

ENABLING MSMEs AND ASSISTING ECONOMIC RECOVERY THROUGH LEGAL HARMONIZATION

The UNCITRAL Asia Pacific Day is an annual flagship academic series launched in 2014 by the United Nations Commission on International Trade Law Regional Centre for Asia and the Pacific ("UNCITRAL RCAP") to celebrate the United Nations General Assembly Resolution 2205 (XXI) of 17 December 1966 establishing UNCITRAL, which has since come to be the core legal body of the United Nations system in the field of international trade law.

This year, an initial 34 universities and institutions in 13 jurisdictions across the Asia-Pacific region have joined the annual celebration by co-hosting a series of academic events with UNCITRAL RCAP to promote awareness of international trade standards and norms, particularly those endorsed by UNCITRAL, amongst law students - the next generation of legal thinkers and policymakers. The main theme of the UNCITRAL Asia Pacific Day 2021 is "Enabling MSMEs and Assisting Economic Recovery through Legal Harmonization". Micro, small and medium-sized enterprises ("MSMEs") represent the majority of businesses in most jurisdictions and account for a large portion of overall employment. However, MSMEs worldwide experience similar obstacles to doing business at all stages of their operation. These obstacles have been exacerbated by the continuing effects of the COVID-19 pandemic. The UNCITRAL Asia-Pacific Day 2021 theme provides a synoptic view of how different areas of the work of UNCITRAL reduce legal obstacles encountered by MSMEs throughout their life cycle.

In collaboration with UNCITRAL RCAP, the University of Western Australia Law School and the UNCITRAL National Coordination Committee for Australia are co-organising this Webinar to explore various issues including the legal mechanisms for assisting MSMEs in economic recovery, the benefits of the Singapore Convention on Mediation for MSMEs and the role of MSMEs in growing and diversifying trade between Australia and Africa.

Free Registration via QR code
**26 November – 16 December
2021**



Event taking place on
17 December 2021
11:00am – 14:30pm,
**Western Australia Standard
Time**

Target Audience:
Students, MSMEs, lawyers,
arbitrators, mediators,
academics, governments and
lawmakers

Mode of Delivery:
Webinar, via Zoom
Language: English

Programme

No	DURATION	CONTENT	SPEAKER
1	(8 mins)	Welcome	Professor Natalie Skead, Dean and Head of UWA Law School
2	(20 mins)	Opening Remarks: Introduction to UNCITRAL, including UNCITRAL work related to MSMEs and the benefits of legal harmonization	Ms Athita Komindr, Head, UNCITRAL Regional Centre for Asia and the Pacific (UNCITRAL RCAP)
3	(15 mins)	Opening Keynote Speech	Dr Luca Castellani, Legal Officer, UNCITRAL
4	(20 mins)	Enabling MSMEs and Assisting Economic Recovery through Legal Harmonization.	Professor Dr Bruno Zeller The University of Western Australia
5	(20 mins)	Illustrating the CISG?	Professor Camilla Andersen The University of Western Australia Dr Lisa Spagnolo Macquarie University
6	(20 mins)	Enabling MSMEs and Assisting Economic Recovery through Legal Harmonization: The Limited Liability Enterprise	Dr Anne Mathew Queensland University of Technology
7	(20 mins)	Can the CISG help Facilitate the Trade in Personal Data?	Dr Robert Walters Victoria University
8	(20 mins)	'The Singapore Convention on Mediation: a New Fad or a Game-changer for MSMEs?'	Dr Dalma Demter Bond University & Macquarie University
9	(20 mins)	Growing and Diversifying Africa-Australia Investment and Trade: The Role of MSMEs	Dr Dominic Dagbanja The University of Western Australia
	(15 mins)	Q&A	Dr Dominic Dagbanja The University of Western Australia
10	(15 mins)	Closing Remarks	Dr Jessica Viven-Wilksch UNCITRAL National Coordination Committee for Australia
11	(3mins)	Thank You	Dr Dominic Dagbanja The University of Western Australia

Opening Speakers (Listed in Speaking Order)

Professor Natalie Skead | Dean and Head of UWA Law School



Professor Natalie Skead has been Dean of the UWA Law School since 2017. Natalie's principal research and teaching areas are Property, Land Law and Equity and Trusts. She completed her doctorate on the proprietary implications of Australian proceeds of crime legislation. She is a prolific researcher with an extensive publication record in Property, Confiscation of Proceeds of Crime, Equity and Trusts, Legal Education and Wellbeing in Law.

Natalie is a Fellow of the Australian Academy of Law, Chair of the Australian Law Academics Association, Deputy Chair of the Council of Australian Law Deans, Associate Editor of the Legal Education Review and a Principal Fellow of the Higher Education Academy. In 2011 she received a national citation for her outstanding contribution to student learning and in 2017 she was the recipient of the national award for teaching excellence in law.

Prior to joining the academy, Natalie practiced as a solicitor for over ten years specialising in Corporate Finance, Commercial Litigation, Property and Securities.

Ms Athita Komindr | Head of the UNCITRAL Regional Centre for Asia and the Pacific



Athita is Head of the UNCITRAL Regional Centre for Asia and the Pacific (UNCITRAL RCAP), managing technical assistance and capacity building programming available to over 50 States in Asia and the Pacific in all UNCITRAL areas. In that capacity, she coordinates with Governments and international and regional organizations with respect to trade law reform activities aimed at achieving the Sustainable Development Goals.

Athita has two decades of experience in the fields of international trade and economic law, multilateral dispute resolution, and the rule of law and development in common and civil law traditions in the public and private sectors., Admitted to the New York Bar since 2002, she holds degrees from Harvard College, Georgetown University Law Center, and Harvard Law School.

Dr Luca Castellani | Legal officer, UNCITRAL secretariat



Luca Castellani is a legal officer in the Secretariat of the United Nations Commission on International Trade Law (UNCITRAL).

After graduating in law in the University of Torino, he received a doctoral degree in comparative law from the University of Trieste and a master in international law from New York University. He joined the Office of Legal Affairs of the secretariat of the United Nations in 2001 and the UNCITRAL secretariat in 2004, where he works in the areas of international sales and of electronic commerce. As secretary of UNCITRAL Working Group IV (Electronic Commerce), he oversaw the preparation of the UNCITRAL Model Law on Electronic Transferable Records. He is also active in the field of paperless trade facilitation and has contributed to drafting the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific. From March 2012 to November 2013 he was assigned as first Head of the UNCITRAL Regional Centre for Asia and the Pacific, located in Incheon, Republic of Korea. He has published several articles and other materials on international trade law and comparative law, namely sale of goods, electronic commerce and trade law reform in developing countries

Speakers (Listed in Speaking Order)

Professor Dr Bruno Zeller | Professor in Transnational Commercial Law at The University of Western Australia



Professor Dr. Bruno Zeller, B. Com (University of Melbourne), B.Ed (Melb). M.Intl.Trade Law (Deakin) PhD (Law, Melb.). He is a Professor in Transnational Commercial Law at The University of Western Australia, Perth. His teaching interests include international trade law, trade finance, conflict of laws, international arbitration and maritime law. His extensive research and publications contribute to the understanding of uniform international laws, which have been developed under the auspices of the United Nations and other international bodies. Currently the third edition of the Monograph on Damages Under the Convention on Contracts for the International Sale of Goods has been published. In addition, he has also published on alternative dispute resolution mechanisms and free trade agreements in international journals. He has supervised numerous domestic and international PhD students. Besides having taught short course at many international Universities he is also an Adjunct Professor at Murdoch University, Perth, and an Adjunct Professor the Sir Zelman Cowan Centre, Victoria University, Melbourne. He is also a visiting professor at La Trobe University, Melbourne, Humboldt University of Berlin and Aalborg University, Denmark.

Professor Camilla Baasch Andersen | Professor at the School of Law at University of Western Australia



Camilla Baasch Andersen is a Professor at the School of Law at University of Western Australia. Throughout her career, she has served at numerous universities world-wide, including University of Leicester in the United Kingdom, Centre for Commercial Law Studies, University of London and University of Copenhagen in her native Denmark. She has lectured and examined externally for dozens of universities and institutions, and has worked with the CISG Advisory Council, as well as been appointed Trade Law Expert for UNCITRAL and worked with the UNCITRAL Australian Co-ordination Committee. Prof Andersen was the founding co-editor of The Journal of Comparative Law and has been the National Reporter for the United Kingdom for the International Academy of Comparative Law. She works closely with business, government and academia in pursuit of Commercial Law facilitating trade, and has written extensively on the CISG, international commerce, visual law and legal design, comparative method, dispute resolution, pro-active approaches to law. She founded and leads the Comic Book Contract project at UWA (see www.comicbookcontracts.com). For more information, and an overview of her extensive publications, see: <https://research-repository.uwa.edu.au/en/persons/camilla-andersen>

Dr Lisa Spagnolo | Associate Professor at Macquarie University Law School in Sydney



Associate Professor Spagnolo teaches and researches in the areas of international commercial law, domestic and comparative contract law, uniform commercial instruments, property law, law and economics, choice of law, behavioural science and legal advocacy. She was educated at Deakin University (B Com, LLB (Supreme Court Prizes)) and Monash University (PhD in Law (Mollie Holman Medalist)).

Prior to joining Macquarie University Law School in Sydney in November 2021, Associate Professor Spagnolo taught at Monash University, coached and arbitrated the Vis Moot in Vienna and Hong Kong and practiced law at Minter Ellison. She was expert advisor to the New York State Bar Association, Rapporteur for CISG Advisory Council Opinion No 16, is a Founder, Director and Fellow of UN Coordination Committee for Australia (UNCCA), has consulted for law firms and UNCITRAL, acted as an ARC assessor, is a Chief Investigator on a current ARC Linkage Grant on Geographical Indications and the Australian Federal Attorney-General's Department National Correspondent to UNCITRAL on the CISG.

Her research focuses on international commercial law, contract and property, with a special focus on the CISG and cross-border trade. It takes an interdisciplinary approach, from doctrinal comparative contract law, the dynamics of socio-political trends in development of international commercial law, behavioural economic and statistical analysis of decision-making in choice of law and contract, cross-border smart contracts,

historical approaches to interpretation in Torrens land legislation and use of geographical indications for wine in international trade. Ranked within the top 5% globally on SSRN, she has published with Kluwer, Cambridge University Press, Beck-Hart-Nomos and Edward Elgar, UNSW Law Journal, Melbourne International Law Journal. Her works have been cited by the Swiss Federal Court, many senior Australian judges and government reports.

Dr Anne Matthew | Senior Lecturer at Queensland University of Technology (QUT) Law School



Dr Matthew is a Senior Lecturer at Queensland University of Technology (QUT) Law School, a Consultant at Corrs Chambers Westgarth, Lawyers, and Chair of the UNCITRAL National Coordination Committee, Australia's Expert Advisory Committee on Working Group I: Micro, Small and Medium-sized Enterprises. Dr Matthew's upcoming publications include, Risk-taking, Entrepreneurship and Innovation in Corporate Law (forthcoming, Routledge). This scholarly monograph presents Dr Matthew's studies into how regulation can create an enabling environment for micro, small and medium-sized enterprises, including particularly their access to finance. Her research focuses on companies and company-like entities, specifically those engaged in innovation and entrepreneurship. The study considers laws and policy approaches from the UK, EU, USA, Singapore, and the Pacific Region, including Australia. This monograph expands upon the research underpinning Dr Matthew's PhD thesis, for which Dr Matthew was awarded QUT's Outstanding Thesis Award. Dr Matthew is a practising solicitor with experience in international dispute resolution, commercial property, banking, finance, and small business advisory. Dr Matthew teaches international commercial arbitration, international commercial law and finance, corporate law and the regulation of artificial intelligence and robots.

Dr Robert Walters | Senior Lecturer, Victoria University, Melbourne

Dr Robert Walters, Senior Lecturer, Victoria University, Melbourne, Australia. Dr Walters is also Adjunct Professor of Law, European Faculty of Law, New University, Slovenia, Europe, and admitted to practice law in Australia. He is a member of ASEAN Law Association – Singapore, Asia Pacific Scholar (Privacy/Data Protection) Network. His work in data protection, cross border data flows and data adequacy in the new digital economy has been recognised globally, and in 2021 was engaged by the national Government of the United Kingdom to undertake a project on determining personal data adequacy across commonwealth countries. Dr Walters has chaired Government Appointed Advisory Committee and represented government departments to Government Law Reform Committees, in Australia. He also has a law enforcement/investigation background, and represented a government department as a Prosecutor in the Courts, within Australia. Dr Walters specialises in transnational commercial and private law (data protection, cyber security, artificial intelligence, cross-border insolvency, contracts, arbitration).

Dr Dalma R Demeter | Legal researcher, Immediate past Deputy Chair of UNCCA



Dr Demeter is a law academic, researcher, and practitioner with expertise in international commercial law and dispute resolution. Her teaching combines professional skills and practical application with theory and her pedagogy is recognised by several teaching awards. As a researcher and author, her publications focus primarily on dispute management and legal development. She is frequently invited to present at international conferences and to provide capacity building training in the Asia-Pacific Region. As a legal practitioner, Dalma serves as independent arbitrator, adjudicator, and consultant. Her expertise in commercial arbitration, international commercial law, and contracts cover both civil law and common law systems. As an adjudicator, she is accredited to decide construction payment claims. Dr Demeter is a tireless supporter of dispute management and of legal development and harmonisation in international trade law. She serves on several Boards and Committees for organisations working in these areas and she is the immediate past Deputy Chair of UNCCA.

Dr Dominic Dagbanja | Senior Lecturer in Law at The University of Western Australia



Dr Dominic Dagbanja is a Senior Lecturer in Law at The University of Western Australia (UWA) Law School; Research Fellow, African Procurement Law Unit, Department of Mercantile Law, Stellenbosch University, South Africa; and Fellow of Higher Education Academy, United Kingdom. Dr Dagbanja taught in Company Law from 2016-2020 and then introduced International Investment Law unit in August 2020. Dr Dagbanja previously worked at The University of Manchester as a Postdoctoral Research Associate, as a Graduate Teaching Assistant at The University of Auckland Law School and as Lecturer in Law at Ghana Institute of Management and Public Administration. He has published extensively in International Investment Law and Arbitration, International Commercial Law and Public Procurement Law in leading peer-reviewed international journals and yearbooks, including in: *Public Procurement Law Review*, *Transnational Legal Theory*, *Oxford University Commonwealth Law Journal*, *Cambridge Law Review*, *African Journal of International and Comparative Law*, and *Yearbook on International Investment Law and Policy*. Dr Dagbanja was an Investment Policy/International Investment Agreements Consultant to the United Nations Conference on Trade and Development (UNCTAD) in 2020/2021 in which capacity he researched and advised on public health in investment treaty law and arbitration and made input to the *World Investment Report 2021*. Dr Dagbanja's article 'The Intersection of Public Procurement Law and Policy and International Investment Law' (2020) 27(2) *Transnational Corporations Journal* 65 won the 2020 UNCTAD-Society of International Economic Law Award for Research on Investment and Development.

Dr Jessica Viven-Wilksch | Deputy Chair of UNCCA



Dr Jessica Viven Wilksch is the Deputy Chair of the UNCITRAL National Coordination Committee for Australia (UNCCA). UNCCA promotes the work of UNCITRAL and its relevance to the Australian context. She lectures at Adelaide Law School in commercial and private international law matters. In 2019, she published a book chapter titled 'How Long Is Too Long to Determine the Success of a legal Transplant? International Doctrines and Contract Law in Oceania' in Vito Breda, *Legal Transplants in East Asia and Oceania* (Cambridge, 2019) where she called for more education on international instruments in law schools, using the Vienna Convention on the International Sale of Goods as a case study.

