

NANA FRISHLING  
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## EDUCATION

**University of New South Wales Law School**, Sydney, Australia

*PhD Candidate, full time, commenced 2015 (semester 2)*

Honours: Recipient of Australian Postgraduate Award Scholarship

Thesis Title: Beyond the Audit: Multistakeholder Initiatives and the Challenges of Human Rights Protection  
Complex supply chains are a central feature of the global manufacturing industry. However, governance gaps make supply chains difficult to monitor and regulate, thus posing a significant human rights challenge for business. Faced with increasing public pressure, corporations are attempting to address human rights challenges through a range of voluntary regulatory initiatives, including multi-stakeholder initiatives (MSIs). This thesis focuses on the specific case of MSIs seeking to enforce human rights standards within supply chains in the apparel and electronics sectors. Significantly, MSIs in these sectors have, to date, relied predominantly on social auditing to enforce human rights standards. Yet there is now a strong body of evidence indicating that social auditing, in and of itself, is simply not a powerful enough tool to implement meaningful and consistent change. This thesis will thus investigate how MSIs can move beyond the social audit model in order to improve human rights protection within supply chains.

**Columbia University, School of Law**, New York, USA

*LLM, received May 2011*

Honours: Harlan Fiske Stone Scholar

Activities: Member of Rightslink Executive Board (Research Committee)

**University of Sydney**, Sydney, Australia

*Bachelor of Commerce/Bachelor of Laws (Honours), 2000-2004*

Honours: Placed on the Dean's list of excellence in academic performance (2001, 2002)

Activities: Represented the University of Sydney at the Global Alliance for Justice Education International Conference in Poland. Activities included participation in seminars and workshops with fellow student representatives, academics, practitioners and activists on advocacy and human rights issues and running post conference workshops in Australia. (2004)

Co-organized the Refugee Advocacy Volunteer Network, a refugee group initiative run by Sydney University law students. Activities included reviewing refugee status refusals for existing rights of appeal, writing letters to the Minister of Immigration on behalf of detainees, visiting detainees and running training workshops and public forums. (2003, 2004)

## PROFESSIONAL EXPERIENCE

**Attorney-General's Department**, Canberra, Australia

**January 2012 – March 2015 (full time)**  
**March 2015 – December 2015 (consultancy)**

*Senior Legal Officer, Office of International Law,  
Tobacco Litigation Taskforce*

*August 2013 – March 2015 (full time)*  
*March 2015 – December 2015 (consultancy)*

I was a member of Australia's legal team that successfully defended Philip Morris' challenge to Australia's plain packaging laws under the Australia - Hong-Kong Bilateral Investment Treaty. As a Senior Legal Officer within the team I: provided legal advice and advice on evidence to the Government; assisted in the management of document production and evidence; led on whole of government coordination and litigation management matters; supervised briefing material and other documents; and supported the overall operational and strategic direction of the litigation. I also prepared for and attended the arbitration hearing in Singapore in February 2015. Subsequent to the hearing, I provided legal advice to the Taskforce on a part-time, consultancy basis. In December 2015, the Tribunal handed down its Award on Jurisdiction and Admissibility, which found that the initiation of arbitration proceedings constituted an abuse of right by Philip Morris and thus the Tribunal did not have

jurisdiction to hear the matter further.

*Senior Legal Officer, Office of International Law,  
International Human Rights Law Branch*

*January 2012 – July 2013*

Provided legal and policy advice to the Government on its international human rights law obligations, the domestic implementation of international human rights law, and the administration of Commonwealth anti-discrimination legislation. Responded to complaints to the United Nations under international human rights treaties, prepared briefings for the Attorney-General and senior management on international human rights law, and provided input and comment on Cabinet submissions and draft legislation. Assisted in the conduct of domestic litigation raising issues under international human rights law and anti-discrimination legislation.

**Herbert Smith Freehills, Sydney, Australia**

**August 2007 – December 2011**

*Solicitor in Litigation Group*

*November 2008 - August 2010; September-December 2011*

*(Granted 1 year unpaid leave to undertake the LLM at Columbia)*

Conducted legal research and drafted advice and legal memoranda in relation to a range of subjects, including contract law, corporations law, administrative law and mining and resources law. Drafted court documents, including initiating processes, affidavits and submissions. Assisted in the conduct of litigation, including preparing for and conducting witness interviews and making court appearances, preparing briefs to counsel and expert witnesses, drafting correspondence and liaising with a range of parties including clients, the courts and counsel. Co-ordinated a pro-bono program and conducted pro-bono litigation.

*Solicitor in Banking & Projects Group*

*August 2007 - October 2008*

Conducted due diligence for project financing transactions. Drafted documents, including loan agreements, shareholder deeds and minutes of directors' meetings. Conducted legal research and advice on banking and finance law. Prepared and managed the completion of conditions precedent for the settlement of project financing transactions.

**Federal Court of Australia, Sydney, Australia**

**February 2005 – March 2007**

*Associate to the Hon. Justice Ronald Sackville*

*January 2006 - March 2007*

Conducted legal research, edited judgments, corresponded with parties and assisted the Judge in Court and in managing his docket. During this period, Justice Sackville presided over *Seven Network Ltd & Anor v News Ltd & Ors* [2007] FCA 1062, a trial lasting 120 hearing days and involving 6 groups of respondents. In addition to the matters described, I assisted the Judge in managing, summarising and analysing voluminous and complex material.

*Research Assistant to the Judges of the Federal Court of Australia*

*February 2005 - December 2005*

Conducted legal research and prepared research papers and legal memoranda on diverse areas of law including trade practices and competition law, insurance law, admiralty law, administrative law, corporations law, immigration law, constitutional law, international law and the laws of evidence.

## CONFERENCES & PAPERS

### **Business and Human Rights Young Researchers' Summit**

In April 2016, the Institute for Business Ethics at University of St. Gallen, the Business and Human Rights Center at New York University's Stern School of Business, and the Business and Human Rights Journal hosted the inaugural Business and Human Rights Young Researchers' Summit in St Gallen, Switzerland. I was selected to present the results of my initial PhD research at the Summit.

## INTERNSHIPS

**International Center for Transitional Justice, New York, USA**

*Intern, International Policy Relations*

*January - April 2011 (2 days per week)*

Conducted legal research, drafted and edited submissions and reports, assisted in the analysis of UN programs from a transitional justice perspective.

#### PROFESSIONAL ASSOCIATIONS

**New South Wales Young Lawyers Human Rights Committee**, Sydney, Australia  
*Co-Chair, International Human Rights Working Group*

*January 2008 - August 2010*  
*(member since 2006)*

#### ADDITIONAL INFORMATION

**Bar admission:** Admitted to practice as a solicitor in New South Wales, Australia (March 2007).

**Additional languages:** Russian (fluent).

**Referees:** Available upon request.