The 9th LAWASIA International Moot Competition in conjunction with the 27th LAWASIA Conference was held at the Chulalongkorn University, Bangkok Thailand on 3 – 6 October 2014.

The Moot Competition was in the form of an international commercial arbitration. I participated on a number of arbitration panels as chief arbitrator during the course of the Competition.

The Moot Problem revolved around a fire causing loss of life and injury in a clothing manufacturer in a least developed developing country and whether a very important buyer in a developed country could in any way be held vicariously liable for the working conditions that contributed to the fire.

In an attempt to avoid the delay and costs associated with formal litigation, the parties agreed to submit the dispute to binding arbitration in accordance with the Rules of an Arbitration Centre in a third country.

Key challenges for the Moot teams included the applicable law to be applied to the arbitration and to also be used in resolving the various legal issues presented in the Problem, whether a large number of claimants (victims and their families) could or should be joined in a single arbitration, and remedies including types of monetary damages that might be available to the victims and their families.

Teams from law schools from a number of countries in the region, including Australia, participated. The winning team was Singapore Management University, with the Chinese University of Hong Kong runners-up.

The 10th LAWASIA International Moot Competition will again be held in conjunction with the next LAWASIA International Conference, in Sydney in October 2015.

He also participated in the 27th LAWASIA International conference, presenting a paper in the Intellectual Property Law Session on the topic “Infringement vs Enforcement: Who is Winning the IP Battle?”

The presentation examined the changing nature of Intellectual property disputation and its primary parties, since the introduction of the World Trade Organisation and the TRIPS Agreement in January 1995. The presentation focussed on investor-state-dispute settlement (ISDS) provisions of bilateral and regional investment treaties and free trade agreements, and discussed the merging criticism and opposition to ISDS, utilising the Australian tobacco plain packaging saga (Permanent Court of Arbitration, PCA Case No. 2012-12); and Eli Lilly and Company v. Canada (ICSID Case No. UNCT/14/2)