

2011 ANZSIL CONFERENCE PROGRAMME

THURSDAY 23 JUNE			
8.30am	REGISTRATION (Torrance Room) AND TEA/COFFEE (Hall Foyer)		
9am	<p>CONFERENCE OPENING Location: Main Hall</p> <p>Andrew Byrnes, ANZSIL President Kim Rubenstein, Director, Centre for International and Public Law, ANU College of Law</p>		
9.15am	<p>KEYNOTE SPEAKER Beth A Simmons, Clarence Dillon Professor of International Affairs and International Relations, Harvard University <i>The Promise and Limits of International Law</i></p>		
10.30-11am	MORNING TEA (Hall Foyer)		
11–12.30pm	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top; padding: 5px;"> <p>PANEL 1: REGULATING VIOLENCE Location: Main Hall</p> <p>Chair: Ben Keith, Crown Law Office, Wellington</p> <p>Monique Cormier, University of Melbourne <i>The Ignorance of International Law: Media and Public Reaction to Australian Soldiers Being Charged for Civilian Deaths in Afghanistan</i></p> <p>Grant Niemann, Flinders University <i>Will the Extent of Enforcement of International Criminal Law be Improved by the Implementation of the Responsibility to Protect Principle?</i></p> <p>Kelisiana Thynne, International Committee of the Red Cross <i>Tyranny, Tribes and Triads and the International Regulation of Violence</i></p> </td> <td style="width: 50%; vertical-align: top; padding: 5px;"> <p>PANEL 2: INTERNATIONAL ENVIRONMENTAL LAW Location: Common Room</p> <p>Chair: Caroline Foster, University of Auckland</p> <p>Robyn Frost, Attorney-General's Department <i>Precautionary Regulation of Ocean Fertilisation: A Case Study</i></p> <p>Karen Scott, University of Canterbury <i>Fragmented International Environmental Law: The Promise and Limits of Institutional Connection</i></p> <p>Andrew Serdy, University of Southampton <i>Simplistic or Surreptitious? The Flawed Concept(s) of IUU Fishing</i></p> </td> </tr> </table>	<p>PANEL 1: REGULATING VIOLENCE Location: Main Hall</p> <p>Chair: Ben Keith, Crown Law Office, Wellington</p> <p>Monique Cormier, University of Melbourne <i>The Ignorance of International Law: Media and Public Reaction to Australian Soldiers Being Charged for Civilian Deaths in Afghanistan</i></p> <p>Grant Niemann, Flinders University <i>Will the Extent of Enforcement of International Criminal Law be Improved by the Implementation of the Responsibility to Protect Principle?</i></p> <p>Kelisiana Thynne, International Committee of the Red Cross <i>Tyranny, Tribes and Triads and the International Regulation of Violence</i></p>	<p>PANEL 2: INTERNATIONAL ENVIRONMENTAL LAW Location: Common Room</p> <p>Chair: Caroline Foster, University of Auckland</p> <p>Robyn Frost, Attorney-General's Department <i>Precautionary Regulation of Ocean Fertilisation: A Case Study</i></p> <p>Karen Scott, University of Canterbury <i>Fragmented International Environmental Law: The Promise and Limits of Institutional Connection</i></p> <p>Andrew Serdy, University of Southampton <i>Simplistic or Surreptitious? The Flawed Concept(s) of IUU Fishing</i></p>
<p>PANEL 1: REGULATING VIOLENCE Location: Main Hall</p> <p>Chair: Ben Keith, Crown Law Office, Wellington</p> <p>Monique Cormier, University of Melbourne <i>The Ignorance of International Law: Media and Public Reaction to Australian Soldiers Being Charged for Civilian Deaths in Afghanistan</i></p> <p>Grant Niemann, Flinders University <i>Will the Extent of Enforcement of International Criminal Law be Improved by the Implementation of the Responsibility to Protect Principle?</i></p> <p>Kelisiana Thynne, International Committee of the Red Cross <i>Tyranny, Tribes and Triads and the International Regulation of Violence</i></p>	<p>PANEL 2: INTERNATIONAL ENVIRONMENTAL LAW Location: Common Room</p> <p>Chair: Caroline Foster, University of Auckland</p> <p>Robyn Frost, Attorney-General's Department <i>Precautionary Regulation of Ocean Fertilisation: A Case Study</i></p> <p>Karen Scott, University of Canterbury <i>Fragmented International Environmental Law: The Promise and Limits of Institutional Connection</i></p> <p>Andrew Serdy, University of Southampton <i>Simplistic or Surreptitious? The Flawed Concept(s) of IUU Fishing</i></p>		

12.30pm	LUNCH (Hall Foyer) ANZSIL International Economic Law Interest Group Meeting (Common Room)	
1.30–3.30pm	PANEL 3: INTERNATIONAL HUMANITARIAN LAW Location: Main Hall Chair: Bill Campbell QC , Attorney-General's Department Catherine Wallis , Department of Defence, Canberra <i>Regulating Violence: A Practitioner's Perspective on the Promise and Limits of International Law</i> Netta Goussac , Attorney-General's Department <i>A Case of Too Many Cooks? The Prohibition of Cluster Munitions in International Law</i> Eve Massingham , Australian Red Cross <i>Regulating New Types of Violence: Non-lethal Weapons and the Promises and Limits of International Humanitarian Law</i> Emily Crawford , University of Sydney <i>The End of International Humanitarian Law?</i>	PANEL 4: INTERNATIONAL TRADE LAW, ENVIRONMENT, RIGHTS AND DEVELOPMENT Location: Common Room Chair: Warren Fraser , Ministry of Foreign Affairs and Trade Lauren Henschke , DFAT <i>Funding Environmental Reform and International Law: Can GATT Article XX Exceptions Apply to Environmental Subsidies? and How can Countries Fund Essential Environmental Reform and Comply with the WTO Obligations?</i> Pradip Royhan , Macquarie University <i>Environmentalism in the WTO: The Developmental Challenges for Developing Countries</i> Rachel Harris and Frances Simmons , <i>The Promise and Limits of International Law: Could the WTO Accommodate Trade Sanctions on Goods Contaminated by Modern-day Slavery?</i>
	PANEL 5: RIGHTS, SECURITY AND REGULATION Location: Scarth Room Chair: Anthony Cassimatis , University of Queensland Koji Teraya , University of Tokyo <i>Deceptive Promise: International Human Rights Treaties in War and State of Emergency</i> Nicholas Duff , The Australian National University <i>Reconciling the International Law of Self-determination with the Constructed Nature of Peoples</i> Gabrielle Simm , The Australian National University <i>Regulating International Law – The Role of Non-state Actors</i>	

3.30 pm	AFTERNOON TEA (Hall Foyer)
4–5.30pm	<p>PLENARY 2: YEAR IN REVIEW</p> <p>Location: Main Hall</p> <p>Chair: Pene Mathew, Freilich Foundation Chair, ANU College of Arts and Social Sciences</p> <p>Penelope Ridings, Ministry of Foreign Affairs and Trade, Wellington</p> <p>Ben Keith, Crown Law Office, Wellington</p> <p>Greg Manning, Attorney-General's Department, Canberra</p> <p>Greg French, Department of Foreign Affairs and Trade, Canberra</p> <p>Karen Scott, Faculty of Law, University of Canterbury</p>
6pm	<p>ANNUAL KIRBY LECTURE RECEPTION</p> <p>Location: Finkel Theatre, John Curtin School of Medical Research, Garran Rd, ANU</p>
6.30-7.30pm	<p>ANNUAL KIRBY LECTURE ON INTERNATIONAL LAW</p> <p>To be presented by Mme Louise Arbour, President & CEO of the International Crisis Group</p> <p><i>THE LAWS OF WAR: Under Siege or Gaining Ground?</i></p> <p>Location: Finkel Theatre, John Curtin School of Medical Research, Garran Rd, ANU</p>

FRIDAY 24 JUNE

9.15am	<p>KEYNOTE SPEAKER</p> <p>Location: Main Hall</p> <p>Chair: Don Rothwell, ANU College of Law</p> <p>Anne Orford, Michael D Kirby Chair of International Law, Australian Research Council Professorial Fellow and Director of the Institute for International Law and the Humanities, Melbourne Law School</p> <p><i>From Promise to Practice? The Normative Significance of the Responsibility to Protect Concept</i></p>	
10.30am	<p>MORNING TEA (Hall Foyer)</p>	
11–12.30pm	<p>PANEL 6: HUMAN RIGHTS</p> <p>Location: Main Hall</p> <p>Chair: Kim Rubenstein, ANU College of Law</p> <p>Justine Nolan, University of New South Wales <i>Promises and Pitfalls: The Irrelevance of Human rights to the Marketplace</i></p> <p>Holly Cullen, University of Western Australia <i>No Magic Bullet: The Search for Accountability of Transnational Corporations</i></p> <p>Michael Curtotti, The Australian National University and Emrys Nekvapil, Barrister, Victorian Bar <u><i>Do Foreigners Have the Same Human Rights as the Rest of Us?</i></u></p>	<p>PANEL 7: PRIVATE INTERNATIONAL LAW/HARMONISATION</p> <p>Location: Common Room</p> <p>Chair: Thomas John, Attorney-General's Department</p> <p>Mary Keyes, Griffith University <i>The Promise and Limits of Autonomy in Harmonising Private International Law</i></p> <p>Vivienne Bath, University of Sydney <i>The Promise and Limitations of International Harmonisation: Harmonising the Law on Carriage of Goods by Sea – the Rotterdam Rules</i></p> <p>Daniel Kalderimis, Chapman Tripp <i>The Rule of Law and Investment Treaty Arbitration</i></p>

	<p>PANEL 8: RIGHTS, SECURITY AND STATE BUILDING</p> <p>Location: Scarth Room</p> <p>Chair: Sarah McCosker, Attorney-General's Department</p> <p>Anagha Joshi, Attorney-General's Department <i>The Role of International Law in State Building: A Case Study of the Struggle to Combat Transnational Crime in the African Great Lakes Region</i></p> <p>Christopher Michaelsen, University of New South Wales <i>From Promoter to Violator of Human Rights: Revisiting the Limits to Security Council Enforcement Action</i></p> <p>Shirley Scott, University of New South Wales <i>International Law, US Power: the United States' Quest for Legal Security</i></p>	
12.30pm	<p>LUNCH (Hall Foyer)</p> <p>ANNUAL GENERAL MEETING OF ANZSIL (Common Room)</p>	
1.30-3pm	<p>PANEL 9: INTERNATIONAL ECONOMIC LAW</p> <p>Location: Main Hall</p> <p>Chair: James Baxter, Department of Foreign Affairs and Trade</p> <p>David Unterhalter SC, Member of the Appellate Body of the World Trade Organisation, Professor of Law, University of the Witwatersrand, and barrister, Monckton Chambers <i>The WTO Dispute Settlement System and the Rule of Law: Reversion, Evolution or Revolution</i></p> <p>Russell Wild, Department of Foreign Affairs and Trade <i>The Airbus Dispute: Export Subsidies and Adverse Effects under the Agreement on Subsidies and Countervailing Measures</i></p> <p>David Brightling and Jo Feldman, Attorney-General's Department <i>The Promise and Limits of GATT Article XXIV – Are RTAs Eclipsing the WTO?</i></p>	<p>PANEL 10: THEORY, CRIME, JURISDICTION</p> <p>Location: Common Room</p> <p>Chair: Mark Jennings, Attorney-General's Department</p> <p>Daniel Joyce, University of New South Wales <i>The Hopes and Fears of International Legal Theory</i></p> <p>Robin Perry, Attorney-General's Department <i>Juridifying Politics and Politicising the Juridical: The Nature, Status and Future of Amnesties under International Criminal Law'</i></p> <p>David Matas, Winnipeg, Canada <u><i>The Promise and Limits of International Law: The Hopes and Fears of the International Legal Doctrines of Universal Jurisdiction and Sovereign Immunity</i></u></p>

	<p>PANEL 11: HUMAN RIGHTS Location: Scarth Room</p> <p>Chair: Wendy Lacey, University of South Australia</p> <p>Kevin Boreham, The Australian National University <i>Words, Words, Words: the Human Rights Discourse on the Arab Awakening</i></p> <p>Suzanne Akila, Attorney-General's Department <i>What Have You Done For Me Lately? The Obligations of States to Protect the Human Rights of Citizens Abroad</i></p> <p>Fleur Adcock, The Australian National University <i>Can the UN Human Rights Council's Special Procedures Help to Counter Aotearoa/New Zealand's Indigenous Rights 'Implementation Gap'?</i></p>	
3–3.30pm	<p>AFTERNOON TEA (Hall Foyer)</p>	
3.30–5pm	<p>PANEL 12: HUMAN RIGHTS Location: Main Hall</p> <p>Chair: Hilary Charlesworth, Centre for International Governance & Justice (CIGJ), RegNet, ANU</p> <p>Yuji Iwasawa, Professor of International Law, University of Tokyo; Vice-Chairperson, United Nations Human Rights Committee</p> <p>Manoj Kumar Sinha, Professor of Law, WB National University of Juridical Sciences, Kolkata</p> <p>Rowan McRae, Attorney-General's Department <i>Consistency and Contradiction in the Work of the UN Human Rights Treaty Bodies and the Human Rights Council's Universal Periodic Review</i></p>	<p>PANEL 13: ENVIRONMENTAL LAW AND SUSTAINABLE DEVELOPMENT Location: Common Room</p> <p>Chair: Don Anton, ANU College of Law</p> <p>Rishi Gulati University of New South Wales and Dana Burchardt, Freie Universität Berlin, Germany <i>The Relationship Between Present and Future Generations – A Legal Analysis</i></p> <p>Peter Lawrence, University of Tasmania <i>Human Rights, Future Generations and Climate Change: Promise and Limits</i></p> <p>Sanjiva De Silva, University of Melbourne <i>When One Size Won't Fit All–Multilateral Environmental Agreements After the Fracturing of the Post-war, Post-colonial Negotiating Blocs</i></p>

5.30-6.30	<p>PUBLIC SEMINAR – co-sponsored by the Australian Red Cross ACT Location: Common Room</p> <p>THE LIBYAN CONFLICT: INTERNATIONAL HUMANITARIAN LAW ISSUES</p> <p>Kelisiana Thynne, Legal Advisor, ICRC Office in Australia, Regional Delegation in the Pacific Helen Durham, Strategic Adviser, International Law, Australian Red Cross Donald Rothwell, The Australian National University</p>
7.30pm	<p>CONFERENCE DINNER The Deck, Regatta Point, Parkes</p>

SATURDAY 25 JUNE

9.30am	<p>PANEL 14: LAW AND THE REGULATION OF VIOLENCE Location: Main Hall</p> <p>Chair: Carrie McDougall, Department of Foreign Affairs and Trade</p> <p>Andrew Garwood-Gowers, Queensland University of Technology <i>International Law And The Regulation Of Violence: Shifting Perceptions Of The Legitimacy Of The Jus Ad Bellum?</i></p> <p>Edwin Bikundo, Griffith University <i>Regulating Violence in International Criminal Justice: Aggression, Legitimacy and Monopoly</i></p> <p>Steven Freeland, University of Western Sydney <i>The Effectiveness of International Criminal Justice: ‘Success’ Despite the Limitations?</i></p>	<p>PANEL 15: INTERNATIONAL ECONOMIC LAW/ENVIRONMENTAL LAW Location: Common Room</p> <p>Chair: Brett Williams, University of Sydney</p> <p>Caroline Foster, University of Auckland <i>Of Small Fruit and Big Fish</i></p> <p>Tania Voon and Andrew Mitchell, University of Melbourne <u>International Trade Law Implications of Australia’s National Broadband Network</u></p>
11am	<p>MORNING TEA (Hall Foyer)</p>	
11.30–1pm	<p>PRESIDENT’S PLENARY: Location: Main Hall</p> <p>Chair: Andrew Byrnes, ANZSIL President</p> <p>Yuji Iwasawa, Professor of International Law, University of Tokyo; Vice-Chairperson, United Nations Human Rights Committee Alberto Costi, Associate Professor of Law, Victoria University, Wellington Gillian Triggs, Challis Professor of International Law and Dean, University of Sydney Law School Hilary Charlesworth, Professor of International Law and ARC Laureate Fellow, Centre for International Governance & Justice, ANU</p>	
1–1.15pm	<p>CLOSE</p>	