

THE LAW SOCIETY OF NEW SOUTH WALES  
**youngLAWYERS**

**INTERNATIONAL LAW COMMITTEE NEWSLETTER  
NUMBER 8  
18 JUNE 2010**

Dear Members,

Welcome to the latest edition of the International Law Committee's Newsletter. As always, if you have any suggestions for future issues (including articles, news items, events, cases and the like), please email me at [intlaw.chair@younglawyers.com.au](mailto:intlaw.chair@younglawyers.com.au) or Peter Anagnostou at [intlaw.vicechair@younglawyers.com.au](mailto:intlaw.vicechair@younglawyers.com.au). Thank you to Peter Anagnostou and Dora Chan for contributing to this edition of the newsletter.

Regards

**Diane Barker | Chair, International Law Committee**  
**NSW Young Lawyers | The Law Society of New South Wales**  
E: [intlaw.chair@younglawyers.com.au](mailto:intlaw.chair@younglawyers.com.au) | W: [www.younglawyers.com.au](http://www.younglawyers.com.au)

**ILC NEWS & UPDATES**

**Election Reminder – Public International Law/International Humanitarian Law Stream Administrator**

As notified in our last Newsletter, there will be an election for the vacant position of Public International Law/International Humanitarian Law Stream Administrator at the next monthly meeting on **Thursday, 24 June 2010** at 6:00pm. The position entails bringing relevant articles, news reports and developments in the field of Public International Law/International Humanitarian Law to the attention of our members by posting articles to the mailing list, contributing to the Newsletter and leading discussions at the monthly meetings.

Any member of our Committee is entitled to nominate for the position but an election will only be held if more than one member nominates for the position. To be eligible, nominees must fulfil the criteria of a young lawyer (i.e., under the age of 36 or within their first 5 years of practice or a law student). If you intend to nominate for the position, it will be necessary for you to attend the meeting next Thursday evening.

## End of Financial Year Drinks!

It's that time of year again, and to thank our members for their hard work over the financial year, the Committee will be holding an informal drinks function after the monthly meeting.

**Date:** Thursday, 24 June 2010  
**Time:** 7:00pm (directly after the monthly meeting)  
**Place:** Verandah Bar, 60 Castlereagh Street, Sydney  
**RSVP:** Wednesday, 23 June 2010 to [intlaw.chair@younglawyers.com.au](mailto:intlaw.chair@younglawyers.com.au)

Drinks and canapés will be provided. All Committee members are welcome to attend.

## Annual NSWYL International Law Committee & Chartered Institute of Arbitrators Private International Law Arbitration Moot

Do not miss out on this exciting opportunity open to Young Lawyers and Students.

The Arbitration Moot will be held at the UTS Moot Courts on **Saturday, 11 September 2010**.

The competitors will consist of law students and early career lawyers. Each lawyer and student will be placed together in teams of two and compete in two rounds, arguing both sides of a complex international contractual dispute problem.

The Moot Competition's main prize for Best Speaker is a place in the Diploma in International Commercial Arbitration Course to be held in Sydney in early 2011. The course is run jointly by The Chartered Institute of Arbitrators Australia and the University of New South Wales with a total prize value of \$6,600.

We will be holding an information evening in early July for anyone interested in competing in this year's competition.

Stay tuned for further information to be provided in the next edition of the Newsletter.

## NSW YOUNG LAWYERS - GENERAL NEWS & EVENTS

### Civil Litigation Committee Great Debate

Please see below an email from Joanna Chaina, the Chair of the Civil Litigation Committee about the Great Debate on 22 July 2010.

*I wish to announce that the 2010 Great Debate will be held on 22 July 2010 from 6.15pm at Level 9, Law Society Building, 170 Phillip Street, Sydney, to be adjudicated by His Honour Magistrate D M Heilpern.*

*The flyer to this event is attached.*

*(1) Topic*

*This year's topic is:  
'Why do we need legal principle? It's all about the vibe.'*

(2) *Call for debaters*

*The Civil Litigation Committee is calling for keen debaters to participate in this year's Great Debate.*

*This year's debate will be between Young Solicitors (Affirmative) vs. Young Barristers (Negative). We will be requiring three speakers and an assistant for each team.*

*If you enjoy arguing for the sake of arguing and would like to participate for either team, please email Brad Mallinson on [bmallinson@thelawpractice.com.au](mailto:bmallinson@thelawpractice.com.au). Ideally, we would like to have participants confirmed by no later than 30 June 2010.*

(3) *RSVPs*

*I hope you are all looking forward to this event as much as I am! I urge you all to come along. It is sure to be an evening of laughs and reliving the memorable line of Denis Denuto: "It's the vibe of the thing, your Honour".*

*Please send your RSVPs to [ylgeneral@younglawyers.com.au](mailto:ylgeneral@younglawyers.com.au).*

*Joanne Chaina | Chair, Civil Litigation Committee  
NSW Young Lawyers | The Law Society of New South Wales  
T: 02 8281 4555 | E: [joanne.chaina@younglawyers.com.au](mailto:joanne.chaina@younglawyers.com.au) | W:  
[www.younglawyers.com.au](http://www.younglawyers.com.au)*

## **Inter-Committee Trivia Night – Raising Funds for the Tristan Jepson Memorial Fund**

Last year, the Human Rights Committee and the International Law Committee co-hosted a charity trivia night with the Employment and Industrial Law Committee.

The Employment and Industrial Law Committee has commenced work on holding a charity trivia night in early August. The nominated charity for this year is the **Tristan Jepson Memorial Fund**. The Tristan Jepson Memorial Fund aims to increase awareness of the nature of mental illness amongst law students and the legal profession, promote the discussion of legal issues through an annual lecture and research models of support which strengthen mental wellbeing in the legal community.

Some trivia about the trivia, in 2009:

- Approximately \$2,000 was raised for ACON last year
- The event attracted more than 125 young lawyers/professionals
- It was a fun 'game show' themed trivia...

I have been contacted by Aaron Allegretto, the Chair of the Employment and Industrial Relations Committee for assistance in co-hosting the event again this year. A lot of the ground work has been done, however they need a volunteer from our Committee to assist with organising venues/catering, promoting and seeking sponsorship for the night.

If anyone is interested in participating in the trivia night and/or assisting with its organisation, please email Aaron at [irlaw.chair@lawsociety.com.au](mailto:irlaw.chair@lawsociety.com.au) or Andrea Ho (the social director) at [andreakhho@gmail.com](mailto:andreakhho@gmail.com).

### Last Minute Reminder – ILA Seminar

Peter Anagnostou recently posted details about an exciting seminar on the proceedings Australia has instituted against Japan in the International Court of Justice. See below for details.

If you have not already done so, you might still be able to secure a place at the seminar by emailing your RSVP directly to [rsvp@marquellawyers.com.au](mailto:rsvp@marquellawyers.com.au).



## Australia v. Japan: Proceedings at the International Court of Justice on Japan's "Scientific" Whaling

The International Law Association (Australian Branch) would like to invite you to a seminar examining Australia's case against Japan before the International Court of Justice. Australia instituted long-awaited proceedings on 1 June 2010, alleging that Japan's scientific whaling program in Antarctic waters violated the International Convention on the Regulation of Whaling, as well as its other international obligations for the preservation of marine mammals and the marine environment. Australia has also alleged that Japan is breaching its obligations under the Convention on Biological Diversity and the Convention on International Trade in Endangered Species.

This seminar will discuss Australia's possible arguments on the merits, as well as consider issues of jurisdiction, provisional measures, [the possible relevance of Australia's Antarctic claim in the proceedings] as well as Japan's potential case in reply. Speakers on these issues include:

Professor Gillian Triggs, Dean of Sydney Law School

Dr. Chris Ward, Barrister, 12 Wentworth Selborne Chambers, Member of the Sydney Panel of Independent International Legal Experts addressing Japan's Special Permit Whaling

Dr. Tim Stephens, Senior Lecturer, Sydney Law School, Rapporteur of the Sydney Panel of Independent International Legal Experts addressing Japan's Special Permit Whaling

Associate Professor Natalie Klein, Macquarie Law School, Member of the Sydney Panel of Independent International Legal Experts addressing Japan's Special Permit Whaling

**When**

The seminar will be held on Monday, June 21 at 5.30pm

**Where**

Marque Lawyers:  
Level 4, 343 George Street, Sydney



**RSVP**

Please RSVP to [rsvp@marquelawyers.com.au](mailto:rsvp@marquelawyers.com.au) by Thursday, June 17.

**Price**

Costs of attending: \$10 students, \$20 for practitioners.

**Online Payment**

Payment can be made online at  
[http://www.ila.org.au/whale\\_seminar\\_online\\_payment.htm](http://www.ila.org.au/whale_seminar_online_payment.htm)



Our thanks to Marque Lawyers for kindly agreeing to host the event.

## The Fight against Terror: Practical Dilemmas in applying the Laws of War

The Australian Human Rights Centre (AHRCentre) and the UNSW International Law and Policy Group invite you to *The Fight against Terror: Practical Dilemmas in applying the Laws of War*.

Professor Abraham Bell of Bar-Ilan University (Israel) and Colonel Sharon Afek, Deputy Military Advocate General for the Israel Defence Forces will present a seminar on the difficulties in applying the current international humanitarian laws in counter-terrorism operations. Since 11 September 2001, the nature of the terrorism threat to the global community has expanded both quantitatively and qualitatively to encompass private groups having a multinational presence and the capacity to inflict armed attacks against states. There is a growing awareness that the traditional laws of conflict did not foresee the new challenge of states fighting world wide terrorism networks. Difficult questions are raised as to the extent to which and the manner in which contemporary international humanitarian law applies to situations of international terrorism – and whether changes in the law may be necessary to allow effective regulation of this new form of terrorism compliance.

- Time:** 1pm - 2pm  
**Date:** Tuesday, 22nd June 2010  
**Venue:** G23 Theatre, Ground Floor, Law Building, University of New South Wales, Kensington Campus  
**Cost:** Free  
**RSVP:** Friday 18/06/2010 to [ahrc@unsw.edu.au](mailto:ahrc@unsw.edu.au) (essential as seating is limited)

For more information please read the attached PDF flyer.

## Save the Date - 2010 International Arbitration Lecture

The annual Clayton Utz/Sydney University International Arbitration Lecture has been scheduled to take place on **Tuesday 16 November 2010**. The guest lecturer this year will be Sally Harpole.

Sally is a renowned international arbitrator. She has been involved in over 100 international commercial cases in Asia, Europe and North America. Sally has been practicing in Hong Kong for the last 30 years and will be speaking on Language in International Arbitration with a particular focus on Asia.

**Date:** Tuesday 16 November 2010  
**Time:** 5:00pm - 7:30pm  
**Venue:** Supreme Court of NSW, Banco Court. Level 13, Law Courts Building, Queen's Square 184 Philip Street, Sydney

Further information on the Lecture will be included in the Newsletter as details come to hand.

## Sydney Law School Events

<http://sydneylaw.e-newsletter.com.au/link/id/73137084c16bbbadad2P15404954b569bab827c4/page.html>

## OTHER NEWS & EVENTS

### Japanese Whaling

ABC's *Foreign Correspondent* aired a program on 8 June 2010 titled "The Catch" about the Japanese Whaling Industry. The program is available for streaming via the following link:

<http://www.abc.net.au/foreign/>

### The 2010 ALIV 'Fun Raiser' Charity Cocktail Cruise – Raise Money for Refugee Week!

Please see attached a flyer for the 2010 ALIV "Fun Raiser" Charity Cocktail Cruise on **Friday, 25 June 2010** which will be raising money for refugees.

## ARTICLES & PRESS RELEASES

If members become aware of further articles or editorials, I encourage you to post them on the [LinkedIn Page](#) or email them to Peter at [intlaw.vicechair@younglawyers.com.au](mailto:intlaw.vicechair@younglawyers.com.au) so that he can add them.

### Enhancing parliamentary scrutiny of human rights

[http://www.attorneygeneral.gov.au/www/ministers/mcclelland.nsf/Page/MediaReleases\\_2010\\_SecondQuarter\\_2June2010-Enhancingparliamentaryscrutinyofhumanrights](http://www.attorneygeneral.gov.au/www/ministers/mcclelland.nsf/Page/MediaReleases_2010_SecondQuarter_2June2010-Enhancingparliamentaryscrutinyofhumanrights)

## **Public consultation: Anti-Counterfeiting Trade Agreement**

<http://www.dfat.gov.au/trade/acta/>

## **No safe harbour for universities, search engines and web hosts**

The Federal Government has no plans to extend the shelter of 'safe harbour' to Australia's universities, search engines, web hosts and other network providers to protect them from prosecution over the actions of their subscribers.

<http://www.itnews.com.au/News/214828.government-holds-the-line-on-acta-talks.aspx>

## **ICTY convicts 7 senior Bosnian Serb officials of war crimes**

The International Criminal Tribunal for the former Yugoslavia (ICTY) on Thursday convicted seven senior Bosnian Serb officials of war crimes against Bosnian Muslims committed during the 1995 Srebrenica massacre.

[http://jurist.org/paperchase/2010/06/icty-sentences-seven-senior-bosnian-serb-officials-for-war-crimes.php?goback=%2Envr\\_3014631\\_3](http://jurist.org/paperchase/2010/06/icty-sentences-seven-senior-bosnian-serb-officials-for-war-crimes.php?goback=%2Envr_3014631_3)

## **China government defends Internet censorship laws**

The Chinese government on Tuesday defended its Internet censorship laws in a report detailing Internet usage within the country. China reported that nearly 30 percent of its population currently has access to the Internet and that they expect that number to increase to nearly 50 percent in the next five years.

[http://jurist.org/paperchase/2010/06/china-government-defends-internet-censorship-laws.php?goback=%2Envr\\_3014631\\_3](http://jurist.org/paperchase/2010/06/china-government-defends-internet-censorship-laws.php?goback=%2Envr_3014631_3)

## **Rights commission concerned over freedom of expression in Venezuela**

The Inter-American Commission on Human Rights (IACHR) on Monday sent a letter to the Venezuelan government expressing their concern over the increasing threat to freedom of expression in the country.

[http://jurist.org/paperchase/2010/06/rights-commission-concerned-over-freedom-of-expression-in-venezuela.php?goback=%2Envr\\_3014631\\_2](http://jurist.org/paperchase/2010/06/rights-commission-concerned-over-freedom-of-expression-in-venezuela.php?goback=%2Envr_3014631_2)

## **Israel PM appoints former Supreme Court judge to head flotilla raid probe**

Israeli Prime Minister Benjamin Netanyahu on Sunday announced the composition of an internal probe into the May 31 Israeli raid on several Turkish ships bound for the blockaded Gaza Strip.

[http://jurist.org/paperchase/2010/06/israel-pm-appoints-former-supreme-court-judge-to-head-flotilla-raid-probe.php?goback=%2Envr\\_3014631\\_2](http://jurist.org/paperchase/2010/06/israel-pm-appoints-former-supreme-court-judge-to-head-flotilla-raid-probe.php?goback=%2Envr_3014631_2)

## **Israel cabinet votes to ease Gaza Strip blockade**

Israel has announced it will ease its blockade of the Gaza Strip and allow more civilian goods to enter the Palestinian territory.

