

INTERNATIONAL LAW COMMITTEE

Newsletter, Issue 19, 26 April 2011

This newsletter is published by the NSW Young Lawyers International Law Committee

Welcome

Dear members,

Welcome to the April edition of our Committee Newsletter. Our Committee has had a very busy first quarter with numerous projects on foot and already a couple of events under our belt.

Our committee is very committed to our CLE and Submission obligations and in an effort to keep informed on issues that may warrant a submission, our committee has been in contact with the Advocacy and Human Rights Officer at Community Legal Centres NSW, who have added us to their email list for the Parliamentary Inquiries table that they maintain. Our committee is also aiming to hold two CLEs this year with a distinct focus on international law. If any member has a topic for a submission or a CLE, we welcome your input and encourage you to contact Peter with a simple outline (no more than 1 page). Contributing to a submission can look great on your CV and also lets you voice your opinion on the shape of international law in Australia.

The Committee has also embarked on two new and exciting projects. **The ILC Practitioner's Guide: 2nd Edition** is now in the first stages of drafting, with a working group tasked with drafting 9 new chapters. More information on our new edition is included later in the newsletter. The committee is also in the drafting stages of our new **International Internship and Scholarship Guide**. The team is still collating information and compiling drafts of the chapters. The team is looking for anyone who has participated in an internship/scholarship program or if you are aware of anyone who has, please contact: intlaw.secretary@younglawyers.com.au. The **Sri Lanka Project** is in its 2nd stage with members of the Project team busy gathering evidence. Singapore and Hong Kong are on the agenda for the next few weeks as more witnesses and victims are interviewed. A meeting was held on Tuesday, 5 April 2011 to provide an update on the project and also recruit more volunteers for research tasks.

Our relationship with the AIIA is also growing with another joint event planned for May on International Terrorism law. If you would like to get involved or find out more about this event, please contact our Stream Administrator for **International Maritime and Aviation Law**, **Robin Bowley** at: intlaw.maritime@younglawyers.com.au. The newsletter also contains details on our new LinkedIn subgroups, Red Telephone, Young Lawyers World Cup, and the ILCs involvement with UNICF and Forum: *'Millennium Goals and Development Finance in the Wake of the GFC'*.

I look forward to seeing you all at our next meeting.

Kind regards,

Peter Anagnostou | Chair, International Law Committee
NSW Young Lawyers | The Law Society of New South Wales
E: intlaw.chair@younglawyers.com.au
W: www.younglawyers.com.au/committees/internationallaw

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What's going on in your Committee?

International Law Committee News & Events

International Law Committee Meeting Minutes – 31 March 2011

1. The ILC Round Table: Report of Activities & Discussions

a. Australian Institute of International Affairs

On Tuesday 8 March we held our first joint event with the AIIA on *Australia's muddle over illegal immigration: Is there a way out of this mess?* The event was very successful with a capacity turnout at Baker & McKenzie and there is a summary of the evening up on Red Telephone.

We are now looking at organising another event with terrorism being the focus topic and are looking for speakers. It was suggested by Robin that Dr James Renwick, Barrister at 12th Floor (Selborne) Chambers, would be an excellent speaker and should be contacted.

b. Red Telephone

[Red Telephone](#) – the site now has some fresh postings' and is a great forum to voice opinion pieces or commentary of current international law. If anyone is interested in making a submission, it does not need to be extensive, please contact the relevant Stream Administrator.

2. The Young Lawyers World Cup

Our Professional Liaison Officer, Stephen Clugston, is putting together a working group for this event and the Chair of the Employment & Industrial Relations Committee wants to run a mini-Olympics style sports day with an 'international flair'.

The event will probably be held at Centennial Park and will include a BBQ, refreshments, and whatever the Committee can get sponsorship for- including trophies and major prizes. Any interest from law firms will be welcomed.

If you are interested in participating or, if you think your firm/workplace may be interested in sponsorship opportunities, please email Stephen at: intlaw.professional@younglawyers.com.au

3. ILC involvement with UNICF and Forum: 'Millennium Goals and Development Finance in the Wake of the GFC'

Stephen Clugston addressed the Committee on the upcoming projects UNICEF is keen for us to get involved in, one of which being the Forum 'Millennium Goals and Development Finance in the Wake of the GFC', the keynote speakers will be members from the World Bank, Asia Bank and UNICEF. Minter Ellison is happy to assist in the organisation of the Forum and if any member is interested in participating, please email Stephen at: intlaw.professional@younglawyers.com.au

4. Sydney Law Careers Fair

NSW Young Lawyers and the Law Society of NSW have a stand at the Sydney Law Careers Fair. The Careers Fair was held at the Convention Centre on 1 April, 2011.

5. End of Financial Year Drinks

Due to our successful EOFYD last year, interest has been expressed for our Committee to host another one soon. The EOFYD this year will probably be hosted in July and updates will be given to members once the evening has been organised.

6. Next Meeting

The next meeting will be held on **Thursday, 28 April, 2011 at 6.00 p.m.** The venue will be the **Law Society Building**

Meeting closed at approximately 7.00 p.m.

ILC Monthly Meeting Agenda

Thursday, 28 April 2011 at 6.00pm

Law Society Building
Level 6, 170 Phillip Street
Sydney NSW 2000

1. Welcome, attendance and apologies
2. Administrative issues
3. ILC Round Table Discussion: Contemporary issues in international law for Australia
4. **Submissions** – We are seeking volunteers to assist with making submissions on issues relating to international law. Our committee has been in contact with the Advocacy and Human Rights Officer at Community Legal Centres NSW, who have added us to their email list for the Parliamentary Inquiries table that they maintain. Our committee is also aiming to hold two CLEs this year with a distinct focus on international law. If any member has a topic for a submission or a CLE, we welcome your input and encourage you to contact Peter with a simple outline (no more than 1 page). Contributing to a submission can look great on your CV and also lets you voice your opinion on the shape of international law in Australia.
5. **2nd Revision of the Practitioner's Guide to be published 2011** – The ILC Practitioner's Guide: 2nd Edition is now in the first stages of drafting, with a working group tasked with drafting 9 new chapters. The working group for this project met in April to allocate chapter 'leaders' and commence the first stage of drafting. We will be providing an update wot the committee at this meeting.
6. **Sri Lanka Evidence Project** – The Sri Lanka Project is in its 2nd stage with members of the Project team busy gathering evidence. Singapore and Hong Kong are on the agenda for the next few weeks as more witnesses and victims are interviewed. A meeting was held on Tuesday, 5 April 2011 to provide an update on the project and also recruit more volunteers for research tasks.
7. **International Internship and Scholarship Guide** – the working group to provide an update on their progress. The team is still collating information and compiling drafts of the chapters. The team is looking for anyone who has participated in an internship/scholarship program or if you are aware of anyone who has, please contact: intlaw.secretary@younglawyers.com.au.
8. **Australian Institute of International Affairs** – We will be holding an event on International Terrorism law in May and we are currently seeking volunteers to help secure speakers for this event.
9. **Young Lawyers World Cup** – The President of Young Lawyers has given us the go ahead to organize a 'World Cup' (or comparable) event later this year for the benefit of the whole of NSW YL group. We have been given full creative license to make this a fun and inclusive event for Young Lawyers, and trophies, prizes, (and potentially other aspects) will likely be funded out of the Young Lawyers purse. The event can, amongst other things, operate as a fundraiser, an awareness campaign, and/or a social/networking opportunity. It may involve one sport (think 'World Cup') multiple activities (think 'Olympics'). Our Professional Liaison Officer, Stephen Clugston, is putting together a working group for this event to help brainstorm, plan, organize, and implement the event. If you are interested becoming part of this group, email Stephen at: intlaw.professional@younglawyers.com.au
10. **Red Telephone** – the site now has some fresh postings' and is a great forum to voice opinion pieces or commentary of current international law.
11. General business
12. Next meeting: **26 May 2011**

NSW Young Lawyers News & Events

The Red Telephone

This site was designed to accommodate up-to-the-minute news covering all aspects of international law, gathered and edited by Committee members, as well as updates on the latest professional and social events and the work of the Committee itself.

If you would like to contribute to the legacy of the Red Telephone with a commentary or opinion piece on international law, please feel free to forward me your submissions at intlaw.chair@younglawyers.com.au and I will publish them on the site.



Australian Institute of International Affairs
Promoting understanding of international issues

A Gala Wedding and the prospects of a Republic Have William and Kate made a difference?

Monday, 02 May 2011 6:00 PM

Glover Cottages

There is little doubt that Republican spirits have dampened in those countries of the Commonwealth of Nations that still have Queen Elizabeth II as their head of state. In Britain, the marriage of Prince William to Catherine Middleton has reignited royalist sentiment to fever pitch. Here in Australia, the very television networks that have been crying poor and cutting news budgets have splashed out and sent the stars of the breakfast couches to London to report the event live in prime time.

Yet nothing has really changed. Prince Charles, not Prince William, is next in line to the throne. The hope for constitutional reform to establish an Australian republic has faded, but not disappeared. Those who want a republic still hope for it, but for many in politics, including the Gillard government, it has become a low priority, and is unlikely to feature in the next election campaign. The prime minister, at times a declared republican, was pleased to accept a Buckingham Palace invitation to the wedding.

So does the issue matter anymore, and if Australia remains a monarchy will it make any difference to Australia's international standing?

Join us on **Monday May 2** to debate the issue with prominent republicans **Susan Ryan** and **George Williams**. Susan will argue that the royal marriage has thrown the spotlight on some of the most anomalous and unacceptable aspects of the *status quo* whereby the British monarch is Australia's head of state. George will expand on his view that the Queen's successor will be chosen according to rules that discriminate against women and ban Catholics.

The AIIA announces the release on the AIIA website at www.aiaa.asn.au of our latest Policy Commentary ICT4IR: International Relations in the Digital Age.

To access the electronic copy of the Policy Commentary, go to: <http://www.aiaa.asn.au/news/31-national-news/574-aiaa-policy-commentary-april-2011-ict4ir-international-relations-in-the-digital-age>

Do you
have
something
to say...?

DISCLAIMER

While contributions from members are welcomed, any opinion pieces published in the ILC Newsletter are the opinions of the individual authors and are not necessarily the views of the ILC or NSW Young Lawyers

LinkedIn Group Page

The Young Lawyers International Law Committee now has a group page on [LinkedIn](#). This page is exclusively open to members of the International Law Committee to read and post current news items relating to international law and conduct online discussions.

To join, create a LinkedIn page (it's free and can be very minimalist), then send a request to join our page and our Chair will add you to our group.

The Group page contains many links to very interesting articles on international law and encourage you all to join.

Join our Group on

LinkedIn®

NSWYL International Law Committee LinkedIn Group

Our LinkedIn Group Page now has over 100 members and the discussion page is full with relevant and active discussions just waiting for your contributions!

Some of the topics currently being discussed on the page include: *WTO Apples Case*; *Investor-State Agreements in Australia*; *UN Sri Lanka War Crimes Report*; *Australian Appointed to The International Court of Justice*; *The WTO panel report: EC - large civil aircraft (Airbus)*; *China v US Trade Disputes*; plus two very significant upcoming conferences: **The CIArb Asia Pacific Conference - Investment and Innovation: International Dispute Resolution in Asia Pacific and The 2011 International Law Association (ILA) Asia-Pacific Regional Conference** - Both to be held at the end of May 2011.

Our Stream Administrators have also recently created subgroups for each of the Streams within the Committee. Feel free to join any of these subcommittee group pages to keep informed on that specific area of the law. The subgroups are listed below:

- YLILC Public International Law
- YLILC International Humanitarian and Criminal Law
- YLILC International Energy, Environment, and Natural Resources Law
- YLILC International Trade Law
- YLILC Private International Law
- YLILC International Dispute Resolution
- YLILC International IP, Communications and Technology Law
- YLILC International Maritime and Aviation Law

We look forward to seeing you on our page and reading your contributions!

Practitioner's Guide to International Law – 2nd Revision

These are the new chapters to be included in our guide, please find below a list of the Chapter "Leaders" and their contact details. If you wish to assist them with their respective chapter, please contact them directly:

7. **International Dispute Resolution** - Donny Low donny.low@hfw.com
8. **International Humanitarian Law** - Feda Dabbagh intlaw.environment@younglawyers.com.au
9. **International Criminal Law** - Justen Sing intlaw.humanitarian@younglawyers.com.au
10. **International Environment Law** - Feda Dabbagh intlaw.environment@younglawyers.com.au
11. **International Maritime and Aviation Law** - Robin Bowley intlaw.maritime@younglawyers.com.au
12. **International Trade Law** - Richard Hughes intlaw.dispute@younglawyers.com.au
13. **International Intellectual Property Law** - Sarah Lux sarah.lux@aar.com.au
14. **International Tax Law** - Minbo Wang minbo.wang@gmail.com
15. **International Family Law** - Sandrine Alexandre - intlaw.private@younglawyers.com.au

Committee Contacts

Peter Anagnostou

Chair of the Committee

intlaw.chair@younglawyers.com.au

Dora Chan

Vice-Chair of the Committee

intlaw.vicechair@younglawyers.com.au

Feda Dabbagh

Secretary of the Committee

intlaw.secretary@younglawyers.com.au

Committee Member Profile

Jermir J Punthakey

I'm in my sixth year of a Commerce/Law degree at UNSW. I've been privileged to travel to the China Model United Nations (2009) and compete in the Jean-Pictet International Humanitarian Law Competition (2011), which has greatly increased my exposure and appreciation of international law and potential career paths. I'm looking forward to meeting fellow committee members and assisting in projects. Particularly, if you have an interest and knowledge in international humanitarian law, I'd like to extend an invitation to judge the Australian Law Students' Association (ALSA) Red Cross IHL Moot taking place at UNSW in July this year.



International Law Association – Australian Branch

International Law on Sustainable Development, Legal Experts Seminar 15-17 June, 2011, Rome, Italy - Invitation/Call for Papers

The International Development Law Organization (IDLO) and the Centre for International Sustainable Development Law (CISDL) will co-host, together with the International Law Association's Committee on International Law on Sustainable Development, a Legal Experts Panel and Seminar in Rome, Italy on 15-17 June 2011.

These events will commence with an International Legal Experts Panel on Green Economy, Poverty & the Law in which we will discuss the international and domestic legal aspects of the 2012 UN Conference on Sustainable Development in Brazil.

The Legal Experts Panel will be followed by a 2-day Semina on Justice, Sustainability and International Law which aims to provide a forum for Committee members and other invited guests to present and discuss papers on key topics, including an analysis of how the 2002 New Delhi Declaration Principles have been reflected in the decisions of courts and tribunals. The final afternoon of this in-depth seminar will be reserved to discuss recommendations for the deliberations of the UN High Level Experts Panel on Global Sustainability and plans for the upcoming UN Conference on Sustainable Development (Rio +20) process, and for the ILA Sophia Biennial Conference.

Committee Members are invited to submit titles and 100-word abstracts for papers that you may be willing to present in the seminar for legal experts, senior officials from the IDLO and other international organizations, law graduate students and the public, in Rome on 15-17 June, 2011. Please send your abstracts to kbell@idlo.int with a copy to mcordonier@idlo.int.

The IDLO will host a special dinner event for the Committee members during the seminar as well as provide meeting facilities, tea/coffee, and other hospitality in their newly restored premises in Rome as well as full logistical and outreach support.

While travel costs cannot be covered at this time, IDLO can offer rooms in their Residence at an excellent rate of 70 Euros per night. IDLO has applied for further funding, and if they are successful, they hope to cover travel and accommodation for several developing country members of the Committee.

If you would like to attend this event please send your abstracts and confirmation of your attendance to kbell@idlo.int.

Tentative Program (2011 ILA Asia-Pacific Regional Conference)

Taipei, Taiwan; May 29 to June 1, 2011

The 2011 International Law Association (ILA) Asia-Pacific Regional Conference will take place in Taipei, Taiwan from May 29 to June 1, 2011. The conference theme is "Contemporary International Law Issues in the Asia Pacific: Opportunities and Challenges."

The keynote speakers are Judge Helmut Tuerk (Vice President, International Tribunal for the Law of the Sea, ITLOS) and Professor David Caron (President, American Society of International Law). Other speakers include President Ying-jeou Ma (President, Republic of China), Lord Mance (Justice, Supreme Court of the United Kingdom), Judges Albert Hoffman, Jin-Hyun Paik and Shunji Yanai of the ITLOS, scholars and government legal advisors from various ILA branches. The ILA Research Committee on Recognition and Non-Recognition will also convene at the conference.

The tentative conference program is attached for your reference. Preferential registration rates are available until April 10 and the registration deadline is May 10. For details, please refer to the conference website: <http://www.cils.nccu.edu.tw/ila2011tw/Registration.htm>.

Australian Human Rights Centre Events

Each year the Centre convenes the Annual AHRC Public Lecture and a seminar program with Australian and international speakers on human rights issues of contemporary significance. The AHRCentre Annual Lecture series has featured David Malouf; LSE Professor of Human Rights law, Conor Gearty; South African constitutional and human rights lawyer, Professor Sandra Liebenberg; a transitional justice and human rights expert and Professor Stephen Parmentier from the Catholic University, Leuven.

Events hosted by the AHRC are posted here. Should you wish to be added to the AHRCentre mailing list and receive email alerts of upcoming AHRCentre events please proceed to **CONTACT US**

Tuesday 10th May - AHRCentre Annual Public Lecture: United States Ambassador Jeffrey Bleich

The Australian Human Rights Centre is delighted to invite you to our Annual Public Lecture with United States Ambassador Jeffrey Bleich.

United States Ambassador Jeffrey Bleich will address the topic: *The United States and Australia's Commitment to Human Rights in the Asia-Pacific.*

Jeffrey Bleich became the United States Ambassador to Australia in 2009. He previously served as Special Counsel to the President at the White House. From 1995 to 2009, he was a litigation partner in the San Francisco office of Munger, Tolles & Olson LLP, where he was recognised as one of the nation's top lawyers. After clerking for Judge Howard Holtzmann at the Iran-U.S. Claims Tribunal and acting as Special Rapporteur to the International Court of Arbitration, he assisted the Special Prosecutor for the International Tribunal for the Former-Yugoslavia. Ambassador Bleich received his B.A. from Amherst College, his Masters in Public Policy from Harvard University and his law degree from the University of California, Berkeley. He has taught international human rights at UC Berkeley School of Law, and written and lectured extensively on the international criminal court.

An invitation is attached. [Annual Lecture Invite.pdf](#)

Time: 6:00pm for a 6:30pm start

Date: Tuesday, 10th May 2011

Venue: Tyree Room, John Niland Scientia Building, University of New South Wales

Register: <http://www.ahrcentre.org/ahrcevents.html>

The AHRCentre gratefully acknowledges the support of the International Law Association (Australian Branch) for this year's lecture.



Our Committee has nominated Black Tie for Breast Cancer www.bt4bc.org for the NSWYL nominated charity for 2011.

Of 7 members on the Committee 6 out of 7 are lawyers who have worked tirelessly together to raise \$245 000 for the development of the new Cancer Centre at the Prince of Wales Hospital since their inaugural event in 2010.

Whilst they have raised a substantial amount since they operate with no overheads, there is still much more needed to be done as building is yet to commence. The Hospital is in dire need of being refurbished, and Cancer patients need updated facilities for treatment and prevention of this disease. The facilities will be used by cancer patients from POWH, the Sydney Children's Hospital and also the Royal Hospital for Women.

Sydney Centre for International Law

CURRENT EVENTS

INTERNATIONAL LECTURE

[The morality of money: making sense of human rights and global finance](#)

6.30pm, Wed 27 April

In this lecture in Beijing as part of the *Sydney Ideas* program, Professor David Kinley of Sydney Law School will discuss how global finance can be made part of the solution to greater human rights protection, not just part of the problem.

[Read more](#)



Prof David Kinley

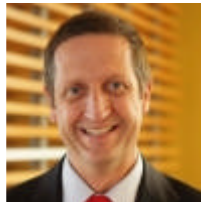
SEMINAR

[Capacity for crime: adolescent brain development, mental health and youth crime](#)

6-8pm, Mon 2 May

Recent advances in neuroscience have resulted in greater understanding of adolescent brain development. It now appears that the adolescent brain continues to develop through to early adulthood, which has significant implications for understanding youth crime. This seminar will explore current thinking in the science of adolescent brain development and review recent research into the mental health of young people within the NSW juvenile justice system. By considering these features of youth crime, it will be possible to reflect upon the efficacy of current programs for young people.

[Read more](#)



Prof Ian Hickie

SEMINAR

[Death, property and the problem of posthumous harm](#)

5.30-7.30pm, Thu 5 May

In this seminar as part of the *JSI Legal Theory at Sydney Series*, Dr Christopher Birch SC of Sydney Law School examines the philosophical problem of posthumous harm and recent counter-arguments.

[Read more](#)



SEMINAR

[The future of private international law in Australia](#)

6-7.30pm, Mon 16 May

Australia's prominent position in the world economic order depends on the ability of its businesses to sell their products and expertise internationally, and to engage in cross-border ventures. This process of globalisation has also broadened the opportunities of Australians to travel, whether for business, employment, education or personal reasons. The, perhaps inevitable, result of these developments is a growth in the number of disputes before Australian courts which have a cross-border element, whether relating to the parties or the subject matter. [Read more](#)



The Hon Justice Paul Le Gay Brereton

[Young Lawyers CLE and Events Calendar](#)

Patents and Designs Workshop

Member: \$ 112.00 Non-Member: \$ 145.00

Level: Essential
CLE Units: 2

Speaker:

Lester Miller, Mechanical Engineer, Registered Patent Attorney, and Senior Associate at Allens Arthur Robinson and Angus Lang, Barrister, Tenth Floor Chambers.

Aims

The workshop will introduce concepts related to Patents and Designs, followed by hands-on case studies and worked examples showing claim breadth.

This should arm you with knowledge of how to make preliminary assessments of the potential value and potential flaws of Intellectual Property owned by a company; and where these kinds of properties fit into a due diligence exercise.

After the workshop, Angus Lang will outline some recent developments in Patent Law from proposed legislative amendments and case law developments. [Click here to download the April / May CLE Brochure.](#)

Chair:

Mai Campbell, Member of the NSWYL CET Committee

NSW Young Lawyers Golden Gavel

The International Law Committee intends to have a table at the Golden Gavel this year.

The details are:

Time: 7.30am - 9.30am

Date: Friday 20 May 2011

Venue: Shangri-La Hotel, 176 Cumberland Street, The Rocks, Sydney NSW 2000

For those of you who don't know what I'm talking about, Golden Gavel is a NSW Young Lawyers organised breakfast with a bunch of young lawyers giving short hilarious speeches on only 24 hours notice of what the topic is. For more info go to: <http://www.lawsociety.com.au/about/YoungLawyers/GoldenGavelCompetition/index.htm>

Tickets are subsidised and will only cost you \$25 (please bring the funds on the day). So please contact me if you are interested in heading along and if you have any dietary requirements. First in best dressed.

LAUNCH | **Constitutional reform in the twenty-first century**

6-7.30pm, Thu 19 May

Join Sydney Law School in celebrating the launch of its Constitutional Reform Unit, dedicated to researching and advising on proposals for constitutional change in Australia. The launch will include a lively discussion between the Hon Malcolm Turnbull MP and the Hon Bob Carr on the pitfalls and prospects for *Constitutional Reform in the Twenty-First Century*.

[Read more](#)**International Investment and Dispute Resolution Law Commentary from Professor Luke Nottage**

I am finalising a co-edited volume on "Foreign Investment and Dispute Resolution Law and Practice in Asia" (introductory chapter freely downloadable via <http://ssrn.com/abstract=1789306> drawing partly from the investment treaty conference we held at Sydney Law School in February 2010. One of the chapters states the following re Indonesia [citations etc omitted], and we'd be interested in any feedback. As for dispute settlement between government and investors, the [2007 Investment] Law provides the following in Article 32:

- (1) Investment disputes between the Government and investors are to be first settled through deliberation and consensus.
- (2) If a settlement cannot be reached by deliberation and consensus, the dispute can be settled through arbitration, alternative dispute resolution or the courts, under prevailing laws.
- (3) Investment disputes between the Government and domestic investors are to be settled through arbitration, if the parties have agreed to do so, and if resolution is not achieved through arbitration, then the dispute is to be resolved in court.
- (4) Investment disputes between the Government and foreign investors are to be resolved through international arbitration upon which the parties must agree.

It is important to note that the 2007 Law exists alongside the Bilateral Investment Treaties (BITs) that Indonesia has signed with many countries, as shown in the Appendix. Most of these BITs contain provisions familiar to most investors [... including investor-state arbitration provisions]. Indonesia is also party to several regional instruments that seek to protect investments, including the ASEAN Comprehensive Investment Agreement, the ASEAN-Korea Investment Agreement, the ASEAN-China Investment Agreement, and the ASEAN Free Trade Agreement with Australia and New Zealand. It is pursuing several FTAs and has concluded the Economic Partnership Agreement with Japan [...].

Of course in arbitration proceedings these BITs and FTAs would be primary reference points for dispute resolution. It is unclear, however, whether, domestically, these BITs add much to the 2007 Investment Law. Formally, it appears that, under Indonesian law, treaties automatically become part of Indonesian domestic law when they are ratified (Supriatna, 2008: 157). Yet, in practice, ratified treaties are rarely treated as such until their terms have been adopted within Indonesian laws. Perhaps, though, they might be used as an aid to interpretation of Article 32(4). That is, if the parties have not agreed or cannot agree upon the forum and procedures for arbitration, then the forum and procedure, if mentioned in a relevant BIT, might prevail.

Critically, however, Article 32(4) does not clearly stipulate how disputes between investors and the Indonesian government should be resolved if the parties cannot agree upon the seat of the arbitration and procedures, and no BIT, FTA or contract otherwise governs the investment. Could one of the parties stall arbitration by refusing to agree on the particulars, thereby thwarting Article 32(4)'s apparent right to arbitration? Or would failure to agree force recourse to Article 32(2) which, as mentioned, allows disputes to be settled through the courts? If this were the accepted interpretation, the Indonesian government could stonewall agreement, thereby exposing the investor to the Indonesian judicial process and its associated problems, discussed in IV.B.

LECTURE | **Distinguished Speakers Program: Dr Janet Albrechtsen**

6-7pm, Thu 2 June

As part of the *Sydney Law School Distinguished Speakers Program 2011*, focusing on eminent alumni and friends of the Sydney Law School, Dr Janet Albrechtsen looks at the media and politics in Australia.

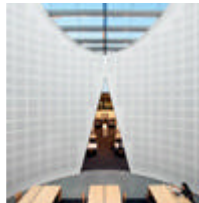
[Read more](#)

Dr Janet Albrechtsen

TRAINING COURSE | **The psychology of crime**

9am-5pm, Tue 7 June

This one-day course examines the profession of criminal psychology (also referred to as forensic psychology). It will introduce and expand on questions such as: What do criminal/forensic psychologists do to assist police, the courts, the prisons, etc?

[Read more](#)**SEMINAR SERIES** | **International regulatory responses to the Global Financial Crisis: Part 2**

5.30-7.15pm, Tue 14 June

The second seminar in the two-part *Corporate Governance Seminar Series* looks at corporate governance reform and common law perspectives of regulating executive remuneration after the Global Financial Crisis, with international guest speaker Associate Professor Christopher M Bruner and Sydney Law School Professor Jennifer Hill.

[Read more](#)Assoc Prof
Christopher M Bruner**CONFERENCE** | **19th Annual Labour Law Conference**

9am-5pm, Mon 1 August

Special earlybird rate available until 30 April

This conference brings together some of Australia's leading labour law, IR researchers and practitioners to debate the key issues confronting labour law today.

[Read more](#)

international humanitarian law e-newsletter

International humanitarian law news and issues

Afghanistan: Ambulance used in attack on police training compound

(ICRC) - The ICRC has strongly condemned the use of an ambulance – intended for transporting wounded and sick persons – in a suicide attack that took place at an Afghan National Police regional training centre on the outskirts of Kandahar city, southern Afghanistan. In further unsettling news for healthcare provision in armed conflict and situations of violent unrest, healthcare provision in the main public hospital in Bahrain appears to have been disrupted, and unexploded ordinance is threatening the operation of Medina Hospital in Mogadishu.

Possible use of cluster munitions in Libya

The US-based Human Rights Watch (HRW) said its researchers have reported the use of cluster bomb munitions against Misrata. The weapons are banned by more than 100 countries across the world. According to HRW, one of its photographers standing on the roof of the hospital in Misrata witnessed three cluster weapons exploding over residential areas of the city on Thursday evening. Another single explosion was observed Friday night.

Filipino rebels agree to stop using child soldiers

In what they called a breakthrough in the campaign to remove children from combat in the Philippines, U.N. officials said Friday that Communist rebels had agreed to ensure that there are no minors in their ranks. At a news briefing, Radhika Coomaraswamy, the U.N. Special Representative for Children and Armed Conflict, announced that the National Democratic Front of the Philippines had agreed in principle to cooperate with the United Nations to identify and remove any child combatants from the New People's Army, the Communist movement's armed wing, which has waged a guerrilla campaign for the past four decades.

Former Croatian military leaders convicted

Two former Croatian military leaders have been convicted of atrocities against Serbs during a trial at the Hague. Anti Gotovina was sentenced to 24 years in jail and Mladen Marac got 18 years for their part in a campaign to drive Serbs from Croatia's Krajina region. The two men were convicted of crimes including murder, persecution and theft during a military campaign to drive 200,000 ethnic Serbs from the country in 1995. A third man, Ivan Cermak, 61, was acquitted. The three defendants, all former generals, had denied the charges and Gotovina's lawyer Gregory Kehoe said he would appeal. Crowds who had gathered to watch the verdict live on big screens in the Croatian capital, Zagreb, booed as the guilty verdicts were delivered. The judge described the operation as a "joint criminal enterprise" between the military commanders and the then president, Franjo Tudjman.

Red Cross survey finds young Americans unaware of the rules of war

A new American Red Cross survey reveals that only 1 in 5 American youth is familiar with the Geneva Conventions, while 4 in 5 think that the U.S. should better educate young people before they can vote and enlist in the military. The Red Cross commissioned two surveys, one of younger Americans between 12 and 17 and another of adults, and the results showed that, in many cases, youth are more inclined to support illegal actions in times of war than adults:

- Nearly 3/5 youth (59%) – compared to 51% of adults – believe there are times when it is acceptable to torture the enemy.
- More than 2/5 youth (41%) believe there are times when it is acceptable for the enemy to torture captured American prisoners, while only 30% of adults agree.
- More than half of youth (56%) believe that there are times when it is acceptable to kill enemy prisoners in retaliation if the enemy has been killing American prisoners, while only 29% of adults agree.

Resources

ICRC: 29th Annual Course on IHL - International Humanitarian Law in Theory and Practice: Principles, Rules and Humanitarian Action (Warsaw)

As part of its ongoing partnership with European and North American Red Cross Societies, the International Committee of the Red Cross (ICRC) organizes, jointly with the Belgian, French, Polish, and Swiss Red Cross Societies, two intensive courses in international humanitarian law (IHL) every year. These courses are open to post-graduate students with a background in public international law, legal practitioners dealing with the consequences of armed conflict, and humanitarian professionals with a demonstrated interest in acquiring knowledge of IHL.

East West Centre: Summer Institute in IHL and Human Rights

The Summer Institute in International Humanitarian Law (IHL) and Human Rights is a regionally based workshop held in partnership with organizations in Southeast Asia to consider key IHL and human rights issues, past and present, facing the region. Established in 2008, the Summer Institute is designed for participants working across a broad range of fields and disciplines and is best suited to those working within the Asia Pacific region, whose work has an Asia Pacific focus, or who wish to engage in comparative analysis regarding the application of IHL and human rights instruments as they apply in historical and political context of the region. This year's Summer Institute will be held in Singapore, with an optional field trip to Phnom Penh, Cambodia. This year's course will focus on the rights of women and children in wartime and in peace. In keeping with the rationale behind the establishment of the Summer Institute, the curriculum will focus primarily on case studies from Asia-Pacific countries, while encouraging comparative exploration with other regions of the world.

How Does Law Protect in War?: A new edition of the ICRC casebook

As part of its mandate to promote and strengthen the teaching and understanding of international humanitarian law (IHL), the ICRC is publishing a third, expanded and updated edition of its IHL reference book, "How Does Law Protect in War?".

Application for articles in the Asia-Pacific Yearbook of IHL

The Asia-Pacific Yearbook of International Humanitarian Law (APYIHL) is a publication of the University of the Philippines - Institute of International Legal Studies (UP-IILS). This Yearbook is aimed at providing a venue for scholarly research and writing in the field of IHL, as well as developing into a source of up-to-date information on this field of law. The Yearbook is currently welcoming submissions of manuscripts for its 4th issue, until the end of June 2011. If you have a manuscript on IHL which you would like to be considered for inclusion in this issue, or for further information, please contact: iils.claw@up.edu.ph or iilsclaw@gmail.com

Job opportunities

Coalition for the International Criminal Court: Program Associate

The Coalition for the International Criminal Court seeks a Program Associate for its International Secretariat, based in New York. Under the overall supervision of the Program Director, the Program Associate provides administrative and office support for CICC staff, responds to information requests, maintains contact with our members, and helps coordinate the CICC membership drive. The Program Associate provides a gateway into the CICC, serving as the first contact point for individuals and members seeking information on the CICC. This is a full-time position to start as soon as possible. Candidates must hold a Bachelor of Arts (BA) degree in a relevant field. Candidates must be interested in international human rights and humanitarian law; - Fluency in English and advanced proficiency in French and/or Spanish; - Background knowledge of the International Criminal Court preferred; - Some experience with non-profit networking and membership outreach beneficial.

The NSW Red Cross International Humanitarian Law Association is currently looking to fill a number of volunteer positions:

School Speakers Program

As many of you will be aware, we are hoping to start up a speakers program in IHL at NSW high schools later this year. We are looking to recruit a number of motivated people who have already completed an IHL basics session and are interested in disseminating IHL to young people. A training session will be held in the next few months. To apply for a volunteer school speaker position, please send a cover letter and CV to this email address.

IHL Association Members

It is with regret that we say goodbye to Josh Pallas who has been working with the IHLA and YAC for a number of years now. In addition, our current chairperson Bobbie Wan will be overseas for the latter part of the year. Due these circumstances, we are looking for expressions of interest for new members to join the IHLA. Applicants should ideally have completed an IHL Basics training session and be able to commit at least 3-4 hours per week to volunteering and IHLA related tasks. Interested persons should send a cover letter detailing any relevant past experience and a CV to this email address.

The deadline for applications for both the school speakers program and the IHLA is the 29th April.

In addition, along with another IHL basics training session, a Beyond the Basics one-day seminar series in international humanitarian law is being planned for later this year which will include guest speakers from different fields relating to IHL. More information about these events and other exciting volunteer opportunities will be provided closer to the date.

State Events

An evening with Dr Emily Crawford. Wednesday 18 May 6:30pm, Sydney Mechanics' School of Arts. Entry Free.

ALSA IHLA Moot

"Volunteers are still desperately needed to judge the ALSA International Humanitarian Law Moot 2011 (the Preliminary and Quarter final rounds). The conference takes place from 8 to 15 July, 2011. Participants are required to have a sound understanding of International Humanitarian law".

If you are interested in participating or have any questions, please contact:

Raihana Wahab
IHL Moot Coordinator, ALSA Conference 2011
July 8th- 15th | Proudly Hosted by UNSW

Phone: M +61 0433 449 927 | T +61 9742 6501
Email: raihana.wahab@alsaconference.com.au
Web: www.alsaconference.com.au

Rock and Rebuild

"Red Cross has an exciting volunteer opportunity for you and hope you can join us at this worthwhile event.

ANZ together with Star City is hosting the Rock and Rebuild charity concert to raise funds for Australian Red Cross (Victorian Flood Appeal, New Zealand Earthquake Appeal and Japan and Pacific Disaster Appeal) and the Queensland Premier's Disaster Relief Fund.

Sir Bob Geldof will be joined by Jon Stevens and Danielle Spencer to perform a one-off show.

Check out the link on the ticketmaster website <http://www.ticketmaster.com.au/Bob-Geldof-tickets/artist/735158>

Red Cross is looking for 20 volunteers to help out on the night. Volunteers will be required to assist with a Red Cross money collection during the concert, in addition volunteers will also be able to attend the concert."

Date: Sunday 1 May 2011

Venue: Lyric Theatre, Star City Casino, Pyrmont, Sydney

Time: 5.30pm – 9:45pm (Concert to start at 7pm)

If you are interested in participating in this great event and volunteering on behalf of Red Cross please contact: Lindy Sing, lsing@redcross.org.au or call 02 9229 4133



2011 Human Rights Dinner

Friday 6 May 2011

The Annual HRLC & PILCH Human Rights Dinner

with

Simon McKeon

Australian of the Year 2011
Chair of Business for Millennium Development
and Executive Chair of Macquarie Group
(Melbourne)

and

Dr Cassandra Goldie

Chief Executive Officer,
Australian Council of Social Service

6:45pm pre-drinks 7:00pm start

Friday, 6 May 2011

Melbourne Convention and Exhibition Centre
1 Convention Centre Place, South Wharf
(Rooms 105 & 106 Hilton South Wharf entrance)

RSVP: 27 April 2011

Full price: \$140

Subsidised: \$80

Dress code: Lounge suit/cocktail dress

About Simon McKeon

Simon McKeon is a social entrepreneur, philanthropist, business person and record breaking sailer. He was named Australian of the Year in 2011. Simon is Chair of Business for Millennium Development and the CSIRO, a Director of the Global Poverty Project and Executive Chair of Macquarie Group's Melbourne office. He was a Board member of World Vision Australia for over 15 years and founding Chair of MS Research Australia. Simon is also a member of the Federal Government's Human Rights Grants Scheme Expert Panel.

About Dr Cassandra Goldie

Cassandra Goldie is CEO of the Australian Council of Social Service and previously worked as Director of the Sex and Age Discrimination Unit at the Australian Human Rights Commission. She has also worked as Director of the Homelessness Legal Rights Project at UNSW, a consultant to UN Habitat and Executive Officer of the Darwin Community Legal Centre.

This event is generously supported by:

MALLESONS STEPHEN JAQUES



2011 Human Rights Dinner Booking Form / Tax Invoice

7.00pm on Friday, 6 May 2011
Melbourne Convention and Exhibition Centre,
1 Convention Centre Place, South Wharf

Name: _____ Organisation: _____

Phone: _____ Email: _____

Dietary Requirements: _____

Seating Requirements (attach separate sheet of names for table if necessary):

Type	Quantity	Price
Full-price	@ \$140 per ticket @ \$1400 per table	\$
Subsidised (employees of non-profit and community organisations only)	@ \$80 per ticket @ \$800 per table	\$
Donate to subsidise a ticket for a non-profit or community organisation	@ \$80 per ticket @ \$800 per table	\$
Donate to Human Rights Law Centre (HRLC is a deductible gift recipient)		\$
Donate to PILCH (PILCH is a deductible gift recipient)		\$
	Total	\$

Payment:

- Cheque for \$ _____ payable to: Human Rights Law Centre
- Credit Card Holder's Name _____
Credit Card Number _____ / _____ / _____ / _____
Expiry Date _____ / _____
Amount \$ _____
Visa, Mastercard or Bankcard only (please circle)

To reserve your tickets, please complete and return this form to:
Human Rights Law Centre, Level 17, 461 Bourke Street, Melbourne, 3000
Fax: (03) 8636 4455; Email: rsvphumanrights@pilch.org.au
Inquiries: Toni Hynes on (03) 8636 4459

Human Rights Law Centre Ltd – ABN: 31 117 719 267

This document will be a tax invoice for GST when you make payment. Please retain a copy for your records.



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