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NOTICE OF PUBLIC ADDRESS

In association with International Law Assoc. (Auckland Sub-Branch) and the UoA Law School

Speaker **Hon. Sir David Baragwanath KC**

Topic "Current Views Of Law In International Relations"

Date & Time **Tuesday 15 November 2022 at 6 p.m.**

Location **Lecture Theatre, Old Government House** (University Of Auckland),
Princes Street, Auckland. Masks and social distance are **OPTIONAL**.

Background The *30 Years War* (1618 to 1648 AD) arose in the respective religious claims of Catholicism and the Protestant movement. It ended in a jumble of nations inflicting devastation across Europe for various, different reasons. The *Peace of Westphalia* (1648) created a new peaceful order, as explained by Henry Kissinger:

It relied on a system of independent states refraining from interference in each other's domestic affairs... each state was assigned the attribute of sovereign power over its territory.

In derogation from feudal practice, the Peace permitted free exercise of religion within a nation-state, and allowed freedom of emigration by religious minorities.

From the late 19th century, a view has developed that a nation-state's authority should be limited. In particular, minorities (e.g. of language) deserve tolerance.

The view has been implemented by international organisations created to regulate international relations e.g. the United Nations. International criminal courts adjudge conduct (e.g. minority repression) by officers of a nation-state.

The primacy of a sovereign state within geographical boundaries, and the freedom of minorities within it, are two ideals without complete consistency. One part of the world where the *Westphalia* vision has long proven vulnerable is Central Europe. Presently, in the northwest hinterland of the Black Sea. The war between Ukraine and Russia is a vivid challenge to the *Westphalia* vision.

Biographical Details A graduate of the University of Auckland, Sir David practised in Auckland in a wide range of civil and criminal litigation (in prosecution, and in defence), achieving the (then-) rank of Queen's Counsel. He has been a Justice of the High Court, and of the Court of Appeal. He chaired the Law Commission.

In England, he attended Balliol College, Oxford on a Rhodes Scholarship, and is an Overseas Bencher of the Inner Temple in London. The UN appointed him to the Special Tribunal for Lebanon in respect to political assassinations in Beirut. He served a 4 1/2 year term as President. He has also been the New Zealand member of the Permanent Court of Arbitration.

¹ World Affairs Forum Incorporated, # 50081789. Available from: <https://app.businessregisters.govt.nz>.
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