



SCIL News

ISSUE 9
SEMESTER 2, 2011

IN THIS ISSUE

- 02 CENTRE NEWS
- 04 CENTRE EVENTS
- 07 OUT OF AFRICA
- 08 SCHOOL IN THE SKY FUNDRAISER
- 09 NEW BOOKS
- 11 JOURNAL
- 12 PUBLICATIONS
- 14 PRESENTATIONS
- 16 SUBMISSIONS
- 17 MEDIA
- 19 CENTRE MEMBERS

DIARY DATES

17-19 FEBRUARY 2012

INTERNATIONAL LAW AND THE PERIPHERY CONFERENCE

American University, Cairo Egypt

16 FEBRUARY

THE PRIVILEGES AND IMMUNITIES OF INTERNATIONAL ORGANIZATIONS – THE ADOPTION OF THE *WAITE AND KENNEDY* DOCTRINE BY DOMESTIC COURTS (LUNCHTIME SEMINAR)

August Reinisch

23 FEBRUARY 2012

THE INTER-AMERICAN SYSTEM FOR THE PROTECTION OF HUMAN RIGHTS: CHALLENGES FOR THE FUTURE

Claudio Grossman

2 MARCH 2012

INTERNATIONAL ECONOMIC LAW INTEREST GROUP SYMPOSIUM

DEAR FRIENDS OF THE SYDNEY CENTRE

In the second half of 2011 the Centre was as busy as ever, hosting a range of lectures, seminars, summits, workshops and conferences.

Highlights included the Harvard-Sydney Immigration Summit headed by Mary Crock, a major conference on Human Rights: Old Dichotomies Revisited (co-hosted with the Julius Stone Institute of Jurisprudence) and a workshop on Polar Oceans Governance in the Era of Environmental Change that I co-chaired with David VanderZwaag from Dalhousie University, Canada.

The remainder of 2011 also saw the Centre continue its successful program of continuing professional development (CPD) seminars convened by Centre Associates. Through our CPD program we have continued to strengthen the Centre's connections with the legal profession in Sydney and beyond.

Our CPD seminars included Australia's New Policy on Investor-State Dispute Settlement (Luke Nottage and Chester Brown), Building an Asia-Pacific Community (Irene Baghoomians, Micah Birch Luke Nottage, Ben Saul and Brett Williams) co-hosted with the Centre for Asian and Pacific Law, and the Ethics of Cross-Jurisdictional Practice (Fleur Johns). Planning is already well advanced on a string of events for 2012 so please keep an eye on the Centre webpage throughout the year.

I extend my thanks to fellow Centre Co-Director, Fleur Johns for her efforts and support in 2011, to the Dean, Professor Gillian Triggs, who has been a great friend of the Centre, and to Amber Colhoun our absolutely indispensable Centre Administrator.

Among other things, this Newsletter highlights the remarkable research output of our Centre Associates and Affiliates who have published a host of interesting books across a range of areas including investment law, environmental sustainability, and Indonesian legal reform. It is a reminder of the vital mission of the Centre in contributing world-leading research on public international law that has real relevance to governments, corporations and, above all, to citizens.

Tim Stephens
Co-Director

NEWS

June 2011 Gillian Triggs visited the USA meeting with the Deans and other Academics from NYU, Columbia, Harvard and Georgetown Universities.

July 2011 Ben Saul was promoted to professor. Congratulations Ben!

September 2011 Ron McCallum and Mary Crock travelled to Korea to attend the Asia Pacific Disability Forum meeting of NGOs in Seoul. The meeting culminated in lunch with the leader of the opposition at the Korean National Assembly building.

September 2011 Gillian Triggs attended the Governor's Reception for Ban Ki-moon at Government House.

September 2011 Gillian Triggs hosted a visit by the National Anti-Corruption Commission from Thailand.

September 2011 Gillian Triggs hosted a lunch for visiting Palestinian Law Deans.

September 2011 The 2011 Jessup team (who won the Jessup cup in April) received two major awards in the international competition for their written submissions. The team won the 2011 Baxter Award for their Respondent Memorial which was ranked first in the world. They also picked up 2nd place in the Dillard Competition, with their combined memorials ranking 2nd. These awards confirm that not only were the team stellar advocates on their feet, but were also outstanding in their written advocacy.

October 2011 Dr James Renwick SC took silk, and during 2011 was also appointed Acting Head of the Sydney Naval Panel, and will take over in that role in February 2012. Congratulations James!

November 2011 Gillian Triggs hosted a lunchtime seminar on Islamic influences on international arbitration with Essam Al Tamimi of Al Tamimi and Co in Dubai.

November 2011 Gillian Triggs attended the Council of Australian Law Deans (CALD), hosted by University of South Australia, Adelaide and was elected Chair of CALD for 2012-3.

November 2011 Gillian Triggs visited Cambodia and met with the Deputy Prime Minister Sok An and Acting President, Chhorn Proloeuang. The meeting was at their request to assist the Royal Academy for Judicial



Mary Crock and Ron McCallum (3rd and 4th from left front row) at Asia Pacific Disability Forum in Korea

Professions to improve standards in legal and judicial education in Cambodia. Whilst in Cambodia Gillian also met with the Australian Ambassador in Phnom Penh, Ambassador Richards.

December 2011 Gillian Triggs attended and presented at the 3rd Asian Forum of Law School Deans in China and met with the Dean of Renmin Law School to discuss the Sino-Australian Law Deans meeting which is to be held in Sydney in 2012.

December 2011 The Centre hosted 'Accessible Arctic' a photographic exhibition which was held alongside the Polar Oceans Governance workshop. This exhibition comprised stunning images of the Canadian arctic that have been captured by the Canadian Geographic, along with The Royal Canadian Geographical Society and The Canadian Museum of Nature, over the last eighty years. The

exhibition was proudly presented by the Consulate General of Canada, Sydney and the Canadian High Commission, Canberra from Monday 12 December to Friday 16 December and was repeated in January 2012.

December 2011 Ron McCallum and Mary Crock attended the ESCAP meeting in Thailand just before Christmas.

December 2011 Four Centre members received promotions. Congratulations to Professor Anne Twomey and Professor Luke Nottage on their promotion to professor and to Dr Fleur Johns and Dr Tim Stephens in their promotion to Associate Professor.

December 2011 The Centre sadly farewellled Euan MacDonald after two years with Sydney Law School. Many thanks Euan for his contribution to the Centre and best wishes for his return to Scotland.



Gillian Triggs at meeting in Cambodia



Mary Crock and Ron McCallum (1st and 2nd from left) at ESCAP meeting in Thailand



Ron McCallum (far left) at ESCAP meeting in Thailand

Subscribe to Sydney Law School Events E-Newsletter

Sydney Law School hosts a wide range of public events throughout the year, from public lectures and book launches through to conferences and seminars. You can receive notification of these events by subscribing to a fortnightly e-newsletter.

Visit the Law School's website at www.sydney.edu.au/law and follow the links to News and Events to find the subscribe button.

PERSONALIA

Welcome Ferdy! Brett Williams and wife Annett were delighted to announce the birth of Ferdy. Ferdinand Lukas Williams was born on 22 November 2011, at 3.18kg and 51 cm

Wedding Bells Christine Ernst and Ben Lodewijks were married on 2 December 2011. Both are Ben and Christine are former students at the Law School with very strong connections to the Centre and international law. Christine was RA to David Kinley on his human rights work and to Ron McCallum and Mary Crock on their project on refugees with disabilities.

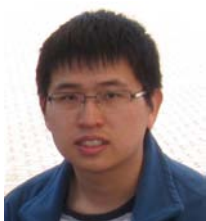
CENTRE INTERNS

Throughout Semester 1 the Centre was delighted to provide four internships to Kate Bones, Georgina Hutton, Bryce Williams and Jason Wong. Volunteering one day per week, the interns make a valuable contribution to the Centre's work. Kate and Jason have shared their experience of interning with the Centre.



Kate Bones

My internship at SCIL was a great experience, exposing me to a range of public international law issues in practice. During my time at SCIL, I was able to undertake research into the effects of indefinite detention on asylum seekers, and assist in the preparation of a complaint to the UN Human Rights Committee. I also had the opportunity to attend a World Bank symposium discussing justice, conflict and development, and co-authored a book review for the NSW Law Society Journal. I am very appreciative to those at SCIL for providing me with an extremely interesting and challenging 12 weeks.



Jason Wong

The internship at the SCIL was a great opportunity to go beyond the scope of the textbook and perform research into the wide range of contemporary issues in international law. During my internship, among other things, I did research on recent cases for extradition laws and state immunity, examined the challenge against Shell Oil in the UK for oil spills in Nigeria, and looked at the growing role of the use of treaties as an instrument for constitutional interpretation. Many thanks to all the staff at the SCIL for this rewarding experience and providing me the opportunity to gain greater insights into the work of international law.

EVENTS

Fault-lines in Immigration Policy: The Harvard-Sydney Immigration Summit 2011

22 July

The Law School co-hosted with Harvard University and the US Studies Centre an international conference entitled: Fault-lines in Immigration Policy: The Harvard-Sydney Immigration Summit 2011. The Conference was part of a longer meeting for a range of international scholars headed by Sydney's Professor Mary Crock and Harvard University's Professor Michael Hiscox, to develop a large database of immigration and naturalization policies, the International Migration Policy and Law Analysis Database (IMPALA). The event on Friday 22 July brought together both the IMPALA experts and leading academics from Harvard in the disciplines of economics and social science. The speakers included Professor Georg Borjas and Professor Jennifer Hochschild from Harvard, Professor Michel Beine

from Luxembourg, Mark Cully (Chief Economist, DIAC) and Professor Murray Goot. The event showcased the recent work or thinking of the assembled scholars to discuss three key areas of immigration policy: Skilled migration (and the balance with family migration); refugees and humanitarian flows; and integration, settlement and citizenship. The sold

out event was opened with an address by the Secretary of the Department of Immigration, Mr Andrew Metcalf.

More photos and information on this event available on the US Studies Centre website at:

<http://ussc.edu.au/events/past/Fault-lines-in-Immigration-Policy-The-Harvard-Sydney-Immigration-Summit-2011>



Mary Crock speaking at the Summit

Australia's new policy on investor-state dispute settlement

3 August 2011

Chair: **Robert Pritchard**, Managing Director, Resources Law International

Max Bonnell, Partner, Mallesons Stephen Jaques and Adjunct Professor, Sydney Law School

Associate Professor **Chester Brown**, Sydney Law School

Associate Professor **Luke Nottage**, Sydney Law School

In April 2011, the Gillard Government announced in its Trade Policy Statement: *Trading Our Way to More Jobs and Prosperity* that it would significantly restrict the practice of including investor-state dispute settlement provisions in bilateral investment treaties and free trade agreements. In doing so, it adopted one of the recommendations of the Australian Productivity Commission's report on bilateral and regional trade agreements, which was published in December 2010. The stated reasons for this major policy shift include the

Government's concern that it should not support provisions that would constrain the ability of Australian governments to make laws on social, environmental and economic matters, or provisions that confer greater legal rights on foreign businesses than those available to domestic businesses. This change in Australia's approach to the negotiation of international investment

agreements has been welcomed by some constituencies, but has also caused disquiet in others.

This seminar focussed on the new policy and considered the implications for the Australian Government, Australian private business, and other stakeholders in inward and outward foreign investment.



Robert Pritchard and Luke Nottage



Chester Brown

The Law and Medicine: diverging images of trauma in Darfur

17 August 2011

Co-hosted with the NSW Branch of Australian Lawyers for Human Rights

Professor Ben Saul, Sydney Law School

Dr Emily Crawford, Sydney Law School

Dr Michael Shanahan

Christine Shanahan

The event aimed to draw attention to the conflict in Darfur, which has been overshadowed, in recent times, by the peace process which has led

to the creation of a separate state in Southern Sudan. It also aimed to provide an insight into the way different disciplines view events through the lens of their own professional preoccupations. Two of the presenters were international lawyers (Professor Ben Saul and Dr Emily Crawford). The other two speakers were medical professionals who had worked in Darfur with Médecins Sans Frontières (Dr Michael Shanahan and Christine Shanahan).

The presentations highlighted the different responses to the tragedy of human conflict (international law, concerned with whether or not the law can be applied and enforced to

achieve peace or to redress wrongs; the medical profession, concerned with the alleviation of human suffering through the treatment of physical and mental harm.) The questions from the audience drew out the different experiences of trauma in the work of legal and medical professionals, as they attempted to respond to a conflict which has killed at least 300,000 people, displaced 1.8 million more, and led, for the first time, to a sitting head of state being indicted by the International Criminal Court for alleged genocide, crimes against humanity and war crimes.

Building an Asia Pacific community

30 August 2011

Co-hosted with Centre for Asian and Pacific Law (CAPLUS)

Chair and Discussant: **Professor Peter Drysdale**, Australian National University

Ms Irene Baghoomians, Sydney Law School

Mr Micah Burch, Sydney Law School

Professor Philomena Murray, University of Melbourne

Dr Luke Nottage, Sydney Law School

Professor Ben Saul, Sydney Law School

Dr Brett Williams, Sydney Law School

This session considered regulatory implications of the proposal by Kevin Rudd to go beyond existing mechanisms within the vibrant Asia-Pacific region to promote better 'habits of cooperation' in economic, security and socio-political affairs.

A leading political scientist and former diplomat, Professor Philomena Murray (University of Melbourne), set this initiative in the context of existing institutions in the region as well as other parts of the world (EU, South America, Africa) as well as other recent developments proposals (including one from Japan for an 'East Asia Community'. As experts in international business law, Dr Luke Nottage, Dr Brett Williams and Mr Micah Burch considered innovative ways to develop Free Trade Agreements and tax treaties to advance more ambitious yet



Peter Drysdale speaking at the seminar



Luke Nottage addressing the seminar in the Minter Ellison room

sustainable economic integration, as well as more effective resolution and avoidance of disputes involving both states and firms within the region. Professor Ben Saul examined regional securities issues and Ms Irene

Baghoomians considered human rights implications include new initiatives from ASEAN.

Ethics of Cross-Jurisdictional Practice

18 October 2011

Ezekiel (Zeke) Solomon, Allens Arthur Robinson

Jane Walton, The Walton Group

Weyinmi Popo, Jones Day

Chair: **Dr Fleur Johns**, Sydney Law School

As the recent financial crisis has shown, ethical judgments made by public and private lawyers in one locale may have far-reaching global ramifications of

potentially devastating import. This is especially the case when the lawyers in question are engaged in legal dealings with an explicit cross-border dimension, whether in a transactional or a litigious setting.

Lawyers in such circumstances may be called upon to grapple with conflicting professional regulations, cultural and linguistic norms and work practices, all while engaging with multiple substantive bodies of law. The ethical calls that such lawyers make may reverberate like the proverbial flapping of a butterfly's wings.

In this seminar, experienced legal practitioners spoke alongside a professional ethicist regarding the ethical dilemmas lawyers routinely face when involved in cross-border work, the impacts that can flow from those, and some strategies for handling them.

Conference: Human Rights: Old Dichotomies Revisited

25 - 26 November 2011

Co-hosted with the Julius Stone Institute of Jurisprudence

Professor Tom Campbell, Centre for Applied Philosophy and Public Ethics (CAPPE)

Professor Leslie Green, Oxford University

Professor David Kinley, Sydney Law School

Professor Susan Marks, London School of Economics

Professor Thomas Pogge, Yale University and CAPPE

Professor Jeremy Waldron, New York University & Oxford University

Professor Neil Walker, University of Edinburgh

The purpose of this conference in November was to reflect upon the traditional, 'classical' dilemmas and taxonomies in the philosophy of human rights, in the light of recent developments in theories of rights and in the international law of human rights. We all have been taught, and have taught, a number of traditional dichotomies that have been entrenched in theories of human rights for a number of decades: moral versus legal, positive versus negative, first-generation versus second- (and third-) generation; vertical (against the state) versus horizontal (against other citizens); universal versus relative (or particular); judicially-enforced versus legislatively-protected, etc. Have these dichotomies retained their validity and only the circumstances of their practical applications been altered or have they outgrown their validity



David Kinley



Thomas Pogge



Jeremy Waldron



Neil Walker

altogether?

There have been important developments in the philosophy of human rights and in the international law of human rights, both of which may shed a new light on the dilemmas encapsulated by these (and other) dichotomies.

The conference brought together the

leading international and Australian scholars in jurisprudence and in international human-rights to reflect upon the relevance (or otherwise) of the traditional 'dichotomies' at the end of the first decade of the 21st Century.

Polar Oceans Governance in an Era of Environmental Change

Canadian and Australian Perspectives

Australian-Canadian Oceans Research Network (ACORN)

12-13 December 2011

In December SCIL hosted a round table workshop on 'Polar Oceans Governance'. Supported by conference funding from the Government of Canada and the Law School the workshop examined the governance challenges facing the oceans in the Arctic and Antarctic. Both regions are experiencing the effects of human-induced climate change which is awakening old rivalries and disputes and challenging existing legal frameworks. Jointly chaired by **Professor David VanderZwaag** from Dalhousie University and **Associate Professor Tim Stephens**, the Co-Director of the Sydney Centre for International Law, the workshop featured presentations from leading Australian and Canadian scholars on



ocean and Arctic affairs. Alongside the workshop the Canadian High Commission in Canberra exhibited the 'Accessible Arctic', a collection of stunning photographs of the Canadian arctic captured by Canadian Geographic, the Royal Canadian

Geographical Society and the Canadian Museum of Nature. The proceedings of the workshop will be published as an edited monograph in 2013.

OUT OF AFRICA

BY TIM STEPHENS

In July the International Union for the Conservation of Nature Academy of Environmental Law held its Ninth Colloquium. Co-convened by North-West University, University of Cape Town, University of the Witwatersrand and the University of KwaZulu-Natal, the colloquium was held under the theme of 'Water and the Law: Towards Sustainability'.

The colloquium was held at Mpekweni Beach, a picturesque part of the Eastern Cape of South Africa, sandwiched between the Indian Ocean and landscape of lush green rolling hills (populated by far too many Australian Eucalypts and Wattles!). I was invited to the colloquium to present a keynote address after having received the 2010 IUCN Academy of Environmental Law Junior Scholarship Prize. My colleague Nicola Franklin was also at the colloquium representing the Sydney Law School.

In my address I sought to challenge comfortable assumptions about the role and relevance of international water law, and posed the question whether water law should be re-

imagined to address systemic problems of hydrological disadvantage at a global scale. Noting the problems of water scarcity (made worse by climate change and by 'virtual trading' in water) I argued that freshwater should be treated as part of the global commons, in a manner akin to the atmosphere and the oceans.

The colloquium was a wonderful opportunity to exchange ideas with environmental law scholars

and practitioners from around the world on one of the most pressing challenges of environmental governance: the sustainable use of the world's freshwater resources in an era of growing water scarcity. The participation by environmental lawyers from across a range of African countries was particularly impressive, as was the involvement of early career researchers, and the IUCN Academy of Environmental Law continues to go from strength to strength



Photo credit: Africa

“SCHOOL IN THE SKY” FUNDRAISER

Participants of 2011’s inaugural Himalayan Field School held a fundraiser in for a remote school they visited during the school.

BY ALICE PALMER

Throughout the 2011 Field School students studied development and human rights both from and international and theoretical perspective as well as looking at the domestic, practical experiences of Nepal, a post-conflict, developing country. The interaction with teachers and students at this remote school inspired Sydney Law School students to keep the connection with the school and fundraise to support the school’s efforts to provide the best educational experience possible for its students.

Students from Kathmandu School of Law (Sydney Law School’s partner in the Himalayan Field School) had visited this school (about a 2 hour trek into the hills from the already remote village of Melamchi) on previous study trips to Melamchi and on this return visit brought with them books which they had collected for the school’s library. Upon reaching the school it was quickly nicknamed “School in the Sky” by the Sydney students, a name reflective of the altitude climbed to get there. Surrounded by incredible views of the valley below, many students nonetheless must make similarly arduous journeys (both in distance and altitude) merely to attend school every day. Many go without lunch or take the trek home for lunch, only to be unable to return for the afternoon’s classes (either due to distance or the need to help their family by working in the fields). This story is an extremely common one for many schools and students around the world but, a personal connection having been made with this school and these students, Sydney Law School students decided that they would support the school and the efforts already made by the students from KSL in whatever way they could.

The “School in the Sky” fundraiser was a great success. Students sold tickets to a movie screening at the Ritz Cinema in Randwick, sold tickets, arranged for the Authority to Fundraise and set up an online fundraising page.



Photo credit: Melanie Becktel



Photo credit: Melanie Becktel

Besides the tickets sold and largely thanks to the support from Irene Baghoomians and Professor Ben Saul, many donations were made.

Himalayan Field School students are excited about the opportunity to support the “School in the Sky” in their attempts to overcome some of the geographical, social and economic

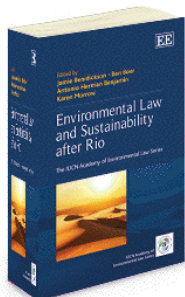
barriers currently making it difficult for students in the Melamchi region to make the most of their education. Students hope that this relationship will not be a one-off but will be one which can be developed over the long term, engaging as well students from future Field School programs and the broader community of the Sydney Law School.

NEW BOOKS FROM CENTRE MEMEBERS

ENVIRONMENTAL LAW AND SUSTAINABILITY AFTER RIO

(Edward Elgar, 2011)

Jamie Benidickson, **Ben Boer**, Antonio Herman Benjamin, Karen Morrow (eds)



This book examines the development of environmental law in the period since the ground breaking 1992 United Nations Conference on Environment and Development or 'Earth Summit' in Rio de Janeiro.

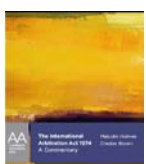
It demonstrates that a great deal has been achieved in the field of environmental law since the 1990s. However, the extraordinary

environmental crises facing humanity in the 21st century indicate a continuing urgent need for the generation of robust polices and frameworks concerning ecological, socio-cultural and economic sustainability, implemented through appropriately innovative legal mechanisms. It includes expert legal opinion on developments to date, engaging with key themes from a broad selection of jurisdictions and perspectives. Extending across public and private law its contents offer not only critiques of developments to date, but also constructive engagement with matters of pressing concern to all.

THE INTERNATIONAL ARBITRATION ACT 1974: A COMMENTARY

(Lexis Nexis, 2011)

Malcolm Holmes and **Chester Brown**



Authoritative and up-to-date, The International Arbitration Act 1974: A Commentary, is a detailed, analytical text providing guidance on the interpretation of key international arbitration legislation.

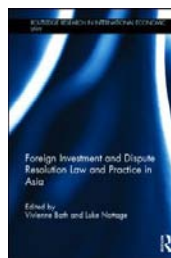
This text is the result of a fruitful collaboration between the co-authors, a leading practitioner and an academic, who are both experts in this area of law. The commentary follows the structure of the International Arbitration Act 1974 (Cth), making this an easy reference tool for practitioners and researchers.

An extensive provision-by-provision commentary on the Act is provided, with extensive references to both relevant Australian case law and important judicial consideration from foreign jurisdictions. The legislative history of each provision is clearly set out, enabling readers to develop an in-depth understanding of the law. This extends to include a detailed treatment of Schedule 2 of the Act, the UNCITRAL Model Law on International Commercial Arbitration, and Schedule 3 of the Act, the Convention on the Settlement of Investment Disputes between States and Nationals of other States.

FOREIGN INVESTMENT AND DISPUTE RESOLUTION LAW AND PRACTICE IN ASIA

(Routledge, November 2011)

Vivienne Bath and **Luke Nottage** (eds)



This book considers foreign investment flows in major Asian economies. It critically assesses the patterns and issues involved in the substantive law and policy environment which impact on investment flows, as well as the related dispute resolution law and practice. The book combines insights from international law and comparative study and is attentive to the socio-economic

contexts and competing theories of the role of law in Asia. Contributions come from both academics with considerable practical expertise and legal practitioners with strong academic backgrounds. The chapters analyze the law and practice of investment treaties and FDI regimes in Asia looking specifically at developments in Japan, India, China, Indonesia, Malaysia, Korea and Vietnam. The book explores the impact of the Asian Financial Crisis in the late 1990s and the Global Financial Crisis a decade later, examining actual trends and policy debates relating to FDI and capital flows in Asia before and after those upheavals.

CORRUPTION AND LAW IN INDONESIA

(Routledge, London, 2011)

Simon Butt

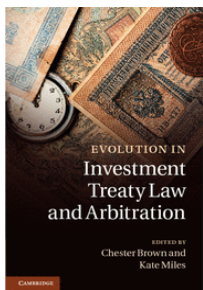
Indonesia has transformed from one of South East Asia's most repressive and centralised political systems to its most decentralised and democratic. Despite this, obstacles still remain that hinder Indonesia achieving the 'rule of law', and in particular, the country is consistently ranked as having one of the highest levels of corruption in the world. This book assesses Indonesia's anti-corruption reforms over the past decade, focusing on the Anti-corruption Commission (KPK) and the Anti-corruption Court (ACC).

The book discusses how both institutions have been largely successful since they began operating on 2004. Before 2008, the KPK and ACC largely focused on mid-senior level targets and faced resistance primarily in the form of constitutional challenges to their jurisdictions and powers. From 2008, however, the KPK began targeting politically-powerful figures, drawing resistance that now threatens the future efficacy of both institutions. It is largely in Indonesia's courtrooms and lawmaking institutions that key battles between reformists and those preferring the status quo have played out. This book describes and analyses these judicial processes and legal changes. It shows that despite persistent claims that Indonesia's legal system is dysfunctional, law is far from irrelevant in modern day Indonesia.

EVOLUTION IN INVESTMENT TREATY LAW AND ARBITRATION

(Cambridge University Press, 2011)

Chester Brown and Kate Miles (eds),



International investment law is in a state of evolution. With the advent of investor-State arbitration in the latter part of the twentieth century – and its exponential growth over the last decade – new levels of complexity, uncertainty and substantive expansion are emerging. States continue to enter into investment treaties and the number of investor-State arbitration claims continues to rise. At the same

time, the various participants in investment treaty arbitration are faced with increasingly difficult issues concerning the fundamental character of the investment treaty regime, the role of the actors in international investment law, the new significance of procedure in the settlement of disputes and the emergence of cross-cutting issues. Bringing together established scholars and practitioners, as well as members of a new generation of international investment lawyers, this volume examines these developments and provides a balanced assessment of the challenges being faced in the field.

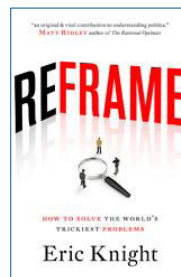
FORTHCOMING BOOK

Rosemary Lyster, Catherine Mackenzie (Cambridge University), Connie McDermott (Oxford University) (eds)
Law, Tropical Forests and Carbon: The Case of REDD+

REFRAME: HOW TO SOLVE THE WORLD'S TRICKIEST PROBLEMS

(Black Inc, 2012)

Eric Knight



How to solve the world's trickiest problems – terrorism, climate change, financial insanity and more.

In the tradition of Freakonomics and The Tipping Point, Reframe brings a fresh perspective to our toughest political problems. This is a book by a young Australian thinker that turns conventional thinking on its head.

Why can't we eliminate terrorism by killing terrorists? Why can't we resolve immigration tensions by building higher fences? Why can't we learn anything about climate change by talking about the weather? And what do fishermen in Turkey have to teach us about international relations?

Economics consultant and Rhodes scholar Eric Knight explains how a change of focus can reveal a solution that was lying just outside your frame of vision.

Eric will be speaking about his book at In Conversation at **Gleebooks** with Tanveer Ahmed on **7 March, 6.30pm-8pm** and at the **Stanton Library** in North Sydney on **9 February 1-2pm**.

SOUTH EAST ASIA WINTER SCHOOL

Centre members Simon Butt and Salim Farrer have developed a new offshore unit for 2012 to take place in Indonesia and Malaysia respectively during July.

The South East Asia Winter School aims to equip students with the knowledge about legal systems, political environments and cultural practices they need to 'operate' in the region.

"We often hear that Australia's future prosperity is tied to its economic, social and political engagement with Asia," said Convenor, Dr Simon Butt.

"However, interest in Southeast Asia, located directly to the north of Australia, is often overwhelmed by interest in other Asian countries such as China and India.

"Yet Southeast Asia is home to almost 600 million people and offers significant economic and other opportunities, many of which are untapped, for those

willing to engage with the region."

In 2012-2014, the course will be held in Indonesia and Malaysia and will focus on the plural legal systems of both countries.

Indonesia alone is the world's fourth most populous nation (with almost 250 million people) and has a stable and consistently-growing economy that has largely withstood the Global Economic Crisis.

The Indonesia component of the course will be taught at Gadjah Mada University in Yogyakarta. Students will learn the fundamentals of the Indonesian legal system. The component will be geared towards not only those who want to practice commercial law in Indonesia, but also those who are interested in other areas, including law reform, human rights, Islamic law, constitutional law, environmental law and criminal law.



The Malaysian component will be taught at the International Islamic University in Kuala Lumpur. Students will learn the fundamentals of the Malaysian legal system in the contexts of Malaysia's competing ethnicities, political and economic reform and the harmonisation of laws.

For more information visit:
sydney.edu.au/law/cstudent/southeastasia

AUSTRALIAN INTERNATIONAL LAW JOURNAL

The 2011 Volume of the *Australian International Law Journal* will be published in February 2012 and is available by subscription through the ILA.



The *Australian International Law Journal* is a peer-reviewed scholarly journal produced by the International Law Association (ILA) (Australian Branch) in association with the Sydney Centre for International Law. As one of very few international law journals published by a national branch of the International Law Association (ILA), the Journal has a distinctive role as a publication with a shared commitment to the objectives of the ILA: 'the study, clarification and development of international law, both public and private, and the furtherance of international understanding and respect for international law'.

Like the ILA, the Journal serves as an important focal point for legal practitioners, academics, government

and NGO lawyers, judges and experts from related fields with a common interest in international law. As of 2008, back issues of the Journal are available in electronic format through the databases Heinonline and Informat, and soon via Austlii.

Subscribing to the Journal

If you are interested in subscribing, please visit the website at: www.ila.org.au/publications_journal.htm

Subscription costs: include postage and handling.

An individual subscription: \$50 for one year within Australia or \$55 outside Australia.

An institutional subscription: \$70 for one year within Australia or \$75 outside Australia.

2011 JOURNAL ARTICLES

The Asian Development Bank and the Role of Human Rights in the Pursuit of Just and Sustainable Development in the Asia Pacific Region: An Advocacy Role for Australia?
– Andrew Byrnes

The Last Frontier of Human Rights Protection: Interrogating Resistance to Regional Cooperation in the Asia-Pacific
– Ben Saul, Jacqueline Mowbray and Irene Baghoomians

From Humanitarian Discretion to Complementary Protection — Reflections on the Emergence of Human Rights-based Refugee Protection in Australia
– Jane McAdam

Juridifying Politics and Politicising the Juridical: The Nature, Status and Future of Amnesties under International Criminal Law
– Robin Perry

Victim Participation at the International Criminal Court and its Impact on Procedural Fairness
– Bridie McAsey

Novel Treaty-Based Approaches to Resolving International Investment and Tax Disputes in the Asia-Pacific Region
– Micah Burch and Luke Nottage

Innovative Mechanisms for Avoiding or Resolving Inter-State Trade Disputes in an Asia-Pacific Regional Free Trade Agreement
– Brett G Williams

Breaking in the 'unruly horse': The Status of Mandatory Rules of Law as a Public Policy Basis for the Non-enforcement of Arbitral Awards
– Luke Villiers

Various Case Notes and Book Reviews also included in 2011 AILJ out soon

PUBLICATIONS

VIVIENNE BATH

Vivienne Bath and Luke Nottage (eds), *Foreign Investment and Dispute Resolution Law and Practice in Asia* (Routledge, November 2011)

Vivienne Bath and Luke Nottage, 'Foreign Investment and Dispute Resolution Law and Practice in Asia: An Overview,' in Vivienne Bath and Luke Nottage (eds), *Foreign Investment and Dispute Resolution Law and Practice in Asia* (Routledge, November 2011) 1-24

Vivienne Bath, 'The Quandary for Chinese Regulators: Controlling the Flow of Investment into and out of China,' in Vivienne Bath and Luke Nottage (eds), *Foreign Investment and Dispute Resolution Law and Practice in Asia* (Routledge, November 2011) 68-89

CHESTER BROWN

Malcolm Holmes QC and Chester Brown, *The International Arbitration Act 1974: A Commentary* (LexisNexis Butterworths, 2011)

Chester Brown and Kate Miles (eds), *Evolution in Investment Treaty Law and Arbitration* (Cambridge University Press, 2011)

Chester Brown and Kate Miles, 'Introduction: evolution in investment treaty law and arbitration', in Chester Brown and Kate Miles (eds), *Evolution in Investment Treaty Law and Arbitration* (Cambridge University Press, 2011) 3-16

Chester Brown and Sergio Puig, 'The Power of ICSID Tribunals to Dismiss Proceedings Summarily: An Analysis of Rule 41(5) of the ICSID Arbitration Rules' (2011) 10(2) *Law and Practice of International Courts and Tribunals* 227-259

Chester Brown, 'Bringing Sustainable Development Issues before Investment Treaty Tribunals', in Markus Gehring, Marie-Claire Cordonnier-Seger, and Andrew Newcombe (eds), *Sustainable Development in World Investment Law* (2011) 177-190

Chester Brown, 'Book Review of Anna Riddell and Brendan Plant, Evidence before the International Court of Justice' (2011) 10(1) *Law and Practice of International Courts and Tribunals* 205-210

SIMON BUTT

Simon Butt, *Corruption and Law in Indonesia*, (Routledge, London, 2011)

Simon Butt, 'Foreign Investment in Indonesia: The Problem of Legal Uncertainty' in Vivienne Bath and Luke Nottage (eds), *Foreign Investment and Dispute Resolution Law and Practice in Asia* (Routledge, November 2011)

Simon Butt and Tim Lindsey, 'Judicial Mafia: The Courts and State Illegality in Indonesia' in Aspinall and van Klinken, *The state and illegality in Indonesia*, (KITLV Press, 2011)

Simon Butt, Anti-corruption reform in Indonesia: an obituary?, *Bulletin of Indonesian Economic Studies*, 47 (3) 2011

TERRY CARNEY

Terry Carney, David Tait, Julia Perry, Alikki Vernon and Fleur Beaupert, *Australian Mental Health Tribunals: 'Space' for fairness, freedom, protection & treatment?*, Sydney: Themis/NSWLAW Foundation, i-xi, 1-353 (2011)

Terry Carney, *Still Searching for the Future? a Report to the Max Planck Institute for Foreign and International Social Law*, Munich, Germany (January 2011)

Terry Carney, 'Mental Health Tribunals—Rights, Protection & Treatment; Or 'space' for Tribunals as Governance?' (2012) 35(1) *International Journal of Law and Psychiatry* 1-10

Terry Carney, David Tait, 'Mental Health Tribunals—Rights, Protection or Treatment? Lessons from the ARC Linkage Grant Study?' (2011) 18, i, *Psychiatry Psychology and Law* 137-159

Belinda Bennett, and Terry Carney, 'Pandemic Preparedness in Asia: A role for law and ethics?' (2011) 23(3) *Asia Pacific Journal of Public Health* 419-430

Terry Carney, 'A Regional Disability Tribunal for Asia and the Pacific: Changing the conversation to a "conversation"'? (2011) 7(S3) *International Journal of Law in Context* 319-333.

Sarah Low and Terry Carney, 'Inter-

governmental Policy Implementation in New South Wales Australia: Towards a modified communications theory? (2011/12) *International Journal of Public Administration* 35, 3, 1-17

Terry Carney, Richard Bailey and Belinda Bennett, 'Pandemic Planning as Risk Management: How fared the Australian federation?' (2012) *Journal of Law and Medicine* (forthcoming)

CHARLOTTE EPSTEIN

Charlotte Epstein, 'Interrogating the Use of Norms in International Relations: A Symposium Introduction' (2012) 13(2) *International Studies Perspective*, (in print)

Charlotte Epstein, 'Stop Telling Us How To Behave: Socialization or Infantilization?' (2012) 13(2) *International Studies Perspective*, (in print)

Charlotte Epstein, 'From Norms to Nomos', in Rebecca Adler-Nissen (ed.), *Bourdieu in International Relations* (Routledge: New York and London) (forthcoming, 2012)

FLEUR JOHNS

Fleur Johns, Richard Joyce and Sundhya Pahuja (eds), *Events: The Force of International Law* (Routledge-Cavendish: London, 2011)

Fleur Johns, Thomas Skouteris and Wouter Werner, Special Issue Series – International Law and the Periphery: 'The League of Nations and the Periphery', (2011) 24 *Leiden Journal of International Law* Issue 797-922

Fleur Johns, 'Financing as Governance' (2011) 31 *Oxford Journal of Legal Studies* 391-415

Fleur Johns, *The Non-Legal in International Law: Limits of the Legal Imagination* (Cambridge University Press, forthcoming 2013)

ROSEMARY LYSTER

Rosemary Lyster, 'Australia's Clean Energy Future Package: are we there yet?' (2011) 28 *Environmental and Planning Law Journal* (forthcoming)

Rosemary Lyster, 'REDD+, transparency, participation and resource rights: the role of law' (2011) 14(2) *Environmental Science & Policy*

ROGER MAGNUSSON

Roger Magnusson, Lawrence Gostin, David Studdert, 'Can Law Improve Prevention and Treatment of Cancer? Symposium Introduction' (2011) 125(12) *Public Health* 813-820

Roger Magnusson, 'Using a Legal and Regulatory Framework to Identify and Evaluate Priorities for Cancer Prevention' (2011) 125(12) *Public Health* 854-875

Robert Beaglehole, Ruth Bonita and Roger Magnusson, 'Global Cancer Prevention: An Important Pathway to Global Health and Development' (2011) 125(12) *Public Health* 821-831

Roger Magnusson and David Patterson, 'Role of Law in Global Response to Non-communicable Diseases' (2011) 378 *Lancet* 859-860.

Robert Beaglehole et al., 'Priority Actions for the Non-communicable Disease Crisis' (2011) 377 *Lancet* 1438-1447 (contributing author)

SHAE MCCRYSTAL

Shae McCrystal, 'Fair Work in the International Spotlight: The CEPU Complaint to the ILO's Committee on Freedom of Association' (2011) 24 *Australian Journal of Labour Law* 165

Shae McCrystal and Belinda Smith, 'Industrial Legislation in 2010' (2011) 53(3) *Journal of Industrial Relations* 288

LUKE NOTTAGE

Vivienne Bath and Luke Nottage (eds), *Foreign Investment and Dispute Resolution Law and Practice in Asia* (Routledge, November 2011)

Luke Nottage, 'Japan' in Jean du Plessis et al, *Principles of Contemporary Corporate Governance* (Melbourne: Cambridge University Press, 2011)

Harald Baum, Luke Nottage & Markus Their, 'Auswahlbibliographie' in Harald Baum et al (eds) *Handbuch des japanischen Handels- und Wirtschaftsrechts* (Cologne: Carl Heymann, 2nd ed 2011) 533-66

Shortaro Hamamoto and Luke Nottage, 'Japan' in Chester Brown and Devashish Krishan (eds) *Commentaries on Selected Model Investment Treaties* (Oxford: Oxford University Press)

forthcoming

Vivienne Bath and Luke Nottage, 'Foreign Investment and Dispute Resolution Law and Practice in Asia: An Overview,' in Vivienne Bath and Luke Nottage (eds), *Foreign Investment and Dispute Resolution Law and Practice in Asia* (Routledge, November 2011)

Luke Nottage and Romesh Weeramantry, 'Investment Arbitration in Asia: Five Perspectives on Law and Practice' in Vivienne Bath and Luke Nottage (eds), *Foreign Investment and Dispute Resolution Law and Practice in Asia* (Routledge, November 2011)

Stephen Green and Luke Nottage, 'Who Defends Japan? Government Lawyers in Japan and Australia' in Leon Wolff, Luke Nottage and Kent Anderson (eds) *Who Judges Japan? Popular Participation in the Japanese Legal Process* (Cheltenham: Edward Elgar) forthcoming

Luke Nottage, 'The 2010 Amendments to the International Arbitration Act: A New Dawn for Australia?' 7(1) *Asian International Arbitration Journal* 29-53

Luke Nottage, 'New Legislative Agendas, Legal Professionals and Dispute Resolution in Australia and Japan: 2009-2010' 28 *Ritsumeikan Law Review* (forthcoming)

Luke Nottage, 'Responsive Regulation and Consumer Product Safety' (in Japanese: Akiko Shindo, trans) 13 *Hokkaido Journal of New Global Law and Policy* 211-44

Luke Nottage, 'The Rise and Possible Fall of Investor-State Arbitration in Asia: A Skeptic's View of Australia's "Gillard Government Trade Policy Statement"' *Transnational Dispute Management* (forthcoming)

Luke Nottage, 'Suppliers' Duties to Report Product-related Accidents under the New Australian Consumer Law: A Comparative Critique' [June-August] *Commercial Law Quarterly* 3-14

BEN SAUL

Hitoshi Nasu and Ben Saul (eds), *Human Rights in the Asia-Pacific Region: Towards Institution Building* (Routledge-Cavendish, Abingdon, 2011)

Ben Saul, 'Civilizing the Exception: Universally Defining Terrorism', in Aniceto Masferrer (ed), *Post-9/11 and the State of Permanent Legal Emergency: Security and Human*

Rights in Countering Terrorism (Springer, 2011)

Ben Saul, 'Criminality and Terrorism' in AM Salinas de Friás, KLH Samuel, and ND White (eds), *Counter-Terrorism: International Law and Practice* (Oxford University Press, Oxford, forthcoming 2011), chapter 6

Ben Saul, Irene Baghoomians and Jacqueline Mowbray, 'Resistance to Regional Human Rights Cooperation in The Asia-Pacific: Demythologising Regional Exceptionalism by Learning from The Americas, Europe, and Africa' in Hitoshi Nasu and Ben Saul (eds), *Human Rights in the Asia-Pacific Region: Towards Institution Building* (Routledge-Cavendish, Abingdon, 2011), chapter 6

Ben Saul, Jacqueline Mowbray and Irene Baghoomians, 'The Last Frontier of Human Rights Protection: Interrogating Resistance to Regional Cooperation in the Asia-Pacific' (2011) 18 *Australian International Law Journal* (forthcoming)

Ben Saul, 'Legislating from A Radical Hague: The UN Special Tribunal for Lebanon Invents an International Crime of Transnational Terrorism' (2011) 24 *Leiden Journal of International Law* 677-700

Ben Saul, 'Terrorism', Bibliography entry and commentary, Oxford University Press online service – *International Law Bibliography*, 2011 (8,000 words)

Ben Saul, 'The International Crime of Transnational Terrorism: Lex Lata or Lex Federenda?' (2011) 22 *Criminal Law Forum* 365-388

Kate Bones and Ben Saul, Book Review of M. Cherif Bassiouni, *The Institutionalization of Torture by the Bush Administration* (Intersentia, Antwerp, 2010), in (December 2011) [NSW] *Law Society Journal* 94

Annabel Lee and Ben Saul, Book Review of Hitoshi Nasu, *International Law on Peacekeeping: A study of Article 40 of the UN Charter* (Martinus Nijhof, 2009) in (2010) *Australian International Law Journal*

Nithya Ramesh and Ben Saul, Book Review of Phil Clark, *The Gacaca Courts, Post-Genocide Justice and Reconciliation in Rwanda: Justice Without Lawyers* (Cambridge University Press, 2010) in (2010) *Australian International Law Journal*

Ben Saul, 'The Kafka-esque Trial of Sheikh Mansour Leghanei' (2011) *Civil Liberty*

TIM STEPHENS

Jane McAdam, Ben Saul, James Slezak, Steven Sherwood and Tim Stephens, *Climate Change and Australia: Warming to the Global Challenge* (Federation Press: Sydney, 2012)

Tim Stephens, 'Dispute Settlement in International Environmental Law' in Shawkat Alam et al (eds), *Routledge Handbook of International Environmental Law* (Routledge, forthcoming, 2012)

Tim Stephens, 'Australia and International Environmental Dispute Resolution' in Robin Warner and Simon Marsden (eds), *Transboundary Environmental Governance: Experiences from Asia and Australasia* (Ashgate Publishing, forthcoming, 2012)

Tim Stephens, 'International Environmental Disputes' in Natalie Klein (ed), *Resolving International Law Disputes: Strategies, Options and Outcomes* (Cambridge University Press, forthcoming, 2012)

Natalie Klein and Tim Stephens, 'Enforcing Rights in Areas beyond National Jurisdiction through International Litigation' in Clive Schofield (ed), *The Limits of Maritime Jurisdiction* (forthcoming, 2012)

Jacqueline Peel and Tim Stephens, 'Australia and International Environmental Law' in Donald R Rothwell (ed), *International Law in Australia* (Thomson Reuters, Sydney, forthcoming, 2012)

Ross Abbs, Peter Cashman and Tim Stephens, 'Australia' in Richard Lord, Silke Goldberg, Lavanya Rajamani and Jutta Brunnée (eds), *Climate Change Liability: Transnational Law and Practice* (Cambridge University Press, Cambridge, 2012) 67-111

Tim Stephens, 'International Courts and Sustainable Development: Using Old Tools to Shape a New Discourse' in Brad Jessup and Kim Rubenstein (eds), *Environmental Discourses in International and Public Law* (Cambridge University Press, Cambridge, 2012)

Tim Stephens, 'The Continental Shelf' in Rachel Baird and Donald R Rothwell (eds), *Australian Coastal and Marine Law* (Federation Press, Sydney, 2011) 151-177

Tim Stephens, 'Re-imagining International Water Law?' (2011) 71 *Maryland Law Review Endnotes* 20-40

Tim Stephens, 'The Arctic and Antarctic Regimes and the Limits of Polar Comparativism' (2011) 54 *German Yearbook of International Law* (forthcoming)

GILLIAN TRIGGS

Gillian Triggs, *International Law: Contemporary Principles and Practices* (Lexis Nexis, 2nd Ed, 2011)

Gillian Triggs, 'WTO Disputes Settlement – an evolving jurisprudence' in Kevin Lindgren and Nye Perram, *International Commercial Law, Litigation and Arbitration* (The Ross Parsons Centre of Commercial, Corporate and Taxation Law, 2011)

Gillian Triggs, 'Law and Uses of International Thought' in Justin

Gleeson and Ruth Higgins, *Constituting Law: Legal Argument and Social Values* (The Federation Press, 2011)

Gillian Triggs 'The Antarctic Treaty System: A Model of Legal Creativity and Cooperation' (2011) *Science Diplomacy: Antarctica, Science, and the Governance of International Spaces* 39 - 49

ANNE TWOMEY

Anne Twomey, 'Freedom of Political Communication and its Constitutional Limits on Electoral Law' in Joo-Chang Tham, Brian Costar and Graeme Orr, *Electoral Democracy: Australian Prospects* (MUP, 2011) 189-208

Anne Twomey, 'Australia' in E Argullol and C Velasco, (eds). 'Instituciones y poderes en Estados descentralizados/ Institutions and powers in decentralized countries', (Institut d'Estudis Autònoms, Barcelona, 2011)

Anne Twomey, 'The Governor-General's role in the formation of government in hung Parliament' (2011) 22(1) *Public Law Review* 52-74

Anne Twomey, 'Changing the rules of succession to the throne' (2011) *Public Law* 378-401

Anne Twomey, 'The Recall of Members of Parliament and Citizens' Initiated Elections' (2011) 34(1) *UNSWLJ* 41-69

Anne Twomey, 'Changing the Leader – Constitutional Conventions Concerning Mid-Term Resignations of Heads of Government in Australia' (2011) *Federal Law Review*

Anne Twomey, Editorial, 'Independence Day', (2011) 36(1) *Alternative Law Journal* 2-3

PRESENTATIONS

VIVIENNE BATH

'Going alternative routes to settle investment disputes', Joint UNCTAD-City University of Hong Kong Symposium, 21-22 November 2011

Panelist, (Foreign Investment) at University of Sydney/Caixin Magazine 'China Business Forum', University of Sydney, 29 November 2011

CHESTER BROWN

'State Immunity from Measures of Constraint in International Commercial

Dispute Settlement', NZCPL/AU/ANZSIL Symposium: Innovative Models in International Commercial Dispute Resolution, Victoria University of Wellington, New Zealand, 26 November 2011

'Substantive Standards of Protection in Investment Protection Treaties', Chartered Institute of Arbitrators Diploma on International Commercial Arbitration, Sydney, 13 October 2011

'The Settlement of International Investment Disputes', Conference on Litigating International Law Disputes,

Macquarie University, Sydney, 23 September 2011

'Overview of the Statutory Reforms in International Arbitration in Australia', ICC Conference: International Arbitration in Australia and Beyond, Sydney, 17 August 2011

'Australia's New Policy on Investor-State Dispute Settlement', Sydney Centre for International Law Seminar, Faculty of Law, University of Sydney, 3 August 2011

'An Introduction to Investment Treaty Arbitration', International Legal Studies

Programme, Harvard Law School, Cambridge, Massachusetts, USA, 4 February 2011

'Is there a Common Law of International Adjudication?', International Legal Studies Programme, Harvard Law School, Cambridge, Massachusetts, USA, 3 February 2011

SIMON BUTT

'Blasphemy in the Indonesian Constitutional Court', in *Spirited Voices from the Muslim World: Islam, Democracy and Gender Rights*, Sydney University, 29 April 2011

'The reception of international law into Indonesian domestic law', Public lecture, Jakarta State Islamic University, 27 September

TERRY CARNEY

'Conditional Income Transfers & Choice in Social Services: A "new convergence"; or just more conditions & more markets?', Max Planck Institute for Foreign and International Social Law, Munich, Germany, July 2011

'Ageing and the Law: Cognitive decline, supported decisionmaking and residential aged care in the neoliberal state?', Faculty of Law, Regensburg University, Germany, July 2011

'Mental Health Tribunals—Rights, Protection & Treatment; Or "space" for Tribunals as Governance?', 32nd Congress of the International Academy of Law and Mental Health ALMH Congress, Berlin, Germany, 17-23 July 2011

'Social Security Law: Its practice and politics today', Welfare Rights Conference Hobart, 14 October 2011

'Australian Mental Health Tribunals— "space" for Rights, Protection, Treatment & Governance?', ANZAPPL & RANZCP Faculty of Forensic Psychiatry Conference Crime and Punishment—The Rising Punitiveness, Wellington, NZ, 17-19 November 2011

'Participation Rights, Family-decisionmaking & Service Access: A role for law?', 6th Roundtable on Intellectual Disability, La Trobe University, 29 November 2011

CHARLOTTE EPSTEIN

'When the Pre-Modern is Post-modern: Hobbes, Lacan and the Making of the International System', Dean of Arts Political Theory Group, University of

Sydney, May 2011

'The Big Other is Watching You: Surveillance, Sovereignty, Subjectivity', *Exposing Bodies: Surveillance and Embodiment*, University of Sydney, 8 July 2011

[Video podcast available http://sydney.edu.au/arts/research/surveillance/news_events/events/index.shtml?id=1306]

FLEUR JOHNS

'Marginal Notes: Death Post-Disaster in International Law', Interdisciplinary Workshop on Biosecurity, Resilience and Government, Sydney, 10-11 November 2011.

Commentator, 'Human Rights versus Capitalism', Conference: Human Rights: Old Dichotomies Revisited, Sydney, 25-26 November 2011

ROSEMARY LYSTER

'Women and Climate Change', International Conference on Women in Science and Engineering, Perth, March 2011

'Rescuing climate science from politics: on whose authority?', The Authority of Science Conference. Sydney Centre for the Foundations of Science, University of Sydney, Australia, Tilburg Center for Logic and Philosophy of Science, Tilburg University, The Netherlands, April 2011

Panellist: 'Is science just another voice in the policy debate?', The Authority of Science Conference. Sydney Centre for the Foundations of Science, University of Sydney, Australia, Tilburg Center for Logic and Philosophy of Science, Tilburg University, The Netherlands, April 2011

ROGER MAGNUSON

'Regulation, Voluntarism, and Industry Responses to Chronic Disease', Centre for Obesity, Diabetes & Cardiovascular Disease (CODCD) seminar on Corporate Social Responsibility and ODCD, 15 July 2011.

'Can We Regulate Our Way to a Healthier Future? Future Prospects for Using Law and Regulation to Reduce Risk Factors for Chronic Disease', George Institute for International Health, Camperdown, 3 August 2011

Guest lecture: 'International governance and health: taking non-communicable diseases (NCDs) as a case study', in 'International Aspects

of Social Justice' unit, Faculty of Law, UNSW (Professor Julian Disney), 30 August 2011

SHAE MCCRYSTAL

'Organising Independent Contractors: The Impact of Competition Law', Law Faculty Seminar Series, Law Faculty, University of Technology Sydney, 12 October 2011

LUKE NOTTAGE

(with Fady Aoun and Matt Nichol, in a panel co-organised on Comparative Corporate Governance) 'Independent Directors in Australia and Singapore: Same But Different?', 2nd East Asian Law and Society conference, Yonsei University, Seoul, 30 September – 1 October 2011

(with Micah Burch and Brett Williams), 'Fostering a Common Culture in Cross-Border Dispute Resolution: Australia, Japan and the Asia-Pacific', Japanese Studies Association of Australia conference, University of Melbourne, 1-4 July 2011

'Product Accident Report Sharing and Disclosure under the Australian Consumer Law', Consumers 2011 conference, Sydney, 7-8 June 2011

'Drafting Arbitration Clauses to Minimise Costs and Delays in International Commercial Arbitration: An Asia Pacific Perspective', CIARB Asia-Pacific Conference, Sydney, 27-28 May 2011

'Who Defends Japan? Government Lawyers and Judicial System Reform in Japan', Legal Reform in the Asian Region, Honolulu, 15-16 April 2011

'Good for the Goose, Not Good for the Gander? Australian versus Japanese Approaches Towards Investor-State Arbitration', ANZSIL International Economic Law Group symposium, University of Sydney, 25 February 2011

'Good for the Goose, Not Good for the Gander? Australian versus Japanese Approaches Towards Investor-State Arbitration', International Politics of Resources: China, Japan and Korea's Demand for Energy, Minerals and Food Symposium, Sydney, 28-29 July 2011

BEN SAUL

'The Security Implications of Climate Change in Bangladesh', UNSW Law School Climate Change and Migration Conference, NSW Parliament, Sydney,

11 November 2011

Moderator, 'Seeking Justice for Refugees Q&A', Asylum Seekers Centre and Gilbert+Tobin Lawyers, Sydney, 9 November 2011

'Getting to Zero: Nuclear Disarmament and Non-Proliferation', Australian Red Cross and Mallesons, Sydney, 22 September 2011

'Justice for David Hicks: The Australian Government's Legal Responsibilities under International Human Rights Law', Politics in the Pub, Sydney, 16 September 2011

'Defining Terrorism and Exclusion from Refugee Status', International Association of Refugee Law Judges Conference, Lake Bled, Slovenia, 8 September 2011

'Regional Security Cooperation in the Asia-Pacific', Sydney Centre for International Law, Centre for Asian and Pacific Law, and China Studies Centre, The University of Sydney, 30 August 2011

'Terrorism and International Law: A Decade Since 9/11', Centre for International and Public Law, Australian National University College of Law, 26 August 2011

'Darfur and International Law', Australian Lawyers for Human Rights and Sydney Centre for International Law, Sydney Law School, 17 August 2011

'Bradley Manning: Warrior of Conscience – or Aiding the Enemy?', Public Forum on Bradley Manning Versus the Culture of Revenge, NSW Parliament House, 2 August 2011 (on 2SER Radio at <http://radioatticus.com/>)

'China, Resources, Sovereignty and International Law', International Politics of Resources Workshop, UTS China Research Centre and University of

Sydney China Centre, 28-29 July 2011

'Palestinian Statehood in International Law', NSW State Labor Party Conference, Sydney, 10 July 2011

'Terrorism and International Law', Law Faculty Seminar, University of Leicester, 6 June 2011

'The Legitimacy and Coherence of the International Law of Terrorism', International Criminal Justice Symposium, Monash University Law School, Melbourne, 3 June 2011

'Terrorism and International Law', International Conference on Global Alliance against Terrorism for a Just Peace', Tehran, 14-15 May 2011

'Killing Gaddafi one law at a time: bombing for humanity to save strangers', Seminar, St Paul's College, The University of Sydney, 3 May 2011

TIM STEPHENS

(with Natalie Klein) 'Enforcing Rights in Areas beyond National Jurisdiction through International Litigation', Law of the Sea Institute, Annual Conference, ANCORS, University of Wollongong, 29 November 2011

'Re-Imagining International Water Law', Keynote Address, International Union for the Conservation of Nature, Academy of Environmental Law, Annual Colloquium, Eastern Cape, South Africa, 3-7 July 2011

GILLIAN TRIGGS

'Australia - Apples: How the Appellate Body dealt with the application of Jurisprudence from the continued Suspension Dispute', ANZSIL & SCIL Symposium, Sydney Law School, 25 February 2011

'The impact of international regulation and enforcement of trade disputes', International Commercial Law, Litigation and Arbitration Conference, 7 May 2011

'Law and Uses of International Thought', Banco Court, 11 May 2011

'Avoiding the resource curse- mining for development', International Forum on Africa, 13 May 2011

Chair: Regulating natural assets: land and natural resources, supporting equitable social contests, Justice for the Poor (World Bank Symposium), 15 September 2011

'Objective' Science be Balanced with National Policy?, Inaugural International Law Colloquium 15 November, 2011

ANNE TWOMEY

'Section 15 of the Australia Acts 1986 and the Amendment of Australia's fundamental constitutional documents', Gilbert + Tobin Centre Constitutional Law Conference, NSW Art Gallery, 18 February 2011.

'The High Court and Federalism – Where will the High Court Go?', Power and Politics: New Dimensions of Federalism Conference, Constitutional Centre of WA and AACL, Perth, 2-3 July 2011

Guest Speaker, Seminar, NSW Attorney-General's Department, Sydney, 1 December 2011

Keynote Speaker, NSW Schools Constitutional Convention, NSW Parliament House, 14 November 2011

'Changing the Rules of Succession and the Problem of the Realms', Public Seminar, Constitution Unit, University College London, 27 September 2011

'Constitutional Conventions and Hung Parliaments', Seminar on the Impact of Minority Government, Commonwealth Parliament, Canberra, 11 August 2011

'The Preamble and Indigenous Recognition', Workshop on Indigenous Constitutional Reform', Gilbert + Tobin Centre of Public Law and Indigenous Law Centre, UNSW, 1 July 2011

SUBMISSIONS

FLEUR JOHNS

Submission to Inquiry into the Migration Amendment (Strengthening the Character Test and Other Provisions) Bill 2011, May 2011 (with Ben Saul, Claire Burke and Daniel MacPherson)

BEN SAUL

Submission to the Senate Standing Committee on Legal and Constitutional Affairs, Inquiry into the Migration

Amendment (Strengthening the Character Test and Other Provisions) Bill 2011, 30 May 2011 (with others)

Submission to the Joint Select Committee on Australia's Immigration Detention Network, 1 September 2011 + oral hearing 5 October 2011

Submission to the Commonwealth Ombudsman's Inquiry into suicide and self-harm in immigration detention, 30 September 2011 + oral appearance 5 October 2011

Submission to the Senate Standing Committee on Legal and Constitutional Affairs, Inquiry into the Deterring People Smuggling Bill 2011, 4 November 2011

Submission to the United Nations Committee on the Rights of Persons with Disabilities, Australia's Initial Report under the Convention on the Rights of Persons with Disabilities, 8 November 2011

MEDIA

SIMON BUTT

ABC News, 7 News, 10 News, 7 pm Project, Weekend Sunrise, ABC Drive (Adelaide), 2GB, 2UE, 3AW and Triple M (case of the 14 year old convicted of drug 'misuse' in Bali, Indonesia)

MARY CROCK

Authored newspaper/media opinion articles

Anna Boucher and Mary Crock, 'Asylum: first ask the right questions', *The Canberra Times*, 19 October 2011

Other media

ABC News Radio, 25 July 2011 (asylum seeker deal with Malaysia)

ABC News 24, 25 July 2011 (asylum seeker deal with Malaysia)

SBS Ethnic Radio, 27 July 2011 (asylum seekers)

ABC 702, 8 August 2011 (asylum seeker deal with Malaysia)

Law Report, 23 August 2011 (Malaysian solution)

ABC 666, 31 August, 2011 (asylum seeker deal with Malaysia)

Channel 10, 4 September 2011 (asylum seeker deal with Malaysia)

Radio Adelaide, 25 October 2011 (Government policy on worker's rights for detainees)

ABC North West WA, 21 November 2011 (immigration)

ABC 774, 21 November 2011 (boat people)

ABC 702, 21 November 2011 (attitudes to boat people)

ROSEMARY LYSTER

Rosemary Lyster, 'A philosophical approach to climate change', first published in *The Canberra Times*, see <http://sydney.edu.au/news/84.html?newscategoryId=2&newsstoryid=7365>

RON MCCALLUM

ABC 1, 8 December 2011 (disabled migrants)

Radio National, 4 November 2011 (disabled migrants)

BEN SAUL

Authored newspaper/media opinion articles

Ben Saul, 'Why the Commonwealth must take action against Sri Lankan war crimes', *The Conversation*, 26 October 2011

Ben Saul, 'How to get away with war crimes', *New Matilda*, 26 September 2011

Ben Saul, 'Australia loses opportunity to condemn racism

Ben Saul, 'Palestinian Statehood', *Sydney Morning Herald*, 3 September 2011

Ben Saul, 'Bid for Hicks' profits "mistaken"', *The Australian*, 22 July 2011

Other media

SBS Radio, 8 November 2011 (people smuggling)

The Weekend Australian, 5 November 2011 (ASIO security refugee cases)

Sydney Morning Herald, 29 October 2011 (Breaker Morant and David Hicks)

The Australian, 25 October 2011 (Sri Lanka war crimes allegations)

ABC News 24 TV, 13 October 2011 (offshore immigration processing bill)

Sky TV News, 5 October 2011 (indefinite immigration security detention)

ABC News 24 TV, 5 October 2011 (indefinite immigration security detention)

AAP, 'Locking up asylum seekers 'extremist"', 5 October 2011 (indefinite immigration security detention)

ABC Radio National, 3 September 2011 (High Court decision on offshore refugee processing)

The Age, 2 September 2011 (High Court decision on offshore refugee processing)

Press TV, 1 September 2011 (ASIO security refugee cases)

Sydney Morning Herald, 30 August 2011 (ASIO security refugee cases); also ABC online

ABC TV, Australian Story, 30 August 2011 (Hicks)

ABC TV, Lateline, 29 August 2011 (ASIO security refugee cases)

The Australian, p.2, 29 August 2011 (ASIO security refugee cases); also reported in AAP, commercial radio

The Sun-Herald, 21 August 2011 (David Hicks' UN complaint); also covered in ABC; AAP; News Limited; Australia Network; Brisbane Times; Herald Sun; The Age; Straights Times; Le Matin; CNN; Angola Press

ABC Radio National, 3 August 2011 (Bradley Manning and Wikileaks)

Le Monde, 22 July 2011 (David Hicks' book profits)

Sydney Morning Herald, 22 July 2011 (David Hicks' book profits)

Cosmos Magazine, 14 July 2011 (Greenpeace damage to genetically modified crops)

Sydney Morning Herald, 6 July 2011 (prosecution of Bali bombers)

GILLIAN TRIGGS

ABC Radio National, August 2011 (impact of a UK class action for international corporations).

ABC Radio National, September 2011 (High Court's decision to block the federal government's proposed 'Malaysia solution' for refugees); (with Mary Crock)

Sydney Morning Herald, October 2011 (value of a law degree)

ABC Radio National, November 2011 (decision by tobacco multinational Philip Morris to sue the Australian government over its tobacco plain packaging law)/

Sydney Morning Herald, December 2011 (value of a law degree)

TIM STEPHENS

Authored newspaper/media opinion articles

Tim Stephens, 'A Whale of a Story', *The Drum*, ABC, 7 January 2011

Tim Stephens, 'Cardinal Pell's Climate Hot Air', *Eureka Street*, 19 May 2011

Tim Stephens, 'The Bay of Plenty Oil Spill: Loading the Dice Against Disaster', *The Conversation*, 14 October 2011

Tim Stephens, 'Bad Week for Pell and

Climate Change Deniers', Eureka Street, 6 November 2011

Tim Stephens, 'Cardinal Pell's Scepticism is Scientifically and Theologically Indefensible', 11 November 2011

Other media

Ben Cubby, 'Australia will have renewed authority in next global talks', *The Sydney Morning Herald*, 13 July 2011

Yuko Narushima and Justin Norrie, 'Online study kills uni life', *The Sydney Morning Herald*, 27 February 2011

ANNE TWOMEY

Authored newspaper/media opinion articles

Anne Twomey, 'Demand for double dissolution election is wide of the mark', *Sydney Morning Herald*, 23 August 2011

Anne Twomey, 'Should a first-born girl reign over her brothers?', *The Australian*, 19 October 2011

A Twomey, 'Speaker trick and oldie but a goodie for Labor', *Sydney Morning Herald*, 25 November 2011

Other media

2UE, Tim Shaw, 28 August 2011 (hung Parliament)

ABC Local Radio, Brisbane, 14 September (parliamentary privilege)

2GB, 14 September (parliamentary privilege)

ABC 702 Sydney, 14 September (parliamentary privilege)

ABC Radio National, National Interest, 16 September (political donations)

ABC News Breakfast, 14 October (succession to the throne)

Melbourne Talk Radio 1377AM, 14 October (succession to the throne)

Newcastle, 20 October (succession to the throne)

ABC News 24, 24 November (resignation of Speaker)

2UE, 26 November (resignation of Speaker)

NEW GRANTS

CHESTER BROWN

LSSF Grant: The existence of "entourage" or "retinue" immunity in customary international law (\$4,500)

SIMON BUTT

LSSF Grant: The reception of international law in the Indonesian legal system (\$4,959)

CHARLOTTE EPSTEIN

FRSS Grant (2011): The 'Failed States' Discourse and the International Community's Representations of African States

SALIM FARRER

LSSF Grant: The historical development of the Organisation of the Islamic Conference (OIC), its relevance and structural placing in East-West relations (\$4,348)

ROSEMARY LYSTER

AusAID Australian Leadership Awards Fellowship: Balancing climate change laws and policies with the needs of forest communities in Indonesia (with Tim Stephens and Simon Butt)

BEN SAUL

Australian Research Council Future Fellowship (2012-15): The Emerging International Law of Terrorism (\$692,000)

AusAID, Refugees with Disabilities in Camp Situations (with Ron McCallum and Mary Crock) (\$356,000)

Australian Research Council Discovery Grant (2012-14), Terrorism and International Humanitarian Law (\$195,000)

ROGER MAGNUSSON

ARC Discovery Grant: Evidence-informed Legal Strategies for Preventing Cancer, Heart Disease and Diabetes: What Can Australia Learn from the United States? (2012: \$82,000) (2013: \$60,000) (2014: \$70,000)

AusAID (2012): Asia Pacific Regional Seminar on HIV-Related Legal Services and Rights (with David Patterson from the International Development Law Organisation (IDLO)) (\$23,924)

JACQUI MOWBRAY

LSSF Grant: Linguistic Justice: International Law and Language Policy (\$5,000)

LUKE NOTTAGE

Japan Foundation (2012): Socio-legal norms in preventing and managing disasters in Japan and the Asia-Pacific Conference (13,100)

DAVID ROLPH

ARC Discovery Grant (2012): Judicial

Perceptions of the Media: A Thematic Analysis (\$106,000)

TIM STEPHENS

LSSF Grant: Polar Oceans Governance in an Era of Environmental Change (\$4,959)

BRETT WILLIAMS

LSSF Grant: The Impact of WTO rules on Import Monopolies and Exclusive Import Rights in the Peoples Republic of China (\$5,000)

INTERNATIONAL LAW AND THE PERIPHERY CONFERENCE

In February 2012, Sydney Law School is planning to co-host an international conference in Cairo, Egypt, with the American University in Cairo (AUC), on the theme of 'International Law and the Periphery'. Fleur Johns is co-convenor of the conference, with Associate Professor Thomas Skouteris of the AUC. The draft program features a number of SCIL Associates, namely: Dr. Salim Farrar, Dr. Jacqueline Mowbray, Prof. Ben Saul and Dr. Brett Williams. Further information is available at the conference website sydney.edu.au/law/scil/cairo

CENTRE MEMBERS 2011

MANAGEMENT COMMITTEE

Ross Anderson, Senior Lecturer and expert in private international law and international criminal law.

Professor Mary Crock, Professor of Public Law and expert in international law and human rights law, especially migration, citizenship and refugee law.

Dr Fleur Johns, Associate Professor and member of the New York bar with research interests in many areas of public and private international law, including the history and theory thereof.

Professor David Kinley, Professor of Human Rights Law and expert in human rights and corporate responsibility, the World Trade Organisation, World Bank and International Monetary Fund.

Dr Jacqueline Mowbray is a Senior Lecturer with a particular interest in international law and legal theory, with a focus on both international human rights law and international commercial issues.

Professor Luke Nottage, expert in comparative and transnational contract law, product liability, international arbitration and corporate governance especially in relation to Japan.

Professor Ben Saul, Professor and barrister, specialises in public international law, especially terrorism, use of force, humanitarian law, human rights, refugees and the United Nations.

Dr Tim Stephens, Associate Professor and expert in international dispute resolution, international courts and tribunals, international environmental law and the law of the sea.

Professor Gillian Triggs, Dean of Law, former Director of the British Institute of International and Comparative Law, barrister, and expert in all areas of public international law.

Dr Brett Williams, Senior Lecturer and expert in international trade law and international regulations of trade especially the law of the World Trade Organisation.

CENTRE ASSOCIATES

Associate Professor Vivienne Bath is an expert in the Law of International Business Transactions and in Chinese Law.

Irene Baghoomians is a Lecturer and expert in international human rights law having experience in litigation of civil rights and human rights cases.

Professor Belinda Bennett is expert in health law and globalisation, especially as it relates to biomedicine.

Professor Ben Boer, Professor of Environmental Law and expert in international environmental law, including sustainable development law, Asian Pacific environmental law and natural and cultural heritage law.

Associate Professor Chester Brown is an expert on international law and international dispute settlement.

Professor Lee Burns is a Professor in Taxation Law and specialises in international and comparative tax law, and is a consultant to the International Monetary Fund and various donor agencies on taxation reform in developing countries.

Dr Simon Butt is a Senior Lecturer and expert in Indonesian law, with research interests in comparative law.

Professor Terry Carney, specialising in welfare law, has contributed extensively to international legal scholarship on social security, mental health and drug law.

Graeme Coss, a Senior Lecturer in the Faculty of Law has research interests in, inter alia, international human rights law and international criminal law.

Dr Charlotte Epstein is a Senior Lecturer in the Department of Government and International Relations and her interests include concepts in IR theory (in particular, articulations of sovereignty, the state and North-South Relations), critical security studies, feminist IR theories, global environmental politics and the international politics of energy, and the overlap between international trade and the environment.

Katherine Fallah lectures in international law and specialises in international humanitarian and criminal

law. She is writing a doctoral thesis on the accountability of mercenaries and private military contractors under international law.

Dr Salim Farrar lectures in public international law and criminal procedure, with a special interest in human rights, Islamic law and comparative criminal justice in Asia.

Professor Mark Findlay, Professor of Criminal Law and expert in comparative criminal justice, globalisation and crime and international criminal law.

Professor Jennifer Hill is Professor of Corporate Law with research interests in international and comparative corporate governance, including in the United States and Europe.

Justin Hogan-Doran is a Barrister in private practice in Sydney. He lectures in public and private international law and coached the winning Jessup Mooting team in 2007. Justin is an Army Reserve Officer, attached to the ADF Military Law Centre.

Professor Helen Irving is Professor of Constitutional Law and expert in federal constitutional law, comparative constitutionalism, and gender and constitution-making.

Miiko Kumar is a Barrister and a Senior Lecturer at the Faculty of Law at the University of Sydney. Miiko teaches both compulsory and elective courses in Evidence and Procedure.

Professor Rosemary Lyster, expert in Asian Pacific environmental, international environmental law and international energy law, especially in relation to climate change.

Dr Euan MacDonald expert in public international law and legal theory and recently worked on the Global Administrative Law project.

Associate Professor Roger Magnusson is an expert in health law and public health law, with an interest in global health governance and in legal response to epidemics.

Professor Ron McCallum is Professor of Industrial Law and an expert in labour and employment law.

Dr Shae McCrystal is a Senior Lecturer with interests in labour and

employment law, including international labour law.

Kate Miles is a Senior Lecturer and expert in international environmental law and international trade and investment law.

Rebecca Millar is an Associate Professor with research interests in GST, comparative VAT, and the income tax concession for research and development. She is also involved in taxation reform in developing countries for a number of donor agencies.

John Pace lectures in international human rights law and has served as a senior United Nations human rights official in Geneva, Iraq and Lebanon, among others.

Dr Alison Pert lectures in public international law and has a special interest in the use of armed force and Australia's compliance with its treaty commitments.

Dr James Renwick, a former Fulbright Scholar, with a doctorate from Sydney University, is a member of the NSW Bar, practising in the fields of both public and commercial law. He has appeared in many constitutional matters in the High Court. He is a pioneer of the teaching and practice of national security law in Australia. He holds a commission in the Royal Australian Naval Reserve.

Dr David Rolph is an Associate Professor with research interests in private international law, especially multi-state torts.

Emeritus Professor Ivan Shearer AM, former Challis Professor of International Law and expert in all areas of international law, especially international human rights law, the law of the sea, international humanitarian law and the use of armed force.

Andrew Tuch, Lecturer, has research interests in international financial services regulation, and globalisation and the provision of legal services.

Professor Anne Twomey has interests in public international law and comparative constitutional law, especially issues concerning federal systems of governance.

Associate Professor Alex Ziegert, expert in legal theory, notably the analysis of global law as a legal system.

CENTRE AFFILIATES

Dr Thalia Anthony is a Senior Lecturer at UTS with interests in indigenous people and the law (including indigenous rights in international law), criminology, comparative tort law, native title and legal history

Danielle Celermajer is Director of the Asia Pacific Masters of Human Rights and Democratisation, Director of the Masters of Human Rights and a Senior Lecturer at the Department of Sociology and Social Policy, University of Sydney. Her research interests include international human rights law and institutions and their domestic application, and mechanisms for dealing with violations in the past.

Robert Dubler SC is a senior Sydney barrister who completed his PhD in international law from the University of Sydney, with research interests in international criminal law.

Jolyon Ford, Lecturer at the Australian National University and former Lecturer at Sydney Law School, with interests in public international law, constitutional law, and post-conflict studies.

Robert Hill is an Adjunct Professor in Sustainability at the United States Studies Centre at the University of Sydney. He has been a member of the Australian Senate from 1981 to 2006, and a former Minister for the Environment, Minister for the Environment and Heritage and Minister for Defence. From 2006 to 2009 he served as the Australian Ambassador to the United Nations. He was recently appointed by the Prime Minister as Chairman of the Australian Carbon Trust.

Eric Knight is a doctoral student at the University of Oxford on a Rhodes Scholarship, and previously an Associate at Baker & McKenzie in the Environmental Markets team. His research interests include corporate governance, and international environmental law with a focus on climate change and energy.

Dr Peter Kwon, partner at Ashurst Hong Kong, and specialist in cross-border securitisation, derivatives, capital markets, and structured finance law. His research interests are in legal culture, cross-border negotiations, and the interaction between the two..

Associate Professor Jake Lynch is Director of the Centre for Peace and Conflict Studies at the University of Sydney. He is a leader in the field of peace journalism, as an experienced international reporter and scholar.

Associate Professor Jane McAdam is Associate Professor in the Faculty of Law at the University of New South Wales. She holds a doctorate from the University of Oxford and has published widely in the areas of international human rights law and refugee law.

Dr Hitoshi Nasu is a lecturer at the ANU College of Law and an Associate Director of The Australian Network for Japanese Law (ANJeL). His thesis on the 'Precautionary Approach to International Security Law: A Study of Article 40 of the UN Charter' was completed in 2006.

Melissa Perry QC is a senior barrister practicing primarily in the federal sphere, specialising in public international law, constitutional law, administrative law, native title and environmental law.

Chris Sidoti is a human rights lawyer, activist and teacher who currently works from Sydney, Australia, as an international human rights consultant, specialising in the international human rights system and in national human rights institutions.

Dr Martyn Taylor is a Senior Associate at Mallesons Stephen Jaques, practising in competition & trade law, telecommunications law and international economic law. He has interests in international competition policy, international finance, and trade regulation.

Sarah Williams formerly worked in international law at the British Foreign and Commonwealth Office and is now researching the establishment by the United Nations Security Council and Lebanon of a criminal tribunal to prosecute political violence in Lebanon.

Houda Younan is a barrister at Sixth Floor, her areas of practice include administrative law, commercial law, communications/media law, constitutional law, customs and anti-dumping; extradition, environmental and planning law, international law, migration law and mining law

CENTRE ADMINISTRATOR

Amber Colhoun

CENTRE ADVISORY BOARD

Emeritus Professor Ivan Shearer AM, RFD, Faculty of Law, University of Sydney, Chair of the Advisory Board

Professor Philip Alston, New York University School of Law

Dr Rosalie Balkin, Legal Director, International Maritime Organization

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

Professor Christine Chinkin, Department of Law, London School of Economics

Professor James Crawford SC, Faculty of Law, Cambridge University

Dr Michael Fullilove, Director of Global Issues, Lowy Institute for International Policy, Sydney; Nonresident Senior Fellow, Brookings Institution, Washington, DC

HE Judge C Weeramantry, Former Judge of the International Court of Justice; Director, Weeramantry International Centre for Peace Education and Research, Colombo

Professor Yasuhei Taniguchi, Senshu University Law School; former Chair of the WTO Appellate Body

2011 JESSUP AFFILIATES

Pat Bateman
Chris Beshara
Glenn Kembrey
Chelsea Tabart
Pat Wall

2011 CENTRE INTERNS

Claire Burke (S1)
Steve Hinds (S1)
Ishani Jayaweera (S1)
Daniel MacPherson (S1)
Kate Bones (S2)
Georgina Hutton (S2)
Bryce Williams (S2)
Jason Wong (S2)

HIMALAYAN FIELD SCHOOL: LAW, DEVELOPMENT & HUMAN RIGHTS

NEPAL, LATE JANUARY – EARLY FEBRUARY EACH YEAR

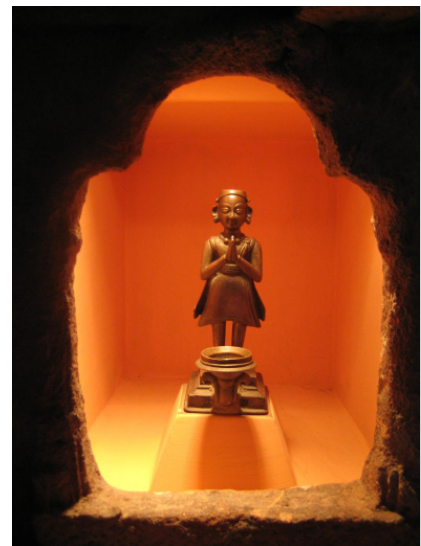
Are you interested in the law and politics of development and human rights in developing countries? Would you like to see first-hand how international law assists poor and vulnerable communities overseas, including refugees and minority tribal groups? Have you ever wondered what it is like to work for a United Nations agency in the field?

Sydney Law School has developed an innovative new Field School, conducted over two and a half weeks inside Nepal, to explore the fascinating and difficult problems confronting developing countries. The Field School is an elective unit for **credit towards undergraduate or postgraduate law degrees**.

The Field School exposes students to the role and limits of law in addressing acute problems of socio-economic development and human rights facing a developing country like Nepal, which ranks among the world's poorest countries

The Field School takes place in Kathmandu, Pokhara and Melamchi in Nepal and is conducted in conjunction with Kathmandu School of Law, a leading university for legal education in Nepal.

Further details about the Field School are available online at: sydney.edu.au/law/scil/fieldschool



SCHOOL OF LAW

SYDNEY CENTRE FOR INTERNATIONAL LAW



FOR MORE INFORMATION CONTACT

T +61 2 9351 0460
E law.scil@sydney.edu.au
SYDNEY.EDU.AU/LAW/SCIL