



Law Council
OF AUSTRALIA

International Law Section

**Law Council of Australia
International Law Section**

www.lca-ils.net

Annual Report 2006 - 2007

Chairman's Report

2006/7 has been a very active year for the International Law Section of the Law Council of Australia. Over the last three years, the ILS has become a dynamic Section that focuses on networking and training opportunities for its membership and a broader exposure of the Australian legal profession to expand international legal work. This has once again proved to be an outstanding success in 2006/7.

The key activities of the ILS in 2006/7 were as follows:

- supporting the Law Council in expanding opportunities for Australian lawyers in the US, Malaysia, India and China;
- working with the International Legal Services Advisory Council (ILSAC) on creating valuable statistics on the export of Australian legal services;
- promoting the Australian profession within the International Bar Association (IBA), Commonwealth Lawyers' Association (CLA) and LAWASIA;
- providing opportunities for Australian lawyers through the ILS – Austrade Roundtable (which was expanded to Perth and Brisbane);
- organising the International Trade Law Symposium in conjunction with the Attorney-General's Department; the inaugural Australian – European Lawyers Conference and the inaugural CPD Immigration Law Conference;
- working with the Attorney-General's Department and major law firms to organise the China – Australia Legal Exchange Program which brought 10 Chinese lawyers to Australia; and
- establishing the South Pacific Bar Secretariat.

Our dynamic website (www.lca-ils.net) has continued to grow and provides up to date news and information for all our stakeholders. We regularly keep in contact with our membership via our email distribution list ils@lawcouncil.asn.au.

We have worked closely with the President of the Law Council, Mr Tim Bugg, and the Australian government in relation to international trade negotiations and in relation to opening up the international legal markets for Australian lawyers, especially in the USA, China and Malaysia. ILS members have also participated in various delegations.

The ILS has also been heavily involved in the preparation of the South Pacific Bar Leaders Forum to be held later this year. We hope that we are able to launch the South Pacific Bars Secretariat at this Forum. We were able to secure funding from AusAID and the International Bar Organisation for this exciting new initiative.

2006 and 2007 have proved to be one of our most successful and busiest years. No doubt we will continue this way in the upcoming year.

Russell Miller AM, Chair

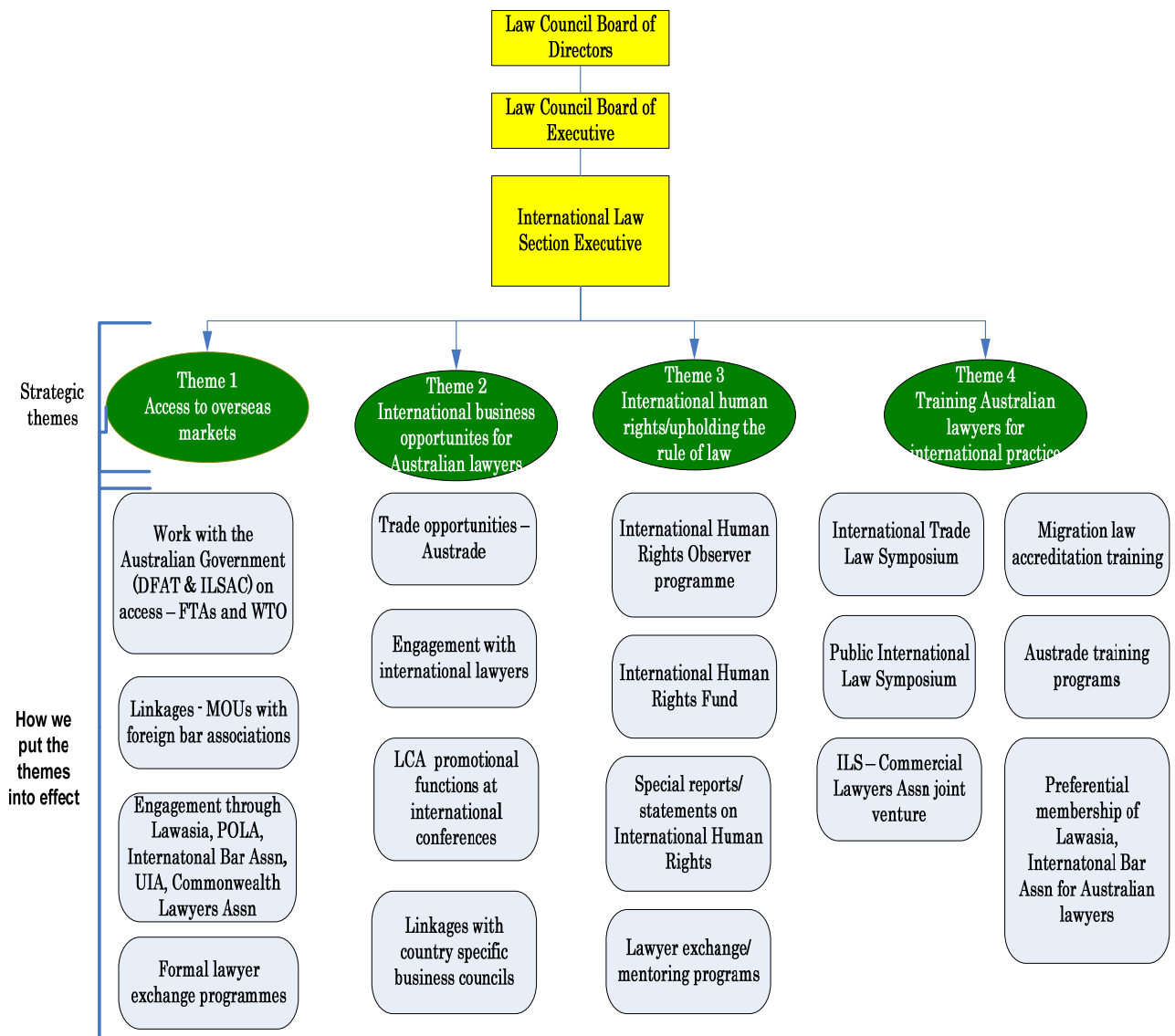
Year in review

Strategic objectives

The ILS has pursued four strategic objectives over recent years. They are:

- seeking access for Australian lawyers to overseas markets;
- seeking international business opportunities for Australian lawyers;
- advancing international human rights and the rule of law; and
- training of Australian lawyers for international practice.

The way in which the ILS sought to pursue those strategic objectives in 2006 - 08 is described in the following diagram:



Engagement with International Organisations

The Law Council is a member of a number of important international legal organisations, including the Commonwealth Lawyers Association, the International Bar Association and LAWASIA. In each case the ILS has negotiated a 'joint membership' program to encourage our members to join those organisations and their Australian members to join the ILS.

The Law Council nominated the Chair of the ILS, Mr Russell Miller AM, for election for the position of Secretary-General of the IBA. Unfortunately the election was not successful although Mr Miller was supported by 30 former IBA presidents and member organisations.

The Law Council also nominated Ms Margery Nicoll, Director International, for election as an Officer at Large of the IBA's Bar Issues Commission. Ms Nicoll was elected.

The Convenor of the ILS – Commonwealth Lawyers' Association Focus Group, Mr Ron Heinrich, is expected to be elected as President of the Commonwealth Lawyers' Association in September 2007.

ILS Treasurer Mr Glenn Ferguson is currently the Vice-President of LAWASIA and is expected to be elected as the next President.

Australia – China Legal Profession Development Program

The Law Council and the ILS have been assisting the Attorney-General's Department in the first Australia – China Legal Profession Development Program. The aim of the program is to involve Chinese private practitioners in the work of major law firms and other relevant legal institutions in Australia. The Program was supported by the Law Council, the Attorney-General's Department, the All China Lawyers' Association and the Chinese Ministry of Justice.

The program ran for four months. The 10 lawyers selected were allocated to various Australian law firms and legal institutions which matched their areas of expertise to improve both their understanding of the Australian legal system and their legal skills.

Pacific Bar Secretariat

The International Bar Association (IBA) has agreed to fund the establishment of the South Pacific Bar Secretariat within the Law Council Secretariat with the amount of \$25,000. The Secretariat is a joint project by the IBA, ILS and the New Zealand Law Society and will include Cook Islands, Kiribati, Vanuatu, Tuvalu, Niue, Papua New Guinea, Samoa, Fiji, Tonga, Solomon Islands, Noumea, French Polynesia, Nauru and Norfolk Island. The Secretariat will be launched following the South Pacific Bar Forum which has been funded by AusAid.

Memoranda of Understanding

The ILS supports the Law Council in its linkage programme with overseas bars. The Law Council has Memoranda of Understanding with 12 overseas bars and this year signed an MoU with the Bar Association of India (September 2006). All Memoranda of Understanding entered by the Law Council can be viewed at our website www.lca-ils.net.

International Human Rights

The Executive of the ILS appointed Mr John North as the Convenor of the ILS – Human Rights Focus Group and as Special Advisor on human rights. Due to this appointment and the work of the Human Rights Observer Panel chaired by Mr Nick Cowdery QC, the ILS will be able to give increased support to the Law Council regarding human rights issues.

The International Human Rights Observer Panel, established in 2005, is a part-time panel of distinguished Australian lawyers prepared to serve as trial observers and undertake reviews in relation to human rights.

The Panel is chaired by Nicholas Cowdery QC and its current members are:

Michael Abbott QC	The Hon Justice Ruth McColl AO
Ian Barker	The Hon Jeffrey Miles AO QC
Julian Burnside QC	The Hon R D Nicholson AO
Graham Ellis	The Hon Peter Sharkey
Andrew Kirkham RFD QC	Professor Gillian Triggs
Lex Lasry QC	The Hon Justice G N Williams
Glenn Martin SC	

It is intended that funding for panel work will be provided through the Law Council's Human Rights Fund, a fund contributed to by lawyers throughout Australia on a voluntary basis when renewing their Law Council membership.

Contributions as at 30 June 2007	Contributions made in 2006/7
\$8,548.36	\$1,158.36

The ILS continued to support the Human Rights Fund and will start another advertisement campaign in 2007/8.

Trade opportunities – Austrade

The ILS –Austrade Roundtable (convened by Ross Becroft and Andrew Hudson), launched in 2004, had another active year. The aim is to provide small to medium sized law firms with the tools necessary to support their clients in international work and access opportunities in overseas markets.

The ILS and Austrade co-hosted four Roundtables in 2006/7. Roundtables were held in Melbourne, Brisbane and Perth. Speakers included Mr Geoff Gray, Senior

Austrade Commissioner in Washington DC, Mr Miles Kupa, Australian High Commissioner to Singapore, Ms Maurine Lam, Austrade Senior Trade Commissioner to Singapore, and Mr Peter Rasmussen, Senior Trade Commissioner to Western Europe and Scandinavia.

International Trade Law Symposium

This year's International Trade Law Symposium was held at University House in Canberra on 4 and 5 May and was co-hosted by the International Trade & Business Focus Group of the International Law Section and the Attorney-General's Department.

More than 60 practitioners attended this very successful event and discussed current international trade law issues. The Federal Attorney-General, the Hon Philip Ruddock MP, also addressed the attendees. This Symposium has become a "must attend" event for practitioners, academics and government officers working in the wide field of international trade law as this Symposium not only provides expert presentations but also excellent networking opportunities.

ILS – Immigration Lawyers Association of Australasia

The Immigration Lawyers Association of Australasia (ILAA) Focus Group of the International Law Section and the Refugee & Immigration Legal Centre co-hosted the Inaugural CPD Immigration Law Conference in Melbourne on 9 and 10 February 2007.

The Conference offered CPD points accreditation under the MARA scheme and highlighted and discussed important and current immigration law issues relevant to legal professionals.

The Conference was very successful with around 60 practitioners attending the sessions. The Conference was opened by President Mr Tim Bugg and Mr Andrew Metcalfe, Secretary of the Department of Immigration and Citizenship (DIAC), gave an update on the Palmer Report and its implementation. Other keynote speakers included Mr Steve Karas, Senior Member of the Migration Review Panel and Senior Representative of DIAC, Mr Bret Walker SC, Mr David Manne, Mr David Prince and Mr Julian Burnside QC, just to name a few. This Conference will be held annually and the next one has been scheduled for February 2008.

The ILAA Focus Group also arranged DIAC briefing sessions in May 2007 and June 2007 which proved to be very successful among immigration lawyers.

The membership of the Focus Group has also grown steadily which indicates the importance of this area of law. The first ILAA Newsletter is available on the ILS website (www.lca-ils.net).

ILS – Europe Focus Group

On 2 and 3 March 2007, the European Focus Group of the International Law Section convened the successful inaugural Australian - European Lawyers Conference. The Conference coincided with the celebrations marking the 50th anniversary of the Treaty of Rome, the founding treaty of the European Union and took place under the auspices of the Delegation of the European Commission to Australia and New Zealand and the Embassy of the Federal Republic of Germany.

Welcoming over 60 participants for the one and a half day event, the Conference was opened by Law Council President Mr Tim Bugg, the Ambassador and Head of Delegation of the European Commission to Australia and New Zealand, His Excellency Bruno Julien, and Mr Ian Govey, Deputy Secretary of the Attorney-General's Department. Federal Senator Christine Milne also participated in the Conference and gave a presentation on renewable energies. Other speakers included Dr Michael Rosenthal and Dr Volker Linden, President and Vice-President of the German Australian Pacific Lawyers Association, Mr Andrew Percival, Professor Jeff Waincymer and Professor Doug Jones AM. For some of the sessions, a newly developed video-conferencing system was used to join European experts on the panels. This video-conferencing system was a full success and six European lawyers (from Germany, Sweden, Denmark and Poland) could be connected to the panels.

The Conference reception and dinner was held at Canberra's historic Hyatt Hotel. Attendees dined in the presence of 13 Ambassadors of the EU states. Dinner speeches were delivered by the German Ambassador, His Excellency Mr Martin Lutz, and the Law Council's President-elect, Mr Ross Ray QC.

The Focus Group also hosted four seminars on topics such as renewable energies, investing in Europe and international investment arbitration.

The European Focus Group report can be found on the ILS website (www.lca-ils.net).

ILS – IBA Focus Group

The Law Council of Australia supported by its constituent bodies the Law Society of NSW and the NSW Bar Association and with the support of the Australian Bar Association, the Sydney Convention and Visitors Bureau, the NSW Government, the City of Sydney and the Sydney Convention and Exhibition Centre, has issued a formal invitation to the International Bar Association to hold its annual conference in Sydney in September 2014. The ILS – IBA Focus Group was heavily involved in the preparation of the document.

Another important matter for the Focus Group was to give support and advice to the Convenor of the ILS, Mr Russell Miller AM. Mr Miller stood for election for the position of Secretary-General of the IBA at the IBA Council Meeting in September 2006.

The Focus Group also organised a Briefing Session and a Cocktail Party for Australian practitioners at the IBA Conference in Prague in September 2006.

ILS – Commonwealth Lawyers Association Focus Group

The ILS – Commonwealth Lawyers Association (CLA) Focus Group meets regularly under the chairmanship of Ron Heinrich. The Focus Group commenced work to promote Australian interests within the Association and to promote the activities of and membership in the CLA to Australian lawyers. The Focus Group has been involved in the preparation and promotion of the Commonwealth Lawyers' Association Conference which will be held in Nairobi, Kenya, from 8 – 13 September 2007. It is expected that Ron Heinrich will be elected as President of the CLA at that Conference.

ILS – International Legal Issues Focus Group

The Focus Group and the Centre for Asia and Pacific Law of the University of Sydney (CAPLUS) were in the process of organising a Conference to be held in early July 2007. The Conference will be entitled "Doing Business in China and Indonesia". Judge He Bo of the Beijing High People's Court, the Federal Attorney-General, The Hon Philip Ruddock MP, and leading academics and practitioners will address attendees at that Conference.

ILS – LAWASIA Focus Group

At its meeting on 11 September 2006, the Executive of the ILS approved the establishment of an ILS - LAWASIA Focus Group. The Focus Group is co-chaired by Dr Gordon Hughes and Mr Glenn Ferguson.

ILS – Commercial Law Association Alliance

The ILS and the Commercial Law Association have extended their Memorandum of Understanding for a further year. The Alliance became effective on 1 January 2006.

The first seminar of the International Series was held in Sydney in August 2006. Mr Andrew Percival, ILS Executive member, provided an update on Australia's negotiations for free trade agreements with the People's Republic of China, Malaysia, the ASEAN countries and recent developments on the free trade agreement negotiations with the United Arab Emirates, as well as an update of issues that have arisen under the free trade agreements with the USA, Thailand, Singapore and New Zealand.

ILS Homepage

The ILS successfully communicates with its membership through the ils@lawcouncil.asn.au email address and its popular website which had nearly 8,000 visitors last year. The website was not only visited by practitioners from Australia but also from Malaysia, China, USA, UK as well as Moldova, Ivory Coast, Estonia and Iceland.

Working with the Australian Government

A close relationship has been built with the Department of Foreign Affairs and Trade and the Attorney-General's Department.

ILS members have provided support and advice to the International Legal Services Advisory Council, the Attorney-General's Department and the Department of Foreign Affairs and Trade in relation to overseas market access for Australian lawyers and the promotion of Australia's legal education system.

The International Activity of the Law Council of Australia

USA

The President of the Law Council, Mr Tim Bugg, attended the Conference of US Chief Justices in Indianapolis in July 2006 as part of a Law Council delegation to meet with the US Chief Justices. The purpose of this meeting was to discuss the introduction of more hospitable regulations in the USA for both the registration of Australian lawyers as foreign lawyers and the admission of Australian lawyers.

The Law Council was delighted to be advised in February 2007 that the US Conference of Chief Justices had passed a resolution urging improved access for Australian lawyers in the US. The resolution urges the Supreme Courts of every US State and Territory to consider permitting Australian university law graduates admitted to practice in Australia to sit US Bar exams for admission to practice there without having to undertake further study.

This resolution by this prestigious and influential body was adopted at its December 2006 meeting in New Orleans and it is the first time that practitioners of a specific country have been given such encouragement to practise in the USA.

The Law Council Secretariat then hosted a legal services roundtable meeting on 20 March 2007 to further progress the resolution passed by the US Conference of Chief Justices. Participants included the Chief Justice CJ Steele (Chief Justice of the Delaware Supreme Court), US representatives from the Delaware Board of Bar Examiners and a representative from the International Law Section of the State Bar of California. Participants also included representatives from Department of Foreign Affairs, the Attorney-General's Department and the US Embassy.

The American representatives also met with Chief Justice Gleeson, the Federal Attorney-General Philip Ruddock MP, Trade Minister Warren Truss MP and attended the Legal Convention in Sydney.

Building on discussions that had taken place at the Roundtable and the resolution passed by the US Chief Justices, a small delegation comprising the President, the Director, International Ms Margery Nicoll and a representative from both DFAT and the Attorney-General's Department visited the US in early May 2007.

The Law Council delegation concentrated on three US States for improved market access for Australian lawyers. These States were California, Georgia and Delaware.

Negotiations are most advanced in Delaware, where a proposal has been submitted on behalf of Australian lawyers. Both the Chief Justice and Mr Bugg are hopeful that the understanding between the Delaware Bar and the Law Council regarding the position of Australian practitioners seeking admission to the Delaware Bar will be sufficiently advanced to enable a formal agreement to be signed publicly by the Chief Justice and Mr Bugg at the next Conference of US Chief Justices in Michigan at the end of July 2007 to which Mr Bugg has been invited to attend and speak.

China

Australian Legal Services Mission

Law Council President Mr Tim Bugg and Law Council and International Law Section Executive member Mr Glenn Ferguson were part of an Australian Legal Services Mission to China led by the Federal Attorney-General, The Hon Philip Ruddock MP. The Mission visited Beijing and Shanghai in early July 2006 and comprised twenty four members drawn from government departments, Australian law firms, three professional bodies (including the Law Council), two university law schools and other areas of the legal services sector.

The main objectives of the Mission were to discuss legal services market access matters in China for Australian lawyers and law firms which are relevant to the China – Australia Free Trade Agreement (CAFTA) and promote mutual benefits of legal services liberalisation in China and strengthen links between the Chinese and Australian legal professions. The Mission program covered legal services regulatory matters, bilateral co-operation, international legal education and international commercial dispute resolution.

Law Council of Australia delegation

A Law Council delegation led by President Tim Bugg visited Shanghai and Beijing from 14 to 21 April 2007. The visit to China was conducted at the invitation of the China Law Society, following the exchange visits which have been in place for many years between the Law Council and the Society - and was timed to coincide with the Inter-Pacific Bar Association Conference in Beijing, which was held following the completion of the visit.

The delegation met with representatives of the China Law Society, the All China Lawyers Association, the Shanghai Law Society, private practitioners and various other government bodies, including the Ministry of Justice and the Legislative Affairs Commission.

During the visit, the Law Council staged three events in China. The first was a joint Law Council of Australia–Shanghai Law Society Seminar on 16 April at which the Australian and Chinese speakers discussed international legal services, practice

by foreign lawyers in Australia and practice by foreign lawyers in China. The Law Council then hosted two events, which were smaller, invitation-only Roundtables, held in both Shanghai and Beijing. The purpose of these Roundtables was to enable free and frank discussion to take place between Australian and Chinese practitioners on legal practice management issues. It was evident from the Attorney-General's Mission to China in 2006 that legal practice management issues were of great interest to Chinese practitioners, and the Law Council wished to develop this area of interest.

The delegation also had a meeting with high standing representatives of the Legislative Affairs Commission in Beijing. The purpose of this meeting was to progress the earlier invitation which had been issued to the Law Council from the Legislative Affairs Commission - largely due to the work of the University of Canberra - that the Law Council and the Commission enter into a work exchange program. The delegation was delighted that the Commission – which prepares and reviews the drafts of laws and administrative regulations and international treaties – was still keen to pursue the relationship with the Law Council. It was agreed that Law Council representatives would meet with the Chinese Embassy in Australia, as well as the University of Canberra, to arrange the first exchange visit in 2008 of Chinese lawyers from the Legislative Affairs Commission to Australia.

Malaysia

En route to the POLA Conference in Singapore in August 2006, a Law Council delegation visited Malaysia for meetings with the Malaysian Bar Council and the Malaysian Government in relation to the legal services market for foreign lawyers in Malaysia.

The delegation continued the long standing discussions between Australia and Malaysia regarding the possible liberalisation of the legal services market in Malaysia. Whilst legal services are part of the discussions in the current Free Trade Agreement negotiations between Malaysia and Australia, the relationship between the Law Council and the Malaysian Bar Council also enables the peak professional bodies to speak frankly about possible liberalisation.

Mr Bugg visited Malaysia from 1 to 4 April 2007 again to meet with key stakeholders in the Law Council's continuing effort to open the market for Australian legal practitioners. He was accompanied by Mr Jim Dunstan, Executive Partner from Allens Arthur Robinson. Mr Bugg and Mr Dunstan met with the Executive of the Malaysian Bar Council, the Solicitor-General and Malaysian practitioners.

The most important development from this visit has been an invitation from the President of the Malaysian Bar for Mr Bugg and Mr Dunstan to address all the members of the Malaysian Bar Council in July. To the Law Council Secretariat's knowledge, this is the first time that such an invitation has been issued.

India

A Law Council delegation visited India in September 2006. The main purpose of this visit was to attend the LAWASIA Conference in Goa.

The Law Council delegation met with Mr Lalit Bahsin and Mr Yakesh Anand, the honorary general secretary and joint secretary respectively of the Bar Association of India, Ms Neharika Srivastava, Assistant Director of the Federation of Indian Chambers of Commerce and Industry (FICCI) and with Dr Manju Kalra Prakash, Senior Director and Head – South East Asia, Pacific Countries and Multilateral Fora .

The Bar Association of India proposed that it and the Law Council enter into a Memorandum of Understanding. The President and Mr Bahsin duly executed a document that had been prepared by the Bar Association.

The delegation also met with Professor Nomita Aggarwal, Dean of the Faculty of Law and Head of Department, University of Delhi. The Law School has three campuses in Delhi which receives 1500 new students every year. Professor Aggarwal felt that a formal Memorandum of Understanding and exchange programs should be encouraged between India and other countries.

New Zealand

The President visited the New Zealand Law Society in Wellington on 29 March 2007 to attend the farewell dinner of its President, Mr Chris Darlow. Mr Darlow was completing a three year term and had had a long association with the Law Council. Mr John Marshall QC, who attended the Australian Legal Convention in March 2007, has succeeded Mr Darlow. Whilst in Wellington, the President discussed with both Mr Marshall and the Society's CEO Mr Ritchie ways in which closer communication between the Law Council and the Law Society might be developed.

Mr Marshall has indicated his interest in the international work of the Law Council, particularly in the South Pacific area. Mr Marshall will be invited to participate in both the South Pacific Forum in August 2007, as well as the Rule of Law Conference. At the conclusion of the Forum, the Law Council will discuss with the New Zealand Law Society the aims and objectives of establishing a Secretariat for the South Pacific with funding which has been made available from the IBA.

Spring Meeting of the German-Australian-Pacific Lawyers Association

En route to the IBA Mid-Year Meetings in Zagreb, Mr Tim Bugg and Law Council Treasurer Mr John Corcoran attended the Spring Meeting of the German-Australian-Pacific Lawyers Association (GAPLA) in Berlin in May 2007. The President of GAPLA, Dr Michael Rosenthal, had issued an invitation to Mr Bugg to speak at the Spring Meeting following his attendance at the Australian-European Lawyers' Conference which was organised by the European Focus Group and held in Canberra on 2 and 3 March 2007. Mr Bugg and Mr Corcoran gave presentations on the Law Council's involvement with David Hicks and the Law

Council's relationship with the South Pacific Bars. A strong co-operative relationship is now being developed between GAPLA and the Law Council.

Meeting with the Council of European Bar Associations and Law Societies

Following the Berlin meetings, Mr Bugg and Mr Corcoran travelled to Brussels to meet with the Council of European Bar Associations and Law Societies (CCBE) in Brussels. They were joined by Director, International Ms Margery Nicoll. The CCBE has a similar interest to Australia in obtaining improved market access in the US and has been pleased with the endorsement given to Australian lawyers by the Conference of US Chief Justices. The Chief Executive Officer of the CCBE has also been invited to meet with the Conference of US Chief Justices in July 2007.

Delegations received by the Law Council of Australia

- 12 September 2006: The Rt Hon Lord Falconer of Thoroton QC, Secretary of State for Constitutional Affairs and Lord Chancellor of the United Kingdom
- 10 October 2006: Indonesian Minister for Justice and Human Rights, Dr Hamid Awaluddin
- 18 December 2006: China Law Society delegation
- 20 March 2007: Chief Justice CJ Steele, Chief Justice of the Delaware Supreme Court

Governance & membership

Structure

The ILS is an independently managed division of Law Council of Australia Ltd. It has its own individual members, elected executive and budget. The ILS is established and governed under the ILS By-Laws, a copy of which is on the ILS website (www.lca-ils.net).

ILS Executive

Following the Annual General Meeting of the International Law Section held on 1 December 2006, the following members have been elected to the Executive of the ILS:

Chair



Russell Miller AM - Partner, Minter Ellison. Russell has handled government and commercial work for government agencies for more than 25 years and has managed major commercial projects in Australia and overseas. In addition to his trade and competition work as a senior partner at Minter Ellison, he is a member of the International Legal Services Advisory Council and has been active in various positions in the International Bar Association. He was made a Member of the Order of Australia (AM) in 2005 for services to the legal profession in the fields of international and business law and to the community through participation in a range of organisations related to aviation, rail transport and energy.

Deputy Chair



Dr Gordon Hughes - Partner, Blake Dawson Waldron. Gordon practises in the area of information technology law, data protection law, electronic commerce and intellectual property rights. Gordon is a former President of the Law Institute of Victoria, the Law Council of Australia and LAWASIA, as well as the Victorian Society for Computers and the Law. He has a Bachelor of Laws (Hons) and Master of Laws from the University of Melbourne and PhD in law from Monash University. He is also a qualified Grade 1 (top grade) arbitrator, a member of the International Legal Services Advisory Council and various other committees. Gordon is co-convenor of the International Legal Practice and LAWASIA Focus Groups.

Treasurer



Glenn Ferguson - Managing Partner, Ferguson Cannon Lawyers. Queensland solicitor Glenn Ferguson is based on the Sunshine Coast. A former President of the Queensland Law Society, Mr Ferguson is the President Elect of LAWASIA. He is also an active member of a number of legal bodies, including the Queensland College of Law, the Queensland Law Foundation, ILSAC and is Founding

Fellow of the Australian Academy of Law. He has also served on a number of private and public boards in the Insurance, Superannuation and IT areas. Mr Ferguson practices mainly in the areas of Commercial litigation, migration law and trade law.

Members



Dr Wolfgang Babeck - European Counsel, Dibbs Abbott Stillman. He was Managing Partner of Buse Heberer Fromm in Berlin, Germany, and has been actively involved in transactions in Australia since 2000. Wolfgang has specialised experience in banking and corporate law as well as European company and competition law. He has advised on legal reforms in the financial and commercial sector of Eastern European countries on behalf of the European Union and other international donors. Wolfgang holds a PhD

in Law, has published several books and is fluent in English, German, French, Spanish and Russian. Wolfgang is the co-convenor of the ILS – Europe Focus Group.



Ross Becroft - Partner, Gross & Becroft Lawyers. Ross was admitted to practise as a barrister and solicitor in 1994 and he joined his firm, Gross & Becroft Lawyers in Melbourne, in 1998 after four years practising in Commercial Litigation and Insolvency. Ross has developed considerable experience and expertise with trade remedies (especially anti-dumping) issues, customs valuation, advising on and documenting commercial transactions and advice concerning cargo disputes. Ross is currently undertaking a PhD with his thesis dealing with the

standard of review applied by the World Trade Organization's Dispute Settlement Body in trade remedy disputes. Ross is the co-convenor of the ILS – Austrade Roundtable.



Fred Chilton - Partner, Allens Arthur Robinson. Fred is a highly experienced corporate and commercial lawyer. His many 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. He acts for major companies in the high technology, telecommunications, information technology and natural resources sectors. Fred's specialist advice to high technology clients also includes software licensing, product development, government and defence contracting. Fred is the convener of the ILS – IBA Focus Group.



Andrew Hudson - Partner Hunt & Hunt; current Chair of the International Law Section of the Law Institute of Victoria and representative on the Services Export Advisory Committee of the Victorian Government. Andrew practises in the area of commercial law with a focus on customs and international trade. He has provided legal services to all parties involved with industry, including importers, exporters, customs brokers, freight forwarders, shipper and trade financiers. He has also provided advice to inquiries and prosecutions by the Australian Customs Service in such matters as dumping and alleged underpayments of customs duty, together with all related litigation. Andrew is the co-convener of the ILS – Austrade Roundtable.



Maria Jockel - Partner, Maddocks Lawyers. Maria has held senior advisory roles with State and Federal Government Ministers during the course of her career. She has also held numerous industry-related positions including: Vice-President, Immigration Lawyers Association of Australasia; former Consultant to the Law Reform Commission and was the former Deputy Chairperson for the Victorian Ethnic Affairs Commission. Maria was awarded a Certificate of Service by the Law Institute of Victoria for her contribution to Migration Law and Continuing Legal Education. Maria is the Convener of the ILS – Immigration Lawyers Association of Australasia Focus Group.



John North - Partner, North & Badgery. John is a highly experienced criminal lawyer involved in cases such as David Hicks and the Bali 9. He believes the only way for Australian society to properly function is to have a uniform and national legal profession that is prepared to fight for human rights and freedoms. John is passionate about rule of law and access to justice issues. As a former president of the Law Council of Australia, he continued the Law Council's work on the National Profession, international law and on building bridges with the legal profession in Asia. He was appointed as Special Advisor on Human Rights and is also the convenor of the ILS –

Human Rights Focus Group.



Andrew Percival - Special Counsel, Corrs Chambers Westgarth. Andrew is a senior corporate and commercial lawyer and an acknowledged specialist in international trade law. As well as representing clients in customs disputes including obtaining customs duty refunds and concessions, Andrew has represented a wide variety of corporations in major dumping and countervailing duty investigations and advised on the availability of safeguards measures and other trade remedies under WTO and free trade agreements. Andrew brings extensive experience in mergers and acquisitions,

capital raisings on the Australian Stock Exchange, including initial public offerings, and project financings in a variety of industries. He is co-convenor of the International Trade & Business Focus Group.



Professor Jeff Waincymer - Jeff is a Professor of International Trade Law at the Faculty of Law, Monash University in Melbourne. Jeff's research is primarily in the fields of international trade law, arbitration and taxation. He is the author of *WTO Litigation: Procedural Aspects of Formal Dispute Settlement*, and *Australian Income Tax: Principles and Policy (2nd ed)* and is a joint author of *A Practical Guide to International Commercial Arbitration* and also *International Trade Law: Commentary and Materials (2nd ed)*. Jeff is also a qualified practitioner. He is an Australian Government Nominee as a non-governmental panellist

for the WTO and has acted as a panellist. He is also a nominated ICSID panellist and has been an ICC appointed arbitrator. Jeff is co-convenor of the International Trade and Business Focus Group.

Member 1 July 2006 - 1 December 2006



Tony Abbott - Partner, Piper Alderman; former president Law Council of Australia; former president Law Society of South Australia, member of numerous other government, professional and charitable committees and organisations. Tony did not stand for election and left office following the Annual General Meeting in December 2006.

Focus Groups

The ILS works primarily through its focus groups, convened by the following members:

Focus Groups	Convenors
International Trade and Business	Andrew Percival and Prof Jeff Waincymer
International Legal Practice	Dr Gordon Hughes
International Legal Issues	Judge Judith Gibson
International Human Rights	John North
ILAA – Migration	Maria Jockel
Austrade Roundtable	Andrew Hudson and Ross Becroft
ILS – Commonwealth Lawyers' Association	Ron Heinrich
ILS – International Bar Association	Fred Chilton
ILS – LAWASIA Focus Group	Dr Gordon Hughes and Glenn Ferguson
ILS – Europe Focus Group	Thomas John and Dr Wolfgang Babeck

Administration

The ILS is administered by the Law Council of Australia Ltd, with the ILS making a contribution to staffing costs.

The following are responsible for the ILS:

Margery Nicoll, Director (International). Margery has overall responsibility for management of the ILS, with particular focus on policy development and international linkages.

Hendryk Flaegel. Hendryk is the Section Administrator. He is responsible for day-to-day management of the International Law Section.

Stephen Schmidt, Director, Finance and Administration. Stephen is responsible for all financial matters concerning the ILS, reporting to the Section Treasurer.

Membership

Participation in the ILS is open to any individual member of the Law Council or a State or Territory law society or bar association. Many participate in the ILS programmes.

Individual membership of the ILS is also available. As at 30 June 2007, the ILS had 191 individual members, including unfinancial members¹.

Financial statements

The ILS Balance Sheet reflects an accumulation of funds from 30 June 2006 to 30 June 2007 of \$3,024. The accumulated funds and surplus are contained within a Westpac Cash Management Bank account.

Human Rights Fund

A Human Rights fund, quarantined from other LCA monies, was established in the 2004-2005 year. These funds total \$8,548.36 as at 30 June 2007.

LAW COUNCIL OF AUSTRALIA INTERNATIONAL LAW SECTION BALANCE SHEET AS AT 30 June 2007		
	30-Jun-07	30-Jun-06
	\$	\$
ACCUMULATED FUNDS AND RESERVES:		
Accumulated Funds B/F	23,098	3,228
Current Year Surplus/Deficit	3,024	19,870
TOTAL ACCUMULATED FUNDS AND RESERVES	<u>26,122</u>	<u>23,098</u>
Represented by:		
INVESTMENTS AT COST:		
Accrued Income	-	-
Westpac Cash Management	29,159	27,388
TOTAL INVESTMENTS AT COST	<u>29,159</u>	<u>27,388</u>
CURRENT ASSETS:		
Accrued Income	1,580	
Recoverables-Other		
Debtor		
Prepayments		68
GST Acquisitions	816	709
TOTAL CURRENT ASSETS	<u>2,396</u>	<u>777</u>
TOTAL ASSETS	<u>31,555</u>	<u>28,165</u>
LESS CURRENT LIABILITIES:		
Accrued Expenses	-	1,182
Amount owing to Law Council	2,116	1,737
Creditors Control	2,854	
GST Supplies	463	2,148
TOTAL CURRENT LIABILITIES	<u>5,433</u>	<u>5,067</u>
NET ASSETS	<u>26,122</u>	<u>23,098</u>

¹ Pursuant to agreed conventions only 160 members have been brought to account in the financial statements. Those memberships received after the remittance of the membership renewals on 1 April each year are recognized in the following business year for accounting purposes.

**LAW COUNCIL OF AUSTRALIA
INTERNATIONAL LAW SECTION
INCOME AND EXPENDITURE STATEMENT
TO 30 JUNE 2007**

	Actual \$	Budget \$	Variance \$	YTD	Budget	Variance
INCOME						
Membership - Fee		2,917	(2,917)	11,881	35,000	(23,119)
Other revenue			-			-
Interest	22	417	(395)	432	5,000	(4,568)
Grants		2,500	(2,500)		30,000	(30,000)
Seminars			-			-
Trade Law	1,838	1,750	88	10,014	21,000	(10,986)
European symposium		1,250	(1,250)	12,658	15,000	(2,342)
Migration training		917	(917)	18,537	11,000	7,537
TOTAL INCOME	1,860	9,751	(7,891)	53,522	117,000	(63,478)
SEMINARS/WORKSHOPS						
South Pacific Bars initiative		2,917	(2,917)		35,000	(35,000)
Trade Law		1,000	(1,000)	5,913	12,000	(6,087)
European symposium	1,250	833	417	12,282	10,000	2,282
Migration training		833	(833)	13,207	10,000	3,207
TOTAL SEMINARS/WORKSHOPS	1,250	5,583	(4,333)	31,402	67,000	(35,598)
TRAVEL						
International		667	(667)		8,000	(8,000)
Australian		250	(250)	4,101	3,000	1,101
Executive meetings	1,650	500	1,150	9,867	6,000	3,867
TOTAL TRAVEL & ACCOMMODATION	1,650	1,417	233	13,968	17,000	(3,032)
OPERATING EXPENSES						
Law Council		1,458	(1,458)		17,500	(17,500)
Postage & etc	1,340	167	1,173	2,556	2,000	556
Teleconference	180	167	13	2,572	2,000	572
TOTAL OPERATING EXPENSES	1,520	1,792	(272)	5,128	21,500	(16,372)
TOTAL EXPENSES	4,420	8,792	(4,372)	50,498	105,500	(55,002)
SURPLUS BEFORE INCOME TAX	(2,560)	959	(3,519)	3,024	11,500	(8,476)
SURPLUS/(DEFICIT) AFTER TRANSFERS	(2,560)	959	(3,519)	3,024	11,500	(8,476)

Stephen Schmidt
Director, Finance and Administration