



ALISON MACDONALD

MAIN AREAS OF PRACTICE:

Arbitration
Crime and Regulatory Law
Public International Law
Public Law

Called to the Bar 2000

CONTACT:

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Manager
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Alison is a highly experienced advocate in the field of public international law and arbitration. The legal directories describe her as “a beautifully clear and crisp writer and a sensational advocate”, and “a fantastically good tactical leader who combines a strong knowledge of international law with killer litigation instincts”. Alongside her work as a barrister, she was a fellow of All Souls College, Oxford from 1999 to 2006.

EXPERIENCE

Alison is experienced at working in teams of lawyers and experts across jurisdictions, in complex, document-heavy litigation involving States, corporations and individuals. She “works incredibly hard” and is “very cool under pressure.” She has particular expertise in the relationship between international and domestic law, and appears regularly in the English courts as well as before international courts and tribunals. Clients from all over the world instruct her to advise on the full range of international law issues, from state immunity for war crimes, to issues of territorial sovereignty and boundary delimitation, to the enforcement of arbitral awards against State assets.

Alison has a strong background in complex criminal litigation, often with a cross-border dimension, and has provided legal and strategic advice to clients facing prosecution in a wide range of jurisdictions, as well as in cases before the International Criminal Court. Because of her cross-cutting expertise in international and domestic law, she is singled out as “one of the very few barristers who works at the confluence between criminal, public and commercial law.”

EXAMPLES OF WORK

Inter-State Cases

Ghana v Côte d’Ivoire: Ongoing boundary delimitation claim in front of a Special Chamber of the International Tribunal for the Law of the Sea. Alison appeared before the Special Chamber in March 2015 as part of the counsel team which successfully resisted an application for provisional measures, which would have brought to a halt a significant part of Ghana’s oil production.

Mauritius v United Kingdom: UNCLOS Annex VII Tribunal: arbitration arising out of UK’s declaration of a “marine protected area” around the Chagos Archipelago.

Ireland v United Kingdom: OSPAR Arbitral Tribunal: arbitration relating to the right of access to environmental information.

Ireland v United Kingdom: (The MOX Plant Case), ITLOS: application for provisional measures relating to the commissioning of a nuclear fuel facility.

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DIRECTORIES' RECOMMENDATIONS

“She's first rate, incredibly bright and capable of dealing with complex issues by turning them into understandable concepts”

“She has a relaxed and measured style that is compelling.”

“She presents complex arguments in a simple way, and is a pleasure to work with.”

“She provides frank advice when needed.”

“She is widely regarded at the Bar for being a very good advocate.”

Chambers & Partners 2017

“She gets to grips with the issues quickly and presents her arguments in a clear and compelling way”

Legal 500 2016

“She is an intellectual giant, works incredibly hard, is very cool under pressure and will never back down when she knows she is right on an issue.”

“She's a brilliant lawyer. She works incredibly hard and is very cool under pressure”

“She is a fantastically good tactical leader who combines a strong knowledge of international law with killer litigation instincts.”

“Extremely good and one of the very few barristers who works at the confluence between criminal, public and commercial law.”

Chambers & Partners 2016

Arbitrations

Alghanim v Jordan: ICSID claim arising out of a disputed taxation measure in the telecommunications sector.

Niko Resources Ltd v Bangladesh: ICSID claim arising out of a project to revive marginal and abandoned gas fields.

ATA v Jordan: advised Jordan on post-award remedies in this ICSID arbitration, arising out of a construction dispute.

Siemens v Argentina: ICSID annulment proceedings arising out of the Siemens corruption scandal.

Vivendi v Argentina II: ICSID claim and subsequent annulment proceedings, raising issues of expropriation and breach of the fair and equitable treatment standard in relation to the privatisation of the water services of a province of Argentina.

Azurix v Argentina: ICSID annulment relating to the privatisation of the water services of Buenos Aires.

CMS v Argentina: ICSID annulment relating to the application of the defence of necessity to the Argentine fiscal crisis, and the standard of review on annulment.

Salini v Jordan: ICSID arbitration arising out of the construction of a dam in Jordan by an Italian company.

Criminal

The Prosecutor v Charles Taylor (Special Court for Sierra Leone, Appeals Chamber): immunity of a former head of state from prosecution for war crimes.

R v Zardad: first prosecution in the UK for extraterritorial torture and hostage taking (by alleged Afghan ‘warlord’).

R v Coulson: Represented the former News of the World editor in the criminal prosecution relating to alleged phone hacking and payments to a public official.

R v Jones (Margaret) (House of Lords): status of the international crime of aggression in English law.

Money laundering and asset tracing: instructed on international law and mutual assistance issues in a Jersey prosecution, and on human rights issues in a case in Liechtenstein, both arising out of alleged misappropriation of assets by the Abacha family.

International Criminal Court: Advising individuals on defence strategy in relation to investigations and prosecutions.

Interpol: Advising prominent political and business individuals subject to Interpol Notices, including challenges to Red Notices on the basis that they stem from politically-motivated prosecutions.

PUBLICATIONS

Contributor to Fox and Webb, *State Immunity* (Oxford University Press, 2013)

Co-author, with Tim Owen QC, *Prison Law* (5th ed, Oxford University Press, 2015)

General Editor, with Ben Emmerson QC and Professor Andrew Ashworth QC, *Human Rights and Criminal Justice* (3rd ed, Sweet and Maxwell, 2012)

Alison accepts instructions under the Bar Council Standard Contractual Terms, details of which can be found [here](#).