



AUSTRALIAN & NEW ZEALAND SOCIETY OF INTERNATIONAL LAW

The 14th Annual Conference

Pacific Perspectives on International Law

Thursday 29 June to Saturday 1 July 2006

**Victoria University of Wellington Law School
New Zealand**

Four Societies' Symposium
"International Law & Democratic Theory"
Tuesday 27 June 2006 & Wednesday 28 June 2006

Postgraduate Workshop
Wednesday 28 June 2006

Principal Conference Sponsor

OXFORD
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Conference Administrator

Anna Hamilton, NZCPL

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Conference Website: www.vuw.ac.nz/nzcpl ANZSIL Website: www.law.usyd.edu.au/scigl/anzsil/

CONFERENCE PRELIMINARY PROGRAMME

The 14th Annual ANZSIL Conference takes place at a time of increasing calls to strengthen regional institutions to meet the distinctive needs of the Asia-Pacific region; and of an increasing realisation that the perspectives of this region need to be heard on the international stage: whether in trade; environmental protection; the law of the sea; or human rights and peace and security.

The Conference will also have a special Pacific Rim character, as it will be held in conjunction with a symposium for the Four Societies' Project on 'International Law and Democratic Theory'. This Project will bring 15 young scholars from the American, Canadian, Japanese and Australian/New Zealand Societies to Wellington from 27-28 June 2006. ANZSIL will also host a Post-Graduate Workshop on 28 June 2006 which will provide a forum for post-graduate students working in the field to present their research.

The Organising Committee would like to acknowledge the kind support of our conference sponsors, including principal sponsor **Oxford University Press**. OUP will have an exhibit stand at the conference featuring a range of their publications for sale at a discounted rate.

Keynote Speakers

Professor Jose Alvarez (Columbia) President American Society of International Law
Dr Transform Aqorau (Legal Counsel, Forum Fisheries Agency)
Professor Hilary Charlesworth (ANU)
H.E. Mr John Dauth LVO, Australian High Commissioner to New Zealand
Professor Yuji Iwasawa (Tokyo)
Rt Hon Sir Kenneth Keith KBE, QC (Judge, International Court of Justice)
Professor Don McRae (Ottawa)
Rt Hon Sir Geoffrey Palmer (President, New Zealand Law Commission)
Professor Michael Pryles (President, Australian Centre for International Commercial Arbitration)

Pre-Conference Events

Tuesday 27 June

9.00 – 5.00 **Four Societies Symposium**
“International Law & Democratic Theory”
Large Gallery, First Floor, Turnbull House

A Symposium jointly organised by ANZSIL, the American Society of International Law, the Canadian Council of International Law and the Japanese Society of International Law. It will bring together 15 emerging scholars from the Four Societies to discuss in a round-table format a set of papers on the value of democracy in the international legal system. For further information please contact Anna Hamilton at law-centres@vuw.ac.nz.

Wednesday 28 June

9.00 – 5.00 **Four Societies' Symposium** (continued)

1.00 – 5.30 **Post-graduate Workshop**
Moot Court Room, 3rd Floor Victoria University of Wellington Law School
Convenors: Joanna Mossop (V.U.Wellington) and Dr Natalie Klein (Macquarie)

A workshop for postgraduate researchers from Australasian universities to present their work in progress in International Law

4.30 - 6.30 **Main Conference Registration**

THURSDAY 29 JUNE

- 8.00 - 8.30 **Registration**
Lecture Theatre 1 and 2, Rear Courtyard, Victoria University of Wellington Law School,
Old Government Buildings, Lambton Quay
- 8.30 - 9.00 **Welcome**
- 9.00 - 10.00 **Conference Opening** Professor Campbell McLachlan (ANZSIL President)
- 10.00 – 10.30 Morning Coffee (Student Cafeteria)
- 10.30 – 12.30 **Opening Plenary — International Law: The View from the Pacific Rim**

Chair: Rt Hon Dame Sian Elias (Chief Justice of New Zealand)

Professor Jose Alvarez (Columbia)

Professor Don McRae (Ottawa)

Professor Yuji Iwasawa (Japan)
- 12.30 – 2.00 **Luncheon**
Guest Speaker: H.E. Mr John Dauth LVO, Australian High Commissioner to
New Zealand *Reform of the United Nations*
- 2.00 – 3.30 **Panel A — International Crime in the Pacific**

Chair: Robin Warner (Attorney-General's Department, Canberra)

Assoc Prof Neil Boister & Dr Chris Gallavin (University of Canterbury)
International Criminal Law in the South Pacific: New Directions
Assoc Prof Steven Freeland (University of Western Sydney)
*Towards Universal Justice: Why Countries in the Asia-Pacific region should accept the
International Criminal Court*
Camille Goodman (Attorney-General's Department, Canberra) & Co-authored by
Victoria Bickford (Attorney-General's Department, Canberra)
Issues in Transnational Crime in the Pacific
- Panel B — Changing Approaches to International Law**

Ben Keith (Crown Law Office, New Zealand)
The Limits of The Limits of International Law
Dr Zoe Pearson (Keele)
*Law at the borders of imagination: interdisciplinary approaches and Pacific perspectives
on international law*
Dr Ann Kent (ANU)
The Implications of China's Changing Approach to International Law
- 3.30 – 4.00 Afternoon Tea
- 4.00 – 5.30 **Panel A — Climate Change and The Pacific Environment**

Steven Tully (Sydney Bar)
*The obligations of Pacific Rim states to accept individuals from Pacific Island states
adversely affected by sea-level rises occasioned by climate change*
Peter Lawrence (Tasmania)
*The Asia Pacific partnership on clean development and climate: a distraction to the
Kyoto process or a viable alternative?*
Dr Caroline Foster (Auckland)
Transport of radioactive material through the Pacific & the law on state responsibility

THURSDAY 29 JUNE cont

Panel B — Human Rights in the Pacific

Hon Justice Eddie Durie (Commissioner, NZ Law Commission)
Custom and Human Rights in the Pacific
Justine Nolan (UNSW)
Corporate Complicity in Human Rights Violations

6.00 – 7.30

Reception at Premier House
(Official Residence of the Prime Minister)
Tinakori Road, Thorndon

FRIDAY 30 JUNE

9.00 – 10.30

Panel — Pacific Treaty-making

Chair: Charlotte Ku (Executive Director, American Society of International Law)

Professor John Gamble (Penn State)
The Emergence of a Pacific Region in Multilateral Treaty-Making
Dr Shirley Scott (UNSW)
The Political Interpretation of Multilateral Environmental Treaties
Andrew Townend (Ministry of Foreign Affairs and Trade, New Zealand)
Pacific Island engagement in treaty-making

10.30 - 11.00

Morning Coffee

11.00 – 12.30

Panel A — A Regional Security Framework

Dr Ben Saul (UNSW)
Regional security cooperation in the Asia-Pacific region: from terrorism to human security
Dr Jackson Maogoto (Newcastle)
The 2005 Pacific Plan: a realist model to anchor Australian cooperative intervention and promote sustainable security through socio-political transformation
'Aminiasi Kefu (Attorney-General's Department, Tonga)
A Pacific regional security framework
Stuart Beresford (Ministry of Justice, New Zealand)
Avian Influenza and International Human Rights Law

Panel B — Responsibility for the High Seas

Chair: Professor Donald Rothwell (Sydney)

Dr Transform Aqorau (Forum Fisheries Agency)
Joanna Mossop (V.U.Wellington)
Challenges for Oceans Governance in the Pacific
John Reid & William Story (Attorney-General's Department, Canberra)
Regional Maritime Enforcement: the Problem, Progress and Prospects

12.30 – 2.00

Lunch

1.00 - 2.00

ANZSIL Annual General Meeting (Lecture Theatre 1)

2.00 – 3.30

Panel A — Asia-Pacific Arbitration : resolving conflicts of laws

Chair: Professor Kent Anderson (ANU)

Professor Michael Pryles (President, Australian Centre for International Commercial Arbitration, Melbourne)
Dr Luke Nottage (Sydney)
The substantive and procedural lex mercatoria in the Pacific rim: the past, present and future of international commercial contract and arbitration law and practice

FRIDAY 30 JUNE cont

Panel B — After Guantanamo

Chair: Professor Kim Rubenstein (Director, CIPL, ANU)

Dr Natalie Klein and Lise Barry (Macquarie)

Hicks, Nottebohm and a human rights perspective on diplomatic protection

Alexandra Smithyman (Chen & Palmer)

Is there an emerging right to individual reparation in diplomatic protection claims?

Alberto Costi (V.U.Wellington)

Extraordinary Renditions

3.30 – 4.00 Afternoon Tea

4.00 – 5.30 **The Year of International Law in Review**

Gerard van Bohemen (Ministry of Foreign Affairs and Trade, Wellington)

Virginia Hardy (Crown Law Office, Wellington)

Chris Moraitis & James Larsen (Department of Foreign Affairs and Trade
Canberra)

Bill Campbell (Attorney-General's Department, Canberra)

7.00 – 10.00 **Conference Dinner** Grand Hall, Parliament Buildings

Guest Speaker: Rt Hon Sir Geoffrey Palmer

(President, New Zealand Law Commission)

SATURDAY 1 JULY

9.00 – 11.00 **The Doha Round in the Pacific**

Dr Andrew Mitchell & Joanne Wallis (Melbourne)

Tonga and the WTO: the rhetoric of special & differential treatment, the reality of accession

Meredith Kolsky-Lewis (V.U.Wellington)

The 'Aid for Trade' initiative in the Doha Round and its impact in the Pacific

Dr Andrew Lang (Cambridge)

Rethinking trade and human rights: developing countries of the Pacific Rim and the multilateral trading system

Dr Shawkat Alam (Macquarie)

The WTO standards regime and sustainable development: challenges and options for developing Countries

11.00 – 11.30 Morning Tea

11.30 – 1.00 **Closing Plenary — The Pacific Contribution to International Law**

Chair: Professor Campbell McLachlan

Rt Hon Sir Kenneth Keith KBE, QC (Judge, International Court of Justice)

Professor Andrew Byrnes (UNSW)

Professor Hilary Charlesworth (ANU)

1.00 **Conference closes**

*This is a preliminary programme, details were correct at the time of printing but are subject to change.
The programme will be regularly updated on the NZCPL website, www.vuw.ac.nz/nzcpl*

ANZSIL MEMBERSHIP

The Australian and New Zealand Society of International Law was established in 1992. The aims of ANZSIL include providing a forum for the discussion of research and practice in international law and increasing the public awareness of international law. This is the fourteenth annual conference organised by ANZSIL.

New members are welcome. The annual membership fee is \$A60, on a calendar year basis. For a new membership form please download the application form from the ANZSIL website.

ANZSIL Secretariat:

Sydney Centre for International and Global Law
Faculty of Law, University of Sydney

173-175 Phillip Street

SYDNEY NSW 2000 AUSTRALIA

email: anzsil@law.usyd.edu.au

website: www.law.usyd.edu.au/scigl/anzsil/

ACCOMMODATION

Special rates have been organised with five Wellington Hotels. All hotels are within a short walking distance of the Law school. Please book directly with the hotels, all of their contact details are listed below. When making a reservation please quote "ANZSIL Conference" or "Law School Conference" to receive the discounted rates.

The Bolton Hotel

Corner of Bolton & Mowbray Streets

Classic Studio - \$155

Premier Studio - \$165

One Bedroom suites - \$195

Email: info@boltonhotel.co.nz

Reservations (NZ Only): 0800 99 66 22

Reservations (International): +64 4 472 9966

Novotel Capital

\$157 One Bedroom

133-137 The Terrace

E-mail: h3276-re01@accor-hotels.com

Phone: +64 4 918 1900

Wellington Ibis

\$143 One Bedroom

153 Featherston Street

E-mail: H3049-RE01@accor-hotels.com

Phone: +64 4 4961880

Terrace Villas

\$179 includes Breakfast & servicing.

One bedroom Apartment full kitchen & laundry

Contact: Jane Catherall

202 The Terrace

Ph +64 4 920 2020

info@terracevillas.co.nz

The Portland Hotel of Thorndon

\$107 One Bedroom

24 Hawkestone St, Thorndon

Phone +64 4 473 2208

Email: enquiries@portlandhotel.co.nz

www.portlandhotel.co.nz

All rates are GST inclusive and are per room per night. Prices are in New Zealand Dollars

Conference Organising Committee

Professor Campbell McLachlan (V.U.Wellington) ANZSIL President

Caroline Bilkey (Deputy Director Legal Division MFAT Wellington)

Professor Andrew Byrnes (University of New South Wales Sydney)

Anna Hamilton (V.U.Wellington)

Rebecca Irwin (Prime Minister's Dept Canberra)

Bill Mansfield (Member International Law Commission)

Joanna Mossop (V.U.Wellington)

Nicole Roughan (V.U.Wellington)

Gerard van Bohemen (Director Legal Division MFAT Wellington)

REGISTRATION FORM

EARLY BIRD REGISTRATION DEADLINE Friday 19 May 2006
FINAL REGISTRATION Friday 23 June 2006

Title _____ Name _____

Organisation _____

Address _____

Telephone _____ Fax _____

Email _____

TYPE OF REGISTRATION

Please Note: All prices are in **New Zealand dollars** and are GST inclusive.

- \$90 _____ Full Time Student *ID required (student registration **excludes** attendance at evening social functions)
- \$390 _____ Speaker Rate
- \$505 _____ Standard Rate Entire Conference - Early Bird Registration
- \$390 _____ ANZSIL Member Rate Entire Conference - Early Bird Registration
- \$585 _____ Standard Entire Conference - After 19 May
- \$470 _____ ANZSIL Member Entire Conference - After 19 May
- \$80 _____ Conference Dinner (Friday 30 June)
- \$80 _____ Additional Dinner Guest
- \$60 _____ Law and Democracy Symposium (Tuesday 27 and Wednesday 28 June 9am - 5pm)
- _____ Reception at Premier House (The cost is included within your registration fee but RSVP is essential)

TOTAL AMOUNT TO PAY: _____

Name of Additional Dinner Guest _____

Special Dietary Requirements or Food Allergies: _____

METHOD OF PAYMENT

*Please pay by Credit Card or Cheque. Please make cheques out to **Victoria University**.*

_____ Visa _____ MasterCard

Credit Card Number _____ / _____ / _____ / _____ Expiry Date _____ / _____

Total Amount \$ _____

Name of Cardholder _____

_____ Phone _____

Signature _____ Date _____

SEND TO:

Please Faxback to +64 4 463 6365 or post this form to Anna Hamilton, C/- New Zealand Centre for Public Law, Victoria University Law School P O Box 600, Wellington New Zealand.

VICTORIA UNIVERSITY OF WELLINGTON
Te Whare Wānanga o te Ūpoko o te Ika a Māui



NEW ZEALAND CENTRE FOR PUBLIC LAW
Te Wananga O Nga Kaupapa Ture A Iwi O Aotearoa

A N Z S I L



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Pacific Perspectives on International Law

Registration Form

Thursday 29 June to Saturday 1 July 2006

Faxback: +64 4 463 6365

Conference Sponsors

The Conference Organising Committee gratefully acknowledge the financial support of:

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