

SEAN ANTHONY BOGAN

PROFILE

Sean Bogan is a barrister at *13 Wentworth Selborne Chambers*. He advises and appears as advocate in public law and commercial disputes in Federal and State courts and tribunals.

Prior to being admitted to the Sydney bar, Sean was an attorney in the International Arbitration and Public International Law group of *Dewey & LeBoeuf* in London. He acted for corporations and States in investment treaty arbitrations and other international commercial arbitrations before ICSID, ICC and LCIA tribunals; and he advised and represented corporations and States in matters concerning the law of treaties, international trade, international investment protection, anti-money laundering, foreign corrupt practices, sovereign immunity, extradition, mutual legal assistance and human rights.

Previously Sean taught public international law at the *University of Edinburgh School of Law* in the United Kingdom where he worked on projects with the United Nations and NGOs in the areas of international humanitarian and international human rights law.

RECENT PUBLIC INTERNATIONAL LAW MATTERS

- Advised a financial institution in relation to a claim under the Alien Tort Claims Act in the U.S. District Court alleging participation in genocide, crimes against humanity and terrorist acts (advised on genocide, crimes against humanity and terrorism under customary international law);
- Advised sovereign clients in relation to the sovereign immunity aspects of litigation arising out of the attack on the World Trade Center;
- Advised the Prime Minister of a Middle Eastern State in relation to continuing obligations under a bilateral trade agreement following impossibility of performance arising out of armed conflict;
- Advised the Foreign Minister of a Middle Eastern State in relation to the State's rights and potential recourse following the murder of its senior diplomat;
- Represented a West African government in ICSID arbitration in relation to alleged violations of a Bilateral Investment Treaty, raising significant and untested issues in the law of state responsibility;
- Represented a foreign investor in ICSID arbitration against a Caribbean State in relation to oil exploration rights in the Caribbean raising the meaning and scope of the international law principle of permanent sovereignty over natural resources;
- Represented a major corporation in one of West Africa's largest corporate criminal investigations, involving allegations of international money laundering, fraud, tax evasion and violations of external currency controls;

- Advised the Justice Ministry of a former Soviet Republic in relation to the extradition of an individual for terrorist and related offences, including in relation to matters of mutual legal assistance;
- Advised an energy and gas industry client concerning protection of potential rights under a production sharing agreement in disputed territory;
- Advised energy and gas industry clients in relation to concerns over foreign corrupt practices.

EDUCATION

University of Edinburgh, School of Law (UK)

Doctor of Philosophy (2005)

Thesis examined defences to crimes under the Rome Statute of the International Criminal Court in light of principles of treaty interpretation and the customary and conventional rules and principles of international humanitarian law.

University of Edinburgh, School of Law (UK)

Master of Laws with Distinction (2000)

Specialised in international criminal law and international humanitarian law.

Macquarie University

Bachelor of Economics with Bachelor of Laws with First Class Honours (1997)

SCHOLARSHIPS AND PRIZES

- British Chevening Scholarship awarded by the British Foreign Office (1999/2000)
- Hunt & Hunt Law Prize for graduating first place in final (5th) year (1997)
- Australasian Mooting Champion (together with two team mates) (1996)

PROFESSIONAL ACTIVITIES

Law Society of New South Wales

Member, Human Rights and Asylum Committee, 2005

Sat on the senior committee of the Law Society of New South Wales relating to issues of domestic and international human rights law and asylum.

COURT ADMISSIONS

Supreme Court of New South Wales (1999)

Supreme Court of England and Wales (2008)

High Court of Australia (2010)