



CENTRE FOR INTERNATIONAL AND PUBLIC LAW  
FACULTY OF LAW



THE AUSTRALIAN NATIONAL UNIVERSITY

# Newsletter

Issue No. 1 of 2000

edited by Cathy Hutton

March 2000

Welcome to the first Centre newsletter of the new year/decade/century/millennium. 2000 will be an eventful one for the Centre, and the first three months have been full of activity. The inside pages give details of the workshops, discussion groups and lectures organised by the Centre. A highlight was the first lecture in what we hope will be an annual series by the Australian Permanent Representative to the United Nations, currently Ambassador Penny Wensley. This series was proposed by the Advisory Board of the Centre and the inaugural lecture was a great success.

2000 marks the tenth anniversary of the Centre and we plan to mark this milestone with a festive seminar and dinner. We hope that the two former Centre Directors, Philip Alston and Julian Disney, will be present. **For those interested, please keep the evening of 7 July free.** Further details will follow.

**For further information on any item in this newsletter please contact:**

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## For your diary

Lunchtime Lecture

11 April at 1pm

Iraqi sanctions, human rights and  
international law

Speaker: Denis Halliday, former head of the UN Oil-for-food  
program in Iraq.

Evening Seminar

13 April at 5.30pm

The biosafety protocol on the  
transboundary movement of living  
genetically modified organisms

Speakers: Rhonda Piggott and Ben Burdon, International  
Organisations and Legal Division, DFAT

Convenor: *Brett Williams*

## International Law Conference

26-29 June

This historic joint conference of the **Australian and New Zealand Society of International Law** and the **American Society of International Law**, *International Legal Challenges for the 21st Century*, will take place in **Sydney on 26 June** and in **Canberra on 28-29 June**. The Conference will address issues such as international litigation and arbitration, the WTO, intervention in international law, international law in the Asia-Pacific region, international criminal law and theories of international law. Preparation for the conference is now well advanced. Speakers from North America will include

**Professor Thomas Franck** (NYU Law School), **Professor Ruth Wedgwood** (Yale), **Professor Stephen Ratner** (University of Texas), and **Professor Karen Knop** (Toronto).

Both the Australian Attorney-General, the **Hon. Daryl Williams** and the Minister for Foreign Affairs, the **Hon Alexander Downer** will deliver keynote addresses.

**The brochure for the conference has been sent to all those registered on our data base with an interest in international law, including ANZSIL members and members of the ILDG. For updates on the conference program visit website [www.law.anu.edu.au/centres/cipl/anzsil/conferences](http://www.law.anu.edu.au/centres/cipl/anzsil/conferences)**

## Public Law Weekend 10-11 November

This annual conference deals in alternate years with administrative or constitutional law. The 2000 Conference will be the fifth conference and the third on administrative law, making it one of the longest-running public law conferences organised by an Australian university. The conference will be convened by Judy Jones and Daniel Stewart.

All those who have attended Public Law Weekends in the last two years will be sent a brochure when it is available.

## Centre conferences and workshops

### Writing about Law Workshop 14-15 February

This workshop, co-organised with the Law Program, RSSS, was attended by thirty-four participants who came from a wide range of academic fields and from as far away as Queensland and Tasmania. The key note speaker was award-winning novelist Marion Halligan who spoke on The Process of Writing. She discussed the process of writing in an inspiring way, and encouraged participants to consider the beauty of the prose they produce.

Panel sessions included 'Juggling teaching and writing', 'Writing about the law: process and problems', and 'Happy endings? conclusions in international and public law'.

The workshop dinner featured guest speaker the Hon Justice Callinan. He spoke on law and literature in an amusing and erudite address.

## Evening Lectures held in March **2 March**

Over 200 people attended the lively and informative lecture by Ambassador Penny Wensley, the first in a series of annual lectures by Australia's representative at the United Nations, organised by the Centre and presented in the SMS-ANU Public Lecture Series on 2 March at University House. The lecture was entitled *Australia and the United Nations: Challenges in the New Millennium*. Ambassador Wensley reflected on the history and significance of Australia's role in the United Nations and covered issues such as reform of bureaucratic and budgetary inefficiencies, the need to reconfigure electoral groups unchanged since 1965, and the financial crisis due to the non-payment of US arrears. She concluded her lecture with some thoughts on the future of the United Nations.

The text of the lecture will be published in due course by the Centre.

## **6 March**

Erika Feller, Director of the Department of International Protection, Office of the United Nations High Commissioner for Refugees, gave a lecture on 6 March in the Law Lecture Theatre. The lecture was entitled *Refugee Protection: An Unwelcome Responsibility? Emerging Issues in Australia and Globally* and Ms Feller spoke on the role of the UNHCR and its global priorities, as well as raising some concerns about aspects of Australia's law and practice in relation to those applying for refugee status.

A transcript of the lecture is available from the Centre.

## Centre publications

Volume 19 of the *Australian Year Book of International Law* is in press. Contents include:

### Articles

Embodying Internationalism: The Making of International Lawyers  
*Anne Orford*

Beyond "Compliance": Reconceiving the International Law-Foreign Policy Dynamic  
*Shirley Scott*

The Use of Multiple Boundaries in Maritime Boundary Delimitation: Law and Practice  
*Stuart Kaye*

### Comment

Secrets and Lies: Economic Globalisation and Women's Human Rights  
*Robert McCorquodale*



For further information, including an order form, please contact Jenny Braid at the Centre.

## Discussion groups

On 9 March the **International Law Discussion group (ILDG)** held its first evening seminar for the year on **The Relevance of International Law to Drug Trials in Australia**. Speakers were Pat Brazil, Leader of the Australian delegation at the Vienna Conference on the Law of Treaties (1969), Simon Bronitt, Faculty of Law, ANU and David McDonald, Public Health Researcher, NCEPH, ANU.

The next ILDG seminar will be held on 13 April (see "For your diary" (front cover) for further details).

If you wish to be included on the ILDG mailing list for seminars in 2000, please contact the Centre.

The first **Public Law Discussion Group (PLDG)** evening seminar for 2000 was held on 16 February. Emeritus Professor Dennis Pearce, Chair of the Australian Press Council and Chair of the Copyright Law Review Committee spoke on **The Rush to Self-Regulation: The Press Council Experience**.

## Law and the Humanities 2000

The ANU's Humanities Research Centre has arranged a number of conferences and other events for 2000 around the theme Law and the Humanities. Centre Director Hilary Charlesworth will be organising a seminar on the future of feminist inquiry in international law at the London School of Economics in July with Professor Christine Chinkin of the LSE. Other conferences will take place closer to home, including at the ANU.

For further information on this program of events contact:  
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## News of CIPL staff and members

**Hilary Charlesworth** has been appointed as a Professor in the Global Law Program at New York University.

The Centre welcomes Visiting Fellow **Anne Gallagher**. Anne works in the Office of the United Nations High Commissioner

for Human Rights, Mary Robinson, in Geneva. Anne has been awarded sabbatical leave by the UN and will work in the Centre on a project about international legal responses to trafficking in women and children.

Another Faculty and Centre visitor, to arrive in early April, is **Julia Sloth Nielsen** of the University of the Western Cape. Julia will work on issues of juvenile justice.

The Centre was home to **Graeme Orr** from the Law Faculty, Griffith University, for a short visit in February. Graeme worked on the issue of bribery and electoral reform and gave an excellent Faculty seminar on this topic.

Visiting Fellow **Tom Sherman** continues to manage the Faculty's Law Internship Program. He conducted the inquiry into the ACT Government's implementation of the recommendations of the coronial inquest into the death of Katie Bender at the Canberra Hospital Implosion.

**Amelia Simpson** recently joined the Centre as a CIPL Scholar. Since graduating from the ANU Law School in 1996, Amelia has worked in private practice and as Associate to Justice Michael McHugh of the High Court of Australia. She has returned to the ANU Law School this year to pursue her teaching and research interests. Together with George Williams, she is working on a paper examining the role of international law as an aid to interpreting the Australian Constitution.

In February, **John Seymour** attended a Summer Seminar at the Bioethics Centre of the University of Otago and delivered a paper "Wrongful Birth and Wrongful Life Actions" and a commentary on Professor James Lindemann Nelson's paper "Reproductive Ethics and the Family".

**Ernst Willheim**, Visiting Fellow, prepared an opinion which was provided to the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund in connection with the Committee's inquiry whether the finding of the Committee on the Elimination of Racial Discrimination that the Native Title Amendment Act 1998 is inconsistent with Australia's international legal obligations, in particular the Convention on the Elimination of all Forms of Racial Discrimination, is sustainable on the weight of informed opinion.



## Training courses

**Hilary Charlesworth, Robert McCorquodale and George Williams** presented a one-day training course on 31 January for five government officials from Mozambique. The sessions included an overview of the Australian legal system with particular emphasis on the relationship between the Courts, the legislature and the executive.

**Robert McCorquodale** conducted a two-day human rights training courses for DFAT and AusAid in February (with Sarah Joseph of Monash Law Faculty).

## Staff and members' conference papers and addresses

### Hilary Charlesworth

- ❖ "Women and Change in the Australian Church in the new millennium" address to Women and the Australian Church (WATAC) on 10 February (Sydney)
- ❖ "Morality and Australian Public Policy Abroad" paper presented at the Jesuit Lenten Seminars on 15 and 16 March (Melbourne and Sydney)

### Robert McCorquodale

- ❖ Address at the Law Service to commence the ACT Law Year on 31 January.

### George Williams

- ❖ "Legislation for a Bill of Rights Now" presented in the Australian Senate Occasional Lecture Series on 17 March.

## Publications

### Hilary Charlesworth (and Judith Gardam)

- ❖ "Protection of Women in Armed Conflict" (2000) 22 *Human Rights Quarterly* 148.

### Adrienne Stone

- ❖ "The Limits of Constitutional Text and Structure: Standards of Review and the Freedom of Political Communication" (1999) 23 *Melbourne University Law Review* 668.

### Adrienne Stone and George Williams (eds)

- ❖ *The High Court at the Crossroads* — papers from the Public Law Weekend held 5-6 November 1999. To be published by Federation Press (for further information please refer to the flier enclosed with this newsletter).

## Congratulations

**Vanessa Munro** spent four months with CIPL during 1999 to continue her PhD research on issues of feminist legal theory. Vanessa has accepted a position at Reading University teaching jurisprudence and medial/family law.

Former CIPL member, **Anne Orford**, who is now at the University of Melbourne, was awarded the Bonython Prize at the University of Adelaide for the best legal thesis for her PhD thesis "Securing the New World Order".

**George Williams** has been awarded his PhD by publication, *Human Rights Under the Australian Constitution*, Oxford University Press (1999).

## Submissions to government enquiries

**Hilary Charlesworth and Robert McCorquodale** joined a submission to the Senate Legal and Constitutional References Committee inquiry into the Anti-Genocide Bill whose chief drafter was Andrew Mitchell. Hilary and Robert were also signatories to a letter to the Senate Inquiry on mandatory sentencing.

### Special Course Offering

The Centre and the Faculty of Law are sponsoring a special course "International Law and Policy" to be taught by **Professor David Kennedy**, Henry Shattuck Professor at Harvard Law School. Professor Kennedy is one of the major figures in the 'newstream' of international legal theory and is considered one of the most dynamic and influential teachers and writers of his generation. The course will be taught intensively over three days on **30 June and 3-4 July** immediately following the joint ANZSIL/ASIL conference.

The course is open to students enrolled in the Graduate Program and a limited number of places are available to others interested in attending the course. The cost for external students will be \$600. If you are interested in participating in the course as an external student please contact Cathy Hutton in the Centre.

