



THE UNIVERSITY OF
SYDNEY

International Law Year in Review Conference

Sydney Centre for International Law

Program



Friday 25 February 2022

8.45am – 5pm AEDT (and book launch from 5-6pm) (Sydney time)

Held online



8.45am	Welcome to Country delivered by Michael West Opening and Welcome by Professor Simon Bronitt (Head and Dean of Sydney Law School) and Dr Stacie Strong (Sydney Law School)
9.00 – 9.40am	KEYNOTE ADDRESS delivered by Professor Megan Davis (UNSW) <i>Public International Law and the Uluru Statement from the Heart</i> <u>Chair:</u> Teela Reid (Sydney Law School)
9.40 – 10.40am	PANEL 1: AUSTRALIA'S YEAR IN INTERNATIONAL LAW <u>Speakers:</u> Professor Mary Crock (Sydney Law School) Michael Bliss (Department of Foreign Affairs and Trade) Zoe Scanlon (Office of International Law, Attorney-General's Department)
10.40-11.00am	<i>Morning break</i>
11.00am – 12.00pm	PANEL 2: DEVELOPMENTS IN ENVIRONMENTAL LAW <u>Speakers:</u> Associate Professor Ed Couzens (Sydney Law School), <i>“Adoption of the post-2020 Global Biodiversity Framework”</i> Professor Rosemary Lyster (Sydney Law School), <i>“COP26: was it all just blah blah blah?”</i> <u>Chair:</u> Professor Tim Stephens (Sydney Law School)
12.00 – 12.30pm	<i>Refreshment break</i>
12.30 – 1.30pm	INTERNATIONAL LAW LITERARY LUNCH – Tara June Winch , Winner of the 2020 Miles Franklin Award for <i>“The Yield”</i> In discussion with Dr Rosemary Grey (Sydney Law School)
1.30-3.00pm	PANEL 3: DEVELOPMENTS IN PRIVATE INTERNATIONAL LAW <u>Speakers:</u> Martin Jarrett (Max Planck Institute for Comparative Public Law and International Law and University of Heidelberg), <i>“Payment of Australian judgment debts as unlawful European state aid: international legal options for Australia against the European Union”</i> Dr Aida Othman (ZICO Shariah and Messrs. Zaid Ibrahim & Co.), <i>“Arbitration of Shariah and Islamic finance disputes: are the Asian International Arbitration Centre's i-arbitration rules a game-changer?”</i> Dr Sarah McKibbin (University of Southern Queensland), <i>“Implementation of the Singapore Convention on Mediation in Australian Law”</i> <u>Chair:</u> Associate Professor Jeanne Huang (Sydney Law School)



3.00-3.30pm	<i>Afternoon break</i>
3.30-5.00pm	PANEL 4: NEW HUMAN RIGHTS <u>Speakers:</u> Emeritus Professor Andrew Byrnes (UNSW), <i>“Human rights and older age”</i> Professor Koen De Feyter (University of Antwerp), <i>“Towards a Treaty on the Right to Development”</i> Professor Justine Nolan (UNSW), <i>“Updates on developments in business and human rights”</i> <u>Chair:</u> Associate Professor Emily Crawford (Sydney Law School)
5.00-6.00pm	COCKTAIL RECEPTION AND BOOK LAUNCH Launch of <i>“Non-Binding Norms in International Humanitarian Law”</i> with author, Associate Professor Emily Crawford (Sydney Law School)



KEYNOTE SPEAKERS



Professor Megan Davis, University of New South Wales

Professor Megan Davis is a professor of constitutional law and holds the Balnaves Chair in Constitutional Law and is Pro Vice-Chancellor Indigenous at UNSW Sydney. Professor Davis is an Acting Commissioner of the NSW Land and Environment Court.

Professor Davis was a member of the Prime Minister's Referendum Council and the Prime Minister's Expert Panel on the Recognition of Aboriginal and Torres Strait Islander Peoples in the Constitution. Professor Davis is a globally recognised expert on Indigenous peoples' rights. Megan was an expert member of the United Nations Permanent Forum on Indigenous Issues (2011-2016) and is currently an expert member and Chair of the United Nations Human Rights Council's Expert Mechanism on the Rights of Indigenous peoples (2017-2022). In 2022 Megan will be a co-recipient of the Sydney Peace Prize for the Uluru Statement from the Heart.



Tara June Winch, author of *The Yield*

Tara June Winch (b. December 2, 1983) is an [Australian](#) (Wiradjuri) writer based in France. Her first novel [Swallow the Air](#), (UQP) 2006 was critically acclaimed. In 2008, she was mentored by Nobel Prize winner Wole Soyinka as part of the [Rolex Mentor and Protégé Arts Initiative](#). The novel was listed on the HSC syllabus for Standard and Advanced English from 2009-2020 and a tenth-anniversary edition was published in 2016.

The short-story collection [After the Carnage](#), (UQP) was published in 2016 also to critical acclaim. In 2018 she wrote the script for the Indigenous dance documentary [Carriberrie](#). Her current novel [The Yield](#), (Hamish Hamilton, Penguin) was published in 2019 and won the 2020 [Miles Franklin Literary Award](#), *Awarded Book of the Year*, *People's Choice*, and the *Christina Stead Prize for Fiction: NSW Premier's Literary Award 2020*, the [Australian Bookseller's Choice Fiction Book 2020](#), [The Voss Literary Prize 2020](#), the [Prime Minister's Literary Award for Fiction 2020](#) and the [Kate Challis RAKA Award for Literature 2021](#). Editions were published in [the US/CA/UK](#) (HarperVia, HarperCollins, 4th Estate) and translated into [French](#) (Actes Sud) and [Dutch](#) (Mozaïek), and forthcoming in Mandarin, German, and Polish.



Michael Bliss, Department of Foreign Affairs and Trade

Michael Bliss is Assistant Secretary, International Law Branch at the Department of Foreign Affairs and Trade. In this role he leads a team of international lawyers advising on, negotiating and implementing international law across the department and public service and to Government. Michael has served in a range of international law and multilateral roles over more than twenty years in DFAT, including two postings to Australia's Permanent Mission to the United Nations in New York - as Legal Adviser (2001-2004) and as Political Coordinator of Australia's United Nations Security Council team during its 2013-14 term, and to Jakarta (2008-2012). In Canberra, he has held Assistant Secretary positions in DFAT's Legal and Multilateral Divisions. He has led Australian delegations to multilateral conferences on numerous occasions, including to the International Criminal Court, on responses to the downing of MH17, and on International Humanitarian Law, Antarctic and Law of the Sea issues. He has an LLB from UNSW and an LLM from Columbia University, which he attended as a Fulbright Scholar. His most recent publication, "An Enduring Contribution? Australia's Term on the United Nations Security Council 2013-2014", was launched by the Australian Institute for International Affairs in November 2021.

Professor Simon Bronitt, The University of Sydney Law School

Professor Simon Bronitt is the Head of School and Dean of Sydney Law School commencing July 2019. Drawing on comparative and interdisciplinary perspectives, he has published widely on criminal justice topics ranging across terrorism law and human rights, comparative criminal law, covert policing, family violence, and mental health policing. Recent publications include Rape Law in Context (The Federation Press, 2018), Principles of Criminal Law (4th ed, Thomson Reuters 2017) and Law in Context (4th ed, The Federation Press, 2012). Previously he served as Deputy Head of School and Deputy Dean (Research) in the TC Beirne School of Law at The University of Queensland (2014-2019), and the Director of the Australian Research Council Centre of Excellence in Policing and Security, hosted by Griffith University (2009-2014). Before moving to Queensland in 2009, Professor Bronitt was a member of the College of Law at The Australian National University (1991-2009). During that time he served as Sub Dean in 1997-98, and was promoted to Professor in 2005. During his time at ANU, he held a number of research leadership roles, including Director of the National Europe Centre, an EU-funded centre in the Research School of Humanities (2003-2008), and Director of the Australian Centre for Military Law and Justice, ANU (2009).

Emeritus Professor Andrew Byrnes, University of New South Wales

Andrew Byrnes is Emeritus Professor of International Law and Human Rights at the University of New South Wales and an Honorary Professor, University of Sydney Law School. He is an associate investigator of the Ageing Futures Institute at UNSW and a research associate of the Australian Human Rights Institute at UNSW where he is Director of the project on The human rights of older persons in international and national law.

His work includes publications on women's human rights, gender and human rights, national human rights institutions, economic and social rights, peoples' tribunals and international law, and the incorporation of human rights in domestic law. He has worked with the Asia Pacific Forum of National Human Rights Institutions as an adviser in the ongoing UN General Assembly discussions on a possible new treaty on the human rights of older persons. He has also acted as a consultant to the United Nations on aspects of international human rights law including most recently the rights of older persons and the rights of persons with disabilities.



Associate Professor Ed Couzens, The University of Sydney Law School

Ed Couzens is an Associate Professor at Sydney Law School. His key research areas are: international and national wildlife law; protection of biodiversity; climate change and biodiversity; and marine protection. He joined the University of Sydney Law School in early 2015 from the School of Law, University of KwaZulu-Natal, Durban, South Africa, where he lectured for 14 years and held the position of Associate Professor from 2009. He is an attorney of the High Court, South Africa; and holds the degrees of BA Hons LLB (from the University of the Witwatersrand), LLM Environmental Law (awarded jointly by the Universities of Natal and Nottingham), and PhD (from the University of KwaZulu-Natal).

Associate Professor Emily Crawford, The University of Sydney Law School

Dr Emily Crawford is an Associate Professor and an associate of the Sydney Centre for International Law (SCIL). Previously at the Law Faculty at the University of New South Wales, Emily completed her Arts and Law degrees before working as a researcher at the Australian Broadcasting Corporation, before returning to UNSW to undertake her PhD. Her doctoral thesis on the disparate treatment of participants in armed conflicts was published by Oxford University Press in 2010. Emily has taught international law and international humanitarian law, and has delivered lectures both locally and overseas on international humanitarian law issues, including the training of military personnel on behalf of the Red Cross in Australia. A member of the International Law Association's Committee on Non-State Actors, as well as the NSW Red Cross IHL Committee, Emily's most recent research project examined major developments in the conduct of armed conflicts in the 21st century, such as cyber warfare, targeted killings, and the increasing presence of civilians directly participating in armed conflicts. The research project was published in 2015 by Oxford University Press as *Identifying the Enemy: Civilian Participation in Armed Conflict*.

Professor Mary Crock, The University of Sydney Law School

Professor Mary Crock is Professor of Public Law in the University of Sydney Law School and co-Director of the Sydney Centre for International Law. Co-founder in 1989 of the specialist community legal service now known as Refugee Legal in Melbourne, Victoria, she has worked in the area of immigration and refugee law since 1985. She has been recognised as an Accredited Specialist in Immigration Law since 1994 and is listed in the peer-driven publication *Best Lawyers in Australia in Immigration Law*. She has served on a variety of national, state and NGO bodies relating to immigration, refugees, disability and child protection. Professor Crock has written extensively on issues related to immigration, refugee law, and international human rights. Recent publications include (with L Smith-Khan, B Saul and RC McCallum) *The Legal Protection of Refugees with Disabilities: Forgotten and Invisible?* (Elgar Publishing, 2017); (with L Benson), *Protecting the Migrant Child: Central Issues in the Search for Best Practice* (Elgar Publishing, 2018); and (with K Bones, D Ghezelbash, J Hollonds and MA Kenny), *Children and Young People in Asylum and Refugee Processes: Towards Best Practice* (Federation Press, 2020).



Professor Koen De Feyter, University of Antwerp

Koen De Feyter is Professor of Public International Law and Spokesperson of the Research Group on Law and Development at the University of Antwerp (Belgium). He currently serves as a member of the United Nations Expert Mechanism on the Right to Development. He leads the Executive Committee of the global Law and Development Research Network (LDRn). He chairs Belgium's Advisory Council on Policy Coherence for Development. At the University of Antwerp, he also heads the Pieter Gillis Centre on active pluralism and interdisciplinarity. His main research areas are international law and sustainable development, and human rights in non-Western contexts. He has taught on these issues at universities in Africa, Asia and Latin America. His most recent publications include De Feyter, K., Erdem Türkelli, G., De Moerloose, S. (Eds.), *Encyclopedia of Law and Development* (Edward Elgar 2021) and Corradi, G., De Feyter K., Desmet, E., Vanhees, K. (Eds.), *Critical Indigenous Rights Studies* (Routledge 2019).

Dr Rosemary Grey, The University of Sydney Law School

Dr Rosemary Grey is a lecturer at Sydney Law School and Co-Director of the Sydney Centre for International Law. Her research focuses on gender & international criminal law, particularly the prosecution of gender-based crimes in the International Criminal Court (ICC) and Extraordinary Chambers in the Courts of Cambodia (ECCC). She currently holds an Australian Research Council (ARC) DECRA Grant for her project titled 'Reproductive Crimes in International Law: Lessons from Cambodia' and is also a chief investigator on an ARC Discovery Project titled 'Reimagining Judging in International Criminal Courts: A Gendered Approach'. Rosemary's book, *Prosecuting Sexual and Gender-Based Crimes in the International Criminal Court*, was published by Cambridge University Press in 2019. She has consulted and interned for key organisations in the international criminal justice field, including Amnesty International, Women's Initiatives for Gender Justice, the International Bar Association, and the ICC.

Associate Professor Jeanne Huang, The University of Sydney Law School

Associate Professor Dr. Jie (Jeanne) Huang, SJD (law) Duke University School of Law in the US; Master of International Law and LLB, Shanghai University of International Business and Economics in China. Dr. Jeanne Huang is an associate professor at the University of Sydney Law School in Australia. She is widely known for her research on legal issues in digital trade and e-commerce, international investment and Chinese law. She has published four books and authored many articles in leading peer-reviewed law journals, such as *Journal of International Economic Law* and *Journal of Private International Law*. Twelve of her articles are indexed by SSCI. She has received funding from University of Sydney, University of New South Wales, China National Social Science Fund general project (equivalent to Australian ARC), China Ministry of Education, the China Law Society, Shanghai Philosophy and Social Science Fund, and Shanghai Government Development and Research Centre Fund on research topics related to international trade and investment regulations.



Martin Jarrett, Max Planck Institute and University of Heidelberg

Martin Jarrett is a Senior Research Fellow at the Max Planck Institute for Comparative Public Law and International Law in Heidelberg, Germany. He is also an Adjunct Lecturer at the University of Heidelberg. His research profile is focused on international investment law, particularly the topic of investor misconduct. In 2019, he published a monograph on this topic with Cambridge University Press.

Professor Rosemary Lyster, The University of Sydney Law School

Rosemary Lyster is the Professor of Climate and Environmental Law in the University of Sydney Law School and a Fellow of the Australian Academy of Law. Rosemary's special area of research expertise is Climate Justice and Disaster Law. She has published two books in this area: Rosemary Lyster and Robert M. Verchick (eds.) *Climate Disaster Law* (Edward Elgar: 2018) and Rosemary Lyster *Climate Justice and Disaster Law* (Cambridge University Press: 2015). She has been selected by the Australian Financial Review as one of the 2018 '100 Women of Influence' in the Public Policy category. In 2015, Rosemary was appointed by the Victorian government to a three-person Independent Review Committee (IRC) to review the state's Climate Change Act 2010 and make recommendations to place Victoria as a leader on climate change. The government accepted 32 of the IRC's 33 Recommendations which were included in the new Climate Change Act 2017. She has published three other books with Cambridge University Press in the area of Climate Law including Rosemary Lyster, Catherine MacKenzie, Constance McDermott (eds.) *Law, Tropical Forests and Carbon: The Case of REDD+* (2013), Rosemary Lyster and Adrian Bradbrook, *Energy Law and the Environment* (2006) and Adrian J. Bradbrook, Rosemary Lyster, Richard L. Ottinger and Wang Xi (eds.) *The Law of Energy for Sustainable Development* (2005).

Dr Sarah McKibbin, University of Southern Queensland

Dr Sarah McKibbin is Lecturer in the School of Law and Justice at the University of Southern Queensland, Toowoomba. She teaches and researches in private international law. A recent publication (with M Douglas, M Keyes, and R Mortensen) considered the impact of implementing the Hague Judgments Convention into Australian law.

Professor Justine Nolan, University of New South Wales

Justine Nolan is a Professor at UNSW Law and the Director of the [Australian Human Rights Institute](#). She has published widely on business and human rights and her latest book, *Addressing Modern Slavery* (2019) (with M. Boersma) examines how consumers, business and government are both part of the problem and the solution in curbing modern slavery in global supply chains. She advises companies, NGOs and governments on these issues and is a member of the Australian Government's Expert Advisory Body on Modern Slavery. Justine has practiced as a private sector and international human rights lawyer. She is a member of the Editorial Board of the *Business and Human Rights Journal* and is a Visiting Scholar at NYU Stern Center for Business and Human Rights.



Dr Aida Othman, ZICO Shariah and Messrs. Zaid Ibrahim & Co.

Dr Aida Othman is a director at ZICO Shariah and also a partner at Messrs. Zaid Ibrahim & Co. She advises on Islamic banking, Islamic capital market and takaful, including governance and law reform for regulatory authorities.

Teela Reid, The University of Sydney Law School

Teela Reid is a proud Wiradjuri and Wailwan woman, lawyer, storyteller and co-founder of @blackfulla_bookclub, a platform that honours First Nation's Ancestors as the original Storytellers. Currently, Teela is a Sydney-based solicitor practicing in Aboriginal Land Rights litigation and is the current Practitioner in Residence at Sydney Law School. She is also a campaigner for the Uluru Statement from the Heart and was a working group leader on section 51(xxvi), the Race Power at the Sydney Constitutional Dialogue.

Zoe Scanlon, Attorney-General's Department

Zoe Scanlon is a Principal Legal Officer in the Office of International Law, Attorney-General's Department. She has advised in several fields of public international law including international humanitarian law, law of the sea, international environmental law, international human rights law and international dispute resolution. Zoe has also worked as a Legal Consultant with the UN FAO based in Rome, and a Research Associate with the Centre for International Law at the National University of Singapore, and has taught public international law at the Australian National University. Zoe is an alumni of the University of Sydney Law School, completing her LLM in 2014 for which she was awarded the Nancy Gordon-Smith Postgraduate Prize for Most Proficient Candidate for LL.M.

Professor Tim Stephens, The University of Sydney Law School

Tim Stephens is Professor of International Law at the University of Sydney Law School. He teaches and researches in public international law, with his published work focussing on the international law of the sea, international environmental law and international dispute settlement. Professor Stephens' major publications include *The International Law of the Sea* (Hart, 2010, 2016, co-authored with Donald R Rothwell), and *International Courts and Environmental Protection* (Cambridge University Press, 2009). He holds a PhD in law from the University of Sydney, an M.Phil in geography from the University of Cambridge, and BA and LLB degrees (both with Honours) from the University of Sydney. He is admitted as a legal practitioner in the Supreme Court of New South Wales.

Associate Professor Stacie Strong, The University of Sydney Law School

Associate Professor Stacie Strong (published as S.I. Strong) specialises in private international law, international arbitration, international mediation and comparative law. Dr Strong has taught at law schools around the world and has acted as a dual-qualified (England/US) practitioner with major international law firms in the UK and the US. She has also written over 130 award-winning books, articles and other works and has acted as an expert consultant to a variety of governmental, non-governmental and intergovernmental organisations. In addition to teaching at the University of Sydney, Dr Strong acts as an arbitrator, mediator and expert in commercial, IP and trust-related matters in both the domestic and international spheres.