



Australian and New Zealand  
Society of International Law

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**The Centre for International and Public Law  
ANU College of Law  
The Australian National University**  
*and*  
**The Australian and New Zealand Society of International Law**  
*present*

**The Sixteenth Annual ANZSIL Conference**

# ***Security, Scarcity, Struggle: The Dilemmas of International Law***

**26 - 28 JUNE 2008**

**The National Museum of Australia  
Canberra**

**Conference Secretariat**

Centre for International & Public Law (CIPL)  
Phone +61 2 6125 0454 Fax+ 61 2 6125 0150  
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Conference website: <http://law.anu.edu.au/anzsil>

## CONFERENCE PROGRAMME

<b>THURSDAY 26 June 2008</b>	
8.30am	<b>REGISTRATION AND TEA/COFFEE</b> at Foyer, Visions Theatre, National Museum of Australia
9.00am	<p><b>CONFERENCE OPENING</b>  <b>Professor Campbell McLachlan, President, Australian and New Zealand Society of International Law</b>  <b>Professor Kim Rubenstein, Director, Centre for International &amp; Public Law, The Australian National University</b>  <b>Professor Gerry Simpson, London School of Economics and The University of Melbourne</b></p> <p>Location: Visions Theatre</p>
9.30am	<p><b>OPENING ADDRESS</b>  <b>The Honourable Robert McClelland MP, Attorney-General of Australia.</b></p> <p>Location: Visions Theatre</p>
10.00am	<b>MORNING TEA</b> at Hall, National Museum of Australia
10.30am	<p><b>PLENARY: THE DILEMMAS OF INTERNATIONAL LAW: SECURITY</b>  <b>CHAIR: PROFESSOR CAMPBELL MCLACHLAN, VICTORIA UNIVERSITY OF WELLINGTON</b></p> <p><b>Dr Fleur Johns, University of Sydney</b>  <i>Beyond Bunker and Vaccine</i>  <b>Dr Treasa Dunworth, University of Auckland</b>  <i>BioSecurity</i>  <b>Dr Shirley Scott, University of New South Wales</b></p> <p>Location: Visions Theatre</p>
12.30pm	<b>LUNCH</b> at Hall, National Museum of Australia & <b>LAUNCH OF THE INTERNATIONAL AND HUMANITARIAN LAW LIBRARY ON WORLDLII</b> at Studio Theatre, National Museum of Australia

1.30pm	<p><b>PANEL 1: PEACE AND SECURITY</b></p> <p><b>CHAIR: PETER SCOTT, DEPARTMENT OF FOREIGN AFFAIRS AND TRADE</b></p> <p><b>Jo Ford, The Australian National University</b>  <i>Towards a ius post bellum: necessary reconfiguring or further fragmentation? A critical analysis of 'the Meaning of Security in International Law' in relation to the Private Security Sector in Post-Conflict Situations</i></p> <p><b>Associate Professor Dianne Otto, University of Melbourne</b>  <i>Remapping Emergencies through a Feminist Lens</i></p> <p><b>Dr Sinclair Dinnen, The Australian National University</b>  <i>The Security-Development Nexus - A Perspective from the Pacific Islands</i></p> <p>Location: Visions Theatre</p>	<p><b>PANEL 2: MARITIME SECURITY</b></p> <p><b>CHAIR: DR NATALIE KLEIN, MACQUARIE UNIVERSITY</b></p> <p><b>Karen Scott, University of Canterbury</b>  <i>New Zealand/Australian Maritime Security Interests in the Antarctic/Sub-Antarctic Region</i></p> <p><b>Joanna Mossop, Victoria University of Wellington</b>  <i>Maritime Security in the Pacific Region</i></p> <p>Location: Studio Theatre</p>
3.00pm	<p><b>AFTERNOON TEA</b> at Hall, National Museum of Australia</p>	
3.30pm	<p><b>PANEL 3: WAR/CRIME</b></p> <p><b>CHAIR: JULIET HAY, MINISTRY OF FOREIGN AFFAIRS AND TRADE</b></p> <p><b>Assistant Professor Dana Falstrom, Tulane University</b>  <i>How common is the common law?: Examination of four common law States and their different positions at the ICC</i></p> <p><b>Grant Niemann, Flinders University</b>  <i>Forging a New Social Contract for International Criminal Justice</i></p> <p><b>Tina Dolgopol, Flinders University</b>  <i>A Gender Perspective on the Need to Balance the Interests of Victims and the Interests of Justice under the Rome Statute</i></p> <p><b>Yasmine Ahmed, Attorney-General's Department</b>  <i>The principles of military necessity and proportionality in international humanitarian law vis-à-vis combatants</i></p> <p>Location: Visions Theatre</p>	<p><b>PANEL 4: WAR/HUMAN RIGHTS</b></p> <p><b>CHAIR: ADAM MCCARTHY, DEPARTMENT OF FOREIGN AFFAIRS AND TRADE</b></p> <p><b>Damien van der Toorn, Attorney-General's Department</b>  <i>Attribution of conduct of armed forces participating in UN-authorized operations: The impact of Behrami and Al-Jedda</i></p> <p><b>Erlend Leonhardsen, The Norwegian Embassy in The Hague</b>  <i>In the shadow of the Security Council: Exploring the limits of the applicability of the European Convention of Human Rights during peacekeeping operations</i></p> <p><b>Rob MacLaughlin, Royal Australian Navy</b>  <i>Military Lawyers and Operational Legal Advice to commanders as a Component of Promoting the Rule of Law</i></p> <p><b>Kerin Leonard, Attorney-General's Department</b>  <i>Detainee management: human rights, sovereignty and accountability in modern peace operations</i></p> <p>Location: Studio Theatre</p>

5.30	<b>RECEPTION</b> at Hall, National Museum of Australia
6.30-7.30pm	<p><b>INAUGURAL KIRBY LECTURE ON INTERNATIONAL LAW</b></p> <p><b>Professor James Crawford, University of Cambridge</b>  <i>House of Lords and the High Court of Australia 1996-2008: A Comparison</i></p> <p>(Museum will re-open at 5.45pm for the public to attend the lecture)</p> <p>Location: Visions Theatre</p>

<b>FRIDAY 27 June 2008</b>			
9.00am	<p><b>PLENARY: STRUGGLE</b></p> <p><b>CHAIR: PROFESSOR GERRY SIMPSON, LONDON SCHOOL OF ECONOMICS/UNIVERSITY OF MELBOURNE</b></p> <p><b>Dr Sundhya Pahuja, The University of Melbourne</b>  <b>Professor Hilary Charlesworth, The Australian National University</b></p> <p>Location: Visions Theatre</p>		
10.30am	<b>MORNING TEA</b> at Hall, National Museum of Australia		
11.00am	<table border="1"> <tr> <td> <p><b>PANEL 5: THIRD WORLDS AND STRUGGLE</b></p> <p><b>CHAIR: PROFESSOR TONY ANGHIE, UNIVERSITY OF UTAH</b></p> <p><b>Michael Morison, Queensland University of Technology</b>  <i>United Nations Democracy-Building Initiatives And Third-World Approaches To International Law</i></p> <p><b>Guy Fiti Sinclair, Unitech New Zealand</b>  <i>Impossibility, necessity, progress: A third world perspective on the themes of United Nations reform discourse</i></p> <p><b>Sanjiva de Silva, Attorney-General's Department</b>  <i>Finding a voice for developing countries in the World Trade Organisation dispute settlement system: - how international lawyers can help to overcome constraints of law, money and politics</i></p> <p>Location: Visions Theatre</p> </td> <td> <p><b>PANEL 6: GROUPS AND STRUGGLE</b></p> <p><b>CHAIR: SARAH HEATHCOTE, THE AUSTRALIAN NATIONAL UNIVERSITY</b></p> <p><b>Professor Abdul Ghafur Hamid, International Islamic University Malaysia</b>  <i>Terrorism and the Right of Self-Defence: Rethinking of Legal and Policy Issues</i></p> <p><b>Amy Maguire, University of Newcastle</b>  <i>Self-Determination and the Promise of Justice in International Law</i></p> <p><b>Robyn Seth-Purdie, The Australian National University</b>  <i>Squaring Indigenous Rights with the Circle of Universal Human Rights</i></p> <p>Location: Studio Theatre</p> </td> </tr> </table>	<p><b>PANEL 5: THIRD WORLDS AND STRUGGLE</b></p> <p><b>CHAIR: PROFESSOR TONY ANGHIE, UNIVERSITY OF UTAH</b></p> <p><b>Michael Morison, Queensland University of Technology</b>  <i>United Nations Democracy-Building Initiatives And Third-World Approaches To International Law</i></p> <p><b>Guy Fiti Sinclair, Unitech New Zealand</b>  <i>Impossibility, necessity, progress: A third world perspective on the themes of United Nations reform discourse</i></p> <p><b>Sanjiva de Silva, Attorney-General's Department</b>  <i>Finding a voice for developing countries in the World Trade Organisation dispute settlement system: - how international lawyers can help to overcome constraints of law, money and politics</i></p> <p>Location: Visions Theatre</p>	<p><b>PANEL 6: GROUPS AND STRUGGLE</b></p> <p><b>CHAIR: SARAH HEATHCOTE, THE AUSTRALIAN NATIONAL UNIVERSITY</b></p> <p><b>Professor Abdul Ghafur Hamid, International Islamic University Malaysia</b>  <i>Terrorism and the Right of Self-Defence: Rethinking of Legal and Policy Issues</i></p> <p><b>Amy Maguire, University of Newcastle</b>  <i>Self-Determination and the Promise of Justice in International Law</i></p> <p><b>Robyn Seth-Purdie, The Australian National University</b>  <i>Squaring Indigenous Rights with the Circle of Universal Human Rights</i></p> <p>Location: Studio Theatre</p>
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12.30pm	<b>LUNCH</b> at Hall, National Museum of Australia & <b>ANNUAL GENERAL MEETING OF ANZSIL</b> at Visions Theatre, National Museum of Australia	
1.30pm	<b>PLENARY: SCARCITY</b> <b>CHAIR: ASSOCIATE PROFESSOR DIANNE OTTO, THE UNIVERSITY OF MELBOURNE</b> <b>Professor Tony Anghie, University of Utah</b> <b>Dr Ben Saul, University of Sydney</b>  Location: Visions Theatre	
2.45pm	<b>AFTERNOON TEA</b> at Hall, National Museum of Australia	
3.15pm	<b>PANEL 7: RENEWAL: COURTS</b> <b>CHAIR: BILL CAMPBELL, OFFICE OF INTERNATIONAL LAW, ATTORNEY-GENERAL'S DEPARTMENT</b> <b>Robyn Briese, Australian Government Solicitor</b> <i>'If the State Considers...'</i> – <i>Self-judging Clauses in International Treaties</i> <b>Anne McNaughton, The Australian National University</b> <i>The role of international institutions, international lawyers and civil society in promoting [justice] or ameliorating injustice</i> <b>Magda Karagiannakis, Barrister</b> <i>Advisory Opinions of the International Court of Justice : A review of the opinions of the court and its recent approaches to human rights and humanitarian norms</i> <b>Dr Caroline Foster, University of Auckland</b> <i>Lawyers or Scientists: Who Decides?</i>  Location: Visions Theatre	<b>PANEL 8: PROLIFERATION: NEW INSTITUTIONS</b> <b>CHAIR: DR TIM STEPHENS, UNIVERSITY OF SYDNEY</b> <b>Associate Professor Andrea Durbach and Catherine Renshaw, University of New South Wales</b> <i>"A tongue but no teeth"? The emergence of a new human rights mechanism in the Asia-Pacific region</i> <b>Associate Professor Simon Chesterman, National University of Singapore</b> <i>Does ASEAN Exist? The Association of Southeast Asian Nations as an International Legal Person</i> <b>Dr Maxime Tardu, Retired from the Office of the United Nations High Commissioner for Human Rights</b> <i>The New Human Rights Council of the United Nations: Progress or regress?</i>  Location: Studio Theatre
4.30pm	<b>Stretch Break</b>	
4.45 - 5.45pm	<b>Cluster Munitions, Red Cross Public Event</b> <b>CHAIRS: GEOFF SKILLEN, ATTORNEY-GENERAL'S DEPARTMENT</b>  A diplomatic conference in Dublin is scheduled for 19 to 30 May 2008 to consider adoption of the text of an international convention to ban the use of cluster munitions. This panel will consider the military utility of cluster munitions, their humanitarian impact and the future prospects for the convention. The panel will comprise representatives from both Government and civil society.  Location: Visions Theatre	

7.00 – 10.00pm	<p><b>CONFERENCE DINNER</b> at The Boathouse, Grevillea Park, Menindee Drive Barton ACT 2600</p> <p>The dinner speaker at this year's dinner will be award-winning Australian author Frank Moorhouse. Frank will be speaking about his books <i>Grand Days</i> and <i>Dark Palace</i> which were both set during the period of the League of Nations, with its central Australian character Edith Berry. <i>Grand Days</i>, the first of the <i>Palais des Nations</i> novels, won the SA Premier's Award for Fiction while <i>Dark Palace</i> won the 2001 Miles Franklin Literary Award and was short listed for the NSW Premier's Literary Award, the Victorian Premier's Literary Award and the Age Book of the Year Award.</p>
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**SATURDAY 28 June 2008**

9.30am	<p><b>PANEL 9: TRADE AND INVESTMENT</b></p> <p><b>CHAIR: PAUL SCHOFIELD, DEPARTMENT OF FOREIGN AFFAIRS AND TRADE</b></p> <p><b>Kate Miles and Associate Professor Luke Nottage, University of Sydney</b> <i>Back to the Future for Investor-State Arbitrations: Revising Rules for Public Interests</i></p> <p><b>Dr Andrew Mitchell, The University of Melbourne and Sarah Kemeny, Blake Dawson Waldron</b> <i>Current Developments in International Trade and Tobacco</i></p> <p><b>Amokura Kawharu, University of Auckland</b> <i>The Necessity Exception in Foreign Investment Law</i></p> <p><b>Lauren Henschke, Attorney-General's Department</b> <i>Regional Free Trade Agreements, development and the integration of developing countries into a multilateral trading system</i></p> <p>Location: Visions Theatre</p>	<p><b>PANEL 10: HUMAN RIGHTS</b></p> <p><b>CHAIR: KATIE WOOD, AMNESTY INTERNATIONAL</b></p> <p><b>Dr Stephen James, Royal Melbourne Institute of Technology</b> <i>A Forgotten Right? The Right to Clothing in International Law</i></p> <p><b>Dr Gabriele Porretto, University of Western Sydney</b> <i>The US Military Commissions and International Humanitarian Law</i></p> <p><b>Judge Christopher Weeramantry, former Vice President, International Court of Justice</b> <i>Religion and Human Rights</i></p> <p><b>Professor Andrew Byrnes, University of New South Wales</b></p> <p><b>Commentator: Associate Professor Balakrishnan Rajagopal, Massachusetts Institute of Technology</b></p> <p>Location: Studio Theatre</p>
	<p><b>PANEL 11: ENVIRONMENT</b></p> <p><b>CHAIR: ASSOCIATE PROFESSOR WENDY LACEY, UNIVERSITY OF SOUTH AUSTRALIA</b></p> <p><b>Gerard van Bohemen, Ministry of Foreign Affairs and Trade</b> <i>Management of high seas fisheries resources</i></p> <p><b>Peter Lawrence, University of Tasmania</b> <i>Generations X-Z (?) and climate change: the urgent need to reconfigure international law to meet the climate change challenge</i></p> <p><b>Dr Natalie Klein, Macquarie University</b> <i>Protecting our marine resources: Is litigation the answer?</i></p> <p>Location: Friends Lounge</p>	

11.00am	<b>MORNING TEA</b> at Hall, National Museum of Australia
11.30am	<p><b>PLENARY: THE YEAR IN REVIEW</b></p> <p><b><i>CHAIR: PROFESSOR KIM RUBENSTEIN, THE AUSTRALIAN NATIONAL UNIVERSITY</i></b></p> <p><b>Professor Gillian Triggs, The University of Sydney</b>  <b>Bill Campbell, Attorney-General's Department</b>  <b>Gerard van Bohemen, Ministry of Foreign Affairs and Trade</b>  <b>Penny Richards, Department of Foreign Affairs and Trade</b>  <b>Amanda Gorely, Department of Foreign Affairs and Trade</b></p> <p>Location: Visions Theatre</p>
1.00pm	<b>CLOSE</b>

## **THE INAUGURAL KIRBY LECTURE ON INTERNATIONAL LAW**

***International law in the House of Lords and the High Court of Australia 1996-2008: A Comparison***

**Professor James Crawford, University of Cambridge**

**Thursday 26 June 2008, 6.30-7.30pm**

**National Museum of Australia, Canberra**

The period 1996-2008 coincides with Michael Kirby's tenure on the High Court of Australia. During those years the High Court dealt with international law issues in a number of important cases, and Kirby J dealt with it, or relied on it, in many more. This experience may be compared with that of the House of Lords, which during this period decided some 50 cases involving points of international law. Starting from the same basic rules of recognition of international law which form the common law heritage - the equivocal internationalism of Lord Atkin and Dixon CJ and the fundamental premise that treaties are external promises of the executive and do not make law - the two supreme courts produced a contrasting jurisprudence. These contrasts, and some of the reasons for them, are the subject of the first Kirby lecture on international law.

James Crawford LLD, FBA, SC is Whewell Professor of International Law, Director of the Lauterpacht Centre for International Law, University of Cambridge and a Fellow of Jesus College, Cambridge. He previously held chairs at Adelaide and Sydney. He is a Senior Council (NSW) and a member of the English bar, practicing from Matrix Chambers. He was the first Australian member of the United Nations International Law Commission and was responsible for the ILC's work on the International Criminal Court (1994) and for the second reading of the ILC Articles on State Responsibility (2001). In addition to scholarly work on statehood, collective rights, investment law and international responsibility, he has appeared frequently before the International Court of Justice and other international tribunals, and is engaged as expert, counsel and arbitrator in international arbitration.

The Annual Kirby lecture on international law is an initiative of the Centre for International and Public Law, established to recognise Justice Michael Kirby AC CMG's long passion and service to international law. The Inaugural lecture this year is delivered as a highlight of the ANZSIL Conference.

Please note that the Inaugural Kirby lecture is open to the public. The National Museum of Australia (NMA) will open its doors at 5.45pm for entry to attend the lecture.

## **DINNER**

*The conference dinner will include a three course meal*

Friday 27 June 2008

The Boathouse at Grevillea Park, Menindee Drive Barton, Canberra

7.00 for 7.30pm

The dinner speaker at this year's dinner will be award-winning Australian author Frank Moorhouse. Frank will be speaking about his books *Grand Days* and *Dark Palace* which were both set during the period of the League of Nations, with its central Australian character Edith Berry. *Grand Days*, the first of the *Palais des Nations* novels, won the SA Premier's Award for Fiction while *Dark Palace* won the 2001 Miles Franklin Literary Award and was shortlisted for the NSW Premier's Literary Award, the Victorian Premier's Literary Award and the Age Book of the Year Award.

### National Museum of Australia

Lawson Crescent  
Acton Peninsula  
Canberra ACT



### The Boathouse

Grevillea Park  
Menindee Drive  
Barton, Canberra ACT



## CONFERENCE ORGANISING COMMITTEE

Professor Gerry Simpson (London School of Economics and the University of Melbourne)  
Professor Kim Rubenstein (Australian National University)  
Professor Andrew Byrnes (University of New South Wales)  
Tresa Dunworth (University of Auckland)  
Juliet Hay (Ministry of Foreign Affairs and Trade)  
Dr Sarah Heathcote (Australian National University)  
Dr Fleur Johns (University of Sydney)  
Dr Wendy Lacey (University of South Australia)  
Associate Professor Dianne Otto (University of Melbourne)  
Peter Scott (Department of Foreign Affairs and Trade)  
Geoff Skillen (Attorney-General's Department, Canberra)  
Katie Wood (Amnesty International)

The Conference Organising Committee gratefully acknowledges the support of:



**Australian Government**  
Attorney-General's Department



## **SPEAKER AND CHAIR BIOGRAPHIES**

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### **Yasmine Ahmed**

Yasmine Ahmed is a legal officer in the International Security Section of the Office of International Law at the Commonwealth Attorney-General's Department. Yasmine has worked as a legal associate to the Honourable Justice JR Sulan of the Supreme Court of South Australia and as a law clerk at the International Criminal Tribunal for the former Yugoslavia, in the Hague and the United Nations Serious Crimes Unit, in East Timor. Yasmine has a Bachelor of Law with Honours from the University of Adelaide and is admitted as a legal practitioner in South Australia.

### **Professor Tony Anghie**

Tony Anghie, Samuel D. Thurman Professorship, received a B.A. (1986) and an LL.B. (1987) from Monash University in Melbourne, Australia. He earned his S.J.D. (1995) at Harvard Law School, where he also served as a senior fellow from 1993 to 1995. Professor Anghie completed an internship with the International Monetary Fund in Washington, D.C. in 1994. His research interests include public international law, international commercial transactions and human rights. He practised for several years in Australia in employment law, administrative law, and international law. Professor Anghie joined the S.J. Quinney College of Law faculty in 1995. He has taught at the University of Tokyo and the University of Auckland and he lectures frequently in Sri Lanka.

### **Robyn Briese**

Robyn Briese is a Senior Lawyer in the Office of General Counsel, Australian Government Solicitor. She obtained her BSc/LLB (Hons) degree from the Australian National University in 2002.

Before joining AGS, Robyn worked as a research fellow at the ANU College of Law and at the Centre for International Environmental Law in Geneva, in a private law firm, and as an associate to Chief Justice Black in the Federal Court of Australia. In her four years at AGS Robyn has worked in the Constitutional Litigation Unit and in Government Advising, as well as being seconded to the Office of International Law in the Attorney-General's Department and working as Counsel to the Water Policy Branch in the Department of the Environment and Water in respect of the implementation of the National Plan for Water Security.

Robyn has just returned from 9 months working as an associate to Vice-President Al-Khasawneh and Judge Shi in the International Court of Justice. Robyn's research interests are international law, environmental law and constitutional law.

### **Professor Andrew Byrnes**

Andrew Byrnes joined the UNSW Law Faculty as Professor of International Law in May 2005. Previously, he was Professor of Law at the Australian National University (2001-2005) and prior to that was Associate Professor of Law at the Faculty of Law, University of Hong Kong, where he was Director of the Centre for Comparative and Public Law and Director of the Master of Laws in Human Rights until his departure in 2001.

### **Bill Campbell**

Bill Campbell QC is head of the Office of International Law in the Attorney-General's Department. He graduated in law from the University of Sydney in 1976 and completed a Masters Degree from the University of London in 1979. He has advised the Commonwealth

Government on international law and its implementation in Australia for a period of over 25 years. He was Agent and Counsel for the Government of Australia in the Southern Bluefin Tuna Case and the Volga Case before the International Tribunal for the Law of the Sea. He was, for a period, Vice-President of the Australian and New Zealand Society of International Law.

### **Professor Hilary Charlesworth**

Hilary Charlesworth is an Australian Research Council Federation Fellow, Professor in RegNet and Director of the Centre for International Governance and Justice, ANU. She also holds an appointment as Professor of International Law and Human Rights in the ANU College of Law. Her research interests are in international law and human rights law.

### **Associate Professor Simon Chesterman**

Simon Chesterman is Global Professor and Director of the New York University School of Law Singapore Programme, and an Associate Professor of Law at the National University of Singapore. From 2004 to 2006 he was Executive Director of NYU's Institute for International Law and Justice.

Educated in Melbourne, Beijing, Amsterdam, and Oxford, Chesterman's teaching experience includes periods at the Universities of Melbourne, Oxford, Southampton, Columbia, and Sciences Po, as well as NYU.

Prior to joining NYU, he was a Senior Associate at the International Peace Academy and Director of UN Relations at the International Crisis Group in New York. He has previously worked for the Office for the Coordination of Humanitarian Affairs in Belgrade and interned at the International Criminal Tribunal for Rwanda in Arusha.

Chesterman regularly contributes to international law and political science journals, as well as mass media publications such as the International Herald Tribune.

### **Sanjiva de Silva**

Sanjiva de Silva is currently a lawyer at the Office of International Law within the Australian Attorney-General's Department. He is admitted to legal practice in Australia and the United Kingdom. Prior to joining the public services Sanjiva worked as an environmental lawyer at leading commercial firms in Sydney and London and was also a legal associate to a judge in New South Wales.

Sanjiva's current work has focused on international trade law, primarily free trade agreement negotiations and Australia's participation in World Trade Organisation disputes. He has served on several Australian delegations to free trade agreement negotiations, including rounds of the Australia-NZ-ASEAN Free Trade Agreement and the Japan-Australia Free Trade Agreement. He has drafted aspects of Australia's Third Party submissions in various WTO disputes including, *Chile – Price Bands*, *Brazil – Retreaded Tyres* and *US – Upland Cotton*. In addition to this work Sanjiva has provided a variety of general international law advice to the Australian Government.

Sanjiva is currently completing his post-graduate studies at Melbourne University in Public International Law with a particular focus on developing countries at the WTO. Sanjiva graduated from the Australian National University with a combined degree in Law (Hons) and Environmental Science in 2001.

### **Dr Sinclair Dinnen**

Dr Sinclair Dinnen is a lawyer and sociologist and is currently a Senior Fellow with the State, Society and Governance in Melanesia (SSGM) in the College of Asia and the Pacific at the Australian National University. He formerly taught law at the University of Papua New Guinea and was Head of the Crime Studies Department at the PNG National Research Institute. He has undertaken extensive research and policy work in the Melanesian countries particularly in the areas of conflict, law and justice reform and peacemaking. His research interests include conflict studies; cultural criminology; legal pluralism; restorative justice; as well as the challenges of building state and nation in socially fragmented post-conflict societies. He is also a co-chief investigator on a 3-year ARC Linkage Project - /Policing the Neighbourhood/ - with the International Deployment Group of the Australian Federal Police. This research entails a detailed investigation of the role of Australian police personnel in three international missions - Timor-Leste, Papua New Guinea, and Solomon Islands. His publications include /Law and Order in a Weak State - Crime and Politics in Papua New Guinea / (University of Hawaii Press, 2001); /Reflections on Violence in Melanesia/ (co-edited with Allison Ley, Hawkins Press and Asia Pacific Press, 2000); /A Kind of Mending - Restorative Justice in the Pacific Islands/ (co-edited with Anita Jowett and Tess Newton, Pandanus Books, 2003); and /Politics and State Building in Solomon Islands/ (co-edited with Stewart Firth, ANU E Press and Asia Pacific Press, 2008).

### **Tina Dolgopol**

Tina Dolgopol is an Associate Professor of Law at The Flinders University of South Australia. She has published in the fields of human rights, children's rights and women in armed conflict. From 1997 to 2000 Ms Dolgopol participated in the work of the Women's Caucus for Gender Justice to improve the gender provisions in the Statute establishing the International Criminal Court as well as the Rules of Procedure and the Elements of Crime Annexes to the Statute. During December 2000 she was one of the Chief Prosecutors for the Women's International War Crimes Tribunal held in Tokyo. She is on the Advisory Council of the Women's Initiatives for Gender Justice, an organisation that seeks to ensure that the workings of the International Criminal Court encompass the rights and concerns of women.

Recent publications include: Dolgopol, U and Gardam, J, *The Challenge of Conflict, International Law Responds* (Martinus Nijhoff 2006); 'Redressing Partial Justice – A Possible Role for Civil Society, in Dolgopol, U and Gardam, J, *The Challenge of Conflict, International Law Responds* (Martinus Nijhoff 2005); Dolgopol, U 'Women and Peace-building, What we can learn from the Arusha Peace Agreement', (2006) 21 *Australian Feminist Studies* 257.

### **Dr Treasa Dunworth**

Treasa teaches Public International Law at the University of Auckland. Her primary area of research is the international law of arms control and disarmament and issues surrounding the use of force. She has several years international experience working in this area, particularly with the Organisation for the Prohibition of Chemical Weapons in The Hague.

### **Associate Professor Andrea Durbach**

Andrea Durbach is Associate Professor and Director of the Australian Human Rights Centre, Faculty of Law, University of New South Wales. She was previously Director of the Public Interest Advocacy Centre (PIAC), an independent litigation and policy institute in Sydney. She is the Australian member of the Advisory Council of Jurists of the Asia Pacific Forum of National Human Rights Institutions.

### **Assistant Professor Dana Falstrom**

Dana Zartner Falstrom is an Assistant Professor of Political Science at Tulane University in New Orleans, Louisiana. She received a B.A. in International Studies from Hamline University, and a J.D./M.A. with a Concentration in International Law from Boston University. After five years practicing as an immigration lawyer in San Francisco, she returned to academics and received her Ph.D. in Political Science with an emphasis in International Relations from the University of California, Davis. Her current research focuses on the role that domestic legal systems and legal culture play in shaping state policies towards international law.

### **Jo Ford**

Jolyon (Jo) joined the Centre for International Governance and Justice in February 2008 from a position in the Commonwealth Secretariat, London (2005-2007). The focus of his doctoral studies is 'Engaging the foreign private sector in post-conflict peacebuilding: policy, regulatory and legal issues (enhancing collaboration while ensuring protection)'. Jo studied at the University of KwaZulu-Natal, South Africa and the University of Cambridge, and has worked in government, academia, civil society, and as an independent consultant. He teaches part-time at the ANU College of Law, having previously taught at the University of Sydney, the ANU and SOAS (University of London).

### **Dr Caroline Foster**

Caroline Foster is a Senior Lecturer at the University of Auckland, previously employed by the New Zealand Ministry of Foreign Affairs and Trade for eight years from 1992 to 1999. She holds an LLM and a PhD from the University of Cambridge. Caroline's research interests include law of the sea, trade and environment and international adjudication. Her current recent research focuses on the adjudication of international disputes involving risks to human health and the environment.

### **Amanda Gorely**

Amanda Gorely is currently the Assistant Secretary, WTO Trade Law Branch in the Department of Foreign Affairs and Trade. This involves provision of legal advice on Australia's WTO obligations and representing Australia in WTO dispute settlement proceedings. Ms Gorely joined DFAT as a legal specialist in 1993, having completed a BA/LLB at the University of Melbourne and a couple of years in private practice. Before taking up her current role, Ms Gorely served as Australia's Deputy Permanent Representative to the United Nations in Geneva focusing mainly on human rights and environment issues. Ms Gorely has also served as Director of the International Law Section in DFAT and been posted as First Secretary to Sweden.

### **Professor Dr Abdul Ghafur Hamid @ Khin Maung Sein**

Professor Dr. Abdul Ghafur Hamid @ Khin Maung Sein is Professor of Law at the Ahmad Ibrahim Faculty of Laws, International Islamic University Malaysia. He is the Coordinator of the International Law and Maritime Affairs Unit (ILMA) and a Member of the WTO and Globalization Unit of the same University. He is also the Editor in Chief of the Asian Journal of International Law. He published 11 books, written a number of articles and presented papers at local as well as international conferences. His recent publications include: *Public International Law: A Practical Approach*, (Kuala Lumpur: Pearson-Prentice Hall, 2<sup>nd</sup>. ed., 2007), "Legality of Anticipatory Self-Defence in the 21<sup>st</sup> Century World Order: A Reappraisal", [2007] Vol. 54, Issue 3, *Netherlands International Law Review* (NILR), 441-490; "The Remedial Value of the WTO Trade Sanctions: A Critical Appraisal", [2006] vol. 18, *Singapore Academy of Law Journal*, 372-397; "Immunity versus International Crimes: the Impact of Pinochet and Arrest Warrant Cases" [2006] vol. 46, No. 4, *Indian Journal of International Law*

(IJIL), 495-516; "A New Carriage of goods by Sea Act for Malaysia: A Holistic Approach on the Basis of International Practice", [2006] Vol. 12, No. 3, *The Journal of International Maritime Law* (JIML), 206-216; "Maritime Terrorism, the Straits of Malacca, and the Issue of State Responsibility", [2006] Vol. 15, No. 1, *Tulane Journal of International and Comparative Law*, 155-179.

### **Juliet Hay**

Juliet Hay is currently Deputy Director in the Legal Division of the New Zealand Ministry of Foreign Affairs and Trade. She heads the General International Law Team which has responsibility for a range of issues including international criminal law and human rights. From 2004 to 2007 she was posted to the New Zealand Embassy in The Hague, where her responsibilities included covering the International Criminal Court's activities. Before joining MFAT she worked in the New Zealand Ministry of Justice, focusing in particular on criminal justice issues.

### **Sarah Heathcote**

Sarah Heathcote holds a BA/LLB (Hons.) from the Australian National University, a Masters (D.E.S.) in International Relations (Specialisation International Law) from the Graduate Institute of International Studies (IUHEI) Geneva, as well as a PhD in law from the University of Geneva. Sarah Heathcote worked for close to a decade at the University of Geneva, and for two and half years as adjunct faculty with Boston University. She has taught international law and organization to student groups from various countries, worked in private practice on mass claims for environmental damage and in the Secretariat of the Institute of International Law. Her particular research interest is necessity and international law, which was also the topic of her doctoral dissertation. Sarah Heathcote was appointed Senior Lecturer at the Australian National University's College of Law in January 2008.

### **Lauren Henschke**

Lauren Henschke is currently a legal officer with the Office of International Law at the Attorney-General's Department. Lauren has a strong background in international trade law and trade issues after receiving first class honours from the Australian National University for her final law thesis on international trade, a university prize for a law internship paper on international trade law and environmental law and spending one year studying political economy at the Universidad Iberoamericana in Mexico on a UMAP government scholarship.

Lauren has spent the last year working with the International Trade Law Section of the Office of International Law. During this time she has represented Australia's interests in the negotiation of Australia's Free Trade Agreements and was recently part of a team representing Australia as third party before the WTO in a subsidies dispute involving the large civil aircraft industry. She has also provided substantial legal advice to the Australian Government on the implementation of Australia's international trade law obligations. Lauren recently returned to the Human Rights Section of the Office of International Law where she provides legal and policy advice to Government on international human rights law and humanitarian matters. This includes conducting case work on United Nations human rights Treaty Communications.

### **Dr Stephen James**

Dr James is a Senior Lecturer in Law in the JD Program at RMIT University, Melbourne. He holds BA (Hons) (History and Political Science) and LLB (Hons) degrees from the University of Melbourne and MA and PhD degrees from the Department of Politics at Princeton University, where he was a Princeton Wilson Fellow and Lecturer. He has also taught Law,

Legal Studies, Politics and Philosophy at various universities in Australia. In 2006 he was a Visiting Fellow in the Key Centre for Ethics, Law, Justice and Governance at Griffith University, Brisbane, Australia. He has interests in Human Rights (theory, law and history), IR theory, Public Law and Legal Theory. His recent publications include *Universal Human Rights: Origins and Development* (New York: LFB Scholarly Publishing, 2007). Forthcoming articles include a review essay for *Human Rights and Human Welfare*. He is on the Editorial Committee of the journal *Global Change, Peace and Security* (Routledge). Professional memberships include ANZSIL, the Australian Association of Constitutional Law, Australian Society of Legal Philosophy and American Political Science Association.

### **Dr Fleur Johns**

Fleur Johns is a Senior Lecturer in the Faculty of Law, University of Sydney, teaching and conducting research mainly in public international law and legal theory. Fleur is a graduate of the University of Melbourne (BA (Fine Arts & English Literature major)), LLB (1st class Hons)) and Harvard Law School (LLM, SJD, Menzies Scholar, Laylin Prize). She is a member of the Editorial Boards of the *Leiden Journal of International Law* (co-editor, Articles), the *Australian Journal of Human Rights*, and the *Sydney Law Review* and a former Primary Editor of the *Harvard Human Rights Journal*. Fleur also serves (by election) on the Coordinating Committee of the International Legal Theory Interest Group within the European Society of International Law. Fleur is Director of the Public International Law Program within the Sydney Centre for International Law.

Current projects on which Fleur is working include a co-edited volume entitled *Events: The Force of International Law*, exploring unacknowledged legacies of, and paths not taken in, international law by reference to a selection of historical 'events'. Fleur is also continuing work on a series of studies of domains perceived as lawless, pre-law or insufficiently regulated by international law, examining these by reference to the literature on governmentality and ethnographies of expertise (from aspects of the global market to the detention camp and the torture chamber). Fleur has an ongoing interest in geographic dimensions of international legal authority and spatial effects of international law, dating back to her doctoral work at Harvard.

Before commencing her academic career, Fleur practised as a corporate lawyer at the New York Bar for six years, specialising in international project finance in the Latin American region. Fleur remains a member of the New York bar. Earlier in her career, Fleur worked as a research assistant on an Australian federal government study assessing legal and political risk surrounding energy investment in the Asia Pacific region and conducted research for an AFI-sponsored documentary project on indigenous political activism in 19th and 20th century Australia. She also served as a research intern to the Australian delegation negotiating the implementation of the Chemical Weapons Convention in The Hague.

### **Magda Karagiannakis**

Ms Karagiannakis is a Barrister who specialises in Public International Law, International Criminal law, Human Rights law and Administrative Law. She holds a Masters Degree in Public International law *\*cum laude\** from the University of Leiden in the Netherlands. She has been a prosecutor with the UN International Criminal Tribunal for the former Yugoslavia, appeared as counsel before the International Court of Justice (ICJ), and acted as a senior legal advisor and investigator to the UN inquiry into the assassination of the former Lebanese prime Minister. In addition to her practice and international consultancy work, Ms. Karagiannakis is an Adjunct Faculty member in the RMIT JD program and is soon to take up an academic appointment in the Law School of Latrobe University.

### **Amokura Kawharu**

Amokura Kawharu BA/LLB (Hons) (Auckland), LLM (Cantab): Amokura is a Senior Lecturer at the Law Faculty of the University of Auckland. She teaches and researches in the areas of international economic regulation and disputes resolution, specialising in international arbitration. Prior to joining the Auckland Law Faculty in 2005, Amokura practised as a commercial law solicitor for a number of years in New Zealand and Australia.

### **Sarah Kemeny**

Sarah Kemeny graduated with a BA and LLB (hons) from the University of Melbourne in 2007. She is recently returned from Geneva where she completed an internship with the Convention Secretariat to the WHO Framework Convention on Tobacco Control. She is currently undertaking her articles of clerkship at Blake Dawson.

### **Dr Natalie Klein**

Dr Natalie Klein is a Senior Lecturer in the Division of Law at Macquarie University, where she teaches and researches in the areas of law of the sea, international dispute settlement, international organizations and human rights law. Prior to joining Macquarie, she worked in the international litigation and arbitration practice group of a New York law firm, served as a counsel to the Government of Eritrea and was a consultant in the Office of Legal Affairs at the UN. Dr. Klein is currently researching Australia's use of international litigation as part of an ARC Discovery Grant and was a member of the Sydney Panel of International Legal Experts advising the International Fund for Animal Welfare on dispute settlement options in response to Japan's "scientific" whaling.

### **Dr Wendy Lacey**

Dr Wendy Lacey is an Associate Professor at the Law School, University of South Australia. She has previously worked at the University of Tasmania (1999-2002) and the University of Adelaide (2002-2007). She has Honour degrees in both Arts and Law and was conferred her PhD in December 2006. Her areas of teaching and research interest lie in the areas of Australian public law, public international law and the intersection between international law and domestic law. In these areas she has published widely and her monograph, *Implementing Human Rights Norms: Judicial Discretion and Use of Unincorporated Conventions* is due for release in July 2008, published by Presidian Legal Publications. Wendy is also the current Book Review Editor for the Australian Year Book of International Law.

### **Peter Lawrence**

Peter is a Senior Lecturer at the University of Tasmania Law School. He previously worked for the Australian Department of Foreign Affairs and Trade which included leading a number of Australian delegations to negotiations on multilateral environment agreements while working as the First Secretary for the Australian Permanent Mission to the United Nations in Geneva. Peter is currently the Faculty Advisor of the University of Tasmania Law Review and coach of the UTAS Jessup moot team. His teaching and research is in the field of international environmental law, trade law and Australian environmental law with a particular interest in technology transfer and climate change. Peter is a member of the Policy Program of the Antarctic Climate and Ecosystems Commonwealth Research Centre UTAS and member of the IUCN Energy Law and Climate Change Speciality Group.

### **Kerin Leonard**

Kerin Leonard is the Principal Legal Officer (director) of the International Security Section in the Office of International Law, Australian Attorney-General's Department. She is responsible for providing legal advice to the Australian Government on international security law issues,

including maritime and aviation security, counter-terrorism, counter-proliferation, weapons and arms control, and legal issues associated with Australia's overseas deployments, including international humanitarian law.

Kerin's previous roles within the Department have involved work on international human rights and international criminal law issues. Kerin was seconded to the Australian Federal Police in 2005 to work as a legal adviser with the International Deployment Group. Kerin graduated from the Australian National University with a Bachelor of Arts and a Bachelor of Laws (Hons 1). Kerin has also completed the LLM in International Law at the University of Edinburgh.

### **Erlend Leonhardsen**

Erlend M. Leonhardsen is a trainee at the Norwegian Embassy in the Hague. He graduated from the University of Oslo in 2008 and is a 2008/09 LL.M. candidate at Georgetown University. His research interests include European human rights law, investment treaty arbitration and the relationship between international law and international relations.

### **Amy Maguire**

Amy Maguire has been tutoring at Newcastle Law School since 2006, and was appointed Associate Lecturer in 2008. She is course coordinator of Public International Law. Amy is currently completing her PhD thesis, which explores the right of self-determination under international law. Using case studies of nationalists in Ireland and Indigenous peoples in Australia, Amy argues that the right of self-determination retains a mission of decolonisation in the twenty-first century.

Amy's research interests are in public international law, human rights, Indigenous legal issues and women's rights. She is the convenor of an international Collaborative Research Network on collective human rights. Amy has also worked as a researcher at Queen's University Belfast.

### **Adam McCarthy**

Adam McCarthy is currently the Assistant Secretary, International Legal Branch (ILB) at the Department of Foreign Affairs and Trade (DFAT) in Canberra, Australia.

After graduating from the University of Sydney with honours degrees in economics and law Mr McCarthy practiced as a solicitor before joining DFAT in 1993. He has had postings as First Secretary (Political) in Wellington (1996-99) and Counsellor (Trade Policy) in Washington DC (2002-06). In Washington he worked extensively on the negotiation and Congressional passage of the US-Australia Free Trade Agreement and the E-3 Visa for Australian professionals - the first US visa passed by Congress devoted solely to nationals of one country. In Canberra he has held a variety of positions primarily in the multilateral, trade, legal and arms control fields. Mr McCarthy served on the East Timor Taskforce that managed the transition of that country towards independence in 1999 and was seconded in 2001 to lead the Secretariat for the Inaugural Joint Australia-Indonesia Conference on People-Smuggling that launched the Bali Process.

### **Professor Campbell McLachlan**

After taking his undergraduate degree at Victoria, Campbell went to Europe, where, following completing his PhD at the University of London, he practised in the field of international litigation. He was a partner in the firm of Herbert Smith and Head of its International Law Practice Group. Campbell also took a very active part in the International Law academic community. He was a member of the Law Faculty of the University of Cambridge; taught at

the University of London; and was Joint Hon Secretary of the British Branch of the International Law Association. Campbell's research interests include the practice and procedure of international courts and tribunals; foreign relations law and international commercial law.

### **Rob McLaughlin**

Rob is a Legal Officer in the Royal Australian Navy. He has served in the Australian Defence Force for 23 years (to date), including as a Seaman Officer and as a Legal Officer. His deployments have included East Timor, Iraq, and Maritime Law Enforcement operations off the Northern Australian Coast. His most recent postings have been as the Australian Fleet Legal Officer, and as the Strategic Operations Legal Adviser. He has studied at the University of QLD, Brown University, ANU, and Cambridge University, where he earned his PhD.

### **Anne McNaughton**

Anne McNaughton has degrees from the University of Newcastle, the University of New South Wales, the University of Technology, Sydney and the University of Tübingen, Germany. She is a lecturer in the ANU College of Law at the Australian National University where she teaches the law of contract, the law of the European Union and legal aspects of international business transactions. Anne is an adjunct lecturer at the Australian Graduate School of Management and a regular reviewer for the *Commercial Law Quarterly* and the *Journal of Contract Law*. Anne has taught in Germany and China, and has presented at international conferences. Her research interests are in the area of the external relations of the European Union, particularly in respect of its relationship with the Pacific region; contract law and the development of a private European law of contract; the intersection of public and private law from a private law perspective and the role of private law in the international arena. Anne is currently working on a PhD through the John Fleming Centre for Advancement of Legal Research in the ANU College of Law at the Australian National University. Her thesis is making a critical examination of recent crises and developments in the insurance industry in Australia. Anne was a Visiting Fellow at the Institute for International and Foreign Private Law at the University of Cologne between December 2005 and February 2006. She is co-author of *Harris Cases and Materials on International Law: An Australian Supplement*, 2003 (LBC, Sydney).

### **Kate Miles**

Kate Miles is a lecturer at the Faculty of Law, University of Sydney, specialising in international investment law and international environmental law. She has published work on issues relating to international investment law, sustainable finance, ecosystem services, and voluntary codes of corporate conduct. She has an LL.M. in Environmental Law (Hons I) from the University of Auckland, and an LL.M. in International Legal Studies from New York University School of Law. She has also lectured at King's College, University of London, and studied at University College London. She is currently pursuing a doctorate at the University of Sydney on the interrelationship between international investment law and principles of environmental protection. She has also practiced as a solicitor in commercial litigation in Auckland and at Allens Arthur Robinson in Sydney.

### **Michael Morison**

Michael is a Solicitor of the Supreme Court of NSW and is admitted to practice in NSW, QLD and the High Court of Australia. He has practised as a Solicitor in the areas of litigation, commercial law and intellectual property law.

Michael has been teaching at university level for five years and has ten years prior training experience in human rights organisations, community legal centres and the arts, including teaching in Hong Kong, Sri Lanka and Thailand.

He has previously worked for the United Nations in East Timor as a Civic Education Officer, as the Legal Training and Development Coordinator for the NSW Office of the Director of Public Prosecutions (DPP) and as a Program Officer for various international human rights training organisations.

Michael is QLD State Convenor of Australian Lawyers for Human Rights (ALHR) and is a member of the International Law Association (ILA) and the International Commission of Jurists (ICJ).

He has published in Australia and internationally in the areas of human rights, democratisation and capacity building and writes in the areas of international law, human rights, democratisation and UN Peacekeeping.

### **Joanna Mossop**

Joanna Mossop is a senior lecturer at Victoria University of Wellington Law Faculty. Her teaching and research interests are in Law of the Sea, International Environmental Law and Antarctica. Joanna is currently co-organiser of an interdisciplinary research project into maritime security issues in Australia and New Zealand. Recent publications have included articles on regulation of marine biodiversity on the outer continental shelf and Japanese whaling in the Southern Ocean. She is a member of the Commission on Environmental Law and the Sub-group on High Seas Governance, the Council for Security Cooperation in the Asia Pacific and on the editorial committee of the New Zealand Journal of Public and International Law.

### **Grant Niemann**

Grant joined the Flinders Law School in February 2000. Initially Grant worked as a solicitor in NSW before moving to Darwin where he was the Principal Legal Advisor to the Northern Land Council, involved in land claims litigation and general legal work on behalf of the Aboriginal people of the top half of the NT. Following this Grant was appointed Deputy Director of the Commonwealth Director of Public Prosecutions Office in South Australia. In 1994 Grant moved to The Hague, The Netherlands, in order to take up the position of Senior Trial Attorney for the United Nations International Criminal Tribunal for the former Yugoslavia. Grant's areas of interest include criminal law (national and international); advocacy; criminal procedure and practice; and international humanitarian law.

### **Associate Professor Luke Nottage**

Dr Luke Nottage is an Associate Professor at Sydney Law Faculty, Program Director (Comparative and Global Law) for the Sydney Centre for International Law, and founding Co-Director of the Australian Network for Japanese Law (ANJeL). He lectures, writes and consults world-wide mainly in contract law, product liability, civil dispute resolution (especially arbitration), and corporate governance, mostly comparing developments in Japan or transnationally. Since 2004, Luke has served on a Committee of the Australian Centre for International Commercial Arbitration (ACICA). This has drafted Arbitration Rules (2005) and Expedited Arbitration Rules (2008), and is now working on Arb-Med Guidelines as well as Investment Arbitration Rules.

**Dr Dianne Otto**

Dr Dianne Otto is Director of the International Human Rights Law Program of the Institute for International Law and the Humanities (IILAH) at the Melbourne Law School. She teaches, and supervises higher degree research candidates, in the areas of human rights and international law. Her research interests include utilizing feminist, postcolonial and queer theory to reveal the voices and interests that are marginalized or silenced by mainstream international legal discourse. She is currently researching peace and security issues from a feminist perspective and the implementation of economic and social rights in Australia. Recent publications include chapters in Vanessa Munro and Carl F. Stychin (eds), *Sexuality and the Law: Feminist Engagements* (2007) and Anne Orford (ed), *International Law and Its Others* (2006), and 'A Sign of "Weakness"? Disrupting Gender certainties in the Implementation of Security Council Resolution 1325' (2006) 13 *Michigan Journal of Gender and Law* 113-175.

**Dr Sundhya Pahuja**

Sundhya Pahuja is an Associate Professor at the Melbourne University Law School. She is also the co-director of the Law and Development research programme at the Institute for International Law and the Humanities. She has recently returned to Australia after having spent several years teaching International Law Theory at the LSE, Law and Social Theory at NYU and doing her PhD at Birkbeck, University of London. Her research focuses on the relationship between international economic law and public international law refracted through the lens of postcolonial theory and legal philosophy.

**Dr Gabriele Porretto**

Dr Gabriele Porretto is an Adjunct Fellow at the School of Law of the University of Western Sydney. Originally Italian, since 2001 he has held teaching and research positions with the Universities of Geneva and Lausanne, with the Graduate Institute of International Studies (Geneva) and with the Australian National University.

His teaching and research interests are essentially in public international law, international criminal law and international humanitarian law, ranging from the international legal aspects of counter-terrorism, to the prosecution of international crimes and to the law applicable to international military operations and international civil administrations.

**Catherine Renshaw**

Catherine Renshaw is a Research Fellow at the Australian Human Rights Centre, Faculty of Law, University of New South Wales working on a major research project on the work and role of the Asia Pacific Forum of National Human Rights Institutions.

**Associate Professor Balakrishnan Rajagopal**

Balakrishnan Rajagopal is the Ford International Associate Professor of Law and Development and Director of the Program on Human Rights and Justice at the Massachusetts Institute of Technology. He has been a member of the Executive Council and Executive Committee of the American Society of International Law, and is currently on the Asia Advisory Board of Human Rights Watch, the International Advisory Committee of the Robert F. Kennedy Memorial Center for Human Rights and the International Rights Advocates. He has been a Fellow at the Woodrow Wilson Center for International Scholars in Washington, DC, the Madras Institute of Development Studies and the Jawaharlal Nehru University in India, and a Visiting Professor at the UN University for Peace.

His terminal degree is an interdisciplinary doctorate in law (SJD) from Harvard Law School. He served for many years with the United Nations High Commissioner for Human Rights in Cambodia, and has consulted with UN agencies, international organizations and leading NGOs on human rights and international legal issues. He has published numerous scholarly articles in leading law journals including the Harvard, Columbia, Boston University, Connecticut and Leiden journals of international law, and is most recently the author of *International Law from Below: Development, Social Movements and Third World Resistance* (Cambridge: Cambridge University Press, 2003; Foundation Press, South Asia, 2005; Colombia, Spanish, 2005; 2nd edition forthcoming in 2008), and *Reshaping Justice: International Law and the Third World* (Routledge, co-editor, forthcoming in 2007). He has also published widely in the media including the *Boston Globe*, *Washington Post* and the *Nation*.

### **Penny Richards**

Penny is a Senior Legal Advisor at the International Organisations and Legal Division, Department of Foreign Affairs and Trade. She commenced working at the Department in 1982. Her prior positions include Minister and Deputy Head of Mission, Australian Embassy, Tokyo and Assistant Secretary, North East Asia Branch.

Penny has completed a BA(Asian Studies) Honours / LLB at the Australian National University.

### **Professor Kim Rubenstein**

Kim Rubenstein took up her position as Professor and Director of the Centre for International and Public Law in the ANU College of Law in 2006. She is a graduate of the University of Melbourne and Harvard Law School. Kim's current research projects are at the cutting edge of the intersection between public and international law. She has analysed the legal status of citizen, considering the differences between that formal notion and the broader normative understanding of citizenship as membership of a community. She is a Barrister and Solicitor of the Supreme Court of Victoria, and the High Court of Australia and a legal practitioner of the ACT Supreme Court. Before becoming an academic Kim practised as a solicitor and has maintained her practising certificate throughout her academic life. She has appeared as a Barrister in several High Court citizenship matters, including *Re MIMIA; Ex parte Ame*[2005]. Among her many publications, Kim is the author of "Australian Citizenship Law in Context" (2002, Lawbook Company).

### **Dr Ben Saul**

Dr Ben Saul is Director of the Sydney Centre for International Law and Coordinator of the Master of International Law Program at the Faculty of Law, The University of Sydney, and Editor in Chief of the Australian International Law Journal. He also practises as a barrister, including in the International Criminal Tribunal for the former Yugoslavia and at the Balibo Inquest into war crimes in East Timor. Ben researches in public international law and his book, *Defining Terrorism in International Law* (Oxford, 2006), is the leading scholarly work on the subject and has been cited by the Yugoslav Tribunal and the Australian High Court. He also recently advised the German Foreign Office on the negotiation of a draft United Nations Comprehensive Anti-Terrorism Convention. Ben has taught law at Sydney, UNSW, Oxford and in Cambodia, India and Hong Kong, and conducted legal training for public officials from Iraq, Kuwait, Algeria, Laos, Nepal, Philippines and Victoria. He is a member of the International Law Association's International Committee for the Compensation of Victims of War, President of the Refugee Advice and Casework Service in Sydney, a member of NSW Legal Aid's Human Rights Committee, and involved in the management of Australian Lawyers for Human Rights and Sydney PEN.

**Paul Schofield**

Paul Schofield graduated from Commerce/Law at the University of Queensland in 1996. He then undertook a two year articulated clerkship at Allen Allen & Hemsley, Lawyers in Brisbane. Upon finishing his articles Paul worked as a solicitor in the firm's Commercial Litigation Section, dealing largely with insolvency matters. In 1999, he moved to London where he was employed in the Corporate Recovery Department of Lawrence Graham, Solicitors dealing with a range of contentious and non-contentious insolvency related work. While in England he also undertook a Master of Laws (specialising in international law) at University College London. Paul returned to Australia in 2002 and joined the Commonwealth Attorney-General's Department where he worked in the Office of International Law. In late 2005 he joined the Department of Foreign Affairs and Trade where he is currently employed as Director of the WTO Quarantine Disputes Section, in the WTO Trade Law Branch. Paul is admitted as a solicitor in both the Supreme Court of Queensland and the Supreme Court of England & Wales.

**Karen Scott**

Karen Scott is a senior lecturer in law at the University of Canterbury in New Zealand, formerly a lecturer in law at the University of Nottingham in the UK. She has research interests in the Antarctic, the law of the sea and international environmental law. Karen Scott attended the 2006 ATCM held in Edinburgh for which she co-wrote and introduced a paper on behalf of ASOC (Antarctic and Southern Ocean Coalition) on Acoustic Pollution and the Antarctic. Karen Scott is co-editor of the *New Zealand Yearbook of International Law*.

**Peter Scott**

Peter Scott is Director of the Sanctions and Transnational Crime Section in the International Legal Branch of the Australian Department of Foreign Affairs and Trade. This Section is responsible for coordinating the implementation, administration and enforcement of United Nations Security Council sanctions regimes in Australia, as well as providing international legal advice on transnational crime and terrorism issues and instruments.

Peter joined the Department in 1994. From 1996 to 1999 he was posted to the Australian Embassy and Permanent Mission to the United Nations in Vienna, with responsibility for UN drugs and crime agencies and commissions. He returned to Canberra as Executive Officer for International Humanitarian and Criminal Law in the International Law Section from 1999 to 2003. Prior to taking up his current appointment, Peter spent three years at Australia's High Commission in Pretoria, South Africa, from 2003 to 2006, covering African security and economic institutions and South Africa's multilateral diplomacy.

Peter has a BA (Hons) / LLB combined degree from the University of New South Wales and is admitted as a Solicitor of the Supreme Court of New South Wales.

**Dr Shirley Scott**

Shirley Scott is an Associate Professor of International Relations at The University of New South Wales, where she teaches courses on the politics of international law. She has published in leading journals of both International Law and International Relations and her books include *International Law in World Politics: An Introduction* (Lynne Rienner, 2004), *The Political Interpretation of Multilateral Treaties* (Martinus Nijhoff, 2004) and *International Law and Politics: Key Documents* (Lynne Rienner, 2006).

### **Robyn Seth-Purdie**

Robyn Seth-Purdie has a Doctorate in Psychology and a Diploma in Jurisprudence from the University of Sydney. She has published papers on governance, public administration and social policy. She became a public servant by accident, after working as a researcher on the Nagle Royal Commission into NSW Prisons, and spent more than two decades with the Commonwealth Public Service.

She is an occasional lecturer for the Masters in Public Policy (Social Policy) course at the ANU, and is a Program Visitor in Political Science at the RISS. She works for Amnesty International Australia, and has appeared before the Committee Against Torture during its consideration of Australia.

### **Professor Gerry Simpson**

As well as holding a Chair of Law at the Law School, Gerry Simpson is a Professor of Public International Law at the London School of Economics and Political Science. He is the author of *Great Powers and Outlaw States* (Cambridge, 2004) (awarded the American Society of International Law's annual prize for Pre-eminent Contribution to Creative Legal Scholarship) and the recently published *Law, War and Crime: War Crimes Trials and the Reinvention of International Law*. He is co-editor of *The Law of War Crimes: National and International Approaches* and editor of *The Nature of International Law* (Ashgate 2001) and *War Crimes Law Volumes I and II* (Ashgate, 2005).

Gerry Simpson studied law at the University of Aberdeen, the University of British Columbia and the University of Michigan (Ann Arbor) where he received his doctorate. He has taught at the University of British Columbia, the University of Melbourne (where he is currently a Visiting Senior Fellow) and the Australian National University, and he has held visiting positions at Sydney Law School (1996) and Harvard Law School (1999).

Professor Simpson has worked for several NGOs and was a member of the Australian Government Delegation to the Rome Diplomatic Conference for the Negotiation of the Statute for the International Criminal Court. He appears regularly in the British media (writing for the BBC and appearing on television), and engages in human rights training with the UK Foreign Office and the Belgrade Humanitarian Law Centre.

### **Guy Fiti Sinclair**

Guy Fiti Sinclair holds BA, LLB(Hons) and LLM(Hons)(First Class) from the University of Auckland, where he was awarded the Fowlds Memorial Prize for the most distinguished masters student in the Faculty of Law. Of mixed Samoan and European descent, he has lived and worked in Papua New Guinea, New Zealand, Samoa, England and Israel. He is a Barrister and Solicitor of the High Court of New Zealand and a Solicitor in England and Wales, has worked in leading corporate and commercial law firms, including Baker & McKenzie (London) and Buddle Findlay (Auckland), and is currently Legal Advisor at Unitec New Zealand. His research interests include public international law, human rights law, constitutional law and Pacific legal issues; he intends to pursue doctorate studies in international law in the near future.

### **Dr Tim Stephens**

Dr Tim Stephens is an international lawyer and human geographer at the Faculty of Law, University of Sydney. He is Director of the International Environmental Law Program of the Sydney Centre for International Law. Tim has published widely on various issues of public international law, with a particular focus on environmental matters and the law of the sea. He is Co-Editor in Chief of the *Asia Pacific Journal of Environmental Law*.

### **Dr Max Tardu**

Dr Max Tardu is a retired Director at the United Nation's Office of the High Commissioner for Human Rights. He holds a doctoral degree in law (Paris I) and has taught post graduate courses on international human rights law in Paris, Geneva and other universities in Europe and the United States. He has published a number of articles in French and English and one book in that field.

### **Professor Gillian Triggs**

Gillian Triggs, Dean of the Faculty of Law of the University of Sydney, is an expert in public international law and a barrister in the Victorian Supreme Court. Formerly the Director of the British Institute of International and Comparative Law in London, Professor Triggs has previously held academic positions in Melbourne, where she graduated in law in 1968 and gained a PhD in 1982. Until 2005 she was the Director of the Institute for Comparative and International Law at the University of Melbourne, where she also held a Chair in Law.

Professor Triggs has published papers and books on the World Trade Organisation, Energy and Resources Law, Law of the Sea, Territorial Sovereignty, Jurisdiction and Immunity, International Criminal Law, International Environmental Law and Human Rights. She is currently the Joint General Editor of the International and Comparative Law Quarterly and a member of the editorial boards of the Melbourne Journal of International Law and the International Journal of Energy & Natural Resources Law. Her most recent publication is a general text, *International Law: Contemporary Principles and Practices* (2006) and her forthcoming book, with Emeritus Professor Victor Prescott, is *International Territorial Boundaries: Law and Politics*.

Professor Triggs has maintained a commercial practice as a Consultant in International Law to Mallesons Stephen Jaques and has advised governments in the Asia Pacific region on questions relating to continental shelf rights and jurisdiction. She has also directed projects for the Asian Development Bank on legal capacity building in Vietnam, Mongolia and Indonesia and was the Australian Representative on the Council of Jurists for the Asia Pacific Forum for National Human Rights Institutions.

### **Gerard van Bohemen**

Gerard van Bohemen is the International Legal Adviser and Director of the Legal Division at the New Zealand Ministry of Foreign Affairs and Trade. Gerard first joined the Ministry in December 1978. Since then, he has divided his career roughly equally between the Ministry, during which time he was posted twice to the New Zealand Mission to the United Nations in New York, and private practice where he was a partner at Buddle Findlay's Auckland offices. Gerard rejoined the Ministry in April 2005. While managing the Legal Division as a whole, Gerard has had a particular involvement in the negotiations to establish a South Pacific Regional Fisheries Management Organisation and in the presentation of the New Zealand submission on the limits of New Zealand's extended continental shelf to the Commission on the Limits of the Continental Shelf.

### **Damien van der Toorn**

Damien van der Toorn has worked in the International Security Law section of the Office of International Law at the Attorney-General's Department in Canberra since 2005.

Damien received a Bachelor of Arts (International Relations) from the University of Queensland in 1997 and a Bachelor of Laws (Hons) from the University of Queensland in 1999. He was also awarded a Master of Laws (Public International Law) from the University of London in 2004.

In 2000, Damien was Associate to Justice Chesterman in the Supreme Court of Queensland. Between 2001 and 2003, he worked as a lawyer at a national law firm. Damien was admitted as a Solicitor of the Supreme Court of Queensland and High Court of Australia in 2001.

During his time at the Office of International Law, Damien has advised on a range of international security matters, particularly in relation to deployments to Iraq and Afghanistan, arms control and counter-proliferation, international counter-terrorism and maritime security. He was a member of the Australian delegation for recent negotiations on a new cluster munitions convention. His principal areas of legal interest are use of force, international humanitarian, criminal and human rights law and law of the sea.

### **Judge Christopher Weeramantry**

Judge C.G. Weeramantry in the course of his professional career of over five decades as lawyer, legal educator, domestic judge, international judge, author and lecturer, has touched on a wide variety of topics essential to peace, cross-cultural understanding and education. He has taught at a range of universities including Sri Lanka, Australia, the United States of America, Japan and South Africa.

Judge Weeramantry was a Justice of the Supreme Court of Sri Lanka from 1967 – 1972 after which he moved to Melbourne where he spent 18 years as a Barrister-at-law. In 1990 he was appointed Judge of the International Court of Justice where he worked for 11 years, three of them as Vice-President of the Court.

Judge Weeramantry founded the Weeramantry International Centre for Peace Education and Research in 2001 and currently holds the position of Trustee and Chairman of the Board of Trustees. In 2006 he was the UNESCO Peace Education Laureate and the Centre was described as having “contributed to the promotion of peace education, human rights, intercultural education, social integration, interfaith understanding, environmental protection, international law, disarmament and sustainable development”.

Judge Weeramantry has authored numerous books and over 200 articles and book chapters. His most recent works include *Xenotransplantation: The Ethical and Legal Concerns* (Sarvodaya Vishva Lekha, 2007) and *Islamic Influences on International Philosophy and Law* (Sarvodaya Vishva Lekha, 2006).

### **Katie Wood**

Katie Wood is the campaign coordinator for the Human Rights and Security Campaign at Amnesty International Australia. This campaign focuses on the undermining of human rights and the rule of law in governments' counter-terrorism responses. She has also been involved in work around refugees' rights and anti-death penalty work.

Prior to this, Katie worked as a solicitor for several years predominantly in the area of commercial litigation. Katie holds a BA LLB and a Masters of International Law.

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