

Annual Report 2006



*Sydney Centre for
International and Global Law*

*Faculty of Law,
The University of Sydney*

<http://www.law.usyd.edu.au/scigl/>



Faculty of Law
University of Sydney

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1. Objectives and Activities

The Sydney Centre for International and Global Law was established in 2003 at the University of Sydney's Faculty of Law. The purpose and paramount initiative of the Centre is to provide and demonstrate excellence in research and in the teaching of international law. It does this by providing a diverse focus for research and by making an important contribution to international legal scholarship.

The Centre's main objectives are:

- to promote excellence in the teaching of international law;
- to make a major contribution to international legal scholarship;
- to play a significant advisory role for governments and non-governmental organizations in the Asia Pacific region in matters of international law; and
- to enhance public awareness of, and interest in, international law.

The objectives of the Centre will continue to be realised by the following activities:

Teaching

- Offering a range of courses, many of them new to the University and to the region, that specialize in global and international law;
- Offering units of study at postgraduate level that feature traditional international law and its newly emerging fields;
- Attracting doctoral students of the highest calibre from the Asia Pacific region; Providing a centre within the region that deals exclusively with the study of international law;
- Promoting the Jessup International Law Moot Court competition.

Research

- Developing and expanding research within international law that builds on the well-recognised expertise that is already a feature of the Law School
- Achieving eminence as the only centre of research in international law within the Asia Pacific region;
- Obtaining project funds from here and abroad that allow for pro bono undertakings in the public interest

Advisory Work

- For the first time within the region develop the means to address comprehensively the needs of any who come to it for advice;
- Offer practical and independent advice on matters that are politically sensitive and also confidential;
- Bridge the gap that separates universities, private practice and government;
- Be sufficiently flexible to service a range of clients including governments, corporations and NGOs.

2. Structure of the Centre

2.1 Advisory Board (as at 31 December 2006)

Chair of the Advisory Board

Emeritus Professor Ivan Shearer AM, RFD

Members of the Advisory Board

Professor Richard Alston, New York University School of Law

Dr Rosalie Balkin, Legal Director, International Maritime Organization, London

Mr Bill Campbell QC, Office of International Law, Commonwealth of Australia Attorney-General's Department

Professor James Crawford, SC, Faculty of Law, Cambridge University

Dr Michael Fullilove, The Lowy Institute for International Policy, Sydney

HE Judge C Weeramantry, Former Judge of the International Court of Justice

2.2 Staff

Foundation Director (to 30 June 2006)

Professor Donald R Rothwell, Challis Professor of International Law

Director (from 30 June 2006)

Dr Brett Williams

Centre Administrator

Mrs Jennifer Hornitzky (to October 2006)

Centre Associates

Ms Nicole Abadee

Mr Ross Anderson

A/Professor Belinda Bennett

Professor Ben Boer

Ms Vivienne Bath

Ms Irene Baghoomians

Mr Graeme Coss

A/Professor Mary Crock

Professor Mark Findlay

Mr Justin Hogan-Doran

Dr Fleur Johns

Professor David Kinley

A/Professor Rosemary Lyster

A/Professor Roger Magnusson

Dr Jane McAdam

Dr Luke Nottage

Ms Alison Pert

Dr David Rolph

Emeritus Professor Ivan Shearer AM

Dr Tim Stephens

Mr Andrew Tuch

Dr Christopher Ward

Dr Irene Watson

Dr Brett Williams

A/Professor Alex Ziegert

Centre Affiliates

Ms Jolyon Ford
Dr Peter Kwon

Dr Hitoshi Nasu
Dr Martyn Taylor

2.3 Management Committee

The Centre's constitution provides for the creation of a Management Committee to oversee the administrative, public education and research activities of the Centre. The Management Committee is comprised in accordance with the Centre Constitution of the Dean, the Director, programme directors and up to two additional members.

Dr Brett Williams

Director (from 30 June 2006)
& Program Director - Public International Economic Law (from 4 December 2006)

Mr Ross Anderson

Program Director - Private International Law (from 4 December 2006)

Dr Fleur Johns

Program Director - Public International Law (from 4 December 2006)

Professor David Kinley

Program Director - International Human Rights (from 4 December 2006)

Dr Luke Nottage

Program Director - Transnational and Comparative Law (from 4 December 2006)

Professor Ron McCallum

Ex-officio member as Dean, Faculty of Law (from 4 December 2006)

Associate Professor Mary Crock (from 6 December 2006)

Dr Tim Stephens (from 6 December 2006)

3. Director's Report

For the Sydney Centre for International and Global Law, 2006 was a year of change, continuity and consolidation. We farewelled the Foundation Centre Director, Professor Donald Rothwell at the end of the 1st semester, as he took up a Chair in International Law at the Australian National University. Despite the change in the Directorship, the Centre Associates continued to work toward their vision of promoting teaching, research and active engagement with the profession in the fields of international and global law. To some extent, there was a focus on internal matters establishing an Advisory Board and formalizing roles within a Management Committee and with more Faculty members becoming Associates of the Centre.

For the first time, we constituted an Advisory Board, first by appointing Emeritus Professor Ivan Shearer as the Chair and then adding 6 other members: Professor Philip Alston, Dr Rosalie Balkin, Mr Bill Campbell SC, Professor James Crawford, Dr Michael Fullilove, and HE Judge C Weeramantry.

We welcomed the self-nomination of a number of our faculty colleagues to become new Associates of the Centre: Associate Professor Roger Magnusson, Dr Irene Watsons, Post-Doctoral Research Fellow, Vivienne Bath, Senior Lecturer and Graeme Coss, Senior Lecturer. We also appointed three of our regular part-time international law Faculty: Nicole Abadee, Alison Pert, and Justin Hogan-Doran as Associates. In addition, we were pleased to appoint 3 recent University of Sydney PhD graduates as Affiliates: Dr Peter Kwon, Dr Hitoshi Nasu and Dr Martyn Taylor.

We sought to refocus the Centre on research. For that purpose, we created programme directors as contemplated in the SCIGL Constitution. The Dean appointed programme directors in 5 areas:

Public International Law – Dr Fleur Johns

Private International Law – Mr Ross Anderson

International Human Rights Law – Professor David Kinley

Transnational and Comparative Law – Dr Luke Nottage

Public International Economic law – Dr Brett Williams

It is expected that programmes may overlap, that Associates may participate in as many programmes as they wish and that the nomination of these 5 subject areas will not preclude any research work from falling within the scope of the Centre's work, nor preclude any type of collaboration. At the year end, some programme directors had planned programme launches, seminar series for 2007 and joint grant applications for 2007 rounds.

The publications of Associates are listed below at item 5 of the report. I will mention only three of those items. First, Associate Professor Mary Crock brought her research projects on *Seeking Asylum Alone – Unaccompanied and Separated Children and Refugee Protection* to a successful conclusion with the publication of the two reports listed below, one a study of law, policy and practice in Australia and the other, jointly with Jacqueline Bhabha of Harvard University, a comparative study of law, policy and practice in Australia, the UK and the USA. Second, one of the 2005 graduating PhD's, Martyn Taylor achieved publication of his PhD thesis on *International Competition Law – a new Dimension to the WTO*. Third, Associates of the Centre continued to produce the casenotes section of the *Australian Yearbook of International Law* with Tim Stephens and Justin Hogan-Doran writing this section in the yearbook for 2004 which was produced during 2006.

Associates of the Centre also made submissions and reports which are listed at item 4.3 below. These include the submissions made by Mary Crock and Jane McAdam to the Australian Senate on amendments to migration legislation, that of Luke Nottage to the OECD's comparative study on consumer contracts and Ivan Shearer's opinion in an international extradition case.

The Report also lists the seminars and lectures hosted by the Centre and its Associates. I will mention a few points here. First, it was pleasing to see three Associates of the Centre (Irene Bhaghoomians, Luke Nottage and Don Rothwell) contributing to the Faculty Staff Seminar programme maintaining the profile of international law within the Faculty. Second it was pleasing to see two events organized through the Faculty Continuing Legal Education programme contributing some modest income to the Centre (with Don Rothwell hosting the CLE by Professor Moira McConnell of Dalhousie University on "The Proposed Maritime Labour Convention" in March and David Kinley hosting the CLE by Professor David Feldman on "Implementing Constitutions in Post-Conflict Society: The Case of Bosnia and Herzogvina" in August). Third, we were pleased to host the seminar by Professor Susan Karamanian from George Washington University jointly with the NSW Bar Association. Fourthly, we were please to join with the University of Sydney Centre for Criminology to present the seminar on "Australians and the Death Penalty: National and International Dimensions".

I would like to mention two events in particular. Professor Don Rothwell presented a seminar in May outlining the legal issues involved in the imposition by Singapore of the death penalty on Van Nguyen and in the his role in advising in that case. Informally, we hosted this as an inaugural public lecture following Professor Rothwell's appointment in 2004 as the Challis Professor of International Law but it also turned out to be a valedictory lecture as well. Professor David Kinley who took up the Faculty's Chair in Human Rights Law (the first Chair in Human Rights law in Australia) in April 2005 presented his inaugural professorial lecture in December. Professor Kinley's lecture was entitled "Human Rights Fundamentalisms".

The Centre organized the 2006 Australian round of the Jessup International Law moot competition, this being the 2nd year of a three year arrangement. Thanks are owed to Don Rothwell who carried out much of the work organizing the competition. The Centre employed Hitoshi Nasu who ably assisted Professor Rothwell with this event.

Among the many student achievements in 2006 in which Associates of the Centre have been involved are the award of four PhD: Dr Tim Stephens Dr Martyn Taylor, Dr Peter Kwon and Dr Hitoshi Nasu. Congratulations to them and to their supervisors. In addition, Associates of the Centre had the pleasure of being associated with some successful student teams during 2006. Justin Hogan-Doran coached the Jessup International Law moot team consisting of Kate Smyth, Andrew Rankine, Oliver Jones, Dale Bampton and Natalie Zerial which won a place in a semi finals against Bond University in February 2006.

Luke Nottage coached an English-language team involving University of Sydney students Adrian Bright, Chris Grey (captain), Wang Sang Lung, Showhey Matsui and Melanie Trezise (Sydney and Kyoto, absent) which won the final of the Intercollegiate Negotiation and Arbitration Competition in Tokyo, Japan in December 2006, while another Sydney student, Joel Rheuben, joined a Japanese-language team from ANU.

Brett Williams coached a team consisting of Lucas Bastin, David Coleman, Rebecca Mann and Odette Murray in the WTO Moot Court Competition convened by the European Law Students Society which won the grand final in Geneva in May 2006 defeating London School of Economics (and becoming the first non-UK team to win this competition).

Jennifer Hornitzky continued to act in the part time (usually less than half a day per week) position of Centre administrator until October 2006, in particular, assisting with the organization of seminars and other events.

In summary, the Centre and its Associates have attained many achievements in teaching, research and outreach across a broad range of international and global law. We have built on Faculty's longstanding engagement with public international law and private international law and developed its engagement with what was described at the launch of the Centre as global law – that mixture of international, regional and municipal law which is having global influence. Given the talent and energy of my colleagues including those taking on the roles as programme directors, I anticipate further achievements in the future.

Dr Brett Williams
Director (from 30 June 2006)

Appendices to Director's Report

- 3.1 Financial Statement
- 3.2 Centre Administration

Financial Report

CENTRE FOR INTERNATIONAL & GLOBAL LAW (J0033 00000 & J0033 11111)

Statement of Financial Performance for year ended 31 December 2006

		2006	2005
		\$	\$
INCOME			
Fees Seminars / Conferences		32	6,807
Consulting income Local		nil	1,002
Administration fee income	Note 2	9000	9,000
Faculty Support		20000	20,000
Internal income	Note 1	42	47
Other Income		nil	1,050
		<hr/>	<hr/>
Total Income		29,074	37,906
EXPENDITURE			
Casual Salaries & associated Costs	Note 3	3664	12,715
Casual Salaries re Jessup Moot	Note 4	6278	
Printing & Photocopying		nil	440
Travel & Conferences	Note 5	1057	4,494
Catering & Entertainment		99	3,489
Plant & Equipment costs		nil	nil
Contractors		nil	nil
Other Expenses		63	286
		<hr/>	<hr/>
Total Expenditure		11,161	21,425
		<hr/>	<hr/>
Surplus/(Deficit)		17,913	16,481

Accumulated Funds as at 1 January 2006	20314	3,833
Accumulated Funds as at 31 December 2006	<u><u>38,227</u></u>	<u><u>20,314</u></u>

Note 1: 2006 CLE Income

Note 2: Acted as National Administrator for the Jessup Moot in 2006 to Jessup International Law Moot Inc

Note 3: 2006 - \$3664 made up of - Salaries Jennifer Hornitzky (\$3420.25); Emma Truswell (\$244.08)

Note 4: 2006 - \$6278 included salaries paid re Jessup Moot for: Hitoshi Nasu (\$4608.92: J0033 - 00000)/(\$374.46: J0033 - 11111) and Stephen David (\$1295: J0033 - 00000) [27 Oct 06 to 31 Dec 06]

Note 5: 2006 - \$1057 was made up of: [Taxi Fares Domestic \$46.77; Accommodation Domestic \$157; Airfare domestic \$197.39, reimbursing costs for CLE/SCIGL Seminar Speaker - Dr Rosemary Rayfuse] and [Travel Visitor Domestic \$655.49 - Dr David Indermaur (Uni WA) Seminar - 7 July 06]

2. Centre Administration

Mrs Jennifer Hornitzky continued in the position of Centre Administrator, working approximately 3 hours per week until October 2006.

The Centre also employed Hitoshi Nasu between January and March 2006 to assist with the administration of the Jessup International Law moot.

4. Activities of the Centre

The Centre was actively engaged in the promotion of issues the subject of international debate and general concern. This was achieved by arranging a series of seminars and speakers as a means of furthering debate and discussion on topical issues and by research, publication and media exposure.

The Centre was actively involved in research, publication and conference presentations. A comprehensive list of all publications for the Centre is found in the section of this report entitled *Publications*.

An important and essential activity of the Centre is to constitute a point of liaison for the media, researchers and others, including international scholars, who require specific information on international and global law. Some media appearances are listed below.

The Activities of the Centre are set out in the sections below:

- 4.1 Seminars and Events
- 4.2 Other Presentations by Associates
- 4.3 Public Submissions, Legal opinions and Reports
- 4.4 Research Grants Held by SCIGL Members
- 4.5 Media
- 4.6 Visitors
- 4.7 Research Degree Completions
- 4.8 Involvement of Associates in Student Activities

Publications of Associates and Affiliates are recorded in Section 5, the final section of this report.

4.1 Seminars and Events

The Sydney Centre for International and Global Law from its inception in August 2003, has organised and run successfully, seminars and conferences and has co-organised and contributed to other important and topical seminars and conferences that have been well received by both the public, academics and professional alike. A description of these events for 2006 is provided as follows:

“Pitfalls in Relying on Common Law Rules of Evidence to Determine Refugee Cases: The Canadian Experience”

Associate Professor France Houle, University of Montreal

2 March 2006, Lecture Theatre 2, Level 1, Faculty of Law, University of Sydney, Sydney

Associate Professor France Houle, University of Montreal (Province of Quebec, Canada) examines the way in which the Refugee Protection Division of the Canadian Immigration and Refugee Board uses common law rules of evidence. In particular she examines the approach to oral testimony and to documentary (hearsay) evidence.

“The Proposed Maritime Labour Convention”

Professor Moira McConnell, Dalhousie Law School

14 March 2006, Minter Ellison Conference Room, Level 13, Faculty of Law, University of Sydney, Sydney

Professor Moira McConnell, Director of the Marine and Environmental Law Institute, Dalhousie Law School (Nova Scotia, Canada) has been a participant in negotiations conducted collaboratively by the International Maritime Organization (IMO) and the International Labour Organization (ILO) aimed at producing a Maritime Labour Convention consolidating existing labour standards and updating international law in this area. She spoke about the process and the proposed new treaty.

“Fighting the Odius Scourge: International Developments in the Prosecution of Genocide”

Professor Dr Gerhard Werle, Humboldt University

10 April 2006, Minter Ellison Conference Room, Level 13, Faculty of Law, University of Sydney, Sydney

Professor Dr Gerhard Werle, Professor at the Humboldt-Universität zu Berlin highlighted the recent case law of the international criminal tribunals relating to issues of the crime of genocide such as the definition of the protected groups, the protected interests and the special interest required. He also spoke on the admissibility and limitations on prosecution of genocide by 3rd states.

“Crossing Over: Reflections on the Van Nguyen Death Penalty Case”

Professor Donald R Rothwell, Challis Professor of International Law, University of Sydney

18 May 2006, Minter Ellison Conference Room, Level 13, Faculty of Law, University of Sydney, Sydney

The legal issues involved in the imposition by Singapore of the death penalty on the Australian Van Nguyen are many and long ranging. Professor Donald R. Rothwell, Challis Professor of International Law, University of Sydney spoke about his own role in advising in the case and the movement from academia to practice in this instance.

“Australians and the Death Penalty: National and International Dimensions”

7 June 2006, NSW Parliament House Theatrette, Macquarie Street, Sydney

This seminar was presented by the Institute of Criminology and the Sydney Centre for International and Global Law. The first session explored the issue of off-shore pricing and death penalty punishments. In the second session, the panel discussed international perspectives on the death penalty and reviewed the legal and policy options to contest the legitimacy of the death penalty in international and national courts. The list of speakers included:

Professor Mark Findlay, Institute of Criminology, University of Sydney (Chair)
Professor David Kinley, SCIGL, University of Sydney (Chair)
Professor Simon Bronitt, Australian National University
Ms Suzanne Clark, Amnesty International
Mr Ian Farrell, University of Wollongong
A/Professor Steven Freeland, University of Western Australia
Dr David Indermaur, University of Western Australia
Dr Natalie Klein, Macquarie University
Mr Michael Phelan, National Manager, Australian Federal Police
Mr Michael Walton, Committee Member, NSW Council for Civil Liberties

**“The United States’ Use of the Death Penalty: National and International Dimensions”
Professor Susan L Karamanian, George Washington University Law School**

26 June 2006, Lecture Theatre 1, Level 1, Faculty of Law, University of Sydney, Sydney

Professor Susan L Karamanian, Associate Dean for International and Comparative Legal Studies at George Washington University Law School explored how in recent years the world has helped shape and limit the application of the U.S. death penalty.

“The Relationship between Chapter VII of the UN Charter and Use of Force by Regional Arrangements and Agencies”

Professor James E. Hickey Jr., Hofstra University School of Law

12 July 2006, Minter Ellison Conference Room, Level 13, Faculty of Law, University of Sydney

Professor James E. Hickey Jr is Professor of Law and Director of International and Comparative Law Programmes at Hofstra University School of Law. Professor Hickey’s work considers the idea that the meaning of the Charter has changed since 1945; that the relationship between ‘regional arrangements and agencies’ and the UN Security Council over enforcement actions to maintain or restore international peace and security under the UN Charter has altered.

**“Implementing Constitutions in Post-Conflict Society: The Case of Bosnia and Herzegovina”
Professor David Feldman, Cambridge University**

21 August 2006, Lecture Theatre 2, Level 1, Faculty of Law, University of Sydney, Sydney

Professor David Feldman is the Rouse Ball Professor of English Law, Cambridge University. Professor Feldman discussed the movement from peace-keeping to integrative and transformative constitutionalism in Bosnia and Herzegovina, and explored the pressures on and techniques used by various agencies, especially the Constitutional.

“The Trial and Tribulation of David Hicks: A Citizen Without Rights”

Irene Baghoomians, Faculty of Law, University of Sydney

31 August 2006, Minter Ellison Conference Room, Level 13, Faculty of Law, University of Sydney,

Sydney

Ms Irene Baghoomians, Lecturer, Faculty of Law, University of Sydney discussed the trial and tribulation of David Hicks. David Hicks' predicament has been exacerbated by a compliant Federal Government that has refused to question the legitimacy of his indefinite detention or the military commission process. The highly flawed military commission process has been extensively critiqued by many human rights advocates, legal commentators and jurists as well as other governments for its breaches of international human rights norms. The seminar examined these breaches in detail and questioned the efficacy of such blatant undermining of the rule of law and the human rights norms.

“Multilateral Development Banks, Accountability and Third Party Expectations in Today’s World”

Mr Suresh Nanwani, Asian Development Bank

12 September 2006, Minter Ellison Conference Room, Level 13, Faculty of Law, University of Sydney, Sydney

Mr Suresh Nanwani is the Associate Secretary of the Compliance Review Panel at the Asian Development Bank and was a Parsons visiting fellow at the Faculty of Law, University of Sydney. In this seminar, he explored the structural limitations restricting private third parties and their access to international redress, ongoing developments in the suitability of the mechanisms by which the organisations are made accountable and the need for innovative methods for the settlement of claims.

“Enterprise vs State: The New David and Goliath?” (Annual Clayton Utz Commercial Arbitration Lecture)

Dr Karl-Heinz Bocksteigel, President, German Institution of Arbitration

27 September 2006, Banco Court, Supreme Court of NSW, Queens Square, Sydney

This event was sponsored by Clayton Utz Lawyers and The University of Sydney. Dr Karl-Heinz Bocksteigel, President and Chairman of the Board of the German Institution of Arbitration (DIS) and the President of the German Association of International Law, delivered the 2006 Clayton Utz lecture in International Commercial Arbitration. He addressed the legal and commercial implications of bilateral and multilateral investment treaties, and looked at what protection is available, how reliable it is, and how the risk involved can be minimised.

“Opting In and Opting Out of International Commercial Law Instruments: Cross-Border Enforcement of Judgements, Arbitration and Contracts”

Dr Luke Nottage, Faculty of Law, University of Sydney

19 October 2006, Minter Ellison Conference Room, Level 13, Faculty of Law, University of Sydney, Sydney

The 1958 New York Convention requires local courts to allow arbitrators to commence proceedings, and to enforce foreign awards, provided parties have opted in by agreeing to arbitration. The 2005 Hague Convention seeks the same if parties opt in to the (exclusive) jurisdiction of an agreed court. A proposed Trans-Tasman regime goes further: it would allow enforcement e.g. of a NZ court judgment in Australia even if an Australian party lacks assets, presence or agreement to jurisdiction in NZ. The only alternative for the Australian party would seem to be to opt out of this regime by selecting arbitration, or a court in Australia or a third country as the exclusive forum. The regime aims to reinforce confidence in the other country's courts, but it might worsen if parties begin to opt out. Likewise, the UN Sales Convention may be losing favour in both countries (but not world-wide) due to its Article 6 allowing opt-outs.

Behavioural law and economics suggests why this might occur. Dr Luke Nottage, Senior Lecturer in the Faculty of Law at the University of Sydney explored the various issues.

“The Progressive Constitutionalisation of the European Union through Human Rights and Union Citizenship”

Dr Katja S Zeigler, Institute of European and Comparative Law, University of Oxford

26 October 2006, Minter Ellison Conference Room, Level 13, Faculty of Law, University of Sydney, Sydney

The debate about European Constitutionalism that existed in earlier periods of the history of European integration has been revived against the backdrop of the recent failed attempt of a Treaty amendment which became known as Draft Constitution. Dr Katja S Ziegler, lecturer in Law, DAAD Fellow and Deputy Director of the Institute of European and Comparative Law, University of Oxford presented a paper that took the opposite, namely a bottom-up, approach by looking at some of the developments in European Communities (EC) law that move beyond economic regulation and integration.

“Human Rights Fundamentalisms”

Inaugural Professorial Lecture by Professor David Kinley, Professor in Human Rights Law

6 December 2006, Assembly Hall, Faculty of Law, University of Sydney, Sydney

Professor David Kinley, Professor of Law at The University of Sydney, Australia’s first Chair in Human Rights Law, presented his inaugural public lecture titled “Human Rights Fundamentalisms”.

4.2 Other Presentations by Associates

The following is a list of public presentations by Associates of the Centre:

Belinda BENNETT

Bennett, B, ‘Regulating Rights in a Posthuman World: Law, Ethics and Medical Science’, presented at the Willis Cunningham Memorial Lecture, Faculty of Law, Queen’s University Canada, 9 January 2006.

Bennett, B, ‘The Next Pandemic? Globalisation and Public Health Law’, presented to the Faculty of Law, University of British Columbia, 19 January 2006.

Bennett, B, ‘The Next Pandemic? Globalisation and Public Health Laws’, presented at the Kirby Seminar Series, University of New England School of Law, Armidale, 1 May 2006.

Bennett, B, ‘Regulating Small Things: Genes, Gametes and Nanotechnology’, presented at *Regulating the Scientific Frontier*, the 2nd Annual Conference of the Centre for Health Governance, Law & Ethics, University of Sydney, 24 November 2006.

Vivienne BATH

Bath, V, 'Comments on the PRC Administrative Licensing Law: regulatory implementation', presented at the Australasian Law Teachers Conference, Sydney, 7 July 2006.

Bath, V, 'Doing Business in China - Regulatory Developments', presented at the Commercial Law Association Conference, Sydney, 25 October 2006.

Mary CROCK

Crock, M, 'Human Rights in Global World: Migrants, Refugees and Asylum Seekers', Centre for Peace and Conflict Studies Summer School, University of Sydney, 13 January 2006.

Crock, M, Convenor, Australian Institute of Administrative Law (NSW Chapter) *Current Challenges for Administrative Tribunals*, Conference for Professor Stephen Legomsky and Professor France Houle, 22 May 2006.

Crock, M, 'Why Extending the Pacific Strategy is Wrong', presented at *West Papua: What Next?*, International Commission of Jurists (NSW Section), Parliament House, Sydney, 1 June 2006.

Crock, M, presentation to the Senate Legal and Constitutional Committee on the Migration (Designated Offshore Arrivals) Bill 2006, Parliament House, Canberra, 6 June 2006.

Crock, M, 'Asylum Seekers: Issues that Won't Go Away', Politics in the Pub, 16 June 2006.

Crock, M, 'Torture: More Common Than You Think', UN Day in support of Victims of Torture, 26 June 2006.

Crock, M, Launch of *Future Seekers II*, Melbourne (ALTA Conference), 5 July 2006.

Crock, M, Launch of *Seeking Asylum Alone*, Sydney Conservatorium of Music with Thomas Keneally and Margaret Beazley, 6 August 2006.

Crock, M, 'Child Asylum Seekers: The Neglected Story', Launch of *Seeking Asylum Alone*, Brisbane, 19 September 2006.

Crock, M, Conference with heads of the Commonwealth Department of Immigration and Multicultural Affairs (now the Department of Immigration and Citizenship): Andrew Metcalf, Peter Hughes, Robin Bickett and Robert Illingworth, 26 September 2006.

Crock, M, 'Children and Refugee Issues', presented to the Labour Party Justice Issues group, Parliament House, Sydney, 18 October 2006.

Crock, M, 'Children As Refugees', *Amnesty International Launch of Refugee Week: Refugees, Are We Being Fair or Cruel?*, Lane Cove, 22 October 2006.

Crock, M, 'The Future of Refugee Protection in Australia', Sydney Centre for Global and International Law, University of Sydney, Sydney, 28 October 2006.

Crock, M, 'Current Pressing Issues in Mental Health and Human Rights', presented at the Fourth National Conference on Human Rights and Mental Health, Sydney, 2 November 2006.

Crock, M, 'Seeking Asylum Alone: Children As Asylum Seekers', Sydney Institute, 8 November 2006.

Crock, M, Launch of *Seeking Asylum Alone*, Migration Museum, Adelaide, 9 November 2006.

Crock, M, Convenor, *Writing to Make a Difference: The Role of Legal Scholarship in Law Reform*, 2006 PG Research Students Conference, Faculty of Law, The University of Sydney, 17-18 November 2006.

Crock, M, 'Refugees and the Law in Australia', HSC Study Day, Sydney Legal & Business Studies Seminars, 23 November 2006.

Crock, M, 'Legal Issues Relating to Offshore Processing in Refugee Status Determinations', presented to *Offshore Process of Asylum Seekers: The Legitimate Parameters*, UTS, Sydney, 25 November 2006.

Mark FINDLAY

Findlay, M, '*Governing through Globalised Crime*', Government of the Shadows: Global Governance, Para-politics and Organised Crime, Asian Law Centre, Law School, University of Melbourne, 10-12 August 2006.

Fleur JOHNS

Johns F, 'Teeming Voids: Sovereignty, the Deal, and the Empty Places of International Law', Staff Seminar Series, Kent Law School, Canterbury, UK, 8 March 2006

Johns F, 'Teeming Voids: Sovereignty, Subjection, and the Convention on Choice of Court Agreements 2005, 3rd Workshop on Critical Approaches to International Law – *The Force of International Law*, Birkbeck School of Law, London, UK, 15-17 May 2006 (a workshop of which she was also co-Convenor).

Johns, F, 'Popular Sovereignty and the Rule of Law in Divided Societies', workshop presented at the Centre for Law and Society, University of Edinburgh, 22-24 May 2006.

David KINLEY

Kinley, D, 'Human Rights Fundamentalisms', Inaugural Lecture Chair in Human Rights Law, University of Sydney Law School, 6 December 2006.

Rosemary LYSTER

Lyster, R, 'Implementing the Mekong River Agreement: Existential Crisis of an Environmental Lawyer', presented at the IUCN Academy of Environmental Law Conference, New York, 16-20 October 2006.

Roger MAGNUSSON

Magnusson, R, 'Towards a Conceptual Framework for Mapping Law's Possible Roles in Obesity Prevention', presented at the Centre for Health Governance, Law & Ethics Conference *Obesity: Should there be a law against it? Australian and international perspectives on the obesity epidemic*, University of Sydney, 28 September 2006.

Jane MCADAM

McAdam, J, 'The Refugee Convention as a *Lex Specialis* for Protection', presented at the International Law Association (British Branch) Conference, London, March 2006.

McAdam, J, Invited conference speaker: 'The Refugee Convention as a *Lex Specialis* for Protection', International Law Association (British Branch) Conference, London, March 2006.

McAdam, J, Invited speaker: 'Human Rights Law', HSC Legal Studies Student Conference, NSW Parliament House, 12 May 2006.

McAdam, J, 'Regionalizing International Refugee Law in the European Union: Democratic Revision of Revisionist Democracy?', presented at *Fostering a Scholarly Network: International Law and Democratic Theory*, a joint project of the American, Canadian, Japanese, Australian and NZ Societies for International Law, Wellington New Zealand, June 2006.

McAdam, J, Selected conference speaker: 'Regionalizing International Refugee Law in the European Union: Democratic Revision or Revisionist Democracy?', *Fostering a Scholarly Network: International Law and Democratic Theory* (a joint project of the American, Canadian, Japanese, and Australian & NZ Societies for International Law), Wellington, NZ, June 2006.

McAdam, J, Invited speaker: 'Complementary Protection and its Relevance to Australia' UNHCR National Legal Meeting, Melbourne, 24 August 2006.

McAdam, J, Invited speaker, with Associate Professor Alison Bashford (Department of History) 'Migration, Refugees and International Regulation' *Nation-Empire-Globe* Interdisciplinary Research Cluster, University of Sydney, 25 August 2006.

McAdam, J, Invited speaker: 'Human Rights Law', EBE HSC Legal Studies Teachers' Conference, Sydney, 25 August 2006.

McAdam, J, Invited keynote speaker: 'The EU Qualification Directive: An Overview' University of Nijmegen, The Netherlands, 6 October 2006.

McAdam, J, Invited speaker: 'Protecting the Rights of Migrants and Asylum Seekers', International Association of Refugee Law Judges 7th World Biennial Conference on 'Forced Migration and the Advancement of International Protection: Migration, International Human

Rights Law and Refugee Status Determination', Mexico City, November 2006.

McAdam, J, Invited panelist: 'The Admission and Exclusion of Asylum Seekers: The Search for Legitimate Parameters' Conference, UTS, Sydney, 25 November 2006.

Luke NOTTAGE

Nottage, L, 'Comparing Safety Problems in Australia', Commentary for the RISTEX Conference, University of Tokyo, 14-15 February 2006.

Nottage, L, 'Harmonising Product Safety Regulation in Australian and Japan in an FTA Era: Similar Problems, Similar Solutions', presented at the Australian Network for Japanese Law conference, University of NSW, Sydney, 28 February 2006.

Nottage, L, Participant in the International Trade Law Symposium, Attorney-General's Department / Law Council of Australia, Canberra, 3-4 March 2006.

Nottage, L, 'The Substantive and the Procedural *Lex Mercatoria* in the Pacific Rim: The Past, Present and Future of International Commercial Contract and Arbitration Law and Practice', Paper for the Australian NZ Society of International Law Conference, Wellington, 30 June-1 July 2006.

Nottage, L, 'A Tentative Typology of Law Reform Processes in the New Japan', Govnet Workshop on 'The Political Economy of East Asia Ten Years after the Crisis', ANU, 21-22 July 2006.

Nottage, L, 'International Arbitration and Commercial Law Education for an International World', paper for the International Association of Procedural Law Conference, Ritsumeikan University, Kyoto, 20 September 2006

Nottage, L, 'Addressing Consumer Product Safety in Australia, Japan and Beyond: Markets, Private Law, Regulation, Prosecutions or Inquiries, and Corporate Governance', paper for the 'Consumer Law Round Table', University of Sydney School of Business / Griffith University Centre for Credit and Consumer Law, 29 September 2006.

Nottage, L, 'Responsive Re-regulation of Product Safety: Soft and Hard Law in Australia and Japan', presented at the Australia-Japan Consumer Protection Law Seminar, University of Western Sydney, 2 November 2006.

Nottage, L, 'Consumer Product Safety in Australia, Japan and Beyond', presentation for the UWS/Meiji University 'Research Seminar: Consumer Protection Law in Japan and Australia', 2 November 2006.

Nottage, L, 'Changing Contract Lenses: Renegotiations in English, New Zealand, Japanese, US and International Sales Law and Practice', paper for the 2nd International CLPE Conference, 'Governing Contracts: Public and Private Perspectives', Osgoode Hall Law School, Toronto, 9-10 November 2006.

Nottage, L, 'Schindler in Japan: Product Liability and Product Safety Re-regulation in Global Context', Law Faculty staff seminar, Luzern University, Switzerland, 15 November 2006.

Nottage, L, 'Australia's Takeovers Panel: Taking Over from The UK?', presentation at the Comparative Takeovers Regulation conference, Doshisha Law School, Kyoto, 22 November 2006.

Ivan SHEARER

Shearer, I, Lecture on the Work of the UN Human Rights Committee for the Castan Centre for Human Rights, Monash University, at the offices of Clayton Utz, Solicitors, Melbourne, 4 October 2006.

Shearer, I, Lecture on the Work of the UN Human Rights Committee, Notre Dame University Law School, Sydney, October 2006.

Brett WILLIAMS

Williams, B, 'Disciplining Disguised Export Subsidies after the Canada - Dairy and EC-Sugar Cases', presented at a symposium convened by the University of NSW Law School, Sydney, 23 June 2006.

Williams, B, 'How and Why the GATT Works - Or Doesn't', presented at the Staff Seminar of the World Trade Organization Secretariat, Geneva, 21 September 2006.

4.3 Public Submissions, Legal Opinions and Reports

Mary CROCK

Crock, M, 'Memorandum on Proposed Changes to the *Migration Act*', Submission to the Senate Inquiry on the Migration Amendment (Designated Unauthorised Arrivals) Bill 2006.

Crock, M, Opinion (with Dr Jane McAdam) 'Nauru is No Place for Asylum-Seekers', *The Australian*, 15 May 2006.

Crock, M, Opinion, 'Young, alone and legally abandoned' by Adele Horin, *Sydney Morning Herald*, 5 August 2006. Available at: <http://www.smh.com.au/news/opinion/young-alone-and-legally-abandoned/2006/08/04/1154198326239.html>

Crock, M, Opinion, 'Howard staunch on offshore asylum bill' by Cath Hart and Brad Norrington, *The Australian*, 7 August 2006.

Crock, M, Opinion, 'Child refugees denied basic rights, says study' by Anna Patty, *Sydney Morning Herald*, 7 August 2006.

Crock, M, Opinion, 'Speaking up for young asylum seekers' by Kate Rossmannith, *UniNews*, 15 August 2006. Available at: <http://www.bugs.bio.usyd.edu.au/news/84.html?newsstoryid=1247>

Crock, M, Opinion, 'Focus on child refugees' by Joanne Vella, *North Shore Times*, 12 October 2006. Available at: http://www.northshoretimes.com.au/article/2006/10/12/2041_news.html

Jane MCADAM

McAdam, J, Submission No 64 to Senate Legal and Constitutional Committee Inquiry into the Provisions of the Migration Amendment (Designated Unauthorised Arrivals) Bill 2006 (May 2006) (http://www.aph.gov.au/Senate/committee/legcon_ctte/migration_unauthorised_arrivals/submissions/sub64.pdf); cited in *Report*, Commonwealth of Australia, 2006.

McAdam, J, Opinion (with Associate Professor Mary Crock) 'Nauru is No Place for Asylum-Seekers' *The Australian*, 15 May 2006.

McAdam, J, Evidence to Senate Legal and Constitutional Committee Inquiry into the Provisions of the Migration Amendment (Designated Unauthorised Arrivals) Bill 2006, 6 June 2006.

Luke NOTTAGE

Nottage, L, National Report on New Zealand, to Kyoto Comparative Law Center, for OECD Project DTSI CP(2006)8 on "Reviewing Approaches for Improving Consumer Contracts", 2006.

Nottage, L, National Report on Australia, to KU Leuven, for European Commission Project SANCO 2005/B/010 'An Analysis and Evaluation of Alternative Means of Consumer Redress other than Individual Redress through Ordinary Judicial Proceedings' (2006-7, at http://ec.europa.eu/consumers/redress/reports_studies/inded_en.htm).

Nottage, L, Submission to the Australian Government Productivity Commission's Review of Standards and Accreditation, 18 April 2006 (at <http://www.pc.gov.au/study/standards/>).

Nottage, L, Submission to the Inquiry into Unfair Contract Terms being conducted by the Standing Committee on Law and Justice, 26 October 2006 (available via www.parliament.nsw.gov.au).

Ivan SHEARER

Shearer, I, Opinion to the Commonwealth Director of Public Prosecutions in an international extradition case, December 2006.

4.4 Research Grants Held by SCIGL Members

Irene BAGHOOMIANS

Amicus Curiae Actions in Australia: The role of the NGOs and Legal Education
Legal Scholarship Support Fund

Vivienne BATH

The Administrative Licensing Law of the People's Republic of China - an empirical review and evaluation

Belinda BENNETT

Gender Inequities in Health Research: Towards a new regulatory framework
Australian Research Council Discovery Project
(with Isabel Karpin and W Rogers)

Research in Contemporary Issues in Health Law
Legal Scholarship Support Fund

Genetics and Reproductive Responsibility
Legal Scholarship Support Fund
(with Isabel Karpin)

Comparative Legal and Ethical Considerations in Regulating Preimplantation Genetic Diagnosis
University of Sydney Research & Development Grant Scheme Bridging Support Grant
(with Isabel Karpin)

Mary CROCK

The Impact of Migrants on Australian Public Law: An Historical and Cultural Study
Australian Research Council Discovery Project
(with Helen Irving)

Seeking Asylum Alone: The Treatment of Separated and Trafficked Children in Need of Refugee Protection in Australia
Australian Research Council Linkage Project

Research Institute for the Humanities and Social Sciences Writing Fellowship

Seeking Asylum Alone: Unaccompanied and Separated Children and Refugee Protection in Australia
Myer Foundation

Mark FINDLAY

Crime and Global Governance
Legal Scholarship Support Fund

Fleur JOHNS

Visiting Fellowship to the United Kingdom
Leverhulme Foundation

Arts and Humanities Research Council (UK) Research and Networks Scheme
(with Peter Fitzpatrick)

Rosemary LYSTER

Compliance and Enforcement: Towards More Effective Implementation of Environmental Law
Overseas Conference & Travel Grant

Roger MAGNUSSON

Lifestyle Wars: Law's Role in Responding to the Challenges of Non-Communicable Diseases
Australian Research Council Discovery Project

Jane MCADAM

Complementary Protection in International Law (Oxford University Press) and *The Refugee in International Law* (3rd ed, with Guy Goodwin-Gill)
Legal Scholarship Support Fund

Research Institute for the Humanities and Social Sciences Writing Fellowship

Tower of Babel: International Law in the 21st Century – Coherent or Compartmentalized?
Overseas Conference & Travel Grant

Luke NOTTAGE

'Traction' or 'Turbulence' in Japanese Regulatory Style? — An Empirical Analysis of Japanese Commercial Law Reform since the 1990s
Australian Research Council Discovery Project
(with Leon Wolff and Kent Anderson)

Reforming Tort Law and Regulation in Australia: Holistic and Comparative Perspectives on Consumer Product Safety
Legal Scholarship Support Fund

David ROLPH

Intellectual Property and Freedom of Communication: The privatisation of the marketplace of ideas
Legal Scholarship Support Fund

Tim STEPHENS

The Adjudication of International Environmental Disputes (Cambridge University Press)
Legal Scholarship Support Fund

Andrew T UCH

Confronting Conflicts of Interest in Change-of-Control Transactions
Legal Scholarship Support Fund

The Effectiveness and Regulatory Implications of Chinese Walls in the Legal Profession
Legal Scholarship Support Fund

Duties of Target Company Directors: Identifying Company Interests in Assessing Competing Takeover Bids
Legal Scholarship Support Fund

Irene WATSON

Law-Full Woman: an exploration of the self-determination of Aboriginal women's law, its colonisation and the possibility of the journey towards decolonisation, to the place of the law-full woman
University of Sydney Postdoctoral Research Fellowship

Law-Full Aboriginal Women and Australian Law
Legal Scholarship Support Fund

Up Against the Nation State of Feminist Legal Theory (AHRC Research Centre for Law, Gender and Sexuality, University of Kent, UK)
Overseas Conference & Travel Grant

The Impact of the Australian Legal System upon Aboriginal Women's Laws and Lives
Summer Grant

Brett WILLIAMS

Resolving the Deadlock in the Doha Round World Trade Organisation Negotiation on Agricultural Trade Liberalisation
Legal Scholarship Support Fund

Bhagwati's Theory of Distortions and Welfare as the Backbone of the WTO
Legal Scholarship Support Fund

Alex ZIEGERT

Law and Society in the 21st Century: Transformations, Resistances, Futures
Overseas Conference & Travel Grant

4.5 Media

The following is a partial list of media appearances by Associates of the Centre.

Mary CROCK

Regular guest on Radio Adelaide, 'Settling In', 2006.

Interview on ABC JJJ (Hack), 'The political influences on refugee processing in Australia, with particular reference to the West Papuan asylum seekers on Christmas Island', 7 February 2006.

Interview on 2SER (The Wire), 'Designated Unauthorised Arrivals Bill and offshore processing of children', 6 June 2006.

Interview on SBS Television (Insight), 'Border Security', 6 June 2006.

Interview on ABC JJJ (Hack), 'Seeking Asylum Alone Report', 4 August 2006.

Interview on ABC Radio National, 'Seeking Asylum Alone Report', 5 August 2006.

Interview on ABC Radio National (News segment), 'Seeking Asylum Alone Report', 6 August 2006

Interview on ABC Radio National, 'Seeking Asylum Alone Report', 7 August 2006.

Interview on 2SER (The Wire), 'Seeking Asylum Alone Report', 7 August 2006.

Interview on ABC Radio National (News segment), 7 August 2006.

Interview on SBS, 'Seeking Asylum Alone Report', 7 August 2006

Crock M, Interview on ABC Radio National, 'The Law Report: Seeking Asylum Alone Report', 8 August 2006.

Interview on ABC Classic FM (The Margaret Throsby Show), 8 August 2006 & 10 October 2006

Interview on ABC Brisbane (News segment), 18 September 2006.

Interview on ABC Brisbane (News segment), 19 September 2006.

Interview on ABC Radio National (News segment), 19 September 2006

Interview on ABC Adelaide (News segment), 8 November 2006.

Interview on ABC Adelaide (Breakfast show), 9 November 2006.

Interview on ABC Radio National, 'High Court decision causes concern over refugee welfare', 16 November 2006

Jane MCADAM

McAdam, J, Interview on Radio Adelaide, 'Environmental Refugees', 22 November 2006.

4.6 Visitors

The following is a list of visitors to the Centre or to the Faculty during 2006:

Associate Professor France Houle, University of Montreal

Dr Gerhard Werle, Professor of Law, Humboldt University

Dr Moira L McConnell, Director of the Marine and environmental Law Institute, Dalhousie University

Professor Susan Karamanian, George Washington University Law School

Professor James E Hickey Jr, Hofstra University School of Law

Sir Peter North, Retired Professor and former Vice Chancellor, Oxford University

Professor David Feldman, Cambridge University

Suresh Nanwani, Associate Secretary to the Compliance Review Panel, Asian Development Bank

Dr Karl-Heinz Bocksteigel, President German Institute of Arbitration sponsored by Clayton Utz for the 2006 Clayton Utz lecture in International Commercial Arbitration

Dr Katja S Ziegler, Institute of European and Comparative Law, University of Oxford.

4.7 Research Degree Completions

The following is a list of international law research degrees conferred in 2006:

Degree of Doctor of Philosophy

Dr Bernadette Boss, "Law and Peace: A Framework for United Nations Peacekeeping" – supervisor: Ivan Shearer

Dr Peter Kwon, Reassessing Korean legal Culture and the Rule of Law: legal History, Constitutional Review and negotiations in Cross Border Finance" – supervisor: Luke Nottage.

Dr Hitoshi Nasu, "Precautionary Approach to International Security Law: a Study of Article 40 of the UN Charter – supervisors: Ivan Shearer and Don Rothwell

Dr Tim Stephens, "the Role of International Courts and Tribunals in International Environmental law" – supervisors: Ivan Shearer and Don Rothwell

Dr Robin Warner, "Protecting the Diversity of the Depths: Strengthening the International Framework" – supervisor: Don Rothwell

Dr Ivana Zovko, "Liability, Accountability and Redress in International law; Vessel-Sourced Pollution in the Southern Ocean" – Supervisor: Don Rothwell

4.8 Involvement of Associates and Affiliates in Student Activities

Justin Hogan-Doran acted as coach of the University of Sydney team which competed in the Australian round of the Jessup International law moot. The team comprised Kate Smyth, Andrew Rankine, Oliver Jones, Dale Bampton and Natalie Zerial. The team reached semi-finals but lost its semi final to Bond University.

Luke Nottage in cooperation with his co-Directors of the Australian Japanese Law Network coached a team two of the members of which were University of Sydney undergraduate students in the Intercollegiate Negotiation and Arbitration Competition in Tokyo, Japan. The two University of Sydney students in the four member team were Adrian Knight and Christopher Grey. The team was successful winning the final of the competition.

Brett Williams acted as coach of the University of Sydney team which competed in the Moot Court Competition on the law of the world Trade Organization which is organized by the European Law Students Association. The team consisted of Odette Murray (team captain), Lucas Bastin, David Coleman, and Rebecca Mann. In the South East Asia – Pacific Round of the competition hosted by the Institute for International Trade at the University of Adelaide in March, the team ranked 1st after the preliminary round with Odette and Rebecca winning awards for 1st and 3rd best orators respectively in the preliminary rounds, defeated Bond University in the semi final and defeated Macquarie University in the final. In the final in Geneva, the Sydney team ranked 2nd after the preliminary round, defeated West Bengal University of Juridical Science in the semi final and defeated London School of Economics in the grand final.

5. Publications of Centre Associates and Affiliates for 2006

Belinda BENNETT

Bennett, B & Tomossy, G F (eds), *Globalisation and Health: Challenges for Health Law and Bioethics*, Springer, The Netherlands (2006).

Bennett, B (ed), *Health, Rights and Globalisation* (The International Library of Medicine, Ethics and Law), Ashgate Press, Aldershot (2006).

Bennett, B, 'Travel in a Small World: SARS, Globalisation and Public Health Laws' in B Bennett & G F Tomossy (eds), *Globalisation and Health*, Springer (2006).

Bennett, B & Freckelton, I, 'Life After the Ipp Reforms: Medical Negligence Law' in I Freckelton & K Peterson (eds), *Disputes and Dilemmas in Health Law*, Federation Press, Sydney (2006).

Bennett, B, 'Medical Science and the Law' (2006) 1 (May 2006) *Macquarie Law Symposium* 41-43.

Bennett, B, 'Globalising the Body: Globalisation and Reproductive Rights' (2006) 29(2) *UNSW Law Journal* 266-271.

Bennett, B, 'Rewriting the Future? Biomedical Advances and Legal Dilemmas' (2006) 13(3) *Journal of Law and Medicine* 295-303.

Karpin, I & Bennett, B, 'Genetic Technologies and the Regulation of Reproductive Decision-making in Australia' (2006) 14 *Journal of Law and Medicine* 127-134.

Ben BOER

Boer, B & Wiffen, G, *Heritage Law in Australia*, OUP, Melbourne (2006).

Vivienne BATH

Bath, V, 'Global Asian Survey Asian Corporate Governance: The Power of One' (2006) Dec 06/Jan 07 *The Diplomat* 58.

Graeme COSS

Coss, G, 'Provocative Reform: A Comparative Critique' (2006) 30(3) *Criminal Law Journal* 138-150.

Mary CROCK

Crock, M, *Seeking Asylum Alone: Unaccompanied and Separated Children and Refugee Protection: A Study of Laws, Policy and Practices in Australia*, Themis Press: Sydney (2006).

Crock, M & Bhabha, J, *Seeking Asylum Alone: Unaccompanied and Separated Children and Refugee Protection: A Comparative Study of Laws, Policy and Practices in Australia, the United Kingdom and the United States of America*, Themis Press, Sydney (2006).

Crock, M, Saul, B & Dastyari, A, *Future Seekers II: Refugees and Irregular Migration in Australia*, Federation Press: Sydney (2006).

Crock, M & Friedman, L, 'Immigration Control and the Shaping of Australia's Labour Market: Conflicting Ideologies or Historical Imperatives?' in C Arup, P Gahan, J Howe, R Johnstone, R Mitchell & A O'Donnell (eds), *Labour Law and Labour Market Regulation - Essays on the Construction, Constitution and Regulation of Labour Markets and Work Relationships*, Federation Press, Sydney (2006).

Crock, M, 'Durable Solutions or Politics of Misery? Refugee Protection in Australia after Tampa' in N Bolzan, M Darcy & J Mason (eds), *Fenced In Fenced Out: Border Protection, Asylum and Detention in Australia*, Common Ground Publishing, Melbourne (2006).

Crock, M, 'Seeking Asylum Alone: The Treatment of Unaccompanied and Separated Children in Australia's Refugee Determination Process' (2006) 42 *Australian Children's Rights News* 1-12.

Crock, M, 'International Legitimacy of Offshore Processing', *The Admission and Exclusion of Asylum-Seekers: The Search for Legitimate Parameters*, UTS Law, 26 November 2006.

Mark FINDLAY

Findlay, M, *Criminal Law: Problems in Context*, OUP, Melbourne (2006).

Findlay, M, 'Justice for the Vulnerable? - Debating the Relationship between Aboriginal People and Australian Criminal Justice' Contemporary comment. (2006) 18(2) *Current Issues in Criminal Justice* 373-375.

Findlay, M, Online book review on 'Immunity and International Criminal Law' by Yitiha Simbeye, New York Law School, (2006), <http://www.globallawbooks.org/reviews/detail.asp?id=286>.

Findlay, M, *Law and Justice Sector Business Crime Victimisation Survey in Port Moresby, 2006*, Justice Advisory Group, sponsored by AusAID, Canberra.

Findlay, M, 'Juror Comprehension and the Hard Case – Making Forensic Evidence Simpler' (2006) http://papers.ssrn.com/sol3/papers.cfm?abstract_id=928788.

Findlay, M, 'Review – Immunity and International Law', *Global Law Books*, NYU Law School, (2006) <http://www.globallawbooks.org/reviews/detail.asp?id=286>.

Findlay, M, 'Justice for the Vulnerable? – Debating the Relationship between Aboriginal People and Australian Criminal Justice', (2006) *Current Issues in Criminal Justice* 18/2:273-276.

Findlay, M, Consultant for *Community Crime Surveys, for PNG Justice Advisory Group, (PNG)* (2003-2006).

Justin HOGAN-DORAN

Hogan-Doran, J & Stephens, T, 'Australian Cases before International Courts and Tribunals Involving Questions of Public International Law 2004' (2006) 25 *The Australian Year Book of International Law* 403-424.

Fleur JOHNS

Johns, F, Skouteris, T & Werner, WG (eds), *Leiden Journal of International Law (Special Issue: Alejandro Alvarez and the Launch of the Periphery Series)*, Cambridge University Press, United Kingdom (2006).

Johns, F, Skouteris, T & Werner, W, 'Editor's Introduction: Alejandro Alvarez and the Launch of the Periphery Series' (2006) 19(4) *Leiden Journal of International Law* 875-877.

David KINLEY

Kinley, D, 'Human Rights and the World Bank: Practice, Politics and Law' in A Palacio, C Sage & M Woolcock (eds), *The World Bank Legal Review: Law, Equity, and Development*, Martinus Nijhoff, The Netherlands (2006).

Kinley, D, 'Human Rights and the World Bank: Practice, Politics and Law' in KC Raj & DK Srivastava (eds), *Human Rights and Development: Challenges for Governance Reform in Asia*, LexisNexis, Sydney (2006).

Kinley, D & Chambers, R, 'The UN Human Rights Norms for Corporations: The Private Implications of International Law' (2006) 6(3) *Human Rights Law Review* 447-497.

Kinley, D, Online book review 'International Trade and Human Rights: Foundations and Conceptual Issues', (2006), <http://www.globalawbooks.org/reviews/detail.asp?id=299>.

Rosemary LYSTER

Lyster, R & Bradbrook, A, *Energy Law and the Environment*, Cambridge University Press, Melbourne (2006).

Roger MAGNUSSON

Magnusson, R, 'Mad Cows and Prisons: Legal, Ethical and Operational Challenges in Responding to Creutzfeldt-Jakob Disease (CJD) and Variant CJD' in I Freckelton & K Peterson (eds), *Disputes and Dilemmas in Health Law*, Federation Press, Sydney (2006).

Magnusson, R, 'The Devil's Choice: Re-thinking Law, Ethics, and Symptom Relief in Palliative Care' (2006) 34(3) *Journal of Law, Medicine and Ethics* 559-569.

Magnusson, R, 'Law, Religion and Biomedicine: Consensus or Conflict?' (2006) 1(May 2006) *Macquarie Law Symposium* 59-66.

Jane MCADAM

Durieux, J-F & McAdam, J, 'Non-Refoulement through Time: The case for a Derogation Clause to the Refugee Convention in Mass Influx Emergencies' in A Bayefsky (ed), *Human Rights and Refugees: Internally Displaced Persons and Migrant Workers*, Martinus Nijhoff Leiden, The Netherlands (2006).

McAdam, J, 'Seeking Asylum under the Convention on the Rights of the Child: A Case for Complementary Protection' (2006) 14(3) *International Journal of Children's Rights* 251-274.

McAdam, J, 'Complementary Protection: A Comparative Perspective' (2006) 15(2) *Human Rights Defender* 13-14.

McAdam, J, 'The Refugee Convention as a Rights Blueprint for Persons in Need of International Protection Status' UNHCR *New Issues in Refugee Research* Research Paper No 125, Geneva (2006).

International Association of Refugee Law Judges, *Convention Refugee Status and Subsidiary Protection Working Party: First Report* (November 2006) (with others).

Hogan-Doran, J, McAdam, J, Stephens, T & Williams B, 'Cases involving Questions of Public International Law' (2006) 26 *Australian Year Book of International Law*.

Luke NOTTAGE

Abe, M & Nottage, L, 'Japanese Law' in J M Smits (ed), *Elgar Encyclopedia of Comparative Law*, Edward Elgar Publishing: Cheltenham, UK (2006).

Nottage, L, '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) in A Saito et al (eds), *Kokusai Keiyaku Ruru no Tanjo* (The Genesis of International Contract Law Rules), Dobunkan: Tokyo (2006).

Nottage, L, 'Commercial Regulation' in J M Smits (ed), *Elgar Encyclopedia of Comparative Law*, Edward Elgar Publishing, Cheltenham, UK (2006).

Nottage, L, 'Nothing New in the (North) East? Interpreting the Rhetoric and Reality of Japanese Corporate Governance' (2006) No 359 *Pacific Economic Papers* 1-52.

Nottage, L, 'The ABCs of Product Safety Re-regulation in Japan: Asbestos, Buildings, Consumer Electrical Goods, and Schindler's Lifts' (2006) 15(2) *Griffith Law Review* 242-286.

Nottage, L, 'Re-Regulating Japan: Asbestos Defectively Designed Buildings and Secondhand Electrical Goods' (2006) 11(22) *Journal of Japanese Law* 89-114.

Freedman, C & Nottage, L, 'You Say Tomato, I Say Tomahto, Let's Call the Whole Thing Off: The Chicago School of Law and Economics Comes to Japan' (2006) 4 *Centre for Japanese Economic Studies Research Papers* 1-47. Also published in Kriesler, P, Johnson, P & Lodewijks, J (eds), *Proceedings of the Fifth Australian Society of Heterodox Economists Conference*, University of New South Wales, Sydney, (2006) 129-154. Also published as Macquarie University Centre for Japanese Economic Studies Research Paper 2006-4 [40 pp]. Earlier version presented as, The Chicago School of Economics and

(Japanese) Law: Resisting the Invasions of Stigler and Ramseyer' at the ANJeL Conference, 'War of the Worlds in Japanese Law? Implications for Business Law Harmonisation', UNSW, 28 February 2006; and at the 2006 biennial Asian Studies Association of Australia Conference, University of Wollongong, 29-30 June 2006 (then published also in their online refereed Proceedings via <http://coombs.anu.edu.au/ASAA/conference>)

Nottage, L, 'Consumer Product Safety Regulation Reform in Australia: Ongoing Processes and Possible Outcomes' (2006) in G Howells (gen ed) *2007 Yearbook of Consumer Law* 327-44.

Kellam, J & Nottage, L, 'Report on Clayton Utz Asia-Pacific Product Liability Survey' (2006) 17(9) *Australian Product Liability Reporter* 121-140.

Nottage, L, 'Responsive Re-regulation of Product Safety: Soft and Hard Law in Australia and Japan' (2006) 7 *Soft Law Kenkyu* 111-145.

Nottage, L, Book review of R Wilhelm (ed), 'History of Law in Japan Since 1868' (2006) 11(22) *Journal of Japanese Law* 283-291.

Nottage, L, 'Shohiseikatsuyohin no ototeki Saikisei - Osutoraria to Nihon ni okeru Hado-ro to Sofuto-ro' 7 *Soft Law Kenkyu* 111-44 (translated by Hitoshi Nasu)(based on: 'Responsive Re-regulation of Consumer Product Safety: Hard and Soft Law in Australia and Japan' (2006)) COESOFTLAW-2006-5 *University of Tokyo Soft Law COE Discussion Paper* at <http://www.j.u-tokyo.ac.jp/coelaw/COESOFTLAW-2006-5.pdf>)

Nottage, L, 'Shihoseikatsuyohin no Saikisei in mukete - Nihon, Osutoraria, Oshu o torimaku Kaikaku no Arashi' (translated by Hitoshi Nasu) [Towards Consumer Product Safety Re-regulation: The Law Reform Tempest Enveloping Japan, Australia and Europe]' (2006) 847 *NBL* 4-7.

Nottage, L, 'Translating Tanase: Challenging Paradigms of Japanese Law and Society' *Sydney Law School Research Paper* 2006 (UC Berkeley Working Paper special issue, https://www.law.berkeley.edu/centers/ilr/pub_sho_sato_2005/nottage_translatingtanase.pdf)

Nottage, L & Rheuben, J, 'Japan – Overview, and Case Notes' in *British Institute of International and Comparative Law* (ed) "Product Liability Forum Database" (2006) forthcoming at <http://www.biicl.org/plf/> [parts being revised for the *Australian Product Liability Reporter*].

Nottage, L & Kellam, J, 'Australia – Overview, and Case Notes' in *British Institute of International and Comparative Law* (ed) 'Product Liability Forum Database' (2006) forthcoming at <http://www.biicl.org/plf/> [parts being revised for the *Australian Product Liability Reporter*].

Nottage, L, 'The Latest Round in Australia's Review of Consumer Product Safety Regulation: The Productivity Commission's Final Research Report' (2006) 17 *Australian Product Liability Reporter* 1-8.

Nottage, L & Jay, D, 'Sales and Product Liability' (2006) Contributing author to tab of the *Butterworths Forms and Precedents* (looseleaf/online service).

Nottage, L & Wolff, L, (2000-2007) Contributing Author for the 'Japan' tab of the CCH *Doing Business in Asia* (looseleaf/CD-ROM; CCH Pte Ltd, Singapore).

David ROLPH

Rolph, D, 'A Carton of Milk, A Bump to the Head and One Legal Headache: Vicarious Liability in the High Court of Australia' (2006) 19(3) *Australian Journal of Labour Law* 294-305.

Rolph, D, 'Dirty Pictures: Defamation, Reputation and Nudity' (2006) 10 *Law Text Culture* 101-134.

Rolph, D, 'Uniform at Last? An Overview of Uniform, National Defamation Laws' (2006) 76 *Precedent Sydney* 35-38.

Donald R. ROTHWELL

Rothwell, D R & VanderZwaag, D L (eds), *Towards Principled Oceans Governance: Australian and Canadian Approaches and Challenges*, Routledge, Oxford (2006).

Kriwoken, L K, Fallon, L D & Rothwell, D R, 'Australia and the Precautionary Principle: Moving from International Principles to Domestic and Local Implementation' in D R Rothwell & D L VanderZwaag (eds), *Towards Principled Oceans Governance: Australian and Canadian Approaches and Challenges*, Routledge: Oxford (2006).

Rothwell, D R & VanderZwaag, D L, 'The Sea Change Towards Principled Oceans Governance' in D R Rothwell & D L VanderZwaag (eds), *Towards Principled Oceans Governance: Australian and Canadian Approaches and Challenges*, Routledge, Oxford (2006).

VanderZwaag, D L & Rothwell, D R, 'Principled Oceans Governance Agendas: Lessons Learned and Future Challenges' in D R Rothwell & D L VanderZwaag (eds), *Towards Principled Oceans Governance: Australian and Canadian Approaches and Challenges*, Routledge, Oxford (2006).

Ivan SHEARER

Shearer, I, 'Australia, the United States and the Rule of Law in International Affairs: Comparisons and Contrasts' (2006) 26(2) *Adelaide Law Review* 191-209.

Shearer, I, 'A Treaty Between the Aboriginal Peoples of Australia and the Government of Australia from an International Law Perspective' in G Marks (ed), *Indigenous Peoples: Issues in International and Australian Law*, Martin Place Papers No 6, International Law Association (Australian Branch) and Human Rights and Equal Opportunity Commission, Sydney (2006), 13-16.

Shearer, I, Obituary of J G Starke QC, in 25 *Australian Yearbook of International Law* i-v (2006).

Shearer, I, Book review of Frame, T, 'Living by the Sword? The Ethics of Armed Intervention' in 25 *Australian Yearbook of International Law* 350-353 (2006).

Tim STEPHENS

Hogan-Doran, J & Stephens, T, 'Australian Cases before International Courts and Tribunals Involving Questions of Public International Law 2004' (2006) 25 *The Australian Year Book of International Law* 403-

424.

Stephens, T, 'Multiple International Courts and the 'Fragmentation' of International Environmental Law' (2006) 25 *The Australian Year Book of International Law* 227-271.

Martyn TAYLOR

Taylor, M, *International Competition Law: A New Dimension for the WTO?*, Cambridge University Press, UK (2006).

Andrew TUCH

Tuch, A, 'Contemporary Challenges in Takeovers: Avoiding Conflicts, Preserving Confidences and Taming the Commercial Imperative' (2006) 24(2) *Company and Securities Law Journal* 107-136.

Tuch, A, 'Investment Banking: Immediate Challenges and Future Directions' (2006) 20(4) *Commercial Law Quarterly* 37-46.

Tuch, A, 'Obligations of financial advisers in change-of-control transactions: Fiduciary and other questions' (2006) 24(8) *Company and Securities Law Journal* 488-521.

Irene WATSON

Watson, I, 'Internationalising, Humanising and Diversifying: the One Nation State' in E Porter & B Offord (eds), *Activating Human Rights*, Peter Lang European Academic Publishers, Oxford & Bern (2006).

Alex ZIEGERT

Ziegert, K A, 'Weltgesellschaft und Nationalstaat im 21. Jahrhundert. Eine rechtssoziologische Analyse' in R Walkenhaus, S Machura, P Nahamowitz & E Treutner (eds), *Staat im Wandel*, Franz Steiner Verlag, Stuttgart (2006).