

## Tatyana Eatwell



Call: 2007

Email: [t.eatwell@doughtystreet.co.uk](mailto:t.eatwell@doughtystreet.co.uk)

### Profile

### What others say

*"Tatyana is an excellent lawyer who combines a wealth of expertise in international law and human rights with a hard-working attitude and an excellent attention to detail...an asset to any legal team."*

*"Tatyana is fantastic to work with. She is always strategic and on top of every detail."*

*"Tatyana has a very strong international human rights practice. She is also incredibly approachable and accessible, and has such deep knowledge."*

*"She is incredibly hard-working and is always willing to get stuck in - she is an excellent lawyer and has a really well-rounded skill set."*

Chambers & Partners - Ranked Band 1: International Human Rights Law, Civil Liberties & Human Rights

---

Tatyana has expertise in public international law, international humanitarian law, international criminal law and international human rights law.

Tatyana advises States, individuals, international and non-governmental organisations on a wide range of public international law and international human rights law issues. Her cases include matters concerning:

- diplomatic protection;
- freedom of expression and the protection of journalists;
- arbitrary detention;
- extra-judicial killing;
- torture;
- extraordinary rendition;
- genocide, war crimes and crimes against humanity;
- terrorism;
- gender-based violence;
- diplomatic immunity;
- sanctions;
- self-determination; and
- the law of State responsibility.

Tatyana has acted in high-profile criminal appeals before the UK Supreme Court that concern the interpretation of international law on, for example, war crimes, terrorism, and torture, and the application of international law in domestic proceedings, and has specialist human rights counsel in arbitration proceedings.

Tatyana was awarded her PhD in Public International Law from the University of Cambridge in February 2020.

Tatyana can be instructed on a direct access basis under the Bar's Direct Access Scheme.

### **Education**

- PhD (Cantab), Public International Law
- LLM International Law, SOAS (Distinction)
- BA (Econ), University of Manchester (1st class honours)

### **Languages**

French

### **Related practice areas**

Criminal Law

International Law

Public International Law  
International Human Rights Law  
International Criminal Law  
International Media Law  
Sanctions

## International Law

Tatyana advises States, individuals, international organisations and non-governmental organisations on a wide range of public international law and international human rights law issues that include diplomatic protection, freedom of expression and the protection of journalists, arbitrary detention, extra-judicial killing, extraordinary rendition, the right to a fair trial, consular access and diplomatic protection, terrorism and armed conflict, torture, gender-based violence, sanctions, self-determination, State responsibility, and the extra-territorial application of human rights treaties.

Tatyana has acted for high net-worth individuals based in Asia, Europe, the Middle East and North Africa on matters relating to allegations of sanctions-busting, corruption and money laundering, the freezing and seizure of assets, and related human rights, security and reputation management concerns. She has experience acting for clients alongside both experts in security and experts in online reputation and digital risk management.

Tatyana also advises individuals and organisations on the engagement of treaty-based and regional human rights complaint procedures, including the European Court of Human Rights and the UN Human Rights Committee, and the Special Procedures mechanisms of the UN Human Rights Council.

Tatyana has provided expert evidence and opinion to the United Nations and parliamentary select committees. Recent examples include:

- oral evidence to the UN Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem;
- oral evidence to the Foreign Affairs Committee on the FCDO's approach to state level hostage situations;
- written evidence to the Foreign Affairs Committee Inquiry on Xinjiang Detention Camps;

- expert evidence to the UN Working Group on Arbitrary Detention on consular access and diplomatic protection of dual nationals; and
- expert opinion to the UN Special Rapporteur on extrajudicial, summary or arbitrary killings on questions of immunity and jurisdiction arising out of the murder of journalist, Jamal Khashoggi.

Recent cases include:

- ***Barnett LBC v AG (A Child)* [2022] EWCA Civ 1505**, diplomatic immunity, child protection and Article 3 ECHR (Led by Caoilfhionn Gallagher KC, together with Chris Barnes of 4 Paper Buildings as co-counsel)
- ***Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965***, International Court of Justice, Advisory Opinion of 25 February 2019 (Legal advisor to the African Union)
- ***Shireen Abu Akleh, Ali Samoudi and Shatha Hanaysha***, International Criminal Court and UN Commission of Inquiry. (Instructed by Bindmans, together with Jennifer Robinson as co-counsel)
- ***Re. Anton Hammerl***, dual Austrian-South African citizen, UK resident, and photojournalist disappeared and killed in Libya, April 2011. (Led by Caoilfhionn Gallagher KC, together with Catherine Meredith as co-counsel)
- ***Re. Nazanin Zaghari-Ratcliffe***, British-Iranian national arbitrarily detained in Iran. (Instructed by REDRESS)
- ***Nnamdi Kanu***, leader of the self-determination group, the Indigenous People of Biafra, rendered from Kenya to Nigeria. (Instructed by Bindmans)
- ***International Federation of Journalists, Palestinian Journalists' Syndicate, and International Centre for Justice for Palestinians***, International Criminal Court and UN Commission of Inquiry (Instructed by Bindmans, together with Jennifer Robinson as co-counsel)
- ***London Steam-ship Owners' Mutual Insurance Association Ltd v Spain (M/T "Prestige")***, Brussels Regulation proceedings (Commercial Court).
- ***Mir Shakil-ur-Rahman v Pakistan***, UN Working Group on Arbitrary Detention (Led by Caoilfhionn Gallagher KC, together with Jennifer Robinson as co-counsel)

- ***Abu Hussein, Murtaja, Amarneh and Eshtayeh v Israel***: UN Special Rapporteur on Extrajudicial, Summary and Arbitrary Executions – concerning the targeting and excessive use of lethal force against above named Palestinian journalists in the Occupied Palestinian Territories. (Together with Jennifer Robinson as co-counsel)
- ***International Federation of Journalists and Palestinian Journalists' Syndicate v Israel***, UN Special Rapporteur on Freedom of Expression - concerning the systematic targeting of Palestinian journalists covering protest in the Occupied Palestinian Territories. (Together with Jennifer Robinson as co-counsel)
- **Re. Christopher Allen**, dual British-US citizen and journalist killed in South Sudan in August 2017. (Led by Caoilfhionn Gallagher KC, with Jonathan Price as co-counsel)
- ***Zakka v Iran***, Lebanese citizen and US permanent resident arbitrarily detained in Iran. Counsel on matters of international human rights law and represented Mr Zakka in his complaint to the UN Working Group on Arbitrary Detention.

## International Criminal Law and Counter-Terrorism

Tatyana advises and represents individuals and organisations on matters concerning the investigation and prosecution of war crimes, crimes against humanity and genocide in domestic courts and the International Criminal Court, and on related matters of State responsibility.

Tatyana has acted in high-profile criminal appeals before the UK Supreme Court that concern the interpretation of international law on, for example, war crimes, terrorism, and torture, and the application of international law in domestic proceedings.

Recent cases include:

- ***Shireen Abu Akleh, Ali Samoudi and Shatha Hanaysha***, International Criminal Court. (Instructed by Bindmans, together with Jennifer Robinson as co-counsel)
- ***International Federation of Journalists, Palestinian Journalists' Syndicate, and International Centre for Justice for Palestinians***, International Criminal Court and UN Commission of Inquiry (Instructed by Bindmans, together with Jennifer Robinson as co-counsel)

- ***R v Reeves Taylor* [2019] UKSC 51**, on the definition of torture as provided by Art.1 of the UN Convention against Torture and section 134 of the Criminal Justice Act 1988. (Junior counsel for the Appellant, led by Steven Powles KC)
- ***R v Gul* [2013] UKSC 64** on the scope of the definition of terrorism in situations of armed conflict. (Junior counsel for the Appellant, led by Tim Moloney KC)

Tatyana is co-author of the report “**State Responsibility and the Yazidi Genocide**”, published on 6 July 2022 by the Yazidi Justice Committee.

## Publications and Seminars

Tatyana has a PhD from the University of Cambridge in Public International Law. Her thesis focuses on questions of attribution and is titled ‘State Responsibility for the Unlawful Conduct of Armed Groups’ (pending publication by CUP).

Tatyana regularly participates in seminars and conferences on current issues in public international law, international criminal law, and international human rights law and has guest lectured on international law and the use of force and on terrorism at the University of Southern California (USA).

Recent publications and engagements:

- Yazidi Justice Committee, ‘**State responsibility and the Yazidi genocide**’, (co-author), 6 July 2022
- International Law Association (British Branch) Spring Conference, ‘Synergy Between the Law of Treaties and the Law of International Responsibility: So Far Apart But Still So Close’, 23 April 2021
- European Society of International Law (ESIL) Interest Group on International Justice, Journal of International Criminal Justice, ‘Torture by Non-State Actors: Rationale(s), Legal Frameworks and Implications’, 30 March 2021
- Hostage Aid Worldwide, Launch Event: Issues related to State Sponsored Hostage Taking, 4 March 2021
- CREID and Refcemi, ‘Religious Inequalities as “Conditions of Life Calculated to Bring about the Physical Destruction in Whole or in Part” Deliberately Inflicted on Religious

Minority Groups', 25 February 2021

- The All-Party Parliamentary Group on Uyghurs, Coalition for Genocide and René Cassin, 'Addressing the Many Faces of Complicity in Genocide', 4 February 2021

Select publications:

- 'Rebel governors in areas of limited statehood: State responsibility and "agents of necessity"' in Hamid, L. and Wouters, J. (eds.), *Rule of Law and Areas of Limited Statehood* (Edward Elgar Publishing, 2021)
- '*State Responsibility for Human Rights Violations Committed in a State's Territory by Armed Non-State Actors*' (*The Geneva Academy of International Humanitarian Law and Human Rights Law*, December 2018)
- '*State Responsibility, "Successful" Insurrectional Movements and Governments of National Reconciliation*' in Summers, J. and Gough, A. (eds.), *Non-State Actors and International Obligations* (Martinus Nijhoff, 2018)
- 'Human Rights Law' in Clarry, D. (ed.), *The UK Supreme Court Yearbook Volume 7: Legal Year 2015-2016* (Appellate Press, 2018) (co-authored with Geoffrey Robertson QC)
- 'Criminal Law, Evidence and Procedure' (2013) 2 *CJICL* 86 (co-authored with Christopher Sargeant)
- '*Selling the Pass: Habeas corpus, diplomatic relations and the protection of liberty and security of persons detained abroad*' (2013) 62 *ICLQ* 727
- *A Compilation of Immigration and Asylum Policies of the Home Office, Vols 1 & 2* (HJA Training & ILPA, 2009)