

## INTERNATIONAL LAW COMMITTEE

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

### Welcome

Welcome to the 21st edition of the ILC Newsletter. This edition contains details of upcoming ILC events for this year, as well as activities being undertaken by other Young Lawyers Committees and organisations. All past Newsletters are available at the [ILC's website](#).

As always, if you have any suggestions for future issues (including articles, news items, events, cases and the like), along with any feedback please email myself at [intlaw.chair@younglawyers.com.au](mailto:intlaw.chair@younglawyers.com.au).

Our next meeting will be held on **Thursday 25 August 2011** at the **Law Society Building, Level 2, 170 Phillip Street, Sydney NSW 2000**. During the meeting, we will discuss the following projects and events:

1. International Law Roundtable Discussion
2. Upcoming CLES
3. Submissions on International Law
4. Revised Practitioner's Guide
5. International Internship and Scholarship Guide

If you would like to assist us in the organisation of committee events or you have ideas for other events please feel free to contact me: [intlaw.chair@younglawyers.com.au](mailto:intlaw.chair@younglawyers.com.au).

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

**Peter Anagnostou | Chair, International Law Committee**  
NSW Young Lawyers | The Law Society of New South Wales  
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# What's going on in your Committee?

## International Law Committee News & Events

Minutes from our last meeting on Thursday, 28 July, 2011 at 6.00pm

### 1. Welcome to new members, attendance and apologies

#### ***In attendance:***

Peter Anagnostou (Chair)  
Feda Dabbagh  
Stephen Clugston  
Nicole D'Souza  
Katy Frank  
Bryce Williams  
Wing Shum  
Pat Gardner  
Mariana Krsticevic  
Annalise Haigh

#### ***Apologies:***

Amanda Foong  
Sandrine Alexandre-Hughes  
Henry Winter  
Robin Bowley

### 2. International Internship and Scholarship Guide

Feda Dabbagh provided an update on the progress of the Guide which is in its editing stages. All information has been collated and we are aiming to have the Guide available at the same time as the Practitioners Guide 2<sup>nd</sup> Edition. The team is also 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](mailto:intlaw.secretary@younglawyers.com.au)

### 3. The ILC Practitioner's Guide: 2<sup>nd</sup> Edition

Peter updated members about the progress of the Guide which is also in its editing stages but for a few chapters which are still being collated. Whilst the Guide was initially to be launched mid July, the launch has been pushed back to later this year.

### 4. CLE's

Stephen Clugston updated the Committee as to what transpired when our CLE Officer, Amanda Foong, attended the last CLE Meeting. Suggestions were made as to potential CLE topics including, investment arbitration, foreign state immunity, and, the recent Australian reforms to anti-dumping laws. The Committee CLE Officers are scouting speakers for potential CLE seminars.

### 5. Australian Institute of International Affairs

Peter informed the Committee that the AIIA is interested in hosting another joint event with our Committee by the end of the year. Our AIIA liaison, Robin Bowley, will be organising this event and will keep the Committee updated of any details as soon as they are to hand.

### 6. Submissions

The Committee has not made any Submissions this year and we are seeking solid ideas. All members are welcome and encouraged, to contact Peter with a simple outline (no more than 1 page) of their ideas/submissions.

**7. The Young Lawyers Work Cup/Sports Day**

Stephen Clugston provided the Committee with an update as to the status of the Young Lawyers Work Cup, which is proposed to be held in October and will be a joint event with the Young Lawyers Employment & Industrial Relations Law Committee.

Sponsors are being sought for the Cup and if any members are interested in participating or, if they think their firm/workplace may be interested in sponsorship opportunities, please email Stephen at: [intlaw.professional@younglawyers.com.au](mailto:intlaw.professional@younglawyers.com.au)

**8. LinkedIn Sub-Groups & Red Telephone**

Each Stream now has its own subgroup on **LinkedIn** and all members are encouraged to join a group and keep in touch with fellow lawyers who share specific interest and passion for that particular area of international law. The Stream Administrators will be operating these subgroups. If anyone is unsure as to how LinkedIn works, please contact Peter. **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.

**9. The International Arbitration Moot**

The Chartered Institute of Arbitrators & Young Lawyers will be hosting the International Arbitration Moot which is scheduled for 10 September, 2011. Entries to the Moot have now closed and there will be 18 competitors this year. Currently, Peter is writing up the Moot problem and prizes are being finalised.

**10. The ILC Round Table: Report of International Law news, developments & discussions****11. Next Meeting**

The next meeting will be held on **Thursday, 25 August, 2011 at 6.00 p.m.** The venue will be confirmed before the meeting.

Meeting closed at approximately 7.30 p.m.

## The Committee Now has two new Office Bearer/Council Buddies!

Please join me in welcoming Pouyan Afshar and Kathryn Millist-Spendlove to our committee

## Special Guest Speaker at the Committee Meeting on 24 November 2011

Dr Michael Underdown will be joining the committee to discuss his experience working in ports, Admiralty, maritime law, foreign trade and maritime arbitration, with particular emphasis on collisions, ship arrest, salvage, towage, wrecks, navigational aids, pilotage, shipbuilding, ship repair, ship surveys, port security, port management, charterparties, bills of lading, port logistics, marine environmental law and offshore oil and gas issues.

Michael also has experience and strong interests in EC law, public international law, conflicts of law and competition law.

## CIArb/YL International Arbitration Moot 2011

The problem has been distributed and the prizes secured! This year we have 20 young lawyers competing in the 3<sup>rd</sup> Chartered Institute of Arbitrators/Young Lawyers International Arbitration Moot.

In May 2009, in co-operation with the [Chartered Institute of Arbitrators Australia](#) (CIArb), the Committee staged the inaugural CIArb/YL International Arbitration Moot.

This co-operation will continue in 2011, with the third CIArb/YL International Arbitration Moot to be held on **Saturday 10 September 2011** at the Australian International Disputes Centre.

Attracting 20 participants from Sydney, Melbourne, Canberra, Perth and Brisbane, this event is a showcase of the appeal of arbitration amongst Young Lawyers (lawyers under the age of 36, in their first five years of practice or law students) and has cemented its place as a progressive and high quality competition.

The Arbitration Moot is intended to simulate the practice of private international law and the use of international arbitration to resolve international disputes. The Moot consists of the preparation of written submissions for both the claimant and the respondent and oral hearings. This event is also a great opportunity to experience the real world of arbitration and network with some of the pre-eminent professionals in the field to discuss the recent changes to both the state and federal legislation on arbitration.

The Competition's main prize for Best Orator, won last year by Derek Wong, is a place in the [Diploma in International Commercial Arbitration Course](#). The course is run jointly by the Chartered Institute of Arbitrators Australia and the University of New South Wales. The prize is valued at over \$6,600! The other prizes for the arbitration moot have been finalised and are detailed below.

### **Winning Team**

Two copies of the following books from Thompson Reuters:

1. [Commercial Arbitration in Australia](#)
2. [International Commercial Arbitration](#)

Two copies of the following books from the Federation Press:

1. [International Arbitration in Australia](#)
2. [The Arbitrator's Companion](#)
3. [Advocacy](#)
4. [The Essential Guide to Mooting](#)

Two copies of the following books from Kluwer Law International:

1. [International Arbitration and International Commercial Law: Synergy Convergence and Evolution](#)
2. [International Arbitration: Cases and Materials](#)
3. [Concise International Arbitration](#)

Two copies of the following book from Oxford University Press:

1. [International Investment Arbitration](#)

**Best Written Submissions**

Two copies of the following books from the Federation Press:

1. [International Law](#)
2. [Jurisdiction in International Litigation](#)
3. [Law of International Business in Australasia](#)

Two copies of the following books from Kluwer Law International:

1. [International Arbitration and Mediation: A Practical Guide](#)
2. [Written Evidence and Discovery in International Arbitration](#)

Two copies of the following book from Oxford University Press:

2. [Research and Practice In International Commercial Arbitration](#)

**Spirit of the Arbitration Moot**

**\$300 lunch** with an esteemed International Arbitrator. Kindly sponsored by Norton Rose.

This will be awarded at the sole discretion of the pool of Arbitrators to encourage a participant or team for behaviour exemplifying the spirit of the Arbitration Moot.

ILC Monthly Meeting Agenda  
Thursday, 25 August 2011 at 6.00pm

Law Society Building  
Level 2, 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 opportunities to make submissions on issues that relate to international law.
5. **Practitioner's Guide to International Law 2<sup>nd</sup> Edition** – We will be reviewing and discussing draft chapters for the new guide.
6. **International Internship and Scholarship Guide** – the working group will provide an update on their progress with the drafting.
7. **3<sup>rd</sup> CIArb/YL International Arbitration Moot** – Seeking volunteers to assist with judging this years' moot, which has 20 competitors and will be held on **10 September 2011**
8. Next meeting: **29 September 2011**

## NSW Young Lawyers News & Events

### UNICEF Trivia with Roy and HG

Join **ROY & HG** for an entertaining evening of trivia, fundraising, prizes and auctions and give children a voice by raising money for UNICEF!

Our committee currently has three more spaces left on our table – so get in quick and shoot me an email to reserve your spot at [intlaw.chair@younglawyers.com.au](mailto:intlaw.chair@younglawyers.com.au)

**DATE:** Tuesday 20 September 2011

**WHERE:** AURORA Bar & Lounge

**TIME:** 6:15 for 6:30pm start

Hot Food and alcoholic beverages provided  
We also have the following prizes for auction:

- Tim Cahill signed UNICEF soccer ball
- Signed Lionel Messi Barcelona/UNICEF jersey
- Signed Manchester United 2011 championship jersey
- 12 month subscription to the Australian Financial Review
- Urban style pack from Half sleeve boutique in Surry Hills (including sunglasses, bag, wallet, headphones)
- Signed Roger Federer tennis racquet
- Sunbeam cafe series juice extractor
- \$800 professional photo shoot and print from Gap Studios
- 2 original artworks by Ken Done!!!!

### Young Lawyers Annual Assembly 2011

The date for the **NSW Young Lawyers 2011 Annual Assembly** has been confirmed for **12-13 November 2011**.

The Annual Assembly is an opportunity for NSW Young Lawyers to network and hear from the 2010/2011 leaders of the organisation, listen to leading legal practitioners (and gain a few CLE points) and also vote (delegates only) for the 2011 / 2012 NSWYL Office Bearers and Executive Councillors.

This year, we will be travelling to **Manly, Sydney** for our Assembly which will be held on **Saturday 12 and Sunday 13 November 2011**.

Regional Delegates will have the option to arrive at the hotel on Friday evening, with the Assembly commencing at approximately 9am on Saturday morning and concluding around lunchtime on Sunday. The Gala Dinner will be held on Saturday evening where the winners of the NSW Young Lawyers Patron Awards will be announced.

To assist us with our planning, please complete our short survey, the link to which is: <http://www.surveymonkey.com/s/8D3Y3Z3>. Please note that this survey is for planning purposes only. We will be seeking a formal confirmation of RSVPs in the coming weeks and will be distributing an agenda in due course.

*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

Join our Group on

**Linked** 

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 and is designed to facilitate the ongoing discussion and distribution of news items pertaining to International law. Many of the group members are based internationally. Our group now has over 190 members and the discussion page is full with relevant and active discussions just waiting for your contributions!

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.

## NSW Young Lawyers News & Events

As you all are aware, one of NSW Young Lawyer's major focus for 2011 is the Mental Health of Young Lawyers and Students.

A couple of major announcements:

1. The **Tristan Jepson Memorial Lecture** will be held on Thursday 29 September 2011.
2. **Profit, Success & Happiness: Can you have it all?** Julie McCrossin in conversation with the Legal Profession. Please go to the website for bookings [www.tjmf.org.au](http://www.tjmf.org.au)
3. NSW Young Lawyers will be launching our Mental Health Website on **08 November 2011**. Please save this date!

## Australian Institute of International Affairs News & Events

### Understanding the Asian Century

Modernisation and Nationalism: a new Perspective on East Asian Geopolitics

In the scholarly literature dealing with the rise of East Asia in the post-Vasco Da Gama era, much has been written about economic development and its conversion into military and political power for the restructuring of the region. ...

**Location:** The Glover Cottages, Sydney

**Time/Date:** Tuesday, **06 September 2011 6:00 PM to 7:30 PM**

**Hosted by:** AIIA NSW in Sydney

**[Read More or Register For Event](#)**

## International Law Association News & Events

### Invitation to join the ILA (Australian Branch) Group on LinkedIn

We are delighted to invite you to join our newly created LinkedIn Group. We will be using this site to regularly post content of interest to our Members, promote events and opportunities, and interlink with other organisations. By joining the Group, you can also develop networks with our Members; post your own content and comment on other material. If you do not have a LinkedIn account, you can join without cost at [www.linkedin.com](http://www.linkedin.com). You can then find us by searching for the Group name, **International Law Association (Australian Branch)**, in the search bar. Please don't hesitate to contact us if you have any queries or suggestions, or require further assistance joining the Group.

### Free panel event: international arbitration in Australasia

In conjunction with the Australasian Forum for International Arbitration, the Victorian Chapter of the ILA is delighted to announce a free panel event to discuss prospects and trends in international arbitration in Australasia. Attending is The Honourable Justice Croft, Michael Pryles, Andrew Stephenson and Bronwyn Lincoln. The panel will be chaired by Professor Richard Garnett.

Clayton Utz's Melbourne Office is hosting the event at **level 18, 333 Collins Street, Melbourne**. Canapés and drinks shall be provided. Guests are invited to arrive at 5:45pm on Tuesday, **30 August 2011 for a 6:00pm start**. Further details of the event can be viewed [here](#).

### Macquarie's Centre for Legal Governance presents: Litigating International Law Disputes: Weighing the Options

Please find attached details for a one day conference to be held at The Mint on **23rd September**. The keynote speaker is Professor Cesare Romano and other featured speakers include Australia's leading scholars and practitioners in international law dispute settlement.

[Litigating International Law Disputes Invitation.pdf](#)

[Registration Form.pdf](#)

### South Australian Chapter Launch

We are pleased to announce the launch of a South Australian Chapter of the International Law Association (Australian Branch) on **Friday, 2 September**. Addressing the launch will be The Honourable Robert Hill, Chancellor of the University of Adelaide and former Permanent Representative of Australia to the United Nations. Please see your [invitation](#) and [flyer](#).

## Australian Red Cross International Humanitarian Law News & Events

### **ICRC launch “health care in danger” campaign**

Attacks against health care workers, health facilities and people in need of medical care during armed conflict and other situations of violence pose one of the major humanitarian challenges in the world today and must end. This was the message delivered on 12 August 2011, at the Australian launch of the global International Red Cross and Red Crescent Health Care in Danger project in Sydney. The "Health Care in Danger" project is an ICRC campaign supported by Australian Red Cross that aims to address the widespread and severe impact of illegal and sometimes violent acts that obstruct the delivery of health care, damage or destroy facilities and vehicles, and injure or kill health-care workers and patients, in armed conflicts and other situations of violence.

Various events will be held across Australia to support this important campaign.

### **[UN investigators collect evidence of incidents in Syria for UN Human Rights Council and possible ICC prosecutions](#)**

Crackdowns on anti-government protesters may be grounds for prosecutions for crimes against humanity at the International Criminal Court (ICC), U.N. investigators said on Thursday, adding that they had evidence against 50 suspects.

### **[Afghan deaths case closed](#)**

A controversial period in Australian Army's recent history has ended with a decision by the military prosecutor to drop a case against an officer charged over the deaths of six Afghan civilians in 2009.

### **[US soldier jailed for killing Afghan civilian](#)**

A member of a rogue US Army unit was sentenced to three years' prison after pleading guilty to killing an unarmed Afghan civilian in US custody in May 2010.

Specialist Adam Winfield, 23, had been charged with premeditated murder, aggravated assault and conspiracy to commit murder in several incidents, including the deaths of three Afghan civilians in Kandahar Province.

### **[US frees Abu Ghraib abuse ringleader Charles Graner](#)**

The ringleader of the US military guards who photographed their abuse of suspected Iraqi insurgents at Baghdad's Abu Ghraib prison has been released.

Charles Graner served more than six-and-a-half years of a 10-year sentence, army officials said.

### **[Colombians sick of guerrilla war hold national “peace conference”](#)**

More than 15,000 people descended on this oil-rich north-central Colombian city last week to attend a national "peace congress" aimed at bringing calm to areas torn by decades of fighting among guerrillas, paramilitary units and government forces.

### **[Rape a weapons in the world of war](#)**

The UN has reported this week that women and girls fleeing famine and fighting in Somalia are being raped or abducted and forced into marriage by armed groups as they try to reach the safety of refugee camps in Kenya. It is an impossible choice to make: stay and starve, or flee and run the risk of unthinkable brutality.

Armed conflict and disasters do not cause gender-based violence, but so often the circumstances of war increase its incidence, with shocking results for the world's most vulnerable people.

### [New Australian Red Cross IHL web pages](#)

Australian Red Cross has launched its new website with an updated IHL content section. The IHL pages feature information about the Australian Red Cross IHL program, guides to emblem use, information on key issues with links to more detailed information and information about competitions and events.

There is also a new resources centre which includes a catalogue of Australian Red Cross IHL publications, a complete collection of Mallesons/Australian Red Cross IHL magazines as well as Mallesons research projects completed for Australian Red Cross through their community partnerships program.

### [Health Care in Danger: A Sixteen Country Study](#)

This study, launched to coincide with the ICRC “health care in danger” is based on an analysis of reports collected over a two and-a-half year period describing 655 violent incidents affecting health care in 16 countries where the ICRC is operational. The reports were obtained from humanitarian agencies, including the ICRC, and from open sources such as the media and websites. Standard software applied to a statistical model for analysing reports of such events was used.

### [Photo gallery: Six Month of Civil War in Libya](#)

A pictorial depiction of the past six months of conflict in Libya, the photographs highlight the impact the conflict has had on the civilian population.

### **Australian Red Cross journalism students competition**

Australian and New Zealand Red Cross, supported by the International Committee of the Red Cross are offering an IHL writing competition for students of journalism and/or communications. Students are asked to enter a feature article of 1,000 words on the theme ‘Small arms: big humanitarian challenges.’ The competition closes at 5:00pm on Friday 16 September. More information will shortly be available on the Australian Red Cross website. Information can also be sought through Australian Red Cross state/territory IHL Officers.

### **Wollongong 31 August – Make Nuclear Weapons the Target**

Judy Harper, Australian Red Cross Regional Manager Southern Regions invites you to a briefing on Australian Red Cross’ Make Nuclear Weapons the Target Campaign for 2011. Peter Giugni, international humanitarian law (IHL) officer, will explain the campaign, the history of Red Cross activities from 1945 to 2011 around nuclear weapons, and how Red Cross mandate in IHL makes it a leading voice in calling for the prohibition of the use of nuclear weapons.

**Venue:** Australian Red Cross Southern Office, 6 Foley St, Gwynneville

**Time:** 2.00pm

**Cost:** Free

**RSVP:** Judy Harper – [jaharper@redcross.org.au](mailto:jaharper@redcross.org.au)

### **Lismore 6 September – Make Nuclear Weapons the Target**

Nuclear Weapons pose a unique threat to humanity in their capacity for indiscriminate devastation to human life, cultural property and the natural environment. From their first ever deployments in Hiroshima and Nagasaki, Red Cross has been at the forefront of the campaign to ensure such a disaster never happens again. This year, Australian Red Cross is proud to launch its “Make Nuclear Weapons the Target” Campaign. Join guest speaker Peter Giugni, International Humanitarian Law (IHL) Officer for Australian Red Cross, to learn more about Red Cross’ history in the nuclear weapons debate, their status in IHL and the elements driving the “Make Nuclear Weapons the Target” campaign.

**Time:** 6.30pm

**Venue:** Presbyterian Church Hall, Keen St, Lismore

**Cost:** Free

**RSVP:** Carla Jolley – [cjolley@redcross.org.au](mailto:cjolley@redcross.org.au) or (02) 6561 4000

### **Sydney 22 September - Make Nuclear Weapons the Target**

Australian Red Cross, in conjunction with Mallesons Stephens Jacques, is hosting a public forum on the humanitarian impact of the use of nuclear weapons, with discussion on the legal issues surrounding their status in IHL and other applicable international legal frameworks, as well as the personal experiences of a Hiroshima survivor. Speakers include Dr Helen Durham (Head, International Law and Principles, Australian Red Cross), Prof Ben Saul (Professor of International Law, University of Sydney) and Junko Marimoto (survivor of the Hiroshima atomic bomb).

**Time:** 6.00 for 6.30pm

**Venue:** Mallesons Stephens Jacques, Governor Phillip Tower, Farrah Place, Sydney

**Cost:** Free

**RSVP:** Peter Giugni – [pgiugni@redcross.org.au](mailto:pgiugni@redcross.org.au)

## Sydney Centre for International Law News & Events

### [Building an Asia-Pacific community](#)

3-6pm, Tue 30 August

This seminar will consider regulatory implications of the proposal by Kevin Rudd to go beyond existing mechanisms within the vibrant Asia-Pacific region to promote better 'habits of cooperation' in economic, security and socio-political affairs.

[Read more](#)

### [Understanding carbon pricing and the Direct Action Plan: what are the strengths and weaknesses?](#)

5-8pm, Tue 30 August

The Australian government has announced the package of measures which constitute its Clean Energy Future Plan. Elements of the plan include: introducing a fixed carbon price commencing on 1 July 2012 which will transition to an emissions trading scheme on 1 July 2015; investment in renewable energy and energy efficiency; and allowing landholders to create Australian Carbon Credit Units from approved emissions abatement activities under the Carbon Farming Initiative.

[Read more](#)

### [Distinguished Speakers Program: Dr Robert Austin](#)

6-7pm, Thu 1 September

In this lecture as part of the *Sydney Law School Distinguished Speakers Program 2011*, Dr Robert Austin asks: *What should we expect our company directors to do?*

[Read more](#)

### [2011 Ross Parsons Commercial Law Address](#)

6-7pm, Wed 7 September

This year's Ross Parsons Commercial Law Address will be delivered by Professor Francis Reynolds, University of Oxford. Professor Reynolds will address the topic *Breach of warranty of authority: An unusual doctrine*.

[Read more](#)

### [Kevin McCann Lecture on Energy and Resources Law](#)

6-7.15pm, Tue 27 September

The Hon Martin Ferguson AM, MP, Minister for Resources and Energy and Minister for Tourism, will deliver the 2011 Kevin McCann Lecture on Energy and Resources Law.

[Read more](#)

## American Society of International Law News & Events

### Resolutions, Declarations, and Other Documents

#### **Thirteenth Periodic Report of the United Nations High Commissioner for Human Rights on the Situation of Human Rights in the Sudan, Preliminary Report on Violations of International Human Rights and Humanitarian Law in Southern Kordofan from 5 to 30 June 2011 (Aug. 2011)**

[Click here](#) for document (approximately 12 pages)

The Office of the High Commissioner for Human Rights ("OHCHR") and the former UN Mission in Sudan ("UNMIS") have produced a preliminary report describing a number of alleged violations of international law in Southern Kordofan, Sudan. According to the report, the fighting between the Sudanese Armed Forces ("SAF") and the Sudan People's Liberation Army North ("SPLA-N") has led to serious violations of international law, which, if substantiated, could amount war crimes and crimes against humanity:

In accordance with international criminal law, serious violations of human rights and international humanitarian law, such as those described in this report including killings and enforced disappearances, if substantiated could amount to crimes against humanity, or war crimes for which individual criminal responsibility may be sought.

The violations described in this report, allegedly perpetrated by the SAF, PDF [Popular Defence Forces], Central Reserve Police Forces and the Government Police in Southern Kordofan, and SPLA-N, if substantiated, may constitute war crimes and crimes against humanity under the Armed Forces Act (2007) of Sudan, and the Sudan Criminal Act of 1991, amended 2009.

The report calls for an "independent, thorough, and objective inquiry [to] be conducted into alleged violations of international human rights and humanitarian law that occurred during the hostilities in Southern Kordofan with a view to holding perpetrators to account," and recommends that "[i]mmunities of members of the military and security forces, alleged to have been involved in violations of international human rights and international humanitarian law, be lifted to allow for prosecutions and trials in compliance with due process and fair trial standards."

### Judicial and Similar Proceedings

#### **International Criminal Tribunal for Rwanda**

##### **Prosecutor v. Uwinkindi, Referral Chamber Decision (June 28, 2011)**

[Click here](#) for decision (approximately 59 pages)

In June 2011, the United Nations International Criminal Tribunal for Rwanda ("ICTR") for the first time in its history referred a case to the Republic of Rwanda under Rule 11 *bis*. Notably, the Chamber also ruled that, pursuant to Rule 11 *bis*, it would revoke the referral if the defendant does not receive a fair trial in Rwanda. In the past, such referral requests were denied by the specially appointed Referral Chambers for fear that Rwandan national courts would not provide the defendant with a fair trial.

Unlike the previous decisions rejecting referral requests, the Chamber in *Uwinkindi* "expresse[d] its solemn hope that the Republic of Rwanda, in accepting its first referral from this Tribunal, will actualise in practice the commitments it has made in its filings about its good faith, capacity and willingness to

enforce the highest standards of international justice in the referred cases."

The Referral Chamber also requested that the African Commission on Human and Peoples' Rights monitor "on a full-time basis" Uwinkindi's trial in Rwanda and inform the ICTR President of any potential issues that may arise throughout the trial.

### Special Tribunal for Lebanon

#### **Statement of Judge Antonio Cassese, President of the Special Tribunal for Lebanon (Aug. 11, 2011)**

[Click here](#) for document (approximately 1 page); [click here](#) for the Pre-Trial Judge Order to Lift the Confidentiality of the Indictment (approximately 4 pages)

The President of the Special Tribunal for Lebanon, Judge Antonio Cassese, has issued a statement urging "all the [STL] indictees to come before the Tribunal." The STL President reaffirmed that the indictees, who are sought for the killing of the former Lebanese Prime Minister Rafiq Hariri and twenty-one others, are presumed innocent until proven guilty and would not be found guilty "unless guilt is established beyond any reasonable ground."

The STL President's statement is a reaction to the fact that Lebanese authorities are still unable to personally serve the accused with the indictments confirmed on June 28, 2011. On July 8, 2011, the STL Pre-Trial Judge issued international arrest warrants for all the accused, ordering that the indictment and the arrest warrants remain confidential until they are transmitted to the accused or until further notice. To facilitate the arrest of the accused, the Prosecutor requested the Pre-Trial Judge to vary his order on confidentiality of the indictment and to allow specific biographical and other information about each accused to be made public. Determining that "there are no reasons not to grant the request of the Prosecutor for partial variation of the order on confidentiality," the Pre-Trial Judge ordered that the identities and personal information of the accused be publically released. However, the remaining text of the indictment and the individual redacted versions of it remain confidential.

## International Law News & Events

### Salvos Legal Lecture Series - 22 October 2011 - Registrations now open!

Salvos Legal is having another Lecture Series and we have some amazing speakers yet again. This is probably our most diverse line up yet and as you will see, we are privileged to have some big names. The timetable for the Lecture Series on **Saturday, 22 October 2011 at 140 Elizabeth Street, Sydney**, is as follows:

**9.30-10.30am** - The Hon. Justice Ian Harrison, Supreme Court of NSW - *Sentencing in the age of Compassion*

**10.45-11.45am** - The Hon. Justice Kevin Bell, Supreme Court of VIC - *Procedural Justice and Human Rights: Informal Adjudication in Courts and Tribunals*

**11.50-12.50pm** - David Jackson AM QC - *The Constitution in 2011*

**2.00-3.00pm** - Chief Superintendent Anthony Trichter, Commander Police Prosecutions, NSW Police - *How Lawyers can effectively engage with police throughout Investigations / Inquiries and in Prosecutions*

**3.10pm-4.10pm** - Children's Magistrate Paul Mulrone, Children's Court of NSW - *Effective applications under s.32 Mental Health (Forensic Provisions) Act*

In case anyone is wondering, yes David Jackson QC is THE David Jackson QC who has argued some of the most famous High Court decisions of our time (I don't think that's an overstatement!).

Registrations can be made online through our website: <http://salvos.org.au/salvoslegal/salvos-legal-humanitarian/salvos-legal-lecture-series/registration-form/>

Registration is by donation, however if anyone works for a firm that requires a tax invoice we are of course able to provide one so that your firm can pay on your behalf. Just let us know. All monies raised go to pay for disbursements for our Salvos Legal Humanitarian clients.



On behalf of the Co-Chairs of Young ICCA, we welcome you to the first in a series of bi-monthly updates of Young ICCA activities. Together we have embarked on an ambitious project that aims to open the practice of international arbitration to young practitioners from all regions of the world -- and we hope to see many of you actively engaged in new activities in the coming year.

#### What has Young ICCA done in its first year?

Since its launch in 2010, Young ICCA has set in motion a series of **web-based activities**, including a website with resources aimed at young practitioners, discussions on Facebook and a dedicated Young ICCA blog. Our membership currently stands at over 370 young lawyers -- membership lists are updated regularly and posted on our website for you to use (see [www.youngicca.org](http://www.youngicca.org) under "Membership and Mentoring").

Our first **Mentoring Programme** (for 2011-2012) was launched in March 2011, involving around 80 Young ICCA Buddies and Members. Participants have engaged in activities including face-to-face or telephone meetings with mentors, joint research projects, attendance at hearings and workshops and career coaching. Details about the 2013-2014 Mentoring Programme will be posted on our website in mid-2012.

Young ICCA has also co-hosted successful **discussion fora** in Mauritius, Seoul and Geneva, as well as an intensive **skills training workshop** held in Geneva in May 2011 (see Report and photos on our website). This workshop format will be repeated in other regions within the next year (in Eastern Europe, Latin America, North America, Southeast Asia and Southern Africa).

What is Young ICCA planning for the next year?

1. New **Regional Desks** will be set up for Africa, Australasia and Latin America. Members and Buddies interested in participating actively in region-specific activities and research should contact: for **Africa**, Lise Bosman ([lboseman@pca-cpa.org](mailto:lboseman@pca-cpa.org)); for **Australasia**, Jim Morrison ([james.morrison@bkl.co.kr](mailto:james.morrison@bkl.co.kr)); or for **Latin America**, Eduardo Damião Gonçalves ([goncalves@mattosfilho.com.br](mailto:goncalves@mattosfilho.com.br)).
2. The **Young ICCA Blog** will expand. Anyone interested in becoming a more active blogger or blog administrator may email [registration@youngicca.org](mailto:registration@youngicca.org).
3. A **resources page** will be added to our website. Anyone interested in coordinating or working on a resources project starting with the collection of weblinks to web seminars and podcasts on arbitration may email [registration@youngicca.org](mailto:registration@youngicca.org).
4. The list of available **arbitration courses** as posted on our website will be updated: volunteers may contact [registration@youngicca.org](mailto:registration@youngicca.org).
5. We will seek to appoint **country representatives** to: (1) coordinate future Young ICCA activities in each jurisdiction, (2) provide other Members with access to arbitration resources and (3) collect information on local judges' associations and training programmes for a future project on the New York Convention. Applicants with experience in the practice of international arbitration may send a motivated email to: [registration@youngicca.org](mailto:registration@youngicca.org).

Save the Dates

1. 15 September 2011 (Argentina): Young ICCA roundtable and workshop
2. October/November 2011 (Prague): Co-Chairs' Circle (led by Young ICCA) discussion forum and Young ICCA workshop
3. Spring 2012 (Miami): Young ICCA workshop
4. 13 June 2012 (Singapore): Joint Young ICCA-YAP roundtable and Young ICCA workshop
5. Third quarter of 2012 (Southern Africa): Young ICCA workshop

We hope to see many of you at these scheduled events and activities. Suggestions for other initiatives are always welcome (and can be sent either directly to the Co-Chairs or to [registration@youngicca.org](mailto:registration@youngicca.org)).

With best wishes,

The Young ICCA Co-Chairs:  
Lise Bosman,  
Marika Paulsson,  
Eduardo Damião Gonçalves



**Briefing on Developments in Australian Law Implementing Autonomous Sanctions - Monday 29 August 2011 - at the DFAT NSW State Office**

The Department of Foreign Affairs & Trade is hosting a presentation to discuss new developments in the implementation of Australia's autonomous sanctions.

Please find attached an invitation to this briefing which will be held on **Monday 29 August 2011 at 11.30 am - 1 pm** at the DFAT NSW State Office, Level 10, Angel Place, 123 Pitt Street (between Hunter St & Martin Place), Sydney.

Seating is limited. For those who are interested in attending, please RSVP by completing the below form and returning it to Ms Sarah Davies, Business Relations Officer at the DFAT NSW State Office by COB Wednesday 24 August by email: [sarah.davies@dfat.gov.au](mailto:sarah.davies@dfat.gov.au) or fax: (02) 9356 4238.

**RSVP FORM**

Please return by

Fax: 02 9356 4238 Or Email: [sarah.davies@dfat.gov.au](mailto:sarah.davies@dfat.gov.au)

**What: Briefing on Developments in Australian Law Implementing Autonomous Sanctions**

**Date: Monday 29 August 2011**

**Time: 11.30 am- 1.00 pm**

**Where: NSW State Office  
Department of Foreign Affairs and Trade  
Level 10, Angel Place  
123 Pitt Street (between Hunter St & Martin Place)  
Sydney**

**RSVP: By Close of Business, Wednesday 24 August 2011**

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Organisation: \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_

Email for confirmation \_\_\_\_\_

**Enquiries:** Email [sarah.davies@dfat.gov.au](mailto:sarah.davies@dfat.gov.au) or call (02) 9356 6225 during business hours.