

LAW COUNCIL OF AUSTRALIA

## International Law Section

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### INTERNATIONAL LAW SECTION

#### CHAIRMAN'S REPORT

To 27 March 1993 Council Meeting

We enter 1993 with a changed team. Robert Pritchard and John McDonnell have decided not to seek re-election to the Executive. They have both served on the Executive since the establishment of the Section in 1987. They have brought wide experience, wisdom, and advice to our work and we acknowledge with gratitude their service. I am glad to report that Robert Pritchard has agreed to continue to serve as Chairman of the International Legal Practice Committee for the time being. We also lost during the year the services of Philip Hawke as Chairman of the Public International Law Committee. He again was one of "the originals". He established that Committee and also served as a co-opted member of the Executive. Again, we express our appreciation.

We welcome new members to the Executive. Ross Long will join us from Western Australia and Derek Luxford from Sydney. Geoff Harley from Queensland has been co-opted to the Executive.

All Committees of the Section have been active in 1992. The International Legal Practice Committee has been heavily involved in the formulation of the Law Council's Uniform Policy on International Legal Practice, which was released in October 1992. Robert Pritchard and his Committee members deserve our thanks and congratulations for all the work they have done in this important matter.

The Public International Law Committee has continued to be active under its new Chairman, Gerard Brennan. In particular its Sub-Committee on International Environmental Law has been concerned to demonstrate the importance and practical significance of the important decisions taken at Rio de Janeiro during the year. Seminars on this topic have been held in Sydney, Brisbane and Melbourne. It is clear that many of our clients are already aware of the impact these decisions will have on their operations; and so their lawyers can not afford not to know.

The International Trade and Business Committee, under the leadership of Michael Pryles and Philip Sacks, has been as busy as ever. A number of its reports have been submitted to the Australian Government and it continues to have success with many of its projects. It conducted during the year a CLE seminar on International Insolvency, and it co-hosted with the Attorney-General's Department in November the Nineteenth Conference on International Trade Law. These Conferences are respected throughout the world and this year's conference was of an excellent standard. It is hoped that the joint venture with the Attorney-General's Department can become a regular feature.

In geographic rather than sectoral terms, special mention should be made of the initiative of the Western Australian members of the Section, who not only have established their own Perth sub-committee but who also distribute their own newsletter regularly to all W.A. practitioners.

So far as the work of the Section in 1993 is concerned, there will be much of the same to be done and more besides. Talks are continuing with the International Law Association with a view to merging their Journal with our Newsletter. The CLE seminar programme is very important, and I hope all Committees will be able to convene seminars on matters of importance to our profession, as well as continuing the advisory and lobbying role with government.

If, as appears likely at the time of writing, the GATT/Uruguay talks come to a successful conclusion, there will be a great deal of work to be undertaken to ensure that the private sector of the legal professions is able to assist in the implementation of the new agreements. As I have previously reported, the UN Congress On The Future Of International Trade Law has defined the priorities for the rest of the nineties as being to ensure that all the Conventions which have now been pioneered have widespread adoption, but also to tackle new important areas where law and business interact transnationally. High priority is given to EDI and paperless screen-based trade and also to cross-border insolvencies. In all these matters the Australian legal profession, through the International Law Section, has a role to play.

As world trade expands with the end of recession and the implementation of a new world trading regime, Australian business will need to be alert to exploit new trading and investment opportunities wherever in the world they may arise. Again, the business community is entitled to expect support from its lawyers. I have spent much of last year exploring conditions for trade and investment in South-East Asia and in both Eastern and Western

Europe. I hope that the Section will be able to supply a stream of up-to-date information on the legal regimes to support this economic activity, and also that we can monitor the conditions for Australian lawyers to work in the relevant overseas countries.

It is also to be expected that in the new global political environment, particularly where Australia seems destined to play an ever-increasing role as a peacekeeper or even peacemaker, Australian lawyers may be able to place their skills and advice at the service of the government.

DAVID ALLAN  
Chairman