("Maritime Boundaries Offshore West Africa") at conference on Dispute Resolution in the International Oil & Gas Business. Houston, Texas, 21 April 2010
- Papers ("Legal Principles of Maritime Delimitation" and "Options for resolving maritime boundary disputes") at IBRU Training Workshop, Maritime Boundary Delimitation, Durham, 20-21 July 2009
- "Investment in Mongolia: Some aspects of Public International Law", Seminar on the Future of Mongolia, Mongolian British Chamber of Commerce, 1 July 2009
- National Oceanography Centre, Southampton, 2009 – present, lecturer on Law of the Sea and dispute resolution
- Queen Mary College London, 2008, guest lecturer on the public international law course
- "Drilling in disputed waters – what risks for energy companies?", published on www.menasborders.com, 27 November 2008
- "The Investment Provisions of the EU-ACP Economic Partnership Agreements and their Relationship with Bilateral Investment Treaties", Arbitration and Mediation in the ACP-EU Relations, Association for International Arbitration (ed.) (article and paper presented on 21 May 2008)
- "Access to International Justice: A Review of Trust Funds Available for Law of the Sea-Related Disputes", International Journal for Marine and Coastal Law 23 (2008) 77-94
- Paper ("The Energy Industry's Perspective") at conference on "Options for Unlocking Maritime Boundary Disputes" organised by IBRU, Paris, 28 June 2006
- Workshop and paper ("Managing the problem of a maritime boundary dispute: what steps can be taken?") at conference on "Advanced International Boundary Disputes in Oil and Gas" organised by IQPC, London, 20-21 June 2006
- Paper at the 2006 Spring Conference of the British Branch of the ILA: "A Comparative Review of the Approaches taken by International Courts with Respect to Interferences with Property Rights"

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Language Proficiency

Mr. Claypoole is fluent in French and German and speaks basic Portuguese.