Presented by the International Law Section of the Law Council of Australia, the International Trade Law Symposium encourages open and frank discussion between government, the profession and academics on emerging developments in trade law in Australia and internationally.

Eminent speakers and panellists will debate and discuss:

- Chief Justice French AC – Trade Law and the Australian Courts
- Emerging Developments in Trade Law
- Trade Remedies – Anti-Dumping Measures
- Current Negotiations and Recently Signed Agreements
- Foreign Investment – Investor-State Dispute Settlement
- International Commercial Arbitration and Dispute Resolution
- WTO Disputes
- Human Rights and Trade Law
- Emerging Developments in UNCITRAL
- Trade Law and the Environment
# 2014 International Trade Law Symposium

## Day 1: Thursday 18 September 2014

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<th>Session</th>
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<tr>
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<td>8:30am – 9:00am</td>
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<tr>
<td>1</td>
<td>9:00am – 9:40am</td>
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<td>9:00am – 9:40am</td>
<td>Opening Panel: Welcome and Keynote Address</td>
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<td>Chair: Andrew Percival, Executive, International Law Section, Law Council of Australia</td>
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<td>Welcome address: Michael Colbran QC, President, Law Council of Australia</td>
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<td>Keynote address: Trade Law and the Australian Courts: The Honourable Robert Shenton French AC, Chief Justice, High Court of Australia</td>
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<td>2</td>
<td>9:40am – 10:30am</td>
<td>Panel: Emerging Developments in Trade Law – A Year in Review</td>
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<td>This Panel will examine recent developments and emerging issues in trade law internationally and their impact on Australian trade policy and interests.</td>
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<td>Chair: Dr Brett Williams, Executive, International Law Section, Law Council of Australia</td>
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<td>Speakers:</td>
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<td>• Tegan Brink, Director, Trade Law Branch, Office of Trade Negotiations, DFAT</td>
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<td>• Damien van der Toorn, Co-Director, Economic and Environment Law Section, AGD</td>
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<td>10:30am – 10:50am</td>
<td>Morning tea</td>
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<td>10:30am – 11:40am</td>
<td>Panel: Trade Remedies – Anti-Dumping Measures</td>
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<td>This session considers Trade Remedies Law with two quite different presentations. First, the session will consider Australian Anti-dumping Commission which began operations on 1 July 2013, with the first Anti-Dumping Commissioner, Dale Seymour, discussing the work of the Commission in its first year of operation. Second, the session will consider some of the aspects of anti-dumping law which have been the subject of litigation in the World trade Organization and how this has had an impact on the way that domestic authorities, like the Australian Anti-dumping Commission make decisions in anti-dumping applications.</td>
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<td>Chair: Dr Brett Williams, Executive, International Law Section, Law Council of Australia</td>
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<td>Speakers:</td>
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<td>• Dale Seymour, Anti-Dumping Commissioner</td>
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<td>• Jane Healy, Australian Government Solicitor</td>
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### Day 1: Thursday 18 September 2014 Continued

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<th>Session</th>
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| 4       | 11:40am – 12:40pm (1 hour) | Panel: Current negotiations and recently signed agreements  
This panel will consider challenges for WTO Agreement on Trade Facilitation and its likely impacts relevant to Australian international trade lawyers. It will also consider key implications of recently signed agreements – including the Australia Korea Free Trade Agreement and the Japan Australia Economic Partnership Agreement.  
**Chair:** Anne Sheehan, Assistant Secretary, International Law, Trade and Security Branch, AGD  
**Speakers:**  
- David Brightling, Director, Investment Policy and TPP Section, DFAT  
- Richard Emerson-Elliott, Director, Industrials and Market Access Section, DFAT  
- David Morfesi, Trade and Business Law Committee, International Law Section, Law Council of Australia |
| Break   | 12:40pm – 1:40pm (1 hour) | Lunch |
| 5       | 1:40pm – 2:40pm (1 hour) | Panel: Foreign Investment  
This panel will assess the substantive and procedural rights for foreign investors under past and proposed investment treaties, including the vexed issue of investor-state dispute settlement (ISDS).  
The backdrop includes: the anti-ISDS Bill still before the federal Senate; the Abbott Government’s case-by-case approach to including ISDS clauses; and the ICSID decision in *Planet Mining v Indonesia*, suggesting that ISDS is very limited in many past Australian treaties.  
**Chair:** Professor Leon Trakman, Immediate Past Dean and Professor, Faculty of Law, University of New South Wales  
**Speakers:**  
- A/Prof Jurgen Kurtz, Melbourne Law School, The University of Melbourne  
- A/Prof Kim Weatherall, Sydney Law School, The University of Sydney  
- Professor Luke Nottage, International Law Section, Law Council of Australia |
| Break   | 2:40pm – 3:00pm (20 mins) | Afternoon tea |
### Session 6: WTO Disputes

**Time:** 3:00pm – 4:00pm  
**Duration:** 1 hour  
**Details:** This panel will consider issues for the WTO dispute settlement process arising from recent increases in WTO cases and delays in panel proceedings.  
**Chair:** David Morfesi, Trade and Business Law Committee, International Law Section, Law Council of Australia  
**Speakers:**  
- Rosemary Morris-Castico, A/g Assistant Secretary, Trade Law Branch, Office of Trade Negotiations, DFAT  
- Dr Tracey Epps, Lead Advisor, International Economic Law, NZ MFAT

### Session 7: International Commercial Arbitration and Dispute Resolution

**Time:** 4:00pm – 5:00pm  
**Duration:** 1 hour  
**Details:** This session reviews private international law and international arbitration developments and law reform initiatives in Australia, in the context of rapid growth in international commercial arbitration caseloads in other parts of the Asian region and Singapore’s plans to establish an International Commercial Court.  
**Chair and speaker:** Albert Monichino QC, Barrister, Victoria  
**Speakers:**  
- Professor Mary Keyes, Griffith Law School, Griffith University  
- Adjunct Professor Donald Robertson, Partner, Herbert Smith Freehills

### Dinner

**Time:** 6:30pm – 10:00pm  
**Details:** Symposium dinner  
$100 per person  
Ottoman Cuisine, 9 Broughton Street, Barton, Canberra
## 2014 INTERNATIONAL TRADE LAW SYMPOSIUM

### DAY 2: FRIDAY 19 SEPTEMBER 2014

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| 8       | 9:00am – 10:00am 1 hour | **Panel: International Human Rights and Trade Law**  
This session will consider the ways in which international human rights impacts upon international trade and commerce, exploring the ways in which general principles of international human rights are built into the fabric of trade and investment law. Specific topics explored include trends in international investment treaties; specific international law doctrines such as “necessity” and the extent of “police powers”.

**Chair and keynote speaker:** Professor Donald Robertson, Partner, Herbert Smith Freehills

**Commentators:**
- Avryl Lattin, Senior Associate, Clyde & Co Australia
- Stephen Bouwhuis, Assistant Secretary, International Law and Human Rights Division AGD |
| Break   | 10:00am – 10:20am 20 mins | Morning tea |
| 9       | 10:20am – 11:00am 40 minutes | **Panel: UNCITRAL Update and Emerging Issues**  
This Panel will provide an update on the work of the UNCITRAL National Coordination Committee for Australia and focus on several key developments in UNCITRAL’s work program which provide opportunities for Australian participation.

**Chair:** Tim Castle, Barrister, Sydney, Chair, UNCCA

**Speakers:**
- Dr David Dombkins, PPP and Complex Program Expert
- David Bailey, Barrister, Victoria and UNCCA
- John Martin, Partner, Henry Davis York |
| 10      | 11:00am – 11:40pm 40 minutes | **Panel: Facilitating Trade and Commerce in a Paperless World**  
E-Commerce is a buzz topic for business and trade. Setting harmonised rules is part of the on-going work of UNCITRAL which has both domestic and regional ramifications, which will be examined in this session.

**Chair:** Michael Green, Barrister, Sydney

**Speaker:** Dr Alan Davidson, TC Bernie School of Law, The University of Queensland

**Commentator:** Fred Chilton, Executive, International Law Section, Law Council of Australia |
| 11      | 11:40am – 12:20pm 40 minutes | **Panel: Trade Law and the Environment – Illegal logging legislation**  
Chair: Professor Peter Kanoski, ANU

**Speaker:** Ben Mitchell, Director, International Forest Policy, Department of Agriculture |
| 12      | 12:00pm – 1:00pm 1 hour | Lunch |

**End of Symposium**
### Day 2: Friday 19 September 2014

**UNCITRAL NCC Roundtable at the Attorney-General’s Department**

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<td>1</td>
<td>1:15pm – 2:30pm</td>
<td>Reforming the International Legal Environment for MSMEs</td>
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<td>The regulatory environment for Micro-, Small- and Medium Enterprises (MSMEs) is now the focus of discussions at UNCITRAL Working Group I. This Panel will examine three key aspects associated with the regulatory environment for MSMEs and how Australia might contribute to this work.</td>
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<td><strong>Chair:</strong> Carmen Miragaya, Principal Legal Officer, Attorney General’s Department</td>
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<td>• Tim Castle, Chair, UNCCA</td>
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<td>• Aaron Levine, Consultant, Asian Development Bank</td>
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<td>• Professor Rosalind Mason, Queensland University of Technology</td>
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<td>2:30pm – 4:00pm</td>
<td>Harmonisation of Maritime and Transport Law: Emerging Issues</td>
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<td>As a nation that is heavily dependent on carriage of goods, this session is a timely review of international developments and emerging issues in the harmonisation of maritime and transport law. UNCITRAL’s Regional Centre for Asia and the Pacific has flagged its interest in convening discussions about some of these issues in 2015, thus providing an opportunity for Australian involvement and participation at a regional level.</td>
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<td><strong>Chair:</strong> Avryl Lattin, Senior Associate, Clyde &amp; Co Australia</td>
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<td>• Professor Vivienne Bath, University of Sydney</td>
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<td>• Matthew Harvey, Barister, Melbourne, President of Maritime Law Association of Australia and New Zealand</td>
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**David Bailey, Barrister, Victoria and UNCCA**

David has practised at the bar for nearly 10 years after previously having practised as a solicitor for most of the time since his admission to practise. For over 25 years he practised largely in banking law acting for 2 of Australia’s major banks. He has also been a company director and frequently advises boards of directors regarding directors’ duties and aspects of corporate activity including compliance obligations.

He has considerable experience in respect of international business transactions and for many years was a member of the International Trade and Business Committee of the Law Council of Australia and later was the inaugural chair of the International Law Section. He also served on the International Legal Services Advisory Council for three successive terms. He was a member of the Attorney-General’s working groups on Commercial Arbitration and the UNCITRAL Model Law. He was a founding member of the board of the Australian Centre for International Commercial Arbitration and served on that board for 25 years.

David has been instructed in a wide range of disputes mainly in the areas of commercial and property law. He has also acted in cross border disputes involving issues forum and jurisdiction issues. Recently he has been involved in a major international commercial arbitration. He appears in all courts in the Victorian hierarchy and the Federal Court.

**Vivienne Bath, China Focus Group, International Law Section, Law Council of Australia**

Vivienne’s teaching and research interests are in International Business Law and Chinese law (particularly Chinese investment and commercial law). She has first class honours in Chinese and in Law from the Australian National University, and a Master of Laws from Harvard University. She is admitted to practice in Australia, New York, England and Wales and Hong Kong and, prior to joining Sydney Law School, was a partner of international law firm Coudert Brothers.

Vivienne has extensive professional experience in Sydney, New York and Hong Kong, specialising in international commercial law, with a focus on foreign investment and commercial transactions in the People’s Republic of China and the Asian region.

**Stephen Bouwhuis, Assistant Secretary, Human Rights Policy, AGD**

Stephen Bouwhuis is currently the Assistant Secretary of Human Rights Policy in the Commonwealth Attorney-General’s Department. He was formerly the Legal Counsel of the Commonwealth Secretariat in London and formerly the Trade Measures Review Officer for Australia. Stephen has advised on all aspects of international law and published widely on international law, leadership and the administration of government legal offices. He has negotiated a wide range of international instruments including a range of Australia’s investment and free trade agreements. His academic qualifications include a Masters of Public Administration from the John F. Kennedy School of Government at Harvard and a Masters of International Law from the Australian National University. Stephen was appointed an Assistant Secretary in the Office of International Law in 2006 and as a Principal Legal Officer in 1999.
David Brightling, Director, Investment Policy and TPP Section, DFAT

David Brightling is a Director in the Office of Trade Negotiations at the Department of Foreign Affairs and Trade, where he is Legal Counsel for Australia’s TPP negotiating team and lead negotiator on a number of legal chapters. David also has responsibility for aspects of the Government’s investment policy, including on investor-state dispute settlement issues and bilateral investment treaties. David is currently Co-Chair of the Australia New Zealand Society of International Law (ANZSIL) International Economic Law Interest Group.

Prior to 2013 David was Principal Legal Officer in the Office of International Law at the Commonwealth Attorney-General’s Department. He has advised the Government on a range of matters, including on the National Broadband Network, intellectual property, foreign investment, carbon trading and immigration and was a legal advisor on free trade agreement negotiations with Malaysia, Korea and Japan. David led Australia’s delegation to the United Nations Commission on International Trade Law (UNCITRAL) Working Group on Arbitration and Conciliation, which recently completed negotiations for new rules on transparency in investor-State arbitration. From 2006 to 2008 David was an advisor on multilateral trade, working primarily on World Trade Organization Doha Round agriculture negotiations.

Tegan Brink, Director, Trade Law Branch, Office of Trade Negotiations, DFAT

Tegan BRINK is a Director in the Trade Law Branch at DFAT, providing advice to the Government on the consistency with international trade law of a wide spectrum of domestic and foreign policies, programs and legislation. Prior to taking up this role, Ms Brink was Counsel at the Advisory Centre on WTO Law in Geneva, where she provided advice and training to developing countries on WTO law. Previously, Ms Brink was posted to Australia’s Mission to the WTO in Geneva. In this capacity she represented Australia in the WTO, WIPO and UNCTAD on intellectual property, technical barriers to trade and trade and development matters. Ms Brink has Bachelors of Arts (Government) (Hons) and Laws (Hons) from the University of Sydney and a Masters of Laws from Columbia University in New York. She has published articles and book chapters on international trade and investment law.

Tim Castle, Chair, UNCITRAL National Coordination Committee for Australia

Tim Castle is a barrister in practice at Ground Floor Wentworth Chambers in Sydney, having been in legal practice for over 28 years, specialising in corporate and commercial law. As well as appearing in large scale disputes at the Bar, Tim has also had experience as a partner at Atanaskovic Hartnell and been a Senior Executive Leader at ASIC.

Tim has led the creation of the UNCITRAL National Coordination Committee for Australia since September 2013, with the goal of increasing Australian engagement with UNCITRAL in all of its subject matter areas. He is also the Australian Chapter Co-Chair for the New York State Bar Association (NYSBA), and previously served in other legal representation roles as Deputy Chair of the Council of Law Reporting for NSW, and as a director and treasurer of Seven Wentworth Chambers.

In addition to his legal qualifications, Tim has an Executive MBA from AGSM, an Honours degree and a University Medal in History, is a Fellow of the Chartered Institute of Arbitrators, and has edited and published a colonial history case-book with Professor Bruce Kercher and a book of speeches of Chief Justice Spigelman.
Fred Chilton, Executive, International Law Section, Law Council of Australia

Fred is a highly experienced corporate and commercial lawyer who has enjoyed success in a broad range of practice areas - from property trusts, mining and resource matters to telecommunications, media, technology, pharmaceutical and venture capital clients. He has been actively involved in the International Bar Association and the International Law Section of the Law Council and has been recognised by Chambers, Euromoney and Who’s Who Legal as one of the world’s leading IT and eCommerce lawyers.

Fred’s clients regard him as a senior adviser to their businesses and his reputation makes him a lawyer of choice for many overseas companies doing business in Australia. Fred has worked extensively in the area of international trade.

Michael Colbran QC, President, Law Council of Australia

Michael Colbran joined the Victorian Bar in 1982 and was appointed Queens Counsel in 1997. He has trial and appellate experience around Australia in general commercial litigation and advice work including trusts, property, probate, trade practices and professional negligence matters.

Mr Colbran is the Immediate Past President of the Australian Bar Association and a past Chairman of the Victorian Bar Council. He was, for many years, the secretary and a member of the Bar’s Ethics Committee and a director of Barristers’ Chambers Ltd, the property subsidiary of the Victorian Bar. He was also a Director and Chairman of the Essoign Club Ltd.

Mr Colbran became a Director of the Law Council of Australia in 2006. He has been a member of the International Strategy Working Group since 2009 and Chairman of its National Judicial Issues Working Group since 2008. He was closely involved in projects of the Law Council and the Australian Bar Association to develop National Rules of Conduct for Solicitors and Barristers.

Mr Colbran became President of the Law Council of Australia in June 2013.

Dr Alan Davidson, The University of Queensland

Dr Alan Davidson is a solicitor and barrister of the Supreme Court of New South Wales and of the High Court of Australia. He practiced law for more than a decade before moving into academia full time.

Dr Davidson has presented papers at the invitation of UNCTRAL at the UN New York, and regionally in South Korea and the Philippines. More recently he is a delegate on the E-Commerce Working Group of UNCITRAL in drafting Electronic Transferable Records. Dr Davidson’s PhD is in the field of international banking law, specifically Letters of Credit Transactions. He is a Fellow of the Institute of International Banking Law and Practice, a member of the Asia Advisory Council of the Institute. He regularly speaks at the conferences for the Institute in Hong Kong, Singapore and New York. He presents courses at the TC Beirne School of Law in International Trade Law, International Trade Finance Law, Banking Law and Electronic Commerce Law. He has been a visiting academic in the USA, Thailand, Singapore and China. His book The Law of Electronic Commerce was published by Cambridge University Press. He has also published The Internet for Lawyers and The Internet for Accountants and numerous interactive computer based workbooks and teaching manuals. He was joint author of two editions of the monograph Company Meetings. For nine years he authored over 100 articles for Queensland Law Society Journal, Proctor on CyberLaw.
Dr David Dombkins, PPP and Complex Program Expert

Dr Dombkins was a member of the team that introduced PPP into Australia and has over twenty five years experience in providing strategic formulation and transaction advisory service internationally. In 2009 Dr Dombkins developed the strategy for the United Nations PPP Centre of Excellence and played a leading role in its establishment. Over the past three years Dr Dombkins has been a member of the UNCITRAL PPP Expert team. Dr Dombkins doctorate is in Complexity. He is a past Chairman and National President of the Australian Institute of Project Management, and authored the Complex Project Management Competency Standard for the Australian Government.

Richard Emerson-Elliott, Director, Industrials and Market Access Section, DFAT

Richard Emerson-Elliott is a Director in the Office of Trade Negotiations at the Department of Foreign Affairs and Trade, where he is lead negotiator on Goods Market Access for Australia’s TPP negotiating team and responsible for the negotiation and implementation of the WTO Trade Facilitation Agreement.

Prior to his current role, Richard worked in the G20 Policy Taskforce in PM&C where he led on Trade, Investment and Energy issues. Richard has also worked in the Department of Industry predominantly involved in Australia’s Free Trade Agreement and WTO negotiations. Richard has also worked as an Associate Lecturer in International Business at the Australian National University.

Dr Tracey Epps, Lead Advisor International and Economic Law, NZ MFAT

Dr Tracey Epps has a LLB/BA(Hons) from the University of Auckland, and an LLM and SJD from the University of Toronto, Canada. She is an active member of the International Economic Interest Law Group of the American Society for International Law, and the Society for International Economic Law. She is co-chair of the latter’s group for Women in International Economic Law.

The Honourable Robert Shenton French AC, Chief Justice, High Court of Australia

Robert Shenton French was appointed Chief Justice of the High Court of Australia in September 2008. At the time of his appointment he was a judge of the Federal Court of Australia, having been appointed to that office in November 1986.

He graduated from the University of Western Australia in science and law. He was admitted in 1972 and practised as a barrister and solicitor in Western Australia until 1983 when he went to the Western Australian Bar. From 1994 to 1998 he was President of the National Native Title Tribunal. At the time of his appointment he was an additional member of the Supreme Court of the Australian Capital Territory and a member of the Supreme Court of Fiji. He was also a Deputy President of the Australian Competition Tribunal and a part-time member of the Australian Law Reform Commission. From 2001 to January 2005 he was president of the Australian Association of Constitutional Law. Chief Justice French was appointed a Companion in the General Division of the Order of Australia in 2010.
Michael Green, Barrister

Michael Green is a barrister based in Sydney at 13 St James Hall. He practises widely, particularly in intellectual property, commercial law, trade practices, environmental law, and insolvency. In addition to his legal qualifications, Michael has qualifications in science. He is the treasurer of the Copyright Society of Australia, a member of the Association for Computing Machinery (ACM), the Institute of Electrical and Electronics Engineers (IEEE), and the Association for the Advancement of Artificial Intelligence (AAAI). He recently became a member of the Communications Alliance’s Communications Security Reference Panel, established to promote online security, cyber threat mitigation, and network integrity.

Before becoming a barrister, Michael was the Director of the Secretariat of the Copyright Law Review Committee and the Head of Corporate Affairs and Planning of the Audio-Visual Copyright Society (AVCS) now called Screenrights.

Michael is one of the founding directors of the non-profit, BarNetwork Pty Limited (BarNet). He was responsible for creating the professional legal research service, JADE, as a project within BarNet and in July 2014, was named as the winner of a FastCase 50 Award for his work in creating JADE. Through the Technology Dispute Centre, Michael has been involved in the developing novel approaches to the resolution of technology disputes.

Jane Healy, Australian Government Solicitor

Jane is currently working for the Australian Government Solicitor in the field of international economic litigation. Prior to this, she worked for five years in Geneva as a dispute settlement lawyer in the Rules Division of the World Trade Organisation. In this role, she advised WTO dispute resolution panels in disputes arising under the Anti-Dumping Agreement and the Subsidies and Countervailing Measures Agreement and provided technical assistance to developing country members of the WTO. Jane has also worked in a commercial law firm and was a High Court Associate to former Chief Justice Gleeson. Jane has degrees in economics and law and holds a Bachelor of Civil Law from the University of Oxford.

Professor Jürgen Kurtz, Melbourne Law School, University of Melbourne

Jürgen Kurtz is an Associate Professor and Director of Studies, International Economic Law at the University of Melbourne, Australia. He researches and teaches in the various strands of international economic law including the jurisprudence of the World Trade Organization and that of investor-state arbitral tribunals. Jürgen’s work has been published in a range of leading international law journals and has been cited by international tribunals in adjudication. He was recently appointed Fernand Braudel Senior Fellow at the European University Institute and teaches annually in the Academy of International Trade and Investment Law in Macau, the Master of Laws in a European and Global Context at Universidade Catolica in Portugal, the Master of Laws in International Economic Law and Policy at the University of Barcelona and the Singapore International Arbitration Academy at the National University of Singapore. He can be contacted at j.kurtz@unimelb.edu.au.

Professor Peter Kanowski, The Australian National University

Peter Kanowski is Master of University House, ANU. He is also Professor of Forestry in the Fenner School of Environment & Society. Peter’s roles comprise academic and professional leadership; research and teaching focused on forest and environmental policy, and on sustainability; and policy learning and development, and community engagement, associated with forest-related issues. Peter works extensively in each of these arenas with colleagues and partners, representing a diversity of forest-
and environment-sector interests, internationally, nationally, and locally.

Peter was a member of the Steering Committee of The Forests Dialogue 2006-12. He was a member of Australia’s State of Environment 2011 Committee; the 2003-4 Council of Australian Governments’ National Bushfire Inquiry; and the Board of the National Arboretum Canberra. He was Education Program Chair of the CRC for Forestry for the life of the CRC.

He spent two years as a Deputy Director General at CIFOR, the Center for International Forestry Research, 2012-2014, on leave from the ANU.

Professor Mary Keyes, Griffith Law School, Griffith University

Mary Keyes is a Professor at Griffith Law School and is admitted to practice as a Barrister of the Supreme Court of Queensland and of the High Court of Australia. Her research expertise is in private international law, particularly in the area of jurisdiction. She is widely published in private international law, and is co-author of a leading Australian textbook, Private International Law in Australia (2nd ed, 2011, with Professor Reid Mortensen and Professor Richard Garnett; 3rd ed forthcoming in 2015). She is currently working on a book on party choice in private international law. Professor Keyes is the Review Articles editor and a member of the editorial board of the Journal of Private International Law.

Professor Keyes teaches international litigation, conflict of laws, international commercial arbitration and contract law, and has a particular expertise in mooting in legal education.

Avryl Lattin, Senior Associate, Clyde & Co Australia

Avryl specialises in contentious and non-contentious trade and commodities work, and provides advice to trading companies and insurers on a range of regulatory and compliance issues. She also works on corporate insurance matters and represents insurers in government consultation processes.

Prior to joining Clyde & Co, Avryl worked as a trade law specialist with Australia’s Department of Foreign Affairs and Trade, and was posted as an Australian diplomat to Singapore and Mumbai in trade and investment roles.

Avryl has experience negotiating free trade agreements for the Australian Government and was a member of the Australian legal team in the World Trade Organisation dispute challenging the European Commission’s sugar subsidy arrangements.

Avryl has in-depth knowledge of sanctions issues and has advised Australian companies on the application of extraterritorial offences relating to bribery of foreign public officials. In 2009, she was a member of the Australian delegation to the United Nations Convention against Corruption Conference in Doha.

Aaron Levine, Business Law Reform Adviser, Asian Development Bank

Aaron Levine is an advisor to the Asian Development Bank under the Pacific Private Sector Development Initiative, which provides policy support, assistance with legislative reforms, capacity building, advocacy and implementation support to improve the business environment across 14 Pacific developing countries. He is a qualified lawyer, admitted in New South Wales, and has experience as a corporate and commercial lawyer throughout Europe, Asia and Australia with Baker & McKenzie and Freshfields Bruckhaus Deringer. He works closely with governments, central banks and the private sector to identify and prioritise commercial law reforms in developing countries. Recent work includes implementation of a new company law regime and electronic registry in Solomon Islands and a company registry in Samoa.
John Martin, Partner, Henry Davis York, Australia

John practices in the area of corporate insolvency and restructuring, with a particular specialty in cross-border insolvencies. He has advised in connection with insolvencies in England, Fiji, Bermuda, Cambodia, Brunei, and Norfolk Island.

He is the principal legal adviser to the Australian liquidator of New Cap Reinsurance Corporation Limited (in liquidation) and the deed administrator of AFG Insurances Limited (subject to deed of company arrangement). He acted for the James Hardie asbestos trust in its successful HIH appeal to the House of Lords, and for the Australian liquidator in the New Cap re v Grant decision of the UK Supreme Court in 2012.

Professor Rosalind Mason, Faculty of Law, Queensland University of Technology (QUT)

Professor Rosalind Mason is a member of the Commercial and Property Law Research Centre, Faculty of Law, Queensland University of Technology (QUT) and is former Head of the QUT Law School.

As a scholar, Rosalind has specialised primarily in cross-border insolvency law and also researched in personal insolvency law. In 2006 she was an invited member of the Insolvency Law Advisory Group to Treasury examining domestic adoption of the UNCITRAL Model Law on Cross-border Insolvency. In 2010, she was invited to join an expert group established by Australian Treasury and the New Zealand Department of Economic Development to work on enhancements to trans-Tasman cross-border insolvency arrangements. In 2013, she led a QUT research project on the ALI-III Transnational Insolvency: Global Principles for Cooperation in International Insolvency Cases for the Australian Academy of Law.

Rosalind is incoming Chair of the Academics’ Steering Committee of the Academics’ Group of INSOL International; a member of the Course Core Committee for the INSOL Global Insolvency Practice Course and is a nominated member of the International Insolvency Institute.

Carmen Miragaya, Principal Legal Officer, AGD

Carmen joined the Attorney-General’s Department in 2004 and has worked on a range of law reform projects including implementation of the 2006 joint law reform commission review of the Uniform Evidence Acts, a review of the Legislative Instruments Act 2008, and reforms to the delivery and management of legal services to the Commonwealth. Carmen also worked with the Department of Justice in Victoria in 2011-12 in its Courts and Tribunals Unit focussing on court governance and funding. Carmen now leads the Private International Law and Commercial Policy section in the Commercial and Administrative Law Branch with responsibilities for the Bankruptcy Act 1966, the Personal Property Securities Act 2009 and private international law statutes and policy.

Ben Mitchell, Director, International Forest Policy, Department of Agriculture

Ben has worked in the Department of Agriculture, Fisheries and Forestry for over 10 years in a variety of policy roles. He is currently the Director for International Forest Policy with oversight for the department’s bilateral and multilateral work in the forestry sector, including the development and implementation of the Australian Government’s illegal logging policy. Prior to taking on his current role Ben has worked in the department’s Biosecurity Policy Division and Trade and Market Access Division.

Albert Monichino, Barrister, Victoria

Albert Monichino has a general commercial litigation practice in the Supreme and Federal Courts, and also in commercial arbitrations (both domestic and international). He has over 20 years experience.

Types of matters handled include:
• construction and engineering disputes;
• financial services and investment disputes;
• contractual disputes;
• minority shareholder and joint venture disputes; and
• intellectual property disputes.

He was appointed to senior counsel in 2010.

Albert Monichino is:
• a Grade 1 arbitrator and is accredited as an advanced mediator;
• the President of the Chartered Institute of Arbitrators Australian Branch ("CIArb"); and
• a Fellow of CIArb, the Institute of Arbitrators & Mediators Australia ("IAMA") and the Australian Centre for International Commercial Arbitration ("ACICA").

He is a former Vice President (Convenor) of the Commercial Bar Association of the Victorian Bar (COMMBAR) and Co-Chair of its Arbitration and ADR Section.

David Morfesi, Trade and Business Law Committee, International Law Section, Law Council of Australia

David Morfesi is the Executive Director of the Institute for International Trade and an international trade lawyer specialising in international trade law, intellectual property law and policy, free trade agreements (FTAs), investment treaties, sanctions, anti-bribery and corruption issues, trade remedies, customs and regulatory matters affecting trade in goods and services. David joined the Institute from Minter Ellison Lawyers where he specialises in assisting public and private sector clients with cross-jurisdictional business operations on matters involving international trade and intellectual property.

David previously served in the Executive Office of the President of the United States as a senior trade negotiator, policy advisor and diplomat, including serving as delegate to the World Trade Organization (WTO), World Health Organization (WHO), World Intellectual Property Organization (WIPO) and the United Nations Conference on Trade and Development (UNCTAD). David was also Attaché to the US Mission to the WTO in Geneva. There, among other duties, David served as Chair of Group B (the developed countries’ negotiating group) at WIPO, as head of delegation to the WTO TRIPS Council and TRIPS Council Special Session, and delegate to the WTO TBT Committee, SPS Committee, General Council, and several WTO Accessions and Trade Policy Reviews.

David has served as a negotiator for fifteen US bilateral and multilateral free trade agreement negotiations, including the Australia-US FTA, and as technical advisor and counsel for WTO dispute resolution. David has instructed at the WIPO Worldwide Academy, as well as the US Foreign Service Institute. He has developed and conducted training and technical assistance for government officials from over 120 countries. David has also taught law at Flinders University, the University of South Australia, the University of New Hampshire, the University of Toledo and Whittier Law School.
Professor Luke Nottage, Trade and Business Law Committee, International Law Section, Law Council of Australia

Dr Luke Nottage specialises in arbitration, contract law, consumer product safety law and corporate governance, with a particular interest in the Asia-Pacific region. He is Associate Dean (International) and Professor of Comparative and Transnational Business Law at Sydney Law School. Luke’s books include International Arbitration in Australia (Federation Press, 2010, co-edited with Prof Richard Garnett) and Foreign Investment and Dispute Resolution Law and Practice in Asia (Routledge, 2011, co-edited with Prof Vivienne Bath). Luke is an ACICA Special Associate and founding member of the Rules drafting committee, the Australasian Forum for International Arbitration council’s Japan Representative, and on the panel of arbitrators for the JCAA and KCAB. He has also consulted for law firms world-wide, the EC, OECD, UNDP, ASEAN and the Japanese government, and is founding Director of Japanese Law Links Pty Ltd (japaneselawlinks.com).

Andrew Percival, Executive, International Law Section, Law Council of Australia

Recognised by both Chambers Global and Best Lawyer Peer Review as one of Australia’s leading international trade lawyers, Andrew advises on a range of trade law issues. He specialises in customs, anti-dumping and countervailing duty investigations, safeguard measures, export controls and on issues under various free trade agreements and WTO agreements.

Andrew’s expertise is noted by a number of external associations. He was a consultant to the Australian Law Reform Commission in its review of Australia’s customs legislation and has been appointed to the International Monetary Fund’s Panel of experts as a specialist in customs law and administration.

His distinguished track record also includes representing clients and the Law Council of Australia before the Economics Select Committee of the Australian Parliament in its review of legislation to amend Australia’s anti-dumping legislation. Andrew is also heavily involved with the Law Council of Australia and lectures at post graduate level in international trade law and customs law.

Adjunct Professor Donald Robertson, Partner, Freehills

Donald practises international law and international arbitration arising from commercial transactions. He specialises in international commercial contracts and transactions, and the mechanisms under international law for allocating country and sovereign risk in investments and cross-border transactions. He also has an emphasis on the public international law aspects of corporate social responsibility and human rights as they apply to businesses.

Donald holds numerous international fellowships and a Master of Laws from New York’s Columbia University. He has written extensively for industry journals and publications, such as the Australian Journal of International Law, the Journal of Contract Law and the Australian Resources and Energy Law Journal. He is an affiliate of the Sydney Centre for International Law, and a member of the Journal of Contract Law’s editorial board. An Adjunct Professor of Law at University of Sydney Law School, Donald teaches international contract law and related subjects.

Dale Seymour, Anti-Dumping Commissioner

Dale Seymour commenced in this role on 19 August 2013.

Dale has worked at high levels of business and government, most recently as a Director of Deloitte Access Economics and President of Wormser Energy (USA). Prior to this, Dale held a range of public sector roles including as Deputy Secretary of the Victorian Department of Primary Industries.

As Anti-Dumping Commissioner, Dale is responsible for the decision-making and anti-dumping related matters that previously rested with the Chief Executive
Officer, and he reports directly to the Parliamentary Secretary to the Minister for Industry on anti-dumping and countervailing decisions.

Anne Sheehan, Acting Assistant Secretary, International Law, Trade and Security Branch, Office of International Law, Attorney-General's Department

Anne Sheehan has worked in the Office of International Law since 2005 during which time she has worked on a range of matters, including law of the sea, human rights and trade. Most recently Anne has worked on Australia’s International Court of Justice case against Japan. Prior to commencing in the Attorney-General’s Department, Anne worked in the international agreements section of the Department of Defence and has also held positions in the United Kingdom’s Office of the Deputy Prime Minister and worked as a visiting fellow at the British Institute of International and Comparative Law.

Damien van der Toorn, Co-director in the Economic and Environment Law Section, AGD

Damien van der Toorn is currently a Principal Legal Officer in the Economic and Environment Law Section of the Office of International Law in the Australian Attorney-General’s Department. Damien has advised on a wide range of international law issues, including in the areas of international trade and investment law, international environment and climate change law, the use of force, international humanitarian law, international criminal law, international human rights law, and the law of the sea.

Most recently, he has worked on free trade agreements with Korea, Japan, China and the regional Trans-Pacific Partnership agreement. Previously, he was Principal Legal Adviser to the Australian Government for the UNFCCC negotiations. He has also advised the Australian Defence Force for many years in relation to its overseas deployments, including to Iraq, Afghanistan and Timor Leste. Damien has also been legal adviser to the Australian Government on a number of significant treaty negotiations, including the Cluster Munitions Treaty and amendments to the Kyoto Protocol and the Montreal and Hague Aviation Conventions.

Professor Leon Trakman, Professor of Law and Past Dean of the Faculty of Law at the University of New South Wales

Leon Trakman is Professor of Law and Past Dean of the Faculty of Law at the University of New South Wales. His academic appointments include, amongst others, Distinguished Visiting Professor at the University of California (Davis), Visiting Professor at Wisconsin Law School, Tulane Law School and the University of Cape Town, Professor of Law at Dalhousie University and Bolton Visiting Professor at McGill University. He has served extensively as an international commercial arbitrator, and as a panellist appointed by the US, Canadian and Mexican Governments to decide antidumping, countervailing duty and injury disputes under the NAFTA.

Associate Professor Kim Weatherall, Sydney Law School, University of Sydney

Kimberlee Weatherall is an Associate Professor at the Sydney Law School. Prior to joining the School in 2012, Kimberlee held positions at the University of Queensland, the University of Melbourne and the Intellectual Property Research Institute of Australia.

Kimberlee teaches and researches in intellectual property law, with a particular interest in digital copyright, the relationship between international trade and intellectual property, and the systems for administration and enforcement of intellectual property rights. She has published in a range of Australian and international journals, has been invited to speak in the US, Japan, Taiwan, China, the UK, Europe, Singapore and New Zealand, and regularly gives expert evidence to Parliamentary and law reform committees. She has been a member of the Law Council of Australia IP Subcommittee since 2006 and a member of the Commonwealth Government’s Advisory Council on Intellectual Property since 2013.
Dr Brett Williams, Executive, 
International Law Section

Dr Brett G. Williams is a lawyer, academic and technical assistance consultant based in Sydney specializing in the regulation of international trade, especially the law of the World Trade Organization.

He is the principal of the law firm Williams Trade Law specializing in international trade regulation and operating in cooperation with the firm of Appleton Luff. He teaches units in the field of International Trade Regulation at the Australian National University College of Law, where he is an also an affiliate of their Centre for Law and Economics and at the University of Sydney Faculty of Law where he is an affiliate of the Sydney Centre for International law and the Centre for Asian and Pacific Studies. He has also taught WTO Law for the University of Adelaide, William and Mary College, University of North Carolina, and the Chinese University of Hong Kong.

As a consultant in the field of trade regulation he has provided expert reports on various issues. His most recent technical assistance engagements were with the Asian Development Bank assisting the government of Timor-Leste in preparations for accession to the ASEAN economic community and for the International Trade Centre advising on opportunities for the private sector in Samoa arising out of its recent accession to the WTO.

He has taught in training programmes for government officials of a number of countries including China, Iraq, Samoa and Timor-Leste. His publications include the CUP edited book China and the World Trading System (2003), and articles on the Doha Round WTO negotiation on agricultural trade (2007 UNSWLR and 2009 Farm Policy Journal), and on innovative mechanisms for resolving trade disputes (2011 AILJ and 2012 UNSWLR). He regularly contributes WTO casenotes to the Australian Yearbook of International Law. He a member of the Editorial Board of Australian International Law Journal. He is a member of the executive (2012-2014) of the International Law Section of the Law Council of Australia and was an inaugural co-chair (2010-1012) of the International Economic Law Interest Group of the Australian and New Zealand Society for International Law.