

Publications

Dr Brooke Marshall

Books

[Asymmetric Jurisdiction Clauses](#) (Oxford University Press, 2023)

Reviewed in:

- [\(2025\) LMCLQ 387](#)
- (2024) 44 Praxis des internationalen Privat- und Verfahrensrechts (IPRax) 426
- [\(2023\) 9 UNSW Law Journal Forum 1](#)
- [\(2023\) 2 ICC Dispute Resolution Bulletin 87](#)

Prizes:

- 2025 [Inner Temple New Authors' Book Prize](#) – Winner
- 2024 ANZSIL Book Prize category – Honourable Mention

Edited and co-authored books

[The Hague Convention on Choice of Court Agreements: A Commentary](#) (Elgar Commentaries in Private International Law, 2025) (with G Cuniberti and L E Teitz)

[Choice of Law in International Commercial Contracts: Global Perspectives on the Hague Principles](#) (Regional Editor with D Girsberger, T Kadner Graziano, and J L. Neels as Managing Editors) (Oxford University Press, 2021)

Reviewed in:

- [\(2021\) Netherlands International Law Review 501](#)
- [\(2022\) 22\(1\) Internationales Handelsrecht 43](#)
- (2022) 37(2) Banking and Finance Law Review 391

Journal articles

['Asymmetric Jurisdiction Clauses and the Anomaly Created by Article 31\(2\) of the Brussels I Recast Regulation'](#)

(2022) 71 *International and Comparative Law Quarterly* 297-321 (double-blind peer reviewed)

['The Hague Choice of Law Principles, CISG and PICC: A Hard Look at a Choice of Soft Law'](#)

(2018) 66 *American Journal of Comparative Law* 175-217 (double-blind peer reviewed)

['Australia's Accession to the Hague Convention on Choice of Court Agreements'](#)

(2017) 41 *Melbourne University Law Review* 246-283 (with Mary Keyes) (double-blind peer reviewed)

['Jurisdiction Agreements: Exclusive, Optional and Asymmetrical'](#)

(2015) 11(3) *Journal of Private International Law* 345-378 (with Mary Keyes) (double-blind peer reviewed)

['Party Autonomy and its Limits: Convergence through the New Hague Principles on Choice of Law in International Commercial Contracts'](#)

(2014) 39(3) *Brooklyn Journal of International Law* 975-1003 (with Marta Pertegás)

['Intra-regional Reform in East Asia and the New Hague Principles on Choice of Law in International Commercial Contracts'](#)

(2014) 20(1) *Korea Private International Law Association Journal* 391-428 (with Marta Pertegás)

[Reconsidering the Proper Law of the Contract'](#)

(2012) 13(1) *Melbourne Journal of International Law* 505-539 (double-blind peer reviewed)

Case notes

[Dernier état de la jurisprudence sur les clauses attributives de juridiction asymétriques'](#)

(Cass. Civ. 1ère 28 septembre 2022, n° 21-13.686) (2023)(3) *Revue critique de droit international privé* 527, 644-657

[‘Imbalanced Jurisdiction Clauses under the Lugano Convention’](#) (Cass. civ., 1ère 25 mars 2015, n°13-27264) [2016] *Zeitschrift für Europäisches Privatrecht* 515-527

Book chapters

[‘Article 6: Obligations of a Court not Chosen’](#), in G Cuniberti, B Marshall and L E Teitz, *The Hague Convention on Choice of Court Agreements: A Commentary* (Elgar Commentaries in Private International Law, 2025) (with P Mankowski)

[‘Article 10: Preliminary Questions’](#), in G Cuniberti, B Marshall and L E Teitz, *The Hague Convention on Choice of Court Agreements: A Commentary* (Elgar Commentaries in Private International Law, 2025)

[‘Article 13: Documents to be Produced’](#), in G Cuniberti, B Marshall and L E Teitz, *The Hague Convention on Choice of Court Agreements: A Commentary* (Elgar Commentaries in Private International Law, 2025)

[‘Article 17: Contracts of Insurance and Reinsurance’](#), in G Cuniberti, B Marshall and L E Teitz, *The Hague Convention on Choice of Court Agreements: A Commentary* (Elgar Commentaries in Private International Law, 2025)

[‘Article 18: No Legalisation’](#), in G Cuniberti, B Marshall and L E Teitz, *The Hague Convention on Choice of Court Agreements: A Commentary* (Elgar Commentaries in Private International Law, 2025)

[‘Taking of Evidence’](#), in Paul Beaumont and Jayne Holliday (eds), *A Guide to Global Private International Law* (Hart Publishing 2022) 175 (with Nadia de Araujo) (peer reviewed)

[‘Australia: Australian Perspectives on the Hague Principles’](#), in D Girsberger and others, *Choice of Law in International Commercial Contracts: Global Perspectives on the Hague Principles* (Oxford University Press, 2021)

[‘Australia: Inconsistencies in the Treatment of Optional Choice of Court Agreements’](#), in M Keyes (ed), *Optional Choice of Court Agreements in Private International Law* (Springer, Ius Comparatum – Global Studies in Comparative Law, 2020)

[‘The 2005 Hague Convention: A Panacea for Non-Exclusive and Asymmetric Jurisdiction Agreements Too?’](#), in M Douglas, V Bath, A Dickinson, and M Keyes (eds), *Commercial Issues in Private International Law: A Common Law Perspective* (Hart Publishing, 2019) 91 (peer reviewed)

Honourable Mention, 2020 Australian Legal Research Awards, Article/Chapter (ECR) Award category

Academic translations

[Institute of International Law - Commission no. 4, Human Rights and Private International Law](#), Working document of Rapporteur, Jürgen Basedow, no. 9 (January 2017), ‘Draft Resolution’, translated from French: Institut de droit international – Commission no. 4, *Droits de l’homme et droit international privé*, Document de travail du Rapporteur Jürgen Basedow, no. 9 (janvier 2017), ‘Avant-Projet de Résolution’

Policy papers and reports

Working Paper on Facilitating Circular Migration, Private International Law and Sustainable Migration Project Group (with H van Loon, V Ruiz Abou-Nigm and others) (forthcoming)

[Report of the Members' Consultative Committee to the EAPIL Working Group on Reforming the Brussels Ibis Regulation](#) (September 2022)

[Submission to the Commonwealth Attorney-General's Department: Submission on the United Nations Convention on International Settlement Agreements Resulting from Mediation](#) (2020) (with M Keyes, M Douglas, and S McKibbin)

[Submission to the Joint Standing Committee on Treaties: Inquiry on Australia's Accession to the Hague Convention on Choice of Court Agreements](#) (April 2016) (with M Keyes)

Book reviews

['Discretion Meets Due Process in International Commercial Arbitration'](#) (Review of *Due Process as a Limit to Discretion in International Commercial Arbitration* edited by Franco Ferrari, Friedrich Rosenfeld, Dietmar Czernich) [2022] ICC Dispute Resolution Bulletin (with W Doralt) 78

Blog posts, substantive social media posts, and podcasts

['Cabris Investment: Has the CJEU Forgotten About the Hague Convention?](#) (with G Cuniberti and L E Teitz, *EAPIL blog*, 23 October 2025)

['CJEU on Substantive Validity and on Asymmetric Clauses: What We Now Know, and What We \(Still\) Don't. A Guest Post by Brooke Marshall.'](#) (*Gavc Law*, 7 March 2025)

['Episode 4: Asymmetric Jurisdiction Clauses'](#) (*Conflicts, Contracts and Cake*, 14 August 2024)

['LLC EuroChem North-West 2 v Societe Generale SA & Ors \[2024\] EWHC 1084 \(Comm\)'](#) (*LinkedIn*, 10 May 2024)

Presentations (recent)

The Hague Conference on Private International Law, 'The Manifest Injustice and Public Policy Exception in Article 6: Novel, Misconceived or Unremarkable?' (The Hague, 11 December 2025)

Australasian Association of Private International Law, 'Approaching a Global Framework for the Private International Law of Employment – Principles and Practices in Australia' (Brisbane, 1 April 2025)

University of Oxford, Characterisation in the Conflict of Laws Conference, 'The Intersection of Jurisdiction and Choice of Law' (Oxford, 20 March 2025) (with R Banu)

Cited in Law Commission, [Digital Assets and \(Electronic\) Trade Documents in Private International Law including Section 72 of the Bills of Exchange Act 1882](#) (Consultation Paper, 5 June 2025) 108

International Law Association (Australian Branch) and UNSW Sydney, Early Career Seminar on Private International Law, Commentator (Sydney, 17 August 2023)

UNSW Sydney, 'Asymmetric Jurisdiction Clauses', [Book Launch \(Sydney, 5 July 2023\)](#)

University of Oxford, ‘Comparative and Interdisciplinary Perspectives on Doctrinal Questions: from Agreements to Conflict of Laws “and” ...’ (St Edmund Hall, Oxford, 15 May 2023)

International Chamber of Commerce, ICC Institute Jurisprudential Debate ‘Asymmetric Jurisdiction Clauses – Developments before the French Cour de cassation’ (Paris, 8 December 2022)

University of Oxford, Conflict of Laws Discussion Group, ‘Asymmetric jurisdiction agreements – Où sommes-nous ?’ (St Catherine’s College, Oxford, 2 December 2022)

Université Paris 1 Panthéon-Sorbonne, Centre de recherche de droit international privé et du commerce international (CRDI), Université Paris Panthéon-Assas et Sorbonne Étude des Relations Privées Internationales (SERPI), [Conférence en Salle 102, ‘Clauses attributives de juridiction asymétriques : quo vadis ?’](#) (Paris, 18 October 2022)

Max Planck Institute, Conflicts Reading Group, ‘Perspectives from Law & Economics on Party Autonomy in Jurisdiction’ (Hamburg, Germany, 23 August 2022)

Institute of European and Comparative Law (IECL), Lunchtime Seminar Series, ‘The Substantive Validity of Jurisdiction Agreements – a Question of their ‘Nature?’’ (IECL, Oxford, 11 October 2022)

ICC Institute of World Business Law, Annual Conference: Rethinking the Paradigms of International Arbitration, ‘Enforceability and Effects of Asymmetric Jurisdiction Clauses’ (Paris, 29 November 2021)

University of Lucerne, *Choice of Law in International Commercial Contracts* Launch, ‘*Epic Games, Inc v Apple Inc* [2021] FCA 338: A Role for Art 11(1) of the Hague Principles’, (online from Sydney, Australia to Lucerne, Switzerland, 4 May 2021)

University of New South Wales Law School, Law and Economics Group, ‘Economic Efficiency and *ex ante* Forum Selection’ (Sydney, Australia, 7 November 2019)

Ludwig Maximilian University Munich, 8th Journal of Private International Law Conference, ‘Justifications for Party Autonomy in the Context of Exclusive Jurisdiction Agreements’ (Munich, Germany, 12 September 2019)

East China University of Political Science and Law, ‘Reforming Contract Choice of Law in Australia’ (Shanghai, People’s Republic of China, 17-18 July 2019)

Faculty of Law, University of Hamburg, ‘Asymmetric Jurisdiction Clauses’ (Hamburg, Germany, 24 April 2019)

Max Planck Institute for Comparative and International Private Law, ‘*Asymmetrische Gerichtsstandsvereinbarungen und prozessuale Grundrechte*’ (Hamburg, Germany, 9 November 2018)