



ANZSIL 24th Annual Conference

International Law of the Everyday:
Fieldwork, Friction & Fairness

University House, Canberra, Australia

Thursday 30 June – Saturday 2 July 2016

OVERVIEW OF SESSIONS

DAY 1: THURSDAY 30 JUNE 2016

TIME	SESSION	LOCATION
9–9.10am	Welcome to Country and Conference Opening	Main Hall
9.10–10.30am	Plenary: Keynote Speakers Marco Sassoli and Richard Wilson	Main Hall
11 am–12.30pm	Panel 1: INTERNATIONAL DISPUTE RESOLUTION: PAST, PRESENT & FUTURE	Main Hall
11 am–12.30pm	Panel 2: LAND, TERRITORY, JURISDICTION	Common Room
11 am–12.30pm	Panel 3: THE INTERNATIONAL CRIMINAL COURT	Scarth Room
1.30–2pm	Book launch: ROUTLEDGE HANDBOOK OF THE LAW OF ARMED CONFLICT	Common Room
2–3.30pm	Panel 4: THE EVERYDAY OF INTERNATIONAL ADJUDICATORY TECHNIQUE	Main Hall
2–3.30pm	Panel 5: CURRENT PRACTICE OF THE UN SECURITY COUNCIL	Common Room
2–3.30pm	Panel 6: INTERNATIONAL TRADE AND INVESTMENT LAW	Scarth Room
4–5pm	Plenary: Keynote Speaker Sundhya Pahuja	Main Hall
6pm	ANNUAL KIRBY LECTURE RECEPTION	China in the World
6.30–7.30pm	ANNUAL KIRBY LECTURE ON INTERNATIONAL LAW	China in the World

DAY 2: FRIDAY 1 JULY 2016

TIME	SESSION	LOCATION
9.15–10.30am	Plenary: Keynote Speaker Anthea Roberts	Main Hall
11–12.30pm	Panel 7: THE EVERYDAY IN WAR AND ITS AFTERMATH	Main Hall
11–12.30pm	Panel 8: LAW- AND POLICY-MAKING BEYOND THE STATE	Common Room
11–12.30pm	Panel 9: DISPUTES OVER THE SOUTH CHINA SEA	Scarth Room
12.30–1.30pm	ANZSIL Annual General Meeting	Common Room
1.30–3pm	Panel 10: TOBACCO PLAIN PACKAGING DISPUTE	Main Hall
1.30–3pm	Panel 11: LAW OF THE SEA AND FISHERIES	Common Room
1.30–3pm	Panel 12: IMMIGRATION AND REFUGEE LAW	Scarth Room
3.30–5pm	Panel 13: COLD WAR INTERNATIONAL LAW	Main Hall
3.30–5pm	Panel 14: THE DAILY LIVES OF CIVILIANS IN WARFARE	Common Room
3.30–5pm	Panel 15: CORPORATE ACCOUNTABILITY AND FAIRNESS IN BUSINESS	Scarth Room
5.15–6.30pm	Panel discussion: THE EVERYDAY LIVES OF ANTIPODEAN INTERNATIONAL LAWYERS	Main Hall
7.30pm	CONFERENCE DINNER	The Lobby Restaurant

DAY 3: SATURDAY 2 JULY 2016

TIME	SESSION	LOCATION
9.15–11 am	Panel 16: INTERNATIONAL LAW: CRITIQUE AND PROGNOSIS	Main Hall
9.15–11 am	Panel 17: EXPRESSION, ETHICS, RIGHTS, AND THE RULE OF LAW	Common Room
9.15–11 am	Panel 18: LEGAL DESIGN FOR A CHANGING CLIMATE	Scarth Room
11.30–1 pm	Year in Review	Main Hall
1 pm	Close	Main Hall

DRAFT

PROGRAM

THURSDAY 30 JUNE 2016

TIME	SESSION				
8.30am	REGISTRATION (Torrance Room)				
	WELCOME TEA/COFFEE (Hall Foyer)				
9am	WELCOME TO COUNTRY				
	CONFERENCE OPENING <i>Location: Main Hall</i> <ul style="list-style-type: none">> Tim Stephens, ANZSIL President, University of Sydney> Stephen Bottomley, Dean, ANU College of Law				
9.10–10.30am	PLENARY – KEYNOTE SPEECHES <i>Location: Main Hall</i> Chair: Fleur Johns, UNSW Law Keynote Speakers Marco Sassoli , Professor of International Law, University of Geneva <ul style="list-style-type: none">> International Law between Theory and Practice at its Vanishing Point: The Case of the Laws of War Richard Wilson , Gladstein Distinguished Chair of Human Rights and Professor of Law and Anthropology, UConn Law School <ul style="list-style-type: none">> Prosecuting International Speech Crimes				
10.30–11am	MORNING TEA (Hall Foyer)				
11am–12.30pm	<table><thead><tr><th>PANEL 1</th><th>PANEL 2</th></tr></thead><tbody><tr><td>INTERNATIONAL DISPUTE RESOLUTION: PAST, PRESENT, FUTURE <i>Location: Main Hall</i> Chair: TBA Douglas Guilfoyle, Monash University<ul style="list-style-type: none">> Making History: The Past and Present in <i>Mauritius v UK</i>Kanstantsin Dzehtsiarou, University of Liverpool<ul style="list-style-type: none">> Can the European Court of Human Rights Prevent War? Interim Measures in Inter-State CasesAshique Rahman, Fietta<ul style="list-style-type: none">> Challenges to Arbitrators under the ICSID Convention: Everyday Practice or an Abuse of Rights?</td><td>LAND, TERRITORY, JURISDICTION <i>Location: Common Room</i> Chair: TBA Mieke van der Linden, Max Planck Institute for International and Comparative Law<ul style="list-style-type: none">> How Land Grabbing affects the Traditional Understanding of the Territorial Sovereignty of the StateEdwin Bikundo, Griffith University<ul style="list-style-type: none">> Artificial islands, Artificial Highways and Pirates: Competing Visions of the World from the South China Sea to the Somali CoastCamille Goodman, Office of International Law, Attorney-General's Department<ul style="list-style-type: none">> The Jurisdiction of the Everyday (or why Lotus was Right all Along)</td></tr></tbody></table>	PANEL 1	PANEL 2	INTERNATIONAL DISPUTE RESOLUTION: PAST, PRESENT, FUTURE <i>Location: Main Hall</i> Chair: TBA Douglas Guilfoyle , Monash University <ul style="list-style-type: none">> Making History: The Past and Present in <i>Mauritius v UK</i> Kanstantsin Dzehtsiarou , University of Liverpool <ul style="list-style-type: none">> Can the European Court of Human Rights Prevent War? Interim Measures in Inter-State Cases Ashique Rahman , Fietta <ul style="list-style-type: none">> Challenges to Arbitrators under the ICSID Convention: Everyday Practice or an Abuse of Rights?	LAND, TERRITORY, JURISDICTION <i>Location: Common Room</i> Chair: TBA Mieke van der Linden , Max Planck Institute for International and Comparative Law <ul style="list-style-type: none">> How Land Grabbing affects the Traditional Understanding of the Territorial Sovereignty of the State Edwin Bikundo , Griffith University <ul style="list-style-type: none">> Artificial islands, Artificial Highways and Pirates: Competing Visions of the World from the South China Sea to the Somali Coast Camille Goodman , Office of International Law, Attorney-General's Department <ul style="list-style-type: none">> The Jurisdiction of the Everyday (or why Lotus was Right all Along)
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11 am–12.30pm

PANEL 3

INTERNATIONAL HUMANITARIAN LAW, INTERNATIONAL CRIMINAL LAW AND THE ICC

Location: Scarth Room

Chair: TBA

Jadrana Petrovic, Monash University and Vasko Nastevski, Victorian State Government
Department of Treasury and Finance

> South Africa's Response to the ICC's Warrant for the Arrest of President Al Bashir

Emma Palmer, UNSW Law and Hannah Woolaver, University of Capetown

> Strangulation or Support? The Assembly of States Parties and the Independence of the International Criminal Court

Joanne Lee, Australian Government Department of Foreign Affairs and Trade

> The 'Verti-zontal' Authority of the International Criminal Court

Monique Cormier, University of Melbourne

> TBA

12.30–1.30pm

LUNCH

1.30–2pm

BOOK LAUNCH

Location: Common Room

Launched by: **Marco Sassoli**, Professor of International Law, University of Geneva

> The Routledge Handbook of the Law of Armed Conflict

Edited by **Rain Liivoja**, University of Melbourne

2–3.30pm

PANEL 4

THE EVERYDAY OF INTERNATIONAL ADJUDICATORY TECHNIQUE

Location: Main Hall

Chair: TBA

Caroline Foster, University of Auckland

> A Study in 'Everyday' International Adjudicatory Technique

Caroline Henckels, Monash University

> Everyday Challenges Faced by International Arbitrators when Dealing with Uncertainty

Joshua Paine, University of Melbourne

> Balancing Stability and Change: An Everyday Challenge in International Adjudication

PANEL 5

PANEL DISCUSSION: CURRENT PRACTICE OF THE UN SECURITY COUNCIL

Location: Common Room

Chair: Christopher Michaelsen, UNSW Law

Michael Bliss, Australian Government
Department of Foreign Affairs and Trade

Jesse Clark, Australian Government
Commonwealth Attorney-General's Department

Jeremy Farrall, The Australian National
University

Jeni Whalan, UNSW Australia

TBA, Ministry of Foreign Affairs and Trade,
New Zealand

2–3.30pm

PANEL 6

INTERNATIONAL TRADE AND INVESTMENT LAW

Location: Scarth Room

Chair: TBA

Zheng Lingli, School of Nanjing Normal University

- > Conflict and Coordination between International Carbon Trading and WTO Rules

Tania Voon and **Elizabeth Sheargold**, University of Melbourne

- > Evolution of Australia's Approach to Regulatory Autonomy in bilateral Investment Treaties and Preferential Trade Agreements

Heng Wang, UNSW Law

- > The Future of China's FTAs and its Implications for China's Trade Pacts with Australia and New Zealand

Ofilio Mayorga, Foley Hoag LLP

- > Occupants, Beware of BITs: Applicability of Investment Treaties to Occupied Territories
-

3.30pm

AFTERNOON TEA

4–5pm

PLENARY – KEYNOTE SPEECH

Location: Main Hall

Chair: Fleur Johns, UNSW Law

Keynote Speaker

Sundhya Pahuja, University of Melbourne

- > Letters from Bandung: Encounters with Another Inter-National Law
-

6pm

ANNUAL KIRBY LECTURE RECEPTION

Location: China in the World Building, Fellows Road, The Australian National University

6.30–7.30pm

ANNUAL KIRBY LECTURE ON INTERNATIONAL LAW

Justin Gleeson SC, Solicitor-General, Commonwealth Attorney-General's Department

- > Title TBA

Chair: James Stellios, Director, Centre for International & Public Law, The Australian National University

Location: China in the World Building, Fellows Road, The Australian National University

FRIDAY 1 JULY 2016

TIME	SESSION				
9am	REGISTRATION (Torrance Room) WELCOME TEA/COFFEE (Hall Foyer)				
9.30–10.30am	PLENARY – KEYNOTE SPEAKER <i>Location: Main Hall</i> Chair: Tim Stephens, ANZSIL President, University of Sydney Anthea Roberts , The Australian National University > Title TBA				
10.30am	MORNING TEA (Hall Foyer)				
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11 am–12.30pm

PANEL 9

PANEL DISCUSSION: DISPUTES OVER THE SOUTH CHINA SEA

Location: Scarth Room

Chair: TBA

Don Rothwell, The Australian National University

Katrina Cooper, Australian Government Department of Foreign Affairs and Trade

Malcolm Jorgensen, University of Sydney

Natalie Klein, Macquarie University

12.30pm

LUNCH (Hall Foyer) & **ANNUAL GENERAL MEETING OF ANZSIL** (Common Room)

1.30–3pm

PANEL 10

TOBACCO PLAIN PACKAGING DISPUTE

Location: Main Hall

Chair: TBA

John Atwood, Australian Government
Department of Foreign Affairs and Trade

> Title

TBA, Ministry of Foreign Affairs and Trade,
New Zealand

> Title

Dilan Thampapillai, The Australian National
University

> Why Australia should lose the Plain
Packaging Debate in the WTO

Anna Garsia, Australian Government
Commonwealth Attorney-General's Department

> The Role of International Law in influencing
Everyday Domestic Policy Frameworks: The
Public Health Example

PANEL 11

LAW OF THE SEA AND FISHERIES

Location: Common Room

Chair: TBA

Rosemary Rayfuse, UNSW Law

> Sea Level Rise and the Protection of
Biodiversity

Zoe Scanlon, Australian Government
Commonwealth Attorney-General's Department

> Taking Action against Stateless Vessels: The
Development of a New Norm of Customary
International Law

Philip Ng, Australian Government
Commonwealth Attorney-General's Department

> Fisheries Enforcement in the Field:
International Law and Technological
Innovation

1.30–3pm

PANEL 12

IMMIGRATION LAW, REFUGEE LAW AND DETENTION

Location: Scarth Room

Chair: TBA

Chao Yi, Peking University

> Internal Relocation/Protection Alternative in Refugee Status Determination: The Practices of
Australia and New Zealand Compared

Madeline Gleeson, UNSW Law

> Judging Responsibility: The Implications of Plaintiff M68 for International Law and the Future of
Offshore Processing

[Speaker on PNG Supreme Court decision TBA]

> Title TBA

3–3.30pm

AFTERNOON TEA (Hall Foyer)

3.30–5pm

PANEL 13

COLD WAR INTERNATIONAL LAW

Location: Main Hall

Chair: TBA

Madelaine Chiam, University of Melbourne

- > Justifying Participation in the Vietnam War: The South East Asian Treaty Organization and International Law in Australian public Debate

Emily Crawford, University of Sydney

- > Accounting for the 1976 ENMOD Convention: A Product of Cold War Paranoia or a Rare Instance of Forethought in International Humanitarian Law?

Anna Hood, University of Auckland

- > International Law as the Weapon of Choice for Nuclear Matters During the Cold War

Richard Joyce, Monash University

- > Cold War as Katechon (or, what's our excuse now?)

PANEL 14

THE DAILY LIVES OF CIVILIANS IN WARTIME: THE ROLE OF INTERNATIONAL LAW

Location: Common Room

Chair: TBA

Kevin Riordan, Judge Advocate General of New Zealand and Chief Judge of the Court Martial

- > Siege and the Law of Armed Conflict

Mary Crock, University of Sydney

- > Making Every Life Count: Ensuring Equality and Protection for Persons with Disabilities in Armed Conflict

Phoebe Wynn-Pope, Australian Red Cross

- > Legislating Against Humanitarian Principles

Alberto Alvarez-Jimenez, University of Waikato

- > Letters to the Security Council by Two Prisoners of War, Israel and Palestine, and How to Interpret IHL in Protracted International Conflicts

3.30–5pm

PANEL 15

CORPORATE ACCOUNTABILITY AND FAIRNESS IN BUSINESS

Location: Scarth Room

Chair: TBA

Jessica Viven-Wilksch, Monash University

- > Bringing Fairness in International Long-term Relationships: An Analysis of Amendments to the Unidroit Principles on Commercial Contracts

Wei-Chung Lin, University of Adelaide

- > Applying Multilateral Environmental Agreements to Private Enterprises through an Accountability Mechanism? Insights from the IFC/MGIA Compliance Advisor Ombudsman

Holly Cullen, University of Western Australia

- > Known Unknowns? On the Need for Follow-up of Agreements between Transnational Business and Host Communities

Kate Eastman SC

- > Business and International Human Rights
-

5.15–6.30pm

PANEL DISCUSSION

THE EVERYDAY LIVES OF ANTIPODEAN INTERNATIONAL LAWYERS

Chair: Madelaine Chiam, University of Melbourne

Penny Cumming, Australian Government Department of Defence

Penelope Mathew, Griffith University

Sue Robertson, Australian Government Commonwealth Attorney-General's Department

Ivan Shearer, University of Sydney and University of South Australia

7.30pm

CONFERENCE DINNER (The Lobby Restaurant, King George Terrace, Parkes)

Dinner Speaker: **Angus Trumble**, Director, National Portrait Gallery

DRAFT

SATURDAY 2 JULY 2016

TIME	SESSION
9am	WELCOME TEA/COFFEE (Hall Foyer)
9.15–11 am	PANEL 16 INTERNATIONAL LAW: CRITIQUE AND PROGNOSIS <i>Location: Main Hall</i> Chair: TBA Camilo Soto Crespo , New York University School of Law > Title TBA An Hertogen , University of Auckland > Alleviating Everyday Friction through Good Neighbourliness Irene Baghoomians , University of Sydney > Teaching Public International Law: Panacea or Part of the Problem? Toby Hanson > Multilateralism: A Eulogy
	PANEL 17 EXPRESSION, ETHICS, RIGHTS, AND THE RULE OF LAW <i>Location: Common Room</i> Chair: TBA Catherine Renshaw , University of Western Sydney > Adultery, Pornography, Sodomy. How Does International Law Deal with Everyday Moralities? Jingyi Li , Macquarie University > Australian Copyright Law Regarding Limitations and Exceptions for the Print Disabled: Achievements to date and required further reforms Sherif Elgebeily , University of Hong Kong > A Deafening Silence: the Absence of ICCPR Article 25(b) Protections and Hong Kong's Democracy, Free Speech, and Rule of Law Chester Brown , University of Sydney > The Status of the Doctrine of "Clean Hands" in Public International Law
9.15–11 am	PANEL 18 LEGAL DESIGN FOR A CHANGING CLIMATE <i>Location: Main Hall</i> Chair: TBA Susannah Leslie , Ministry of Foreign Affairs and Trade, New Zealand > Linking Emissions Trading Schedules: A Legal Design Perspective Michelle Podmore , Ministry of Foreign Affairs and Trade, New Zealand > The Paris Climate Change Agreement: Designing an Ambitious and Fair Global Agreement [Additional speaker TBA] > Title TBA
11–11.30 am	MORNING TEA (Hall Foyer)
11.30am–1 pm	YEAR IN REVIEW <i>Location: Main Hall</i> Chair: TBA > TBA , Australian Government Department of Foreign Affairs and Trade > TBA , Australian Government Commonwealth Attorney-General's Department > TBA , Ministry of Foreign Affairs and Trade, New Zealand > TBA , New Zealand Crown Law Office
1 pm	Close

CONTACT US

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