

# Background Information

## to the Peter Nygh Hague Conference Internship

The Australian Institute of International Affairs (AIIA) and the Australian Branch of the International Law Association (ILA (AB)) are pleased to present the Peter Nygh Hague Conference Internship. The award will support a post-graduate student or graduate of an Australian law school to undertake an internship with The Hague Conference on Private International Law (The Hague Conference) in the Netherlands by providing funds to cover the cost of travel to the Netherlands and a contribution towards living expenses.

### The Internship

The award will provide a post-graduate student or graduate with the opportunity to work with some of the leading private international law practitioners in the world. With over 70 members (including the European Union) representing all major regions and legal systems, The Hague Conference is a global intergovernmental organisation. A melting pot of different legal traditions, The Hague Conference aims for the 'progressive unification' of the various State private international law rules. The work of The Hague Conference involves finding internationally agreed approaches to jurisdiction of courts, applicable law and the recognition and enforcement of judgments. This is achieved through the development and servicing of multilateral legal conventions which respond to global needs in the areas of international commercial law and banking, international civil procedure, international protection of children, international family and family property relations, international legal co-operation and litigation as well as international judicial and administrative co-operation. Activities of The Hague Conference are coordinated by a multinational Secretariat – the Permanent Bureau – located in The Hague. The Conference's working languages are English and French. The successful intern will work for 5 to 6 months under the direction of the Secretariat assisting with research, translation and preparation of meetings in accordance with the needs of the lawyers of the Permanent Bureau.



**The Hon Dr Peter Nygh AM**

The Peter Nygh Hague Conference Internship has been established in memory of the late Hon Dr Peter Nygh AM, a leading international lawyer and former judge of the Family Court of Australia. Dr Nygh began his 25 year association with The Hague Conference as a member of Australia's first delegation in 1975. During this time, Dr



Nygh helped to draft the Convention on the Celebration and Recognition of the Validity of Marriages as well as the Convention on the Law Applicable to Matrimonial Property Regimes, work which contributed to his appointment to the Family Court of Australia. After his retirement from the bench, Dr Nygh returned to The Hague Conference and between 1994 and his death in 2002 he contributed in many ways, including serving as a co-rapporteur on The Hague 'judgments project' from 1996 and representing Australia in the negotiations that led to the Convention on the Protection of Children. In his later years Dr Nygh spent extended periods in The Hague without remuneration or payment of his expenses, yet his work did not go unrecognised. He was awarded the Centenary Medal by the Australian Government as well as the Order of Australia, partly in recognition of his outstanding and longstanding contribution to private international law, and in particular his representation of Australia at The Hague Conference.

## **Support for Peter Nygh Hague Conference Internship**

Dr Nygh's son and daughter each donated funds to establish the Peter Nygh Hague Conference Internship in his memory. An additional \$50,000 has been donated by the Attorney-General's Department. Allens is generously supporting the administration of the Internship. Dr Nygh's brother and his wife have also made a substantial donation to the Peter Nygh Hague Conference Internship.

While president of the ILA (AB) Dr Nygh worked to promote co-operation between the ILA (AB) and the AIIA. Both organisations are pleased to show their appreciation for his work by jointly presenting and promoting the Internship. The AIIA is an independent, non-profit, apolitical national organisation committed to the promotion of informed discussion among members of the Australian public on international issues and their impact on Australia. It provides a forum for discussion by hosting a range of Australian and international expert speakers from the political arena, government, academia, business and the media, as well as publishing the Australian Journal of International Affairs and the Australia in World Affairs book series.

The ILA (AB) aims to promote the study and advancement of public and private international law and comparative law, as well as proposals for the solution of conflicts of law. The organisation has over 50 branches worldwide and a growing membership of academics and practicing professionals with an interest in international law. Members of the Australian branch contribute to and participate in international committees covering topics such as space law, cultural heritage law, human rights, indigenous rights, international arbitration, international heritage, international military law, international trade and business law and the law of the sea. It also publishes the Australian International Law Journal.



# Criteria and conditions of the Peter Nygh Hague Conference Internship

## 1. Selection criteria

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The applicant must:

- Be a citizen or permanent resident of Australia or a person who has pursued a course of law studies at an Australian University and:
  - Hold an undergraduate or graduate level degree in Law (LLB) from an Australian university (or be in his or her final year of such a degree); or
  - Be undertaking a postgraduate degree in Law (e.g. LLM or PhD) at an Australian University;
- Have an excellent academic record
- Have written and spoken proficiency in English, with preference given to those who are also proficient in French (English and French being the official languages of The Hague Conference). Ability in a third language will also be taken into account;
- Have an interest or specialization in a field relevant to the work of The Hague Conference i.e.:
  - Private international law (conflict of laws/choice of law), in the broadest sense;
  - Cross-border legal co-operation, including in family law, commercial and financial law matters;
  - International civil procedure; and/or
  - Comparative law;
- Have excellent research and writing skills, demonstrated by dissertation, law review or other publication;
- Be no older than 35 years at the time of application;
- Have knowledge of, and familiarity with, computers, data bases and legal research software;



- Have an ability to work in international or multicultural environments; and
- Have work experience, prior international engagement or contribution to wider community projects.

It is envisaged that the internship will be of interest to applicants who have undertaken or who are undertaking postgraduate studies relevant to the work programme of The Hague Conference.

## 2. How to apply

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Please send a letter of application addressed to the Peter Nygh Hague Conference Internship Board [nygh.internship@aiaa.asn.au](mailto:nygh.internship@aiaa.asn.au) or to c/- Ms. Nicola Nygh, Resolve, Level 5, Gold Fields House, 1 Alfred Street, Sydney NSW 2000.

**Applications close on 30 September each year.**

The letter should include:

- The applicant's reasons for applying for the Peter Nygh Hague Conference Internship;
- The benefits which the applicant expects are to be derived from the internship and the contribution which the applicant expects to make to the work of the Hague Conference;
- The applicant's career ambitions and how the internship will relate to those ambitions;
- A description of the applicant's current research, if applicable; and
- The dates when the applicant would be available to undertake the internship (Note: the applicant must be available to undertake the internship for 5 to 6 months).

Please also enclose the following, where applicable:

- The applicant's up-to-date résumé;
- The applicant's most recent academic transcript;
- Two letters of reference for the applicant (including at least one academic reference), with contact details of referees;
- A copy of research work by the applicant in a field relevant to the work of The Hague Conference; and
- Any other proof of the applicant's legal and linguistic abilities and knowledge.



### 3. Selection process

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- Applications will be considered by the Selection Panel appointed by the Peter Nygh Hague Conference Internship Board (the Board). Applications close on 30 September each year.
- A short list of candidates will then be forwarded by 20 October to the Permanent Bureau of The Hague Conference (the Permanent Bureau), which will select 1 or more candidates for interview by the Selection Panel and 2 members of the Permanent Bureau, taking into account the Hague Conference's work priorities. The members of the Permanent Bureau will either participate in the interview process in person, or more likely, by telephone. Applicants who claim fluency in a language other than English may be asked some questions in that language at the interview.
- The successful candidate will then be selected by agreement between the Permanent Bureau and the Selection Panel, and an offer made to them by 15 December.
- The offer must be accepted within one week of it being made.

### 4. Conditions

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- The successful applicant must be able to participate in the internship for a period of at least 5 months and preferably 6 months. Shorter internships may be considered by The Hague Conference in some cases.
- The amount to be paid by the AIIA to the successful applicant will be determined by the AIIA after consulting with the Board, taking into account the available funds in the Peter Nygh Hague Conference Internship Account. It will, in principle, cover airfares and support for accommodation in the Netherlands, as well as insurance costs. The payment will be made after the Board receives confirmation that the successful applicant has made arrangements with The Hague Conference to undertake the internship and evidence that the successful applicant has booked airfares to the Netherlands for the purpose of undertaking the internship.
- The internship will be full-time, and the successful applicant will carry out the duties assigned to them by The Hague Conference. During the time of the internship, the intern will be bound by the same obligations as regular staff of The Hague Conference.
- During the internship, the intern may be required:
  - To carry out basic research on particular points of private international law and/or comparative law, relevant either to the operation of existing Hague Conventions or the future work of the Conference;
  - To take part in the practical work of preparation for meetings (working groups, judicial conferences, Special Commissions, Diplomatic Session); and



- Generally to carry out preparatory work, translations or documentary research in accordance with the needs of lawyers of the Permanent Bureau.
- The internship will generally be unpaid although the recipient may obtain funds from other sources including The Hague Conference or other scholarships.
- The successful applicant is responsible for organising his or her own travel and accommodation arrangements.
- The successful applicant must meet the visa requirements for entering and residing in the Netherlands, and have organised the appropriate visa prior to departure.
- The successful applicant must be covered by travel, medical and hospital insurance, including the costs of repatriation to his/her own country of residence in the event of accident, illness or death during the internship. Proof of this insurance must be forwarded to the Permanent Bureau before commencement of the internship.
- The successful applicant is expected to keep confidential any or all unpublished information obtained during the course of the internship. This obligation shall not cease upon departure from The Hague Conference. The successful applicant must, at the beginning of the internship, sign a declaration to that effect.
- On completion of the internship, the successful applicant must provide a written report on his or her experience to the Board for circulation to the Attorney-General's Department, the AIIA and the ILA (AB). The purpose of the report will be to enable the Board to evaluate the success of the Internship in fostering Australian involvement in The Hague Conference and encouraging the principles of international co-operation and harmonisation of laws. The report may be presented by the successful applicant at a function organised by the Board. The report must not breach the confidentiality obligations referred to above.
- Termination:
  - Interns must provide written notice to the Board should illness or other unforeseen circumstances prevent them from completing the internship.
  - If the internship is suspended or terminated the Board shall take into account the information available to determine whether and what portion of the scholarship is to be repaid.
  - The internship will lapse if the successful applicant has not made arrangements with The Hague Conference, within 3 months of the internship being awarded, to undertake the internship.
- The terms and conditions for internships at the Permanent Bureau of The Hague Conference on Private International Law can be found at [www.hcch.net](http://www.hcch.net) and apply to the extent that they are not inconsistent with the conditions set out above.

For some more information, email Nicola Nygh at <http://www.rllawyers.com.au/>

