

# Centre Publications

## Ross Anderson

### Books

B McDonald, Ross Anderson & S Yeo, *Cases on Torts* (4<sup>th</sup> ed, Federation Press, Sydney, 2007), 457 pp

## Belinda Bennett

### Books

Belinda Bennett (ed), *Contemporary Perspectives on Health Law and Policy* (Federation Press, Sydney, 2007)

### Articles

Belinda Bennett, 'Regulating Small Things: Genes, Gametes and Nanotechnology' (2007) *Journal of Law and Medicine*

## Mary Crock

### Books

Mary Crock, J Bhabha, N Finch & S Schmidt, *Seeking Asylum Alone: A Comparative Study* (Themis Press, Sydney, 2007)

### Book Chapters

Mary Crock and E Santow, 'Privative Clause and Jurisdictional Error' in M Groves and HP Lee (eds), *Australian Administrative Law: Fundamentals, Principles and Doctrines* (Cambridge University Press, 2007), 345-367

### Articles

Mary Crock, 'Defining Strangers: Human Rights, Immigrants and the Foundations of a Just Society' (2007) 31 *Melbourne University Law Review*

Mary Crock, 'The Heart In Action: The *Seeking Asylum Alone* Project and the Experiences of Unaccompanied and Separated Children in Australia's Refugee Determination Process', Sacré Coeur Association of NSW: Cor Unim: Celebrating 125 Years of Sacred Heart Education, First Forum, 14 February 2007

## Katherine Fallah

### Book Chapters

Katherine Fallah, 'Regulating Private Security Contractors in Armed Conflicts', in S Gumedze (ed), *Private Security in Africa: Manifestation, Challenges and Regulation* (Institute for Security Studies, Pretoria, 2007), 97-123

Katherine Fallah, 'Criminalising Mercenarism in Africa: Legal Challenges and Options for Reform', in S Gumedze (ed), *Mercenarism in Africa* (Institute for Security Studies, Pretoria, 2007) (forthcoming)

### Articles

Katherine Fallah, 'Corporate Actors: The Legal Status of Mercenaries in Armed Conflict' (2006) 863 *International Review of the Red Cross* 599-611

## Fleur Johns

### Book Chapters

Fleur Johns, 'Performing Power: The Deal, Corporate Rule, and the Constitution of Global Legal Order' in S Motha (ed.), *Democracy's Empire: Sovereignty, Law, and Violence* (Blackwell, Oxford, 2007), 116-138

### Articles

Fleur Johns, 'Performing Party Autonomy' in K Knop, R Michaels & A Riles (eds), (2007) 71 *Law & Contemporary Problems* (Special Issue: The Return of the Private: Private International Law Meets Global Governance)

Fleur Johns & S Freeland, 'Teaching International Law Across an Urban Divide: Reflections on an Improvisation', (2007) 57(4) *Journal of Legal Education*

Fleur Johns, 'Performing Power: The Deal, Corporate Rule, and the Constitution of Global Legal Order' (2007) 34 *Journal of Law and Society* 116-138

### Reviews

Fleur Johns, 'Review: International Law and its Others' (2007) 8 *Melbourne Journal of International Law* 516-535

## David Kinley

### Books

David Kinley and Hai Nguyen, *The Implications for Human Rights and Vietnam's Accession to the WTO* (Friedrich Ebert Stiftung, 2007)

### Book Chapters

David Kinley and J Nolan, 'Human Rights, Corporations and the Global Economy' in G Palazzo & A Scherer (eds), *Handbook on Corporate Citizenship* (Edward Elgar, 2007)

David Kinley, J Nolan and N Zerial, 'The Norms are Dead. Long Live the Norms! The Politics Behind the UN Human Rights for Corporations' in McBarnett, Voiculescu and Campbell (eds), *The New Corporate Accountability: Corporate Social Responsibility and the Law* (Cambridge University Press, 2007)

**Articles**

David Kinley, 'Human Rights Fundamentalisms' (2007) 29 *Sydney Law Review* 545-75

David Kinley and T Wilson, 'Engaging a Pariah: Human Rights Training in Burma' (2007) 29 *Human Rights Quarterly*

David Kinley, J Nolan and N Zerial, 'The Politics of Corporate Social Responsibility: Reflections on the United Nations

Human Rights Norms for Corporations' (2007) 25 *Company and Securities Law Journal* 30-42

**Reports**

*Victorian Charter of Human Rights Workshop Manual for Legal and Legislative Policy Officers* (Government of Victoria; 145 pp) (multiple authors; significant contributor)

**Rosemary Lyster****Books**

Rosemary Lyster, Z Lipman, N Franklin, G Wiffen and L Pearson, *Environmental and Planning Law in New South Wales* (Federation Press, Sydney, 2007)

**Roger Magnusson****Articles**

Roger Magnusson, 'Non-communicable Diseases and Global Health Governance: Enhancing Global Processes to Improve Health Development' (2007) 3 *Globalization and Health*

Roger Magnusson, 'Legal Issues in Teamwork: Liability within Medical Teams and Hierarchies in NSW?' (2007) 79 *Precedent* 10-17

**Kate Miles****Book Chapters**

Kate Miles, 'Targeting Financiers: Can Voluntary Codes of Conduct for the Investment and Financing Sectors Achieve Environmental and Sustainability Objectives?' in *Critical Issues in Environmental Taxation - Volume V* (Oxford University Press, 2007)

**Articles**

Kate Miles, 'Transforming Foreign Investment: Globalisation, The Environment and a Climate of Controversy' (2007) 7 *Macquarie Law Journal* 81

**Reviews**

Kate Miles, 'The Oxford Handbook of International Environmental Law' by D Bodanksy, J Brunnée, and E Hey (eds) (2007) *Asia Pacific Journal of Environmental Law*

**Jacqueline Mowbray****Articles**

Jacqueline Mowbray, 'The Right to Food and the International Economic System: An Assessment of the Rights-Based Approach to the Problem of World Hunger' (2007) 20 *Leiden Journal of International Law* 545

**Luke Nottage****Book Chapters**

Luke Nottage, 'Legal Harmonization' in D Clark (ed), *Encyclopedia of Law and the Social Sciences: American and Global Perspectives* (Sage, New York, 2007)

Luke Nottage, 'Product Liability and Safety Regulation' in G McAlinn (ed), *Japanese Business Law* (Kluwer, The Hague, 2007), 221-262

Luke Nottage, 'Globalization of Japanese Corporations and the Development of Corporate Legal Departments: Problems and Prospects' (with Toshimitsu Kitagawa), in W Alford (ed), *Raising the Bar: The Emerging Legal Profession in East Asia* (Harvard University Press, 2007), 201-85

Luke Nottage, 'Comparing Product Liability and Safety in Japan: Path-Dependent Globalization' in H Scheiber and L Mayali (eds), *Emerging Rights in Japanese Law* (The Robbins Collection, Berkeley, 2007), 143-67

Luke Nottage, "Tetsuzukikihan to shite no Lex Mercatoria: Kokusai Shoji Chusai no Kako, Genjo, Mirai [The Procedural Lex Mercatoria: The Past, Present and Future of International Commercial Arbitration]" (Nakabayashi and Nasu, trans) in Akira Saito et al (eds), *Kokusai Keiyaku Ruru no Tanjo [The Birth of International Contract Law Rules]* (Dobunkan, Tokyo, 2007), 113-56

**Articles**

Luke Nottage and J Kellam, 'Happy 15<sup>th</sup> Birthday, TPA Part VA! Australia's Product Liability Morass' 15 *Competition and Consumer Law Journal* 26-73

Luke Nottage, 'Form and Substance in Changed Circumstances: English, New Zealand, US, Japanese and International Contract Law and Practice' (2007) 14 *Indiana Journal of Global Legal Studies* [30 pp]

Luke Nottage, 'Japan – Overview, and (assisted by J Rheuben) Case Notes' in British Institute of International and Comparative Law (ed), 'Product Liability Forum Database', forthcoming at [www.biicl.org/plf/](http://www.biicl.org/plf/)

Luke Nottage and J Kellam, 'Australia – Overview, and Case Notes' in British Institute of International and Comparative Law (ed), 'Product Liability Forum Database', forthcoming at [www.biicl.org/plf/](http://www.biicl.org/plf/)

Luke Nottage, 'Arb-Med in Australia: The Time Has Come' (December 2007) *ADR Reporter* (Chartered Institute of Arbitrators – Australian Branch)

## Other Articles

Luke Nottage, contributing editor, *CCH Japan Business Law Guide* (looseleaf, 2 volumes, Singapore); update to 'Product Liability' chapter (originally with Masanobu Kato); update to 'Contract Law' chapter (last revised by V Taylor)

Luke Nottage and D Jay, contributing authors for the 'Sales and Product Liability' tab of the *Butterworths Forms and Precedents* looseleaf/online service, Sydney; and update to 'International Sales' tab

Luke Nottage and J Kellam, contributors on Japan in 'Asia and the Pacific Rim' in DRI (ed), *Product Liability Defenses: A State-by-State Compendium* (CDROM service, Defence Research Institute, Chicago)

## David Rolph

### Articles

David Rolph, 'Preparing for a Full-Scale Invasion: Truth, Privacy and Defamation' (2007) 25(3/4) *Communications Law Bulletin* 5-8

## Ben Saul

### Book Chapters

Ben Saul, 'The Curious Element of Motive in Definitions of Terrorism: Essential Ingredient – Or Criminalizing Thought?' in A Lynch, E MacDonald and G Williams (eds), *Law and Liberty in the War on Terror* (Federation Press, Sydney, 2007), 28-39

Ben Saul, 'Australian Administrative Law: The Human Rights Dimension', in M Groves and HP Lee (eds), *Australian Administrative Law: Fundamentals, Principles and Doctrines* (Cambridge University Press, Cambridge, 2007), 50-76

Ben Saul, 'Defining Terrorism to Protect Human Rights', chapter in D Staines (ed), *Interrogating the War on Terror* (Cambridge Scholars Press, Cambridge, 2007), 190-210



Ben Saul outside the University of Yangon (Rangoon), Myanmar (Burma) after being refused entry to the campus in January 2007. The University was once the centre of the student democratic movement and is just down the road from Aung San Suu Kyi's house.

## Articles

Ben Saul, 'Branding Enemies: Regional Legal Responses to Terrorism in Asia' (2007) *Asian Yearbook of International Humanitarian Law*

### Other Publications

Ben Saul and S Johnston, Editorial (2005) *Australian International Law Journal*

Ben Saul, "From the Guest Editor: building the law on genocide" (2007) 9 *Journal of Genocide Research* 173

Ben Saul, Book Review of Stephen Grey's *Ghost Plane: the untold story of the CIA's torture programme* (Scribe, 2007), in (July 2007) *Law Society Journal*

Ben Saul, 'Response to Danielle Celermajer's "Are we entering a post human rights era?"' (2007) *Human Rights Defender*

## Tim Stephens

### Book Chapters

Tim Stephens & B Boer, 'Enforcement and Compliance in the Australian Antarctic Territory: Legal and Policy Dilemmas' in L Kriwoken et al (eds), *Looking South: Australia's Antarctic Agenda* (Federation Press, Sydney, 2007), 57-70

Tim Stephens, 'A Slow Burn: The Emergence of Climate Change Law in Australia' in G Birch (ed), *Water, Wind, Art and Debate: How Environmental Concerns Impact on Disciplinary Research* (Sydney University Press, 2007), 1-22

### Articles

Rosemary Lyster and Tim Stephens, 'The Rise and Rise of Environmental Markets: Biodiversity Banking in Australia' (2007) 10 *Asia Pacific Journal of Environmental Law* 1-12

Tim Stephens, 'The United Kingdom's Carbon Emissions Reduction Legislation' (2007) 24 *Environmental and Planning Law Journal* 249-252

Laura Thomas and Tim Stephens, 'The Environment Protection and Biodiversity Conservation Act: New Prospects for Effective Implementation?' (2007) 18 *Public Law Review* 84-88

Tim Stephens, 'The United Kingdom's Carbon Emissions Reduction Legislation' (2007) 24 *Environmental and Planning Law Journal* 249-252

### Reviews

Tim Stephens, 'International Environmental Law: Fairness, Effectiveness and World Order by Elli Louka' (2007) 10 *Asia Pacific Journal of Environmental Law* 149-151

## Case Notes

Tim Stephens and D Rothwell, 'Japanese Whaling in Antarctica: *Humane Society International Inc v Kyodo Senpaku Kaisha Ltd*' (2007) 16 *Review of European Community and International Environmental Law* 243-246

Tim Stephens and Brett Williams, 'Cases Before International Courts and Tribunals Involving Australia 2005' (2007) 26 *Australian Year Book of International Law* (forthcoming)

Justin Hogan-Doran and Tim Stephens, 'Cases Before International Courts and Tribunals Involving Australia 2004' (2006) 25 *Australian Year Book of International Law* 403-424

## Andrew Tuch

### Articles

Andrew Tuch, 'Securities Underwriters in Public Capital Markets: The Existence, Parameters and Consequences of the Fiduciary Obligation to Avoid Conflicts' (2007) 7 *Journal of Corporate Law Studies* 51-84

## Anne Twomey

### Articles

Anne Twomey, 'Truth, Error and Government Obstruction' (2007) Jan-Feb *Quadrant*

Anne Twomey and G Withers, 'Australia's Federal Future', Council for the Australian Federation, *Federalist Paper No 1*, 29 March 2007

Anne Twomey, 'Foreign Affairs in Australia - Evolution and Reform' (2007) 5 *Blingenbacher R and Pasma C (eds), Dialogues on Foreign Relations in Federal Countries*

Anne Twomey, 'A Constitution for a new State – Dilemmas for the Northern Territory' (2007) 18 *Public Law Review* 200

Anne Twomey, 'Aspirational Nationalism or Opportunistic Federalism', *Quadrant*, October 2007

Anne Twomey, 'The Future for Australian Federalism' (Spring 2008) *Impact Magazine* (ACOSS), 20

## Brett Williams

### Articles

Brett Williams, 'The Falconer Draft Text for the Doha Round WTO Negotiation on Agriculture – A 'Ha'port of tar' to Save the Vessel from Sinking or Just a dab of Paint on an Irreparably broken Hull?' (2007) 30(2) *UNSWLJ* 368-468

### Case Notes

Tim Stephens and Brett Williams, 'Cases Before International Courts and Tribunals Involving Australia 2005' (2007) 26 *Australian Year Book of International Law* (forthcoming)



Israel's security barrier surrounding a Palestinian refugee camp on the outskirts of Jerusalem, May 2007