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Webinar Invitation How States Organise Their Defence of International Claims

Wednesday, 04 November 2020
9:30 AM (London time) / 5:30 PM (Singapore time) / 8:30 PM (Sydney time)

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The fourth webinar of the public international law webinar series will bring together current and former senior government lawyers from Australia, India, the United Kingdom and Singapore.

The panellists will discuss how States mitigate the risk of international disputes and how they organise their defence of international claims.

AGENDA

London Time	Activity
9:30 AM	Start of event and introduction by moderators (Chester Brown and Ashique Rahman).
9:35 AM	Presentations by panellists: <ul style="list-style-type: none"> • Bill Campbell QC (Australian National University, and formerly Office of International Law, Attorney-General's Department, Australia) • Daphne Hong (International Affairs Division, Attorney-General's Chambers, Singapore) • George Pothan (Advocate- Supreme Court of India, Legal Consultant – Ministry of External Affairs, Government of India) • Christopher Stephen (Foreign, Commonwealth & Development Office, United Kingdom)
10:15 AM	Panel discussion (with questions from the audience posed by the moderators to the panellists).
10:30 AM	End of event.

MODERATORS



Professor Chester Brown
Barrister, Essex Court Chambers,
Professor of International Law and International Arbitration, University of Sydney

Professor Chester Brown is Professor of International Law and International Arbitration at the University of Sydney Law School, Australia, and he is also a Barrister at 7 Wentworth Selborne Chambers, Sydney. He practices, teaches and researches in the fields of public international law, international arbitration, international investment law, international trade law, and general commercial matters.

Professor Brown is currently acting as counsel in a number of investment treaty claims, in which he represents claimants as well as respondent States. He has also served as counsel in inter-State arbitrations, as well as in proceedings before the International Court of Justice, the Iran-United States Claims Tribunal, and a Conciliation Commission constituted under the United Nations Convention on the Law of the Sea. He has also been appointed presiding arbitrator in an international commercial arbitration.

Professor Brown is the author of *A Common Law of International Adjudication* (OUP, 2007), a major study dealing with the applicable procedure and remedies before international courts and tribunals, which was awarded the American Society of International Law's Certificate of Merit, and which has been translated into Chinese (Xiuli Han trans, 2015). He is the co-editor of *Evolution in Investment Treaty Law and Arbitration* (CUP, 2011), which was awarded the OGEMID Award for 'Book of the Year 2011'; co-author of *The International Arbitration Act 1974: A Commentary* (Lexis-Nexis Australia, 3rd edition, 2018); editor of *Commentaries on Selected Model Investment Treaties* (OUP, 2013); and author or co-author of more than 60 journal articles, book chapters, and notes. He serves as Associate Editor (Notes) of the *ICSID Review – Foreign Investment Law Journal*.



Ashique Rahman
Counsel, Fietta LLP

Ashique is an Australian lawyer and counsel at Fietta LLP. Ashique represents States and foreign investors in their public international law disputes, including disputes under international investment agreements.

Ashique has managed teams of lawyers, witnesses and experts in complex, high-value arbitrations under the ICSID, ICC, LCIA, SCC and UNCITRAL Rules, including some of the most high-profile investor-State arbitrations of the past decade. Ashique is presently representing a European State in an investment treaty arbitration with a foreign investor, a US oil company in a treaty dispute with Kazakhstan and hundreds of foreign investors in an ICSID, multi-party arbitration against Cyprus.

Ashique also advises States, international organisations and multinational companies on a broad range of public international law topics, including the law of the sea, the law of treaties, jurisdictional immunities and the protection of foreign investments. He has taught at University College London and has delivered practical training in public international law and international arbitration to Ministry officials of States in the Middle East and Asia.

The Legal 500 has recognised Ashique as a "Rising Star" in public international law. He is also named a "Future Leader" in the Who's Who Legal guide for international arbitration. Clients praise Ashique for understanding "key issues" in "complex investment treaty claims" and for his ability to "turn around high quality work product very swiftly".

PANELLISTS



George Pothan
Advocate, Supreme Court of India, and Legal Consultant, Ministry of External Affairs, Government of India

George Pothan Poothicote is an Advocate of the Supreme Court of India, and a Legal Consultant to the Ministry of External Affairs, Government of India, where he handles and works on numerous diverse international law issues.

He has advised other States on matters of International law and in proceedings before Indian Courts. He is actively involved in assisting the Government of India in its investment treaty negotiations and treaty disputes/arbitrations. He has been part of various delegations representing India and has been called on as an expert on various committees and panels including the Law Commission of India.

He is actively involved with reforms proposed in Investor State Dispute Settlement under UN Commission on International Trade Law (UNCITRAL) and has represented India at UNCITRAL including the Working Group – III sessions. He is also a member and the coordinator of the UNCITRAL National Coordination Committee India (UNCCI) since its inception. He has also been nominated as India's National Correspondent to UN Commission on International Trade Law's CLOUT.

He has also been actively involved in the Permanent Court of Arbitration (PCA) - The Hague's India initiatives. He was invited by the Law Commission of India as an expert in the committee which came out with the 260th report on the 2015 Indian Model BIT.

He is also a part of the Task Force on Defence in Investment Arbitration and Prevention of Investment Disputes constituted by the American Bar Association's Section of International Law.

He is regularly called to teach at the Foreign Service Institute and also as a resource person for workshops for foreign diplomats. Apart from the work he does with the Government, he also has an independent legal practice.



Bill Campbell QC
Australian National University, and formerly Office of International Law, Attorney-General's Department, Australia

Bill Campbell QC was variously General Counsel (International Law) and head of the Office of International Law, Australian Attorney-General's Department from 1996 to 2018. In those capacities he advised successive Australian Governments on all areas of international law and had responsibility for the conduct of Australia's litigation before international courts and tribunals. He was Agent and/or Counsel for Australia in a number of cases including the *Whaling in the Antarctic*, *Questions Relating to the Seizure and the Detention of Certain Documents and Data* and *Chagos Archipelago* Cases before the ICJ and the Tobacco Plain Packaging Arbitration (*Philip Morris (Asia) v. Australia*). He currently holds an appointment as Honorary Professor in the Australian National University College of Law.



Daphne Hong
Director-General, International Affairs Division, Attorney-General's Chambers, Singapore

Ms Daphne Hong is the Director-General of the International Affairs Division (IAD) of the Attorney-General's Chambers of Singapore. She is Singapore's Legal Adviser and heads IAD, the department that advises the Singapore government on all international law matters and represents Singapore in international negotiations and dispute resolution. She has been involved in, *inter alia*, the applications to the ICJ for the revision and interpretation of its 2008 judgement concerning the sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge, and Singapore's intervention as Third Party in the WTO Dispute on Australia's Plain Packaging measure.



Christopher Stephen
Assistant Legal Adviser, Foreign, Commonwealth & Development Office, United Kingdom

Chris Stephen is an Assistant Legal Adviser at the Foreign, Commonwealth & Development Office (FCDO). Since joining in 2013, he has represented the UK at the United Nations in New York and before the International Court of Justice in contentious proceedings. Chris is currently on loan to the Legal Secretariat to the Advocate General for Scotland, working for one of the UK Government's Law Officers. Prior to joining the FCDO, Chris worked for law firms in London representing private clients and States on a wide range of contentious and non-contentious public international law issues, including arbitration proceedings brought under bilateral investment treaties. He also worked previously as a judicial assistant to Lord Hope of Craighead and Lord Mance in the House of Lords (now the UK Supreme Court).

NOTICE

The webinars in this series are free of charge, but places are limited and prior registration is required. Successful registrants will receive a confirmation email.

The webinars will be conducted via Zoom and you will be able to post questions live on-line.

For enquiries, please contact bd@rajahtann.com

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