

## **ANZSIL International Economic Law Interest Group**

### **Report on 13 May 2016 Workshop**

#### **Introduction**

The ANZSIL International Economic Law Interest Group (“the Interest Group”) was established in 2011 to provide a forum for those interested in international economic law to discuss their work. The Interest Group aims to maintain relevance for practitioners, government, and academics alike. With these purposes in mind, we organised and held a workshop at Auckland Law School on Friday 13 May 2016. We received AU\$1500 in financial support for the workshop from ANZSIL. In accordance with the terms of the grant (and the Guidelines for Applying for Financial Support for Events and Activities) we are pleased to provide this brief report.

#### **The Workshop**

The aim for the workshop was to provide an informal setting for discussion of topical issues arising in international economic law. We circulated a Call for Papers through the ANZSIL network (with the assistance of the Secretariat) and received an excellent response, including six paper proposals. A copy of the full programme is attached. In summary, we began with a session focusing on issues in WTO law and dispute settlement. Our next session addressed issues in investment treaty arbitration. As the workshop coincided with a visit to Auckland Law School by Professor Gus Van Harten of Osgoode Law School, the third session was led by Professor Van Harten, and was followed by a discussion of his work, with the discussion being facilitated by the Co-Chairs of the Interest Group.

Eighteen people attended the workshop. Consistent with the broad aims of the group, it was pleasing that practitioners, government lawyers as well as academics took part in the event. Amongst the academics present, there was a good mix in terms of levels of experience, with a PhD student and early career academics through to professors in attendance. The workshop provided a valuable opportunity for engagement on issues of mutual interest (the discussion during the sessions was very lively and continued during the short breaks), and also helped to foster a scholarly community amongst ANZSIL members.

The event was badged as an event of the ANZSIL Interest Group. As can be seen from the attached programme, the ANZSIL logo was prominent. We also discussed the functions of the Interest Group as part of the introduction to the day, and encouraged ANZSIL members to consider taking on a role within the group as a Vice- (or Deputy) Co-Chair, to help with succession. (This issue will be pursued further at the Interest Group’s meeting at this year’s ANZSIL conference.)

We are extremely grateful to ANZSIL for its support of the Interest Group and the May workshop.

Professor Chester Brown and Associate Professor Amokura Kawharu

*ANZSIL IELIG co-chairs*

June 2016



**ANZSIL International Economic Law Interest Group:  
WORKSHOP PROGRAMME FOR 13 MAY 2016**

**AUCKLAND LAW SCHOOL**

**Room 810-301, Level 3, 1-11 Short St**

**Session 1: Issues in WTO Law and Dispute Settlement (9.00am - 10.30am)**  
**chair: Dr An Hertogen**

- Dilan Thampapillai, ANU (Why Australia should lose the plain packaging case)
- Simon Brinsmead, AG's Dept (The Role of SOEs)
- Hunter Nottage, MFAT (Practicalities of litigating / arbitrating international economic disputes, focusing on NZ v Indonesia dispute)

*Morning tea 10.30am-11.00am (to be provided)*

**Session 2: Issues in Investment Treaty Arbitration (11.00am - 12.30pm)**  
**chair: Associate Professor Caroline Foster**

- Caroline Henckels, Monash (Investment treaty exceptions)
- Alberto Alvarez-Jimenez, Waikato (Allocation of risks in times of crisis)
- Josh Paine, Melbourne (Comparative perspective of investment treaty arbitration)

*Lunch 12.30pm-1.00pm (to be provided)*

**Session 3: Discussion of Gus Van Harten's lecture (1.00pm - 2.30pm)**  
- Gus Van Harten to give overview of presentation from his lecture  
- Chester Brown and Amokura Kawharu to facilitate discussion

*Workshop concludes 2.30pm*