

CHESTER BROWN

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CURRICULUM VITAE

Brief biographical information:

Professor Chester Brown is Professor of International Law and International Arbitration at the University of Sydney Law School, Australia, and a Fellow of the Australian Academy of Law. He is also a Barrister at 7 Wentworth Selborne Chambers Sydney, and an Overseas Member of Essex Court Chambers, London. He practices, teaches and researches in the fields of public international law, international arbitration, international investment law, private international law, and general commercial matters.

Professor Brown is currently acting as counsel in a number of investment treaty claims and inter-State proceedings, and he is also acting in domestic arbitration-related proceedings, including applications for the stay of proceedings and the recognition and enforcement of arbitral awards. Professor Brown has 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 served as expert witness in domestic and foreign court proceedings, and has been appointed presiding arbitrator in an international commercial arbitration. Professor Brown also serves as an independent academic member of the Australian Delegation to UNCITRAL's Working Group III on the Reform of Investor-State Dispute Settlement.

Before arriving at the University of Sydney in 2009, Professor Brown served as Assistant Legal Adviser at the British Foreign and Commonwealth Office (2007–2009), and prior to this, he was a Senior Associate in the International Law and International Arbitration Group of Clifford Chance LLP, London (2004–2007). He was a Visiting Fellow at the British Institute of International and Comparative Law in 2006, a Visiting Scholar at Harvard Law School in 2011, a Herbert Smith Freehills Visiting Professor at the University of Cambridge in 2013, and from 2011–2015, he co-taught International Arbitration on the LLM programme at the University of Auckland. He recently served as a Visiting Professor at Sciences Po Law School, Paris, in 2019–2020, and he is currently a Visiting Professor at Singapore Management University Faculty of Law.

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*, and on the Editorial Board of the *European Investment Law and Arbitration Review*.

Professor Brown is a Panel Member of the Asian International Arbitration Centre (formerly known as the Kuala Lumpur Regional Centre for Arbitration), a Panel Member of the BVI International Arbitration Centre, a Member of the List of Arbitrators of the Hong Kong International Arbitration Centre, and a Fellow of the Australian Centre for International Commercial Arbitration. He is also a member of the American Society of International Law, the European Society of International Law, the Australian and New Zealand Society of International Law, the International Law Association, and the Oxford-Australia Scholarships Committee.

Professor Brown was educated at the Universities of Melbourne, Oxford, and Cambridge. He speaks English, German, and French.

Year of birth: 1972

Nationalities: Australian and British

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Career:

- 2020–2021: Visiting Professor, Singapore Management University Faculty of Law
- 2019–2020: Visiting Professor, Sciences Po Law School, Paris
- 2017–2019: Co-Director, Sydney Centre for International Law
- 2013 (July): Herbert Smith Freehills Visiting Professor, University of Cambridge
- 2013–present: Professor of International Law and International Arbitration, University of Sydney Law School
- 2011–2015: Visiting Professor, University of Auckland Faculty of Law
- 2011 (January–February): Visiting Scholar, Harvard Law School
- 2011–present: Barrister, 7 Wentworth Selborne Chambers, Sydney
- 2009–present: Overseas Member, Essex Court Chambers, London
- 2009–2012: Associate Professor, Faculty of Law, University of Sydney
- 2007–2009: Assistant Legal Adviser, Foreign and Commonwealth Office, London
- 2006: Visiting Fellow, British Institute of International and Comparative Law, London
- 2005–2006: Lecturer in Public International Law (part-time), Faculty of Law, Queen Mary College, University of London
- 2004–2007: Associate, and subsequently Senior Associate, International Law and International Arbitration Group, Clifford Chance LLP, London
- 2003–2004: College Supervisor in Public International Law, Trinity Hall, Cambridge, and Wolfson College, Cambridge
- 2002–2003: Guest Lecturer in Public International Law (undergraduate) and Settlement of International Disputes (LLM), University of Cambridge, Faculty of Law
- 1999–2000: Articled Clerk and Solicitor, Mallesons Stephen Jaques, Melbourne

Professional admissions:

- New South Wales (2010)
- England and Wales (2007) (*non-practising*)
- High Court of Australia (2000)
- Victoria (2000)

Education:

- 2008: Certificate in Law, War and Human Rights, London School of Economics
- 2001–2004: PhD, St John’s College, University of Cambridge
- 2000–2001: BCL (Distinction), Magdalen College, University of Oxford
- 1992–1998: BA (German and French) (1st Class Hons), University of Melbourne
- 1992–1997: LLB (1st Class Hons), University of Melbourne

Representative case experience:

- Counsel for the Respondent in *Arbitration under Article 32 of the Constitution of the Universal Postal Union (State of Qatar v Kingdom of Saudi Arabia)* (PCA Case 2020-27) (with Gavan Griffith QC)
- Counsel for the Applicants in *Watkins Holding SARL and Watkins (NED) BV v Kingdom of Spain* (Federal Court of Australia, NSD 449 of 2020) (with Justin Hogan-Doran)
- Counsel for the Applicant in *9REN Holding SARL v Kingdom of Spain* (Federal Court of Australia, NSD 365 of 2020) (with Justin Hogan-Doran)
- Expert witness on issues of State immunity in *Republic of Kazakhstan and National Bank of Kazakhstan v Ascom Group, SA, Anatolie Stati, Gabriel Stati and Terra Raf Trans Traiding Ltd* (Svea Court of Appeal, Sweden) (instructed by Mannheimer Swartling and Herbert Smith Freehills)
- Counsel for the Applicants in *RREEF Infrastructure (GP) Ltd and RREEF Pan-European Infrastructure Two Lux Sarl v Kingdom of Spain* (Federal Court of Australia, NSD 2169 of 2019) (with Justin Hogan-Doran)
- Counsel for the Applicant in *Tethyan Copper Company Pty Ltd v Islamic Republic of Pakistan* (Federal Court of Australia, NSD 1749 of 2019) (with Justin Hogan-Doran)
- Counsel for the Applicants in *Eiser Infrastructure Ltd, Energia Solar Luxembourg SARL and Anor v Kingdom of Spain* [2020] FCA 157 (with Justin Hogan-Doran)
- Counsel for the Applicants in *Infrastructure Services Luxembourg SARL and Energia Termosolar BV v Kingdom of Spain* [2020] FCA 157 (with Justin Hogan-Doran)
- Expert witness on issues of public international law in *Kingsgate Consolidated Ltd and Kingsgate Capital Pty Ltd v Zurich Australian Insurance Ltd et al* (Supreme Court of New South Wales, Case No 2017/00316691) (instructed by Clifford Chance LLP)
- Adviser to the Applicant in *Australian Competition and Consumer Commission v Volkswagen AG and Anor* (Federal Court of Australia, NSD 1462 of 2016)
- Adviser to the Applicant in *Australian Competition and Consumer Commission v Audi AG and Ors* (Federal Court of Australia, NSD 322 of 2017)
- Counsel for the Respondent in *Power Rental Asset Co Two, LLC, Power Rental Op Co Australia, LLC, and APR Energy Holdings Ltd v Commonwealth of Australia* (Australia-United States FTA, UNCITRAL) (with Dr Stephen Donaghue QC and Prof. Anthea Roberts)
- Counsel for the Respondent in *Astro All Asia Networks Ltd v Republic of India* (PCA Case 2016-24) (India – United Kingdom BIT, UNCITRAL) (with Salim Moollan QC and Emily Wood)

- Counsel for the Respondent in *South Asia Entertainment Holdings Ltd v Republic of India* (India – Mauritius BIT, UNCITRAL) (with Salim Moollan QC and Emily Wood)
- Counsel for the Respondent in *Conciliation Proceedings under Article 298 and Annex V of the United Nations Convention on the Law of the Sea (Timor-Leste v Australia)* (PCA Case 2016-10) (with Justin Gleeson SC, Sir Daniel Bethlehem QC, and Bill Campbell QC)
- Counsel for the Respondent in *Cairn Energy plc and Cairn UK Holdings Ltd v Republic of India* (PCA Case 2016-07) (India – United Kingdom BIT, UNCITRAL) (with Salim Moollan QC and Jessica Wells)
- Counsel for the Respondent in *Vedanta Resources Ltd v Republic of India* (PCA Case No 2016-05) (India – United Kingdom BIT, UNCITRAL) (with Salim Moollan QC, Jessica Wells, and Benedict Tompkins)
- Counsel for the Respondent in *Arbitration under the Timor Sea Treaty (II) (Timor-Leste v Australia)* (PCA Case 2015-42) (with Justin Gleeson SC and Sir Daniel Bethlehem QC)
- Adviser to the Respondent in *Indian Metals & Ferro Alloys Ltd v Republic of Indonesia* (PCA Case 2015-40) (instructed by Simmons & Simmons LLP)
- Advised the Government of Israel on matters of public international law (with Gavan Griffith QC)
- Expert witness on issues of private international law in an international commercial arbitration (UNCITRAL Rules, Canada seat, instructed by Corrs Chambers Westgarth)
- Presiding arbitrator, arbitration under Singapore International Arbitration Centre Rules of Arbitration 2013 (details confidential)
- Rapporteur, *In the Matter of the Conformity with International Law of Japan's Proposed Research Plan for Scientific Whaling in the Antarctic Ocean (NEWREP-A)*, Report of the Second Sydney Panel of Independent Experts of 17 November 2015 (with Prof. Don Rothwell, Prof. Natalie Klein, Assoc. Prof. Joanna Mossop, Mr Tony Press, and Prof. Tim Stephens)
- Counsel for the Respondent in *Neville James Gibson v Official Assignee of New Zealand & Ors* (Federal Court of Australia, NSD 186 of 2015) (with Justin Hogan-Doran)
- Counsel for the Claimants in *Lighthouse Corporation Pty Ltd and Lighthouse Corporation Ltd IBC v Timor-Leste* (ICSID Case No ARB/15/02) (with Gavan Griffith QC)
- Counsel for the Respondent in *Arbitration under the Timor Sea Treaty (I) (Timor-Leste v Australia)* (PCA Case 2013-16) (with Justin Gleeson SC, Sir Daniel Bethlehem QC, and Henry Burmester QC)
- Counsel for the Respondent in *Questions Relating to the Seizure and Detention of Certain Documents and Data (Timor-Leste v Australia)* (International Court of Justice) (with Justin Gleeson SC, Professor James Crawford SC, Bill Campbell QC, and Henry Burmester QC)
- Counsel for the Respondent in *Philip Morris Asia Ltd v Commonwealth of Australia* (PCA Case 2012-12, Australia – Hong Kong BIT, UNCITRAL) (with Justin Gleeson SC, Tony Payne SC, Sam Wordsworth QC, and James Hutton)
- Counsel for the Claimant in *Iran v United States* (Case No A/15 (II:A), Iran – United States Claims Tribunal) (with Sam Wordsworth QC and David Davies)
- Advised a North American company in potential proceedings for the recognition and enforcement of a foreign judgment (with Andrew Bell SC)
- Expert witness on issues of Australian law in Chinese court proceedings for the recognition and enforcement of an arbitral award (instructed by King & Wood Mallesons)
- Secretary to the President of the Tribunal in *St Marys VCNA LLC v Government of Canada* (NAFTA, UNCITRAL)

- Legal Assistant to the Tribunal in *Bosh International, Inc and B&P Ltd Foreign Investments Enterprise v Ukraine* (ICSID Case No ARB/08/11)
- Counsel for the Respondent in *White Industries Australia Ltd v Republic of India* (Australia – India BIT, UNCITRAL) (with Toby Landau QC and Salim Moollan)
- Advised the Government of Sri Lanka on issues of public international law (with Gavan Griffith QC)
- Legal Assistant to the Annulment Committee in *RSM Production Corporation v Grenada* (ICSID Case No ARB/05/14)
- Deputy Agent of the Respondent in *Asbok Sancheti v United Kingdom* (United Kingdom – India BIT, UNCITRAL)
- Acted for the Claimant in *Oxus Gold plc v Kyrgyz Republic* (United Kingdom – Kyrgyzstan BIT, UNCITRAL)
- Acted for the Claimant in *Electrabel SA v Republic of Hungary* (ICSID Case No ARB/07/19, Energy Charter Treaty and Belgium/Luxembourg – Hungary BIT)
- Acted for the Respondent in *ADC Affiliate Ltd and ADC & ADMC Management Ltd v Republic of Hungary* (ICSID Case No ARB/03/16, Cyprus – Hungary BIT)

Professional memberships:

- Member, New South Wales Bar Association
- Fellow, Australian Centre for International Commercial Arbitration
- Panel Member, Asian International Arbitration Centre
- Panel Member, BVI International Arbitration Centre
- Member, HKIAC List of Arbitrators
- Member of the Academic Council, Institute for Transnational Arbitration (2012-2020)
- Member, International Council for Commercial Arbitration
- Member, International Chamber of Commerce (Australia)
- Member, Australian and New Zealand Society of International Law
- Member, American Society of International Law
- Member, European Society of International Law
- Member, International Law Association
- Fellow, Cambridge Commonwealth Society

Awards and prizes:

- Best Lawyers’ “Lawyer of the Year” for International Arbitration (Sydney) (2020)
- OGEMID ‘Book of the Year Award 2011’ for *Evolution in Investment Treaty Law and Arbitration* (CUP, 2011)
- American Society of International Law Certificate of Merit for *A Common Law of International Adjudication* (OUP, 2007)
- Cambridge Commonwealth Trust Bursary (2003)
- McMahon Studentship in Law, St John’s College, Cambridge (2003)
- Lauterpacht Fund Stipend, Faculty of Law, University of Cambridge (2003)
- Overseas Research Student (Humanities and Social Sciences) Research Award, University of Cambridge (2003)
- Chevening Oxford-Australia Scholarship (2000)
- Freshfields Scholarship, Oxford University (2000)

- Sir Robert Menzies Memorial Scholarship in Law (2000)

Publications:

Books:

- *The Asian Turn in Foreign Investment* (CUP, forthcoming 2020) (co-editor with Mahdev Mohan)
- *The International Arbitration Act 1974: A Commentary* (LexisNexis Australia, 3rd ed, 2018 (2nd ed, 2015; 1st ed, 2011)) (co-author with Malcolm Holmes QC)
- *Commentaries on Selected Model Investment Treaties* (OUP, 2013) (editor)
- *Evolution in Investment Treaty Law and Arbitration* (CUP, 2011) (co-editor with Dr Kate Miles)
- *A Common Law of International Adjudication* (OUP, 2007) (also in paperback 2009) (translated into Chinese, Xiuli Han trans, Law Press China, 2015)

Journal articles, chapters, and notes:

- ‘First Impressions of a Virtual Hearing at ICSID’ (2020) 35 *ICSID Review – Foreign Investment Law Journal* (forthcoming) (co-author with Mark McNeill and Jeremy Sharpe)
- ‘The Status of the Testimony of the Non-Appearing Witness in International Arbitration’ (2020) 35 *ICSID Review – Foreign Investment Law Journal* (forthcoming) (co-author with Patrick Still)
- ‘The Interplay between Substantive and Procedural Law in the Settlement of International Disputes’, in Joanna Gomula and Stefan Wittich (eds), *Research Handbook on International Procedural Law* (Edward Elgar, forthcoming) (co-author with Rhys Carvosso)
- ‘States as Participants in International Arbitration’, in Andrea Bjorklund, Franco Ferrari, and Stefan Kröll (eds), *Cambridge Compendium of International Commercial and Investment Arbitration* (CUP, forthcoming)
- ‘Enhancing the Exercise of Evidentiary Powers in Inter-State Adjudication’, in Gourab Banerji, Promod Nair, George Pothan Poothicote, and Ashwita Ambast (eds), *International Arbitration and the Rule of Law: Essays in Honour of Fali Nariman* (forthcoming)
- ‘Article 47’, in Christoph Schreuer et al (ed), *The ICSID Convention: A Commentary* (CUP, 3rd ed, forthcoming)
- ‘Article 46’, in Christoph Schreuer et al (ed), *The ICSID Convention: A Commentary* (CUP, 3rd ed, forthcoming)
- ‘Article 45’, in Christoph Schreuer et al (ed), *The ICSID Convention: A Commentary* (CUP, 3rd ed, forthcoming)
- ‘Article 44’, in Christoph Schreuer et al (ed), *The ICSID Convention: A Commentary* (CUP, 3rd ed, forthcoming)
- ‘Article 43’, in Christoph Schreuer et al (ed), *The ICSID Convention: A Commentary* (CUP, 3rd ed, forthcoming)
- ‘Introduction’, in Mahdev Mohan and Chester Brown (eds), *The Asian Turn in Foreign Investment* (CUP, forthcoming) (co-author with Mahdev Mohan)
- ‘The ASEAN Legal Framework for Free Trade and the Promotion and Protection of Foreign Investment’, in Mahdev Mohan and Chester Brown (eds), *The Asian Turn in Foreign Investment* (CUP, forthcoming) (co-author with Henry Winter)
- ‘Parsing and Managing Inconsistency in Investor-State Dispute Settlement’ (2020) 21 *Journal of World Investment and Trade* 336-373 (co-author with Julian Arato and Federico Ortino)
- ‘The Prospects for Reform of Investor-State Dispute Settlement’ (2019) *Queensland Legal Yearbook* (forthcoming)

- ‘The Contribution of Non-State Actors to the Development of Transparency Regimes in Investment Treaty Arbitration’, in Jean Kalicki and Mohamed Abdel Raouf (eds), *ICCA International Arbitration Congress Series No 20: Evolution and Adaptation – The Future of International Arbitration* (Wolters Kluwer, 2019), 653-668
- ‘The Confidentiality and Transparency Debate in Commercial and Investment Mediation’, in Katia Fach and Catharine Titi (eds), *Mediation in International Commercial and Investment Disputes* (OUP, 2019), 321-341 (co-author with Phoebe Winch)
- ‘Article 59’, in Andreas Zimmermann, Christian Tomuschat, Karin Oellers-Frahm and Christian Tams (eds), *The Statute of the International Court of Justice: A Commentary* (OUP, 3rd ed, 2019), 1561-1590
- ‘Lack of Consistency and Coherence in the Interpretation of Legal Issues’, Blogpost published on *EJIL: Talk!* (5 April 2019), available at <https://www.ejiltalk.org/lack-of-consistency-and-coherence-in-the-interpretation-of-legal-issues/> (co-author with Julian Arato and Federico Ortino)
- ‘Treatment Standards in Environment-Related Investor-State Disputes’ in Kate Miles (ed), *Research Handbook on Environment and Investment Law* (Edward Elgar, 2019), 175-208 (co-author with Domenico Cucinotta)
- ‘Lack of Consistency and Coherence in the Interpretation of Legal Issues’ (30 January 2019), *ISDS Academic Forum Concept Paper*, available at: https://www.cids.ch/images/Documents/Academic-Forum/3_Inconsistency_-_WG3.pdf (co-author with Federico Ortino, Julian Arato, Fabien Gelin, Diane Desierto, Yas Banifatemi, and Csongor Istvan Nagy)
- ‘The Bruneian Perspective on the South China Sea Dispute’, in Anders Corr (ed), *The South China Sea Dispute* (forthcoming)
- ‘Supervision, Control, and Appellate Jurisdiction: The Experience of the International Court’ (2017) 32(3) *ICSID Review – Foreign Investment Law Journal* 595-610
- ‘Factory at Chorzów (*Germany v Poland*) (1927-28)’ in Cameron Miles and Eirik Bjorge (eds), *Landmark Cases in Public International Law* (Hart, 2017), 61-88
- ‘National Report for Australia’, in George Bermann (ed), *Recognition and Enforcement of Foreign Arbitral Awards: Application of the New York Convention by National Courts* (Springer, 2017), 93-132 (co-author with Luke Nottage)
- ‘Report on Mock Debate: Is the Primacy of the International Court of Justice in International Dispute Settlement under Threat?’ (2017) *Proceedings of the 110th Annual Meeting of the American Society of International Law* 191-199
- ‘Juridical Persons and the Requirements of the ICSID Convention’, in Crina Baltag (ed), *ICSID Convention after 50 Years: Unsettled Issues* (Kluwer, 2017) 163-187 (co-author with Ashique Rahman)
- ‘Introductory Note: Procedural Issues in Investment Treaty Arbitration’ (2016) 31(3) *ICSID Review – Foreign Investment Law Journal* 505-507 (co-author with Gabriel Bottini)
- ‘Investment Treaty Tribunals and Human Rights Courts: Competitors or Collaborators?’ (2016) 15(2) *Law and Practice of International Courts and Tribunals* 287-304
- ‘The End of the Affair? *Hulley Enterprises Ltd (Cyprus) v. Russian Federation; Yukos Universal Ltd (Isle of Man) v. Russian Federation; Veteran Petroleum Ltd (Cyprus) v. Russian Federation*’ (2016) 17 *Journal of World Investment and Trade* 120-133
- ‘The Regulation of Foreign Direct Investment by Admission Requirements and the Duty on Investors to Comply with Host State Law’ (2015) 21 *New Zealand Business Law Quarterly* 297-318

- ‘A Re-Run of *Siemens, Wintershall and Hochtief* on Most-Favoured-Nation Clauses: *Daimler Financial Services AG v Argentine Republic*’ (2015) 30 *ICSID Review – Foreign Investment Law Journal* 365-377 (co-author with Sam Wordsworth QC)
- ‘The Development by States of Model Bilateral Investment Treaties’, in Wenhua Shan and Jinyuan Su (eds), *China and International Investment Law: Twenty Years of ICSID Membership* (Brill, 2015), 116-140
- ‘The Evolution of the Regime of International Investment Agreements: History, Economics, and Politics’, in Marc Bungenberg, Jorn Griebel, Stephan Hobe, and August Reinisch (eds), *International Investment Law: A Handbook* (Nomos Verlagsgesellschaft, 2015), 153-185
- ‘Investor-State Arbitration: Getting More Bite out of your BIT’ [2014] *Australian Mining and Petroleum Law Association Yearbook* 204-220
- ‘Inherent Powers in International Adjudication’, in Cesare Romano, Karen Alter, and Yuval Shany (eds), *The Oxford Handbook of International Adjudication* (OUP, 2014), 828-847
- ‘Resolving International Investment Disputes’, in Natalie Klein (ed), *Litigating International Law Disputes: Weighing the Options* (CUP, 2014), 401-435
- ‘*Commerce Group Corp & San Sebastian Gold Mines, Inc v Republic of El Salvador*: Security for Costs in ICSID Proceedings’ (2013) 28 *ICSID Review – Foreign Investment Law Journal* 6
- ‘The Enforcement of Interim Measures Ordered by Tribunals and Emergency Arbitrators in International Arbitration’, in Albert Jan van den Berg (ed), *ICCA International Arbitration Congress Series No 17: International Arbitration – The Coming of a New Age?* (Kluwer, 2013), 279-291
- ‘“The Tribunal Resolves the Dispute”: Summary of the Discussion’, in Albert Jan van den Berg (ed), *ICCA International Arbitration Congress Series No 17: International Arbitration – The Coming of a New Age?* (Kluwer, 2013), 292-293 (co-author with Audley Sheppard)
- ‘Regional Economic Integration in Southeast Asia’ (2013) 4 *European Yearbook of International Economic Law* 353-368 (co-author with Ashique Rahman)
- ‘Part IV: State Immunity from Measures of Constraint in Connection with Proceedings before a Court’, in Christian Tams and Roger O’Keefe (eds), *The United Nations Convention on the Jurisdictional Immunities of States and their Property: A Commentary* (OUP, 2013), 287-292 (co-author with Roger O’Keefe)
- ‘Article 18: State Immunity from Pre-Judgment Measures of Constraint’, in Christian Tams and Roger O’Keefe (eds), *The United Nations Convention on the Jurisdictional Immunities of States and their Property: A Commentary* (OUP, 2013), 293-307 (co-author with Roger O’Keefe)
- ‘Article 19: State Immunity from Post-Judgment Measures of Constraint’, in Christian Tams and Roger O’Keefe (eds), *The United Nations Convention on the Jurisdictional Immunities of States and their Property: A Commentary* (OUP, 2013), 308-327 (co-author with Roger O’Keefe)
- ‘Article 21: Specific Categories of Property’, in Christian Tams and Roger O’Keefe (eds), *The United Nations Convention on the Jurisdictional Immunities of States and their Property: A Commentary* (OUP, 2013), 334-347 (co-author with Roger O’Keefe)
- ‘Introduction: The Development and Importance of the Model Bilateral Investment Treaty’, in Chester Brown (ed), *Commentaries on Selected Model Investment Treaties* (OUP, 2013), 1-13
- ‘United Kingdom’, in Chester Brown (ed), *Commentaries on Selected Model Investment Treaties* (OUP, 2013), 697-754 (co-author with Audley Sheppard)
- ‘Article 59’, in Andreas Zimmermann, Christian Tomuschat, Karin Oellers-Frahm and Christian Tams (eds), *The Statute of the International Court of Justice: A Commentary* (OUP, 2nd ed, 2012), 1416-1446
- ‘The Secretary-General’s Power to Refuse to Register a Request for Arbitration under Article 36(3) of the ICSID Convention’ (2012) 27 *ICSID Review – Foreign Investment Law Journal* 172-191 (co-author with Sergio Puig)

- ‘The Power of ICSID Tribunals to Dismiss Proceedings Summarily: An Analysis of Rule 41(5) of the ICSID Arbitration Rules’ (2011) 10 *Law and Practice of International Courts and Tribunals* 227-259 (co-author with Sergio Puig)
- ‘Introduction: Evolution in Investment Treaty Law and Arbitration’, in Chester Brown and Kate Miles (eds), *Evolution in Investment Treaty Law and Arbitration* (CUP, 2011) 3-16 (co-author with Kate Miles)
- ‘Bringing Sustainable Development Issues before Investment Treaty Tribunals’, in Markus Gehring, Marie-Claire Cordonnier-Seger, and Andrew Newcombe (eds), *Sustainable Development in World Investment Law* (Kluwer, 2011) 177-190
- ‘The Relevance of the Doctrine of Abuse of Process in International Adjudication’ (2010) 7 *Transnational Dispute Management*, available at <www.transnational-dispute-management.com>
- ‘International, Mixed, and Private Disputes Arising under the Kyoto Protocol’ (2010) 1 *Journal of International Dispute Settlement* 447-473
- ‘Procedure in Investment Treaty Arbitration and the Relevance of Comparative Public Law’, in Stephan Schill (ed), *International Investment Law and Comparative Public Law* (OUP, 2010), 659-688
- ‘Australian Cases before International Courts and Tribunals Involving Questions of Public International Law 2007’ (2009) 28 *Australian Yearbook of International Law* 255-282 (co-authored with Jacqueline Mowbray, Tim Stephens, and Brett Williams)
- ‘Comment on Yuval Shany, “No Longer a Weak Department of Power?”’, Blogpost published on *EJIL: Talk!* (15 June 2009), available at <https://www.ejiltalk.org/comment-on-yuval-shany-%e2%80%98no-longer-a-weak-department-of-power/>
- ‘Investment Arbitration as the “New Frontier”’ (2009) 28 *The Arbitrator and Mediator* 59-69
- ‘The Cross-Fertilisation of Principles relating to Procedure and Remedies in the Jurisprudence of International Courts and Tribunals’ (2008) 30 *Loyola of Los Angeles International and Comparative Law Review* 219-245
- ‘The Use of Precedents of other International Courts and Tribunals in Investment Treaty Arbitration’ (2008) 5(3) *Transnational Dispute Management*, available at <www.transnational-dispute-management.com>
- ‘The Protection of Legitimate Expectations as a General Principle of Law: Some Preliminary Thoughts’ (2008) 5(2) *Transnational Dispute Management*, available at <www.transnational-dispute-management.com>
- ‘The Inherent Powers of International Courts and Tribunals’ (2005) 76 *British Yearbook of International Law* 195-244
- ‘The Settlement of Disputes Arising in Flexibility Mechanism Transactions under the Kyoto Protocol’ (2005) 21 *Arbitration International* 361-389
- ‘Disputes Arising under the Kyoto Protocol’s “Flexibility Mechanisms”’ (2005) 3(2) *Oil, Gas and Energy Law Intelligence*, available at <<http://www.gasandoil.com/ogel/>>
- ‘Kyoto Protocol to Enter into Force on 16 February 2005’ (2005) 3(1) *Oil, Gas and Energy Law Intelligence*, available at <<http://www.gasandoil.com/ogel/>>
- ‘Access to International Justice in the *Legality of Use of Force* Cases’ (2005) 64 *Cambridge Law Journal* 267-271
- ‘The Kyoto Protocol Enters into Force’, *ASIL Insights* (February 2005), available at <<http://www.asil.org/insights/2005/03/insights050301.html>>
- ‘Disputes Arising in “Flexibility Mechanism” Transactions under the Kyoto Protocol’ (2005) 10(1) *International Bar Association Arbitration Committee Newsletter* 7-9
- ‘Comment: Jurisdiction and Admissibility in International Arbitration’ (2005) 2(1) *Transnational Dispute Management* 3-4, available at <www.transnational-dispute-management.com>

- ‘Hundert Jahre und kein bisschen weise? Zum 100. Jahrestag der Abkommen über Guantanamo Bay’ (2003) 78 *Die Friedens-Warte: Journal of International Peace and Organisation* 395-412 (co-author with Christian Tams)
- ‘Summary: *Leatch and National Parks and Wildlife Service v Shoalhaven City Council*’ in James Crawford, Daniel Bethlehem, Philippe Sands, Cairo Robb, and Alice Palmer (eds), *International Environmental Law Reports* (CUP, 2005) vol IV, 57-66
- ‘Summary: *Commonwealth of Australia and Another v State of Tasmania and Others (the Tasmanian Dam Case)*’ in James Crawford, Daniel Bethlehem, Philippe Sands, Cairo Robb, and Alice Palmer (eds), *International Environmental Law Reports* (CUP, 2005) vol IV, 13-56
- ‘Translation: *Lingen case*’ in James Crawford, Daniel Bethlehem, Philippe Sands, Cairo Robb, and Alice Palmer (eds), *International Environmental Law Reports* (CUP, 2005) vol IV, 221-226 (co-author with Christian Tams)
- ‘Strasbourg Follows Suit on Provisional Measures’ (2003) 62 *Cambridge Law Journal* 532-534
- “‘Reasonableness’ in the Law of the Sea: The Prompt Release of the *Volga*’ (2003) 16 *Leiden Journal of International Law* 621-630
- ‘The Evolution and Application of Rules Concerning Independence of the “International Judiciary”’ (2003) 2 *Law and Practice of International Courts and Tribunals* 63-96
- ‘Armed Activities on the Territory of the Congo (New Application: 2002) (*Democratic Republic of the Congo v Rwanda*) Provisional Measures, Order of 10 July 2002’ (2003) 52 *International and Comparative Law Quarterly* 782-787
- ‘The Proliferation of International Courts and Tribunals: Finding Your Way Through the Maze’ (2002) 3 *Melbourne Journal of International Law* 453-475
- ‘Provisional Measures before the International Tribunal for the Law of the Sea: The *MOX Plant Case*’ (2002) 17 *International Journal of Marine and Coastal Law* 267-288
- ‘Privatising the Commons? A Global Greenhouse Emissions Trading Regime at COP-6’ (2000) 19 *Australian Mining and Petroleum Law Journal* 157-177 (co-authored)
- ‘The *Environment Protection and Biodiversity Conservation Act 1999* (Cth): A New Role for the Commonwealth in Environment Protection’ (2000) 28(9) *International Business Lawyer* 427-428 (co-authored)
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