



ANZSIL Newsletter

December 2019

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Message from the President

2019 has been a busy and productive year for ANZSIL and its members, and the third decade of the twenty-first century is shaping up to be just as dynamic. The call for papers for ANZSIL's 28th Annual Conference has been released, and the theme is *International Law in the Third Decade of the 21st Century: A Tool for Challenge or Appeasement?* We look forward to receiving your paper and panel proposals!

ANZSIL is very pleased to have awarded small grant funding to ANZSIL Oceans and International Environmental Law Interest Group for a workshop on *the future of international environmental law and the law of the sea* to be held at the University of Victoria Wellington on 16-17 April 2020, and to Dr Nina Tzouvala, who is organising a workshop on the theme of *between race and capitalism: understanding 21st century international law* at the University of Melbourne in March/ April 2020.

One initiative we intend to revitalise in 2020 is the *ANZSIL Perspectives* series, which comprise short update and opinion pieces on topical issues of international law. These will be made publicly available on a dedicated part of the ANZSIL website. We will be calling for volunteers for a small editorial team to manage the *Perspectives* in due course but if you are interested in this, please get in touch with me directly. Equally, if you have an idea for a *Perspective* or would like to write our first for 2020 let me know!

I am grateful for Zoe Scanlon and An Hertogen for producing yet another terrific newsletter. In this edition we benefit from a comprehensive round up of Australian AG and DFAT activities on the international stage over the last six months, including international law week in the United Nations, cases before the WTO and recent developments relating to investor-state dispute settlement reform and FTAs under negotiation or review. New Zealand lawyer-diplomats have been equally busy, and MFAT's contribution to this newsletter includes Acting Deputy Secretary of Foreign Affairs (and ANZSIL Council Member) Victoria Hallum's United Nations Day speech, updates on ILC nominations, the New Zealand/ China FTA upgrade as well as improved processes for facilitating deeper discussion between MFAT and Māori on trade issues. ANZSIL members have been busy over the last months and we are pleased to report on the panel on Government Legal Advice and the Legal Basis for ADF Operations hosted by the Australian War College in August, and the Australian Red Cross and Centre for Humanitarian Leadership symposium held in Melbourne on 17 October, which focused on the question of how we can better leverage international humanitarian law to improve humanitarian access to people in need. On the other side of the Ditch, we report on Anna Hood and An Hertogen's workshop on International Law in Aotearoa/ New Zealand held on 18 November at the University of Auckland.

We are very pleased to profile ANZSIL member publications and other achievements and, in this edition, we provide a profile on the *Oxford Handbook of International Law in Asia and the Pacific* edited by Simon Chesterman, Hisashi Owada and Ben Saul. Please send me information on your latest book publications so that these can be highlighted in our

new section on the ANZSIL website as well as in the newsletter. I would also like to congratulate ANZSIL Associate member, Dr Saeed Bagheri, on his recent appointment at the University of Reading.

I would like this opportunity to wish all ANZSIL members a peaceful and relaxing festive season and all best wishes for the New Year.

Karen Scott

President

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Recent Australian Practice in International Law (Commonwealth Attorney-General's Department and the Department of Foreign Affairs and Trade)

>General Assembly Sixth Committee International Law Week

Sue Robertson, First Assistant Secretary, International Division, Attorney-General's Department and James Larsen, Chief Legal Officer, the Department of Foreign Affairs and Trade attended the International Law Week of the United Nations General Assembly Sixth Committee, held from 28 October to 1 November 2019. Throughout the week, Australian officials delivered statements on the current work program of the International Law Commission (ILC), and participated in a range of contemporary international law discussions at the UN. This included attendance at a panel on the ILC's work relating to sea-level rise chaired by Dr Penelope Ridings MNZM.



James Larsen, Chief Legal Officer, DFAT, Sue Robertson, First Assistant Secretary, Office of International Law

> Participation in WTO Dispute Settlement as Complainant or Respondent

> *India – Measures Concerning Sugar and Sugarcane (DS580)*

Australia is pursuing WTO dispute settlement action against India's domestic support for sugarcane and sugar, including price support, and export subsidies for sugar. Australia considers that India is acting inconsistently with Articles 3.2, 3.3, 6.3, 7.2(b), 8, 9.1, 10.1, 18.2 and 18.3 of the Agreement on Agriculture; Articles 3 and 25 of the Agreement on Subsidies and Countervailing Measures; and Article XVI of the GATT 1994. Australia held consultations with India on 16 April 2019. Australia, and co-complainants Brazil and Guatemala, requested that a panel be established to examine the matter at the WTO Dispute Settlement Body (DSB) meeting on 22 July 2019. India rejected this request. Australia and the co-complainants made a second request for the establishment of a panel at the DSB meeting on 15 August 2019, and a panel was automatically established. The panel was composed on 28 October 2019. Mr Thomas Cottier will serve as Chair, and Ms Gerda van Dijk and Mr Roberto Zapata Barradas as Panel members. The co-complainants' disputes (DS579 (Brazil as complainant), and DS581 (Guatemala as complainant)) will each be heard by a panel composed of the same individuals, in accordance with Article 9.3 of the WTO Dispute Settlement Understanding.

Participation in WTO Dispute Settlement as Third Party

> *Russian Federation – Measures on the Importation of Live Pigs, Pork and Other Pig Products from the European Union (DS475)*

This dispute, initiated by the EU, concerns certain measures adopted by Russia pig imports from the EU, purportedly because of concerns related to cases of African Swine Fever. It has been through a Panel and Appellate Body process. Now at the compliance stage, the EU initiated compliance panel proceedings (Article 21.5 of the WTO Dispute Settlement Understanding) against Russia. Australia made a statement at the compliance panel hearing on 10 July 2019. The concerns have moved beyond the original SPS matters, with legal issues now focusing on the security exceptions in GATT and the jurisdiction of compliance panels. Australia's statement and involvement to date in this dispute can be accessed at the [WTO disputes page of the DFAT website](#).

> *US – Tariff Measures on Certain Goods from China*

This dispute was brought by China against the US in relation to its unilateral imposition of tariffs on China as an outcome of the s.301 investigation into China's various intellectual property (IP) related practices. Australia is also a third party in the related IP dispute initiated by the US against China (DS542) which is currently on hold. Australia made a statement at the panel hearing on 30 October 2019 which focused on systemic concerns surrounding the interpretation of certain provisions of the WTO Dispute Settlement Understanding and Article XX(a) of the General Agreement on Tariffs and Trade. Australia's statement can be accessed at the [WTO disputes page of the DFAT website](#).

Recent Trade Law Initiatives

> *ISDS Reform Initiatives*

On 14-18 October 2019, Working Group III of the United Nations Commission on International Trade Law (UNCITRAL) dealing with possible reform of the procedural aspects of investor-State dispute settlement (ISDS), held its fifth meeting in Vienna. 93 States, including Australia, and 70 observer organisations representing diverse stakeholders participated in the meeting.

The Working Group agreed on a medium-term work plan, and commenced deliberations on developing potential ISDS reform options, including a code of conduct for arbitrators and adjudicators, the regulation of third-party funding of investment disputes and the establishment of an advisory centre for parties involved in ISDS cases.

At its next session in January 2020, the Working Group will work on the following potential reform options: mechanisms for a stand-alone review or appellate mechanism, a standing multilateral investment court with a standing cadre of judges and the selection and appointment of arbitrators and adjudicators.

Other reform options, including dispute prevention and mitigation, treaty interpretation by State parties, security for costs, the means to address frivolous claims, multiple proceedings, including reflective loss and shareholders' claims, as well as a possible multilateral convention on ISDS procedural reform, are on the agenda of the Working Group at its session in New York in April 2020.

Australia's participation in Working Group III forms part of the Government's broader multilateral reform efforts in relation to ISDS, which include participation in the International Centre for the Settlement of Disputes (ICSID) Rules review process.

Recent Developments in Australia's Free Trade Agreements

Australia continues to progress the negotiation and implementation of a number of bilateral and multilateral free trade agreements (FTAs). Input from stakeholders contributes to developing negotiating positions in respect of these agreements, and the Australian Government welcomes input on these discussions. [DFAT's website](#) has further information on these agreements, including contact points.

> FTAs under negotiation

Leaders of Regional Comprehensive Economic Partnership (RCEP) participating countries attended the 3rd RCEP Leaders' Summit in Bangkok on 4 November 2019. Leaders noted 15 participating countries had concluded text-based negotiations and essentially all their market access issues. Parties will next finalise market access negotiations and subject the text of the RCEP Agreement and associated documents to a technical legal review prior to signature in 2020. RCEP is a regional FTA that builds on Australia's existing relationships with 15 Indo-Pacific countries (the 10 ASEAN member states and Australia, China, India, Japan, Korea and New Zealand). The agreement covers trade in goods, trade in services, investment, economic and technical cooperation and has new rules for small and medium-sized enterprises, government procurement, intellectual property, competition and electronic commerce.

Australia is working with the European Union (EU) to achieve a comprehensive and ambitious FTA that delivers outcomes to both Australia and the EU. Following Australia's publication of the list of product names the EU wants Australia to protect as geographical indications (GIs) and an initial exchange of goods market access offers, we had a positive and constructive fifth round of negotiations in Canberra, from 14 – 18 October 2019. See the [DFAT A-EUFTA news](#) website for more information.

FTA negotiations were launched with the Pacific Alliance (Chile, Colombia, Mexico, Peru) at the Pacific Alliance Summit in Cali, Colombia on 30 June 2017. Eight rounds of negotiations have since been held and substantial progress has been achieved. The Pacific Alliance represents a growing opportunity for Australian businesses – it will build on our existing agreements with Mexico, Peru and Chile and open up new preferential access to Colombia. Australia is committed to working towards timely conclusion of a high-quality agreement with the Pacific Alliance.

> FTAs concluded

On 16 October the Government introduced customs legislation into the House of Representatives as part of implementing the Indonesia-Australia Comprehensive Economic Partnership Agreement (IA-CEPA), the Australia-Hong Kong Free Trade Agreement (A-HKFTA), and the Peru-Australia Free Trade Agreement (PAFTA). The legislation passed the House of Representatives on 21 October and is now required to be considered by the Senate. The introduction of the legislation followed the completion of the Joint Standing Committee on Treaties inquiry into IA-CEPA and the A-HKFTA and associated Investment Agreement on 9 October with a positive recommendation to take binding treaty action as soon as possible. The Joint Standing Committee on Treaties published two reports on PAFTA in 2018 that both recommended binding treaty action be taken. The

Australian Government is also working on regulatory changes to implement the three agreements. Peru and Hong Kong have completed their domestic processes to implement PAFTA and A-HKFTA respectively. Indonesia is working through its domestic treaty-making process for IA-CEPA. Once domestic processes are completed, the Australian Government will be in a position to exchange formal notes with the other respective governments (Indonesia, Hong Kong and Peru) to bring these agreements into force.

> *FTAs under review*

Australia aims to progress in 2020 the next round of discussions on a review of the services and investment chapters of the China-Australia Free Trade Agreement (ChAFTA), hold meetings of the ChAFTA Joint Commission and Trade in Goods Committee, and commence the mandated General Review of ChAFTA.

Under JAEPA, a review of priority agriculture products is due to take place in 2020.

At the annual meeting of ASEAN, Australian, and New Zealand Trade Ministers (AEM-CER) in Bangkok on 9 September 2019, Ministers endorsed a work plan for negotiations to upgrade AANZFTA. The first formal round of negotiations will be held in New Zealand in June 2020. A number of working groups are also scheduled to undertake intersessional work during the last quarter of 2019.

> *Other initiatives*

The [FTA Portal](#) makes it easier for the public to access information about the operation of Australia's FTAs. Goods and services commitments under Australia's FTAs are added to the Portal as soon as possible after the agreements enter into force.

Recent New Zealand Practice in International Law (Ministry of Foreign Affairs and Trade)

> **United Nations Day**

*Speech by Acting Deputy Secretary of Foreign Affairs, Victoria Hallum
23 October 2019*

*Whakataka te hau ki te uru
Whakataka te hau ki te tonga
Kia mākinakina ki uta
Kia mātaratara ki tai
E hī ake ana te atakura
He tio, he huka, he hau hū
Tihei mauri ora!*

Last month I was fortunate to attend the opening of the UN General Assembly with the Prime Minister. It was wonderful to arrive in New York to see New Zealand artist Michael Joseph's installation "Voices for the Future" projected on to the UN building. This melded his amazing videos of a melting iceberg, complete with the sounds of cracking and shifting of the ice, with the words and voices of young climate advocates speaking in each of the six UN languages.

I was struck by the sheer scale of UN Leaders' Week: 123 countries represented at head of state or head of government level, a further 53 represented by foreign ministers, plus several hundred other ministers.

This is a testament to the convening power of the UN – the ability to attract decision-makers and draw attention to issues. The UN is also a force multiplier when it comes to achieving New Zealand's

objectives internationally. The UN's core values – the peaceful settlement of disputes, equality of nations, fundamental human rights, and the pursuit of social and economic progress for all – are aligned with New Zealand's values. The UN can access and prosecute agendas that we would never be able to achieve on our own.

While at the UN, the Prime Minister gave the keynote address as part of the UN Secretary-General's Climate Action Summit to world leaders, multinational CEOs and thought leaders. This was an unparalleled opportunity to highlight what matters to New Zealand. To draw in others in support of our goals – in this case, to give impetus to the transformational change necessary to address climate change.

The UN sits at the apex of the multilateral rules-based system that is of vital importance to New Zealand. And that system goes far beyond the iconic building on the East River in New York, housing the Security Council, the General Assembly and ECOSOC:

- It includes the International Court of Justice in the Hague, one of the principal organs of the UN, as well as the International Criminal Court in the same city and the International Tribunal for the Law of the Sea in Hamburg. And interestingly states are having increasing recourse to the ICJ – Gambia announced over the weekend that it is taking a case against Myanmar under the Genocide Convention.
- It includes funds and programmes – of which the United Nations Development Programme is probably the best known to New Zealand through Helen Clark's leadership of it and her effective use of social media to tell its stories. Another is the United Nations Environment Programme in Nairobi.
- It includes the UN Peacekeeping missions in locations such as Kosovo, Lebanon and Mali.
- It includes the autonomous organisations such as the International Maritime Organisation in London, the Food and Agriculture Organisation in Rome, the International Seabed Authority in Jamaica and the International Civil Aviation Organisation in Montreal.
- It also includes the Bretton Woods Organisations: the World Bank, the International Monetary Fund and the World Trade Organisation.
- And in a practical sense, it includes regional organisations established in accordance with international rules, such as regional fisheries management organisations. New Zealand is host to one: the South Pacific Regional Fisheries Management Organisation, the only intergovernmental organisation located in New Zealand.

I think this whistle-stop tour of the world also demonstrates how much the multilateral system connects with our daily lives. Every time we board a plane, make a phone call, or purchase an imported product we are relying on it. The seas around us are governed and protected by it. When we look up at the sky and wonder whether we are looking at a satellite or a shooting star we are looking at a shared and increasingly crowded global space, and one that probably requires more effective international cooperation.

At a time when there is a distrust of global institutions and a rise in rhetoric about the primacy of national interests, the UN and the multilateral system are as essential as ever. As was clear in the Prime Minister's speech to the General Assembly last month, New Zealand does not draw a false dichotomy between national interests and global interests. New Zealand considers all nations, large and small, benefit from the UN and the rules-based international system.

That is because the interconnected world we inhabit is a complex place. Power alone is a blunt and ineffective tool to address the challenges we face. There are many domains where unilateral action is just clearly inadequate and all nations have a shared interest in cooperation and rules-based solutions to shared challenges.

Daniel Bethlehem identified these areas very well back in 2012 in an article called, rather alarmingly, ‘The End to Geography.’ He identified six interconnected areas which can only be addressed by multilateral solutions:

- Shared spaces and global commons;
- Issues related to the movement of people, both voluntary and not;
- Challenges to human, animal and plant health;
- Trade and financial flows and interconnectedness that comes from this;
- Cyberspace (potentially the new global commons even if he did not identify it as such); and
- Cross boundary challenges to security, including increasingly from non-state actors.

So I think we can see there remains a huge need for the UN system and for multilateral solutions. The role of organisations like UNANZ is central to this. You have an important role in building support for, understanding of and a sense of connection to the UN and multilateralism amongst the New Zealand public. And we appreciate your support and engagement. This is truly situation where we are all in this boat together – *He waka eke noa*.



James Larsen, Chief Legal Officer, DFAT, Australia; Victoria Hallum, A/g Deputy Secretary, Multilateral and Legal Affairs, MFAT, New Zealand; Alan Kessel, Assistant Deputy Minister and Legal Adviser, Department of Global Affairs, Canada.

> CANZ nominates Dr Penelope Ridings as a candidate for the International Law Commission

Canada, Australia and New Zealand (CANZ) have nominated New Zealand's Dr Penelope Ridings as a candidate for the 2021 election to the International Law Commission's (ILC) 2022 – 2026 year term.

Dr Ridings is a public international lawyer and career diplomat with extensive practical experience in developing, implementing and adjudicating international law. In her 30-year career for New Zealand's Ministry of Foreign Affairs and Trade, she was New Zealand's Chief International Legal Adviser, High Commission to Samoa, and Ambassador to Poland. She has advised on the full range of international law issues and acted as Counsel and Advocate before international tribunals, including the International Court of Justice, the International Tribunal for the Law of the Sea and the World Trade Organisation.



As a barrister and international lawyer she has adjudicated high profile, complex disputes as a World Trade Organisation Dispute Panellist and is on the Panels of Arbitrators and Conciliators at the International Centre for Settlement of International Disputes. She also acts as the Legal Adviser to the Western and Central Pacific Fisheries Convention and was recently Chair of the First Performance Review Panel of the South Pacific Regional Fisheries Management Organisation.

> New Zealand – China Free Trade Agreement Upgrade

On 4 November 2019, New Zealand and China announced the conclusion of the New Zealand – China Free Trade Agreement Upgrade negotiations. The key outcome of the Upgrade is to modernise the original New Zealand – China Free Trade Agreement, which entered into force in 2008, to align it with New Zealand's more recent trade policy and address a number of practical challenges raised by New Zealand exporters. This is achieved through new market access commitments and other outcomes; improvements to existing Chapters on trade facilitation and technical barriers to trade; and new Chapters to cover emerging trade issues. These outcomes ensure that the New Zealand – China Free Trade Agreement remains high-quality, reflects modern trade realities and demonstrates the shared commitment of New Zealand and China to free trade and the rules-based trading system. Next steps include legal verification of the concluded text of the Upgrade, and completion of each country's respective domestic treaty-making processes in order to ratify the Upgrade.

> Memorandum of Understanding with Te Taumata

In September, MFAT signed a consultation and engagement memorandum of understanding with 'Te Taumata'. Te Taumata is comprised of eight representatives of Māoridom and has been established as a dedicated platform for deeper discussion between MFAT and Māori on trade policy issues – including the negotiation of New Zealand's free trade agreements.

ANZSIL Member News

> Using international humanitarian law to improve humanitarian access – Australian Red Cross

How can we better leverage international humanitarian law (IHL) to improve humanitarian access to people in need? This was the topic of a joint Australian Red Cross and Centre for Humanitarian Leadership symposium held in Melbourne on 17 October 2019.

The symposium aimed to promote understanding in the Australian context of what protections exist in IHL, what constitutes good practice in access negotiations, what support is available, and the challenges we should be working collectively to address. The event, inspired by the [2018 State of the Humanitarian System report](#), brought together humanitarian practitioners, academics and others to contribute to this dialogue.

During the symposium, the Humanitarian Advisory Group shared the results of new research, prepared for Australian Red Cross, *Gaining Traction: Measuring the Impact of IHL Training*. The research, based on interviews and surveys, looks at the impact of training humanitarian practitioners in IHL and the humanitarian principles.

The five main findings of the research were:

1. IHL training can be linked to improved humanitarian outcomes;
2. IHL training is only one step in a learning process;
3. The application of IHL and the humanitarian principles is supported if there is a critical mass of actors in the context who understand and support the principles;
4. Field practitioner training needs to be practical and contextualised; and
5. Awareness of IHL and the humanitarian principles mitigates individual and operational risks in the field.

Copies of the symposium synthesis report and the ‘Gaining Traction’ report can be found on the Australian Red Cross IHL blog [here](#).

To stay up to date with the activities of the IHL Program at Australian Red Cross you can subscribe to their e-newsletter [here](#).

> The Oxford Handbook of International Law in Asia and the Pacific

The growing economic and political significance of Asia has exposed a tension in the modern international order. Despite expanding power and influence, Asian states have played a minimal role in creating the norms and institutions of international law; today they are the least likely to be parties to international agreements or to be represented in international organizations.

That is changing. There is widespread scholarly and practitioner interest in international law at present in the Asia-Pacific region, as well as developments in the practice of states. The change has been driven by threats as well as opportunities. Transnational issues such as climate change and occasional flashpoints like the territorial disputes of the South China and the East China Seas pose challenges while economic integration and the proliferation of specialized branches of law and dispute settlement mechanisms have also encouraged greater domestic implementation of international norms across Asia. These evolutions join the long-standing interest in parts of Asia (notably South Asia) in post-colonial theory and the history of international law.

The Oxford Handbook of International Law in Asia and the Pacific, edited by Simon Chesterman, Hisashi Owada, and Ben Saul, brings together pre-eminent and emerging specialists to analyse the approach to and influence of key states of the region, as well as whether truly ‘Asian’ trends can be identified and what this might mean for international order.

The Handbook provides the first comprehensive survey of international law to consider most Asian national jurisdictions and a thematic roadmap of international law in the Asia and Pacific regions. It also reviews key

contributions of individual Asian states to the development of international law, and affords a detailed consideration of key jurisdictions by regional experts. The introduction is available in full [here](#).

> Book Workshop on International Law in Aotearoa/New Zealand

On Monday 19 November 2019, Anna Hood and An Hertogen organized a workshop for an edited book on *International Law in Aotearoa/New Zealand*, which is planned for publication in 2021.

The goal of the edited volume is to introduce international law from a New Zealand perspective. The focus will be on evaluating how international law shapes New Zealand and works with(in) its legal system, as well as on New Zealand's interaction with, contribution to, and attitude towards international law. The contributors to the book come from MFAT (Victoria Hallum), private practice (Penny Ridings, Eve Bain, and Daniel Kalderimis) and academia (An Hertogen, Anna Hood, Treasa Dunworth, Caroline Foster, Jane Kelsey, Fleur Te Aho, Joanna Mossop, Guy Fiti Sinclair, Karen Scott, Natalie Baird, Marnie Lloyd, John Ip, Tracey Whare and Natalie Jones).

After a first workshop in November 2018 at which the authors shared preliminary ideas about the chapters and identified potential gaps and overlaps in the project as a whole, this year's workshop provided an opportunity to discuss full drafts. Each draft chapter was presented by a commentator before all participants were able to provide constructive feedback to the author. In addition to the other authors, Justice Gerard Van Bohemen, Claire Charters, Alberto Costi, Tracey Epps, Elana Geddis, Amokura Kawharu, Colin Keating, Anna Kirk, Rosslyn Noonan, Tonia Novitz, Kevin Riordan, Paul Rishworth, Vernon Rive and Nicole Roughan volunteered their time and expertise to comment on the chapters. The workshop generated lots of vibrant discussion and debate and the generous feedback provided will greatly enhance the chapters in the book.

The organizers are very grateful for the financial support of ANZSIL which assisted with the catering for the event.

> Government Legal Advice and the Legal Basis for ADF Operations

In August 2019, the Australian War College (AWC) hosted a panel on Government Legal Advice and the Legal Basis for ADF Operations as part of the Defence Strategic Studies Course. The Panel was chaired by Visiting Fellow to the AWC, Chris Hanna, who was joined by James Larsen, Chief Legal Officer, DFAT and Sue Robertson, First Assistant Secretary, Office of International Law, Attorney-General's Department. The panel discussed the role of government lawyers in advising Cabinet on ADF deployments and its challenges, and the crucial inter-agency relationships that have formed between the Defence, AGD and DFAT in the advising the Commonwealth on its operations.



James Larsen, Chief Legal Officer, DFAT; Chris Hanna, Visiting Fellow to AWC; Sue Robertson, First Assistant Secretary, Office of International Law

> Recent move

Dr Saeed Bagheri, an Associate Member of ANZSIL, has been appointed as a Postdoctoral Fellow at Law School of the University of Reading.

Upcoming Events and Calls for Papers

> ANZSIL Conference 2020 - International Law in the Third Decade of the 21st Century: International Law: A Tool for Challenge or Appeasement?

What is the function of international law in 2020 and beyond? Does it serve to *challenge* states, international institutions and non-state actors as society appears to be moving into a more authoritarian age? Does it constrain the behaviour of actors domestically and on the international stage, and does it challenge the development of norms that depart from the liberal rules-based order that has characterised the development of international law from the middle of the 20th Century onwards? Or does international law function to *appease* powerful international or domestic actors? The word ‘appease’ has its origin in the Latin *ad pais* or ‘at peace’; a noble aim for any system of law. But does international law today pacify, placate, assuage or satisfy the demands of states, institutions, protestors and society more generally; to appease in its modern incarnation? Does appeasement put at risk security, the environment and the very foundations of the international legal system? The relationship between challenge and appeasement is as old as international law itself and has been described and critiqued in numerous philosophies and approaches to international law. Today, across many fields – including the environment, trade, human rights, security – the tension between challenge and appeasement is profound and, arguably, destabilising.

The Organising Committee for the 28th Annual Conference invite paper submissions and themed panel proposals on any area of public and private international law relevant to the conference theme as well as on topics not connected to the conference theme. The call for papers is available [here](#).

The deadline for paper and panel submissions is **1 February 2020**.

> ANZSIL Oceans and International Environmental Law Group (OIELIG) Workshop, Wellington, 16-17 April 2020

The ANZSIL Oceans and International Environmental Law Interest Group (OIELIG) and the New Zealand Centre for Public Law are co-hosting a workshop on the 16-17 April at Victoria University of Wellington.

The workshop is an opportunity to discuss draft papers, at an advanced stage, that touch on any aspect of the law of the sea or international environmental law. Participants are to circulate draft papers in advance of the workshop and the idea is to spend the majority of time on feedback and discussion rather than presentation of the papers. The goal is to assist participants in the development of a paper for publication.

If you are interested in presenting, please submit a short abstract of the paper topic (no more than one page) by **20 January 2020** to Joanna.Mossop@vuw.ac.nz. Please also include a one-page curriculum vitae. Further information can be found in the call for papers [here](#).



ANZSIL Newsletter
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