Enquiries concerning the Centre’s activities and publications may be directed to:

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http://law.anu.edu.au/CIPL
# 2002 ANNUAL REPORT

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DIR ECTOR’S FOREWORD

This report presents the activities of the Centre for International and Public Law in 2002, its twelfth year of operation. 2002 was perhaps the busiest year yet for the Centre, as events in both the national and international arenas highlighted the need for an understanding of the principles of public and international law that form the basis of government policy. Members of the Centre were frequently called upon by the media to provide background information on and critical analysis of current issues.

The Centre organised a number of public forums in 2002 that focussed on current issues. In conjunction with the Australian Association of Constitutional Law (ACT), the Centre organised a public forum entitled The Saving of the Governor-General: The Law and Politics of the Hollingworth Affair on 18 April. Four Centre members presented papers for this forum, covering a range of constitutional issues. A forum on Mabo v Queensland (no 2) was held on 6 June, ten years after the landmark decision by the High Court to recognise native title as part of the Australian common law. Professor Larissa Behrendt, Professor of Law and Indigenous Studies, Director of Jumbunna Indigenous House of Learning, University of Technology, Sydney, Ms Rhonda Jacobsen, NSW Aboriginal Land Council and Ms Lisa Briscoe, graduate student and researcher discussed three aspects of the legacy of Mabo. On 31 July the fifth Geoffrey Sawer lecture was given by Judge Navanethem Pillay, President of the International Criminal Tribunal for Rwanda. Judge Pillay spoke on the history and work of the Tribunal. During her time at the ANU, Judge Pillay participated in an informal discussion with over thirty graduate students on issues of international justice and human rights.

The Centre also organised a one-day conference in December on Comparative Perspectives on Bills of Rights to complement the series of public meetings on an ACT Bill of Rights that had been held in Canberra in the period June-November 2002. Four leading experts on Bills of Rights spoke on examples of bills of rights in other countries in order to explore ideas that would be relevant for Australians when considering the issue of a Bill of Rights.

In addition to these special events, the two major annual conferences that form part of the Centre’s regular program of activities were organised with great success. The Centre’s international law conference, co-hosted with ANZSIL, was held on 14-16 June. A special feature of the conference was a day of presentations on East Timor, covering topics such as governance, peacekeeping and civil law, and followed by a reception at which our guest speaker was the Shadow Minister for Foreign Affairs, Kevin Rudd MP. Andrew Byrnes was the Centre’s representative on the conference organising committee and did an excellent job. The Annual Public Law Weekend was held 1-2 November and attracted around 170 participants. This was the seventh annual conference and the fourth on administrative law. I would like to thank the 2002 Conference Director Robin Creyke for her continuing work on this annual conference.

The Centre’s program in 2002 also included four series of seminars. Seminars on the International Criminal Court (ICC) and related issues were organised by Andrew Byrnes in conjunction with the Royal Netherlands Embassy, whose generous support enabled us to invite two distinguished Dutch scholars to participate in the program. These seminars were also supported by the International Humanitarian Law Committee of the Australian Red Cross (ACT).

The Centre’s seminar series on Bills of Rights attracted much interest. The seminars were designed to complement the work of the ACT Bill of Rights Consultative Committee, appointed by the ACT Chief Minister, Jon Stanhope MLA, in April 2002.
The Current Issues seminar series covered topics such as the review of breaches and penalties in the social security system, which review was undertaken by Centre member Emeritus Professor Dennis Pearce, and freedom of political communication, which seminar was held in conjunction with the Australian Association of Constitutional Law.

The International Law Discussion Group (ILDG) seminars, which have been a feature of the Centre’s program for over a decade, featured presentations by formerCentre member Professor Robert McCorquodale, now at the University of Nottingham, Anthony Regan, from the ANU’s Research School of Pacific and Asian Studies, Greg Hunt MP and Faculty Visiting Fellow, Professor Geoffrey Lindell.

The Centre continued its collaborative activities with other Centres and Departments of the ANU, in particular with the RegNet project centred in the Research School of Social Sciences. This project brings together a network of scholars of regulation within the ANU and in other Australian and international institutions. Together with the ANU’s Centre for Commercial Law and the Australian Centre for Environmental Law, the Centre obtained funding from the Vice-Chancellor’s Plan for Growth to develop a Law Faculty RegNet project. This project is being led by Professor Suzanne Corcoran, who is on leave from Flinders University.

2002 saw the establishment of a close collaboration with the National Institute of Government and Law. Together we organised four major events – three evening lectures and a conference. Support from NIGL enabled us to organise activities that would not otherwise have been possible and resulted in additional interest in our regular events. We look forward to the continuation of this successful working relationship in the years to come.

The extensive lists of publications, presentations and conference papers, and media liaison set out in this report bear witness to the many and varied activities that are carried out by Centre members, both within the University and in the wider legal and public arena.

The Centre was pleased to welcome new Faculty members to its ranks in 2002. Leighton McDonald arrived from the University of Adelaide. He has interests in public law and theory, regulation and the rule of law, constitutional rights and jurisprudence. Madelaine Chiam arrived in November after completing her LLM at the University of Toronto to take up a new position of Research Fellow/Lecturer. Madelaine will be working on an ARC Discovery Project on “International Challenges to the Australian Legal System: Trade and Human Rights”.

Congratulations are due to CIPL members Robin Creyke who was appointed Professor and Fiona Wheeler who was appointed Reader in the Law Faculty.

The Advisory Board continued to be a valuable source of ideas and advice. I thank all the members of the Board for their counsel and guidance in 2002, particularly the Board’s Chair, Dean of the Law Faculty, Michael Coper, who is a great support for the work of the Centre.

I would like to thank all the hardworking and dedicated members of the Centre for their contribution in 2002. In particular I wish to thank John McMillan who was Acting Director of the Centre in January and February when I was on leave. The Centre’s staff, Cathy Hutton (Administrator) and Jennifer Braid (Publications Officer), are indispensable to the work and productivity of the Centre and, as always, I thank them both warmly for all their efforts on the Centre’s behalf.

Hilary Charlesworth
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STAFF AND MEMBERS OF THE CENTRE

Staff

Hilary Charlesworth, Professor and Director
Cathy Hutton, Administrator
Jennifer Braid, Publications Officer

Members

Peter Bailey, Adjunct Professor
Andrew Byrnes, Professor
Madelaine Chiam, Research Fellow
Jennifer Clarke, Lecturer
Michael Coper, Professor and Dean
Robin Creyke, Professor
Jean-Pierre Fonteyne, Senior Lecturer
Judith Jones, Lecturer
Ann Kent, ARC Australian Research Fellow
Penelope Mathew, Senior Lecturer
Leighton McDonald, Senior Lecturer
John McMillan, Professor
Wayne Morgan, Senior Lecturer
James Stellios, Lecturer
Daniel Stewart, Lecturer
Phillipa Weeks, Professor
Fiona Wheeler, Reader

Visiting Fellows

Don Greig, Emeritus Professor
Dennis Pearce AO, Emeritus Professor
Tom Sherman AO

Summer Scholar

Frances Voon
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ADVISORY BOARD

Professor Michael Coper
Dean, Faculty of Law, ANU
(chair)

Professor John Braithwaite
Law Program, Research School of Social Sciences, ANU

Professor Hilary Charlesworth
Director, Centre for International and Public Law, Faculty of Law, ANU

Mr Robert Cornall
Secretary, Attorney-General's Department

Mr Richard Rowe (from June)
Senior Legal Adviser, International Organisations and Legal Division
Department of Foreign Affairs and Trade

The Hon. Justice Susan Kenny
Federal Court of Australia

The Hon. Justice Michael Kirby AC CMG
High Court of Australia
VISITORS TO THE CENTRE

9 April
**Mrs Irene Santiago**
Member of the Philippine Government panel negotiating with the Moro Islamic Front

25 June
**Julie Bishop MP**

29 July – 1 August
**Judge Navanethem Pillay**
President of the International Criminal Tribunal for Rwanda

1 August
**Professor Robert McCorquodale**
University of Nottingham, UK

5 August
**Professor James Crawford**
University of Cambridge, UK

27 August
**Greg Hunt MP**

5 September
**Professor Fritz Kalshoven**
University of Groningen, The Netherlands

12 September
**Dr Daniel Warner**
Deputy Director of the Graduate Institute of International Studies, Geneva

13 September
**Justice Frank Iacobucci**
Justice of the Supreme Court of Canada

7 November
**Professor Menno T Kamminga**
Maastricht Centre for Human Rights, The Netherlands

26 November
**Professor Fred Soons**
University of Utrecht, The Netherlands

15-19 December
**Professor Penelope Andrews**
Law School, City University of New York

17-20 December
**Ms Francesca Klug OBE**
Senior Research Fellow, Centre for the Study of Human Rights, London School of Economics
RESEARCH PROJECTS IN THE CENTRE

A number of Centre members have been working on research projects funded by grants from the ARC (Australian Research Council) and other bodies.

Hilary Charlesworth and Madelaine Chiam (with George Williams and Devika Hovell, UNSW)
*International Challenges to the Australian Legal System: trade and human rights*
ARC Large grant

Australia’s legal structure now operates within an international framework in which norms permeate national boundaries and influence local debates. This project explores and investigates the interaction between international law and the Australian legal system at a general theoretical level, as well as through two case studies. The case studies focus on the areas of trade and human rights, in examining how Australian law and parliamentary and judicial institutions have reacted to the challenge of internationalisation. The project will propose ways that Australian institutions and decision-makers can more appropriately deal with the internationalisation of Australian law. It will contribute to a new theoretical understanding of the Australian legal system as well as providing practical guidance for policy makers.

Hilary Charlesworth (with Christine Chinkin, LSE)
*Feminist Analysis of International Dispute Resolution*
John D. and Catherine T Macarthur Foundation

One important aspect of international security is the resolution of international disputes. The United Nations Charter places an obligation upon its members to settle disputes peacefully and lists appropriate dispute resolution processes. This project has two aspects. First, it seeks to identify and apply relevant aspects of feminist theory to the processes of international dispute resolution, by analysing the concept of collective security which underpins the UN Charter system of dispute resolution. It will examine the way that notions of international and regional peacemaking, peace-keeping, preventive diplomacy and peace-building can be developed and deployed to ensure that women are involved at all levels of dispute management and resolution. Second, the project will involve case studies of attempted dispute management and resolution in the context of conflicts in former Yugoslavia, Africa (primarily Rwanda), Sri Lanka and the Middle East.

Hilary Charlesworth (with Jean-Marc Coicaud, United Nations University, Tokyo)
*Sources of International Legitimacy in Security Crises*
United Nations University Grant

This project is investigating the way that the management of multilateral security crises is affected by various understandings of legitimacy. Why do certain principles of international law appear more legitimate than others? What is the nature of the distinction between legality and legitimacy? The project involves a number of scholars from Australia, Canada, Finland, India, Japan, Sri Lanka, Tanzania, the United Kingdom and the United States. A workshop of project participants was held in Tokyo in May.
RESEARCH PROJECTS IN THE CENTRE (cont.)

Ann Kent

*International Law in Chinese Foreign Policy: Culture, Power and Globalisation*

ARC Australian Research Fellowship, 2001-2005

In a period of international relations characterised by competing pressures of national cultural self-affirmation and globalisation, when rising powers do not habitually accept the rules of the international system, there has been an upsurge of work on culture in international relations and international law. However, this new approach has not yet been applied to China and international law, despite the fact that globalisation represents a severe challenge for China. Globalisation not only challenges China's conception of sovereignty but, against its authoritarian political-legal system, counterposes the ideology of liberalism, with its baggage of freedom, individualism, pluralism, democracy and laissez-faire capitalism. Conceiving culture as complex, contested and constantly changing, this project examines the influence of China's traditional and modern culture in shaping its conceptions of international law. It analyses China's position on, and uses of, international legal principles and rules by focussing on the impact and interplay of culture, Realpolitik and the pressures of globalisation on its foreign policy decisions in selected issue areas.

Penelope Mathew

*The Right to Property in East Timor*

Faculties Research Grants Scheme

A central issue facing East Timor is land ownership. Two particularly controversial questions that have arisen are entitlement of Indonesian settlers to property and recognition of customary Timorese laws relating to property in a manner that is compatible with international law's protection of the rights of women. This project aims to explore possible solutions to these problems, building on current United Nations and indigenous non-government initiatives.
CENTRE COLLABORATION WITH OTHER PARTS OF THE ANU

National Institute of Government and Law (NIGL)

The Centre organised four events in 2002 in conjunction with the National Institute of Government and Law. These were:

- The evening lecture given by Dr Rita Hauser on 20 June entitled The USA and the UN: is there a future?
- The fifth Geoffrey Sawer Lecture given by Judge Navanethem Pillay, President of the International Criminal Tribunal for Rwanda on 31 July
- The Comparative Perspectives on Bills of Rights conference on 18 December

(Further information on these events may be found elsewhere in this Report).

Support from NIGL enabled us to organise activities that would not otherwise have been possible and resulted in additional interest in our regular events because of the extra publicity generated by the Executive Officer, Christine Debono. For example, she arranged a number of media interviews with Judge Navanethem Pillay, President of the International Criminal Tribunal for Rwanda who was visiting the Centre in July to give the fifth Geoffrey Sawer lecture. This led to extensive coverage of Judge Pillay's visit which, given her stature, was significant not only for the Centre but the University as a whole.

We look forward to the continuation of the successful working relationship established between the Centre and the Institute in 2003 and beyond.

Regnet

The Centre is part of Regnet, a network of scholars of regulation coordinated by the ANU.

The key idea of RegNet's research agenda is that challenges like sustainable development, competitive markets, consumer protection, crime control, improved health, accountability in government and human rights are topics productively investigated within a framework of regulatory theory and evidence-based policy design.
CENTRE COLLABORATION WITH OTHER INSTITUTIONS

Australian and New Zealand Society of International Law (ANZSIL)

The secretariat for ANZSIL is located in the Centre and the two organisations work closely together, primarily in organising ANZSIL’s annual conference but also arranging joint seminars and other events.

A special feature of the ANZSIL conference was a pre-conference Postgraduate Student Workshop at which papers were presented for discussion. The Workshop was convened by ANZSIL President Don Rothwell.

Royal Netherlands Embassy

A new series of seminars was organised in 2002 by the Centre in conjunction with the Royal Netherlands Embassy. Four seminars on the International Criminal Court (ICC) and related issues took place in the period June to November. The Embassy’s generous support enabled us to invite two distinguished Dutch scholars to present seminars - Professor Fritz Kalshoven of the University of Groningen and Professor Menno T Kamminga of the Maastricht Centre for Human Rights. We were pleased to welcome HE Dr Hans Sondaal and Joost Dirkzwager to the seminars which were held in the Law School.

International Humanitarian Law Committee of the Australian Red Cross (ACT)

Two of the seminars on the International Criminal Court (ICC) were also held in conjunction with the International Humanitarian Law Committee of the Australian Red Cross (ACT). This collaboration enabled the Centre to attract a wider audience to these events.
ACT Bill of Rights Consultative Committee

The Centre’s Director, Hilary Charlesworth, is chair of the Committee. The Centre collaborated with the Committee in organising a series of seminars on comparative and critical scrutiny of bills of rights. The Centre also organised a major conference on Comparative Perspectives on Bills of Rights in December.

LtoR: members of the ACT Bill of Rights Consultative Committee:
Elizabeth Kelly, Hilary Charlesworth, Chief Minister of the ACT, Jon Stanhope MLA, Larissa Behrendt, Penelope Layland.

Gilbert and Tobin Centre of Public Law, University of New South Wales

The Centre maintains close links with this Centre, whose Director Professor George Williams is a former member of the Centre. The two centres are jointly working on an ARC funded project on International Challenges to the Australian Legal System: trade and human rights.
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CENTRE PUBLICATIONS

Law and Policy Papers

Paper 20
**A Society of Mankind, not States**
The text of the fifth Geoffrey Sawyer Lecture given by Judge Navanethem Pillay, President of The International Criminal Tribunal for Rwanda, on 31 July 2002.

The history and development of the International Criminal Tribunal for Rwanda and an assessment of its significance for the development of international criminal law.

Paper 21
**Twenty Years of Open Government – What Have We Learnt?**
The text of a public lecture given by Professor John McMillan at the Faculty of Law, ANU, on 5 March 2002.

A survey of the developments in twenty years of open government in Australia that reflects on its achievements, continuing challenges and paths that might have been taken.

Paper 22
**Tribunals of Inquiry and Royal Commissions**
Professor Geoffrey Lindell

An examination of the balance between the legitimate demands of the public right to know and the need to protect the privacy of individuals.

Occasional Papers

**Children and Young People: The Law and Human Rights**
The Hon Alastair Nicholson AO RFD
Chief Justice, Family Court of Australia

*The text of the Law Society of the ACT’s sixteenth Sir Richard Blackburn lecture given on 14 May 2002.*

**Mabo: Ten Years On**
Professor Larissa Behrendt
Professor of Law and Indigenous Studies, Director of Jumbunna Indigenous House of Learning, University of Technology, Sydney

*An overview of Mabo and its national and international significance.*

**The Yorta Yorta Case**
Jennifer Clarke

*An analysis of this significant native title case.*
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CENTRE PUBLICATIONS

Australian Year Book of International Law (AYBIL)

Editors:
Andrew Byrnes and Hilary Charlesworth

Emeritus Editor
Don Greig

Volume 22
Distributor: Publishing Imaging and Cartographic Services (PICS)
Research School of Pacific and Asian Studies, ANU
email: Jo.Bushby@anu.edu.au

Contents

Articles
The United Nations in Transitional East Timor: International Standards and the Reality of Governance
Jonathan Morrow and Rachel White

Annemarie Devereux

A Human Rights Approach to HIV/AIDS: Transforming International Obligations into National Laws
Helen Watchirs

Precaution and Cooperation in the World Trade Organization: An Environmental Perspective
Robyn Briese

Gender and Refugee Law
Anthea Roberts

In Defence of the Use of Public International Law by Australian Courts
Shane S Monks

Book Reviews: Edited by Ryszard Piotrowicz
Non-State Actors in International Relations
Bas Arts, Math Noortmann and Bob Reinalda (eds)
(Christopher Harding)

Nuclear Weapons and Scientific Responsibility
C G Weeramantry
(Don Anton)

Peacemonger
Marrack Goulding
(Ryszard Piotrowicz)

Bowett's Law of International Institutions
Philippe Sands and Pierre Klein
(Chester Brown)
CENTRE PUBLICATIONS (cont.)

Australian Year Book of International Law (AYBIL) (cont.)
   *Gender and Human Rights in Islam and International Law: Equal Before Allah, Unequal before Man?*
   Shaheen Sardar Ali
   (Penelope Mathew)
   *Substantive and Procedural Aspects of International Criminal Law: The Experience of International and National Courts (Commentary: Volume I; Documents and Cases: Volume II)*
   Gabrielle Kirk McDonald and Olivia Swaak-Goldman (eds)
   (Jon Cina)
   *The Role of Law in International Politics: Essays in International Relations and International Law* 
   Michael Byers (ed)
   (Hilary Charlesworth)

**Australian Cases Involving Questions of Public International Law 2001** 
*Ben Olbourne and Donald R Rothwell*

**Australian Legislation Concerning Matters of International Law 2001** 
*Marc Hess, Fiona David and Derran Moss*

**Australian Practice in International Law 2001**
  Compiled by *Christine Ratnasingham and Angela Macdonald*
  and supervised by *Peter Scott*

**Australian Treaty Action 2001**
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CONFERENCES AND FORUMS ORGANISED BY THE CENTRE

6 June
Evening forum
**The legacy of Mabo: a ten year assessment**
Professor Larissa Behrendt, Professor of Law and Indigenous Studies, Director of Jumbunna Indigenous House of Learning, University of Technology, Sydney
Ms Rhonda Jacobsen, NSW Aboriginal Land Council
Ms Lisa Briscoe, graduate student and researcher

Professor Behrendt's paper is available under Occasional Papers on the Centre's website http://law.anu.edu.au/CIPL

LtoR: Larissa Behrendt, Rhonda Jacobsen, Lisa Briscoe.

14-16 June
**ANZSIL Tenth Annual Conference**
Australian and New Zealand Society of International Law
Convenors: Andrew Byrnes (ANU), Rebecca Irwin (AG), Kevin Riordan (NZDF), Shirley Scott (UNSW)

The proceedings from the conference are available under Past Conferences and Proceedings on the ANZSIL website http://law.anu.edu.au/ANZSIL

1-2 November
**The Annual Public Law Weekend**
(the seventh annual conference and the fourth on administrative law)
*Convenor: Robin Creyke*

CONFERENCES AND FORUMS ORGANISED BY THE CENTRE (cont.)

18 December
**Comparative perspectives on Bills of Rights Conference**
Professor Penelope Andrews, City University of New York (South Africa)
Professor Andrew Byrnes, ANU, (Hong Kong)
Ms Francesca Klug, London School of Economics (United Kingdom)
Rt Hon E W Thomas, former Judge of the Court of Appeal (New Zealand).
*Convenor: Hilary Charlesworth*
National Museum of Australia

The papers from the conference will be published in early 2003.
20 June
Evening Lecture
**The USA and the UN: is there a future?**
Dr Rita Hauser

Dr Hauser, international jurist, distinguished public servant and President of the Hauser Foundation in New York, explored the complex relationship between the two organisations which has oscillated between apparent US unilateralism and US interest in international coalition building.

24 July
Evening Lecture
**Australia and the United Nations – letter from New York**
John Dauth LVO, Australia’s Ambassador to the United Nations

Mr Dauth’s speech is available under Occasional Papers on the Centre’s website http://law.anu.edu.au/CIPL

LtoR: Hilary Charlesworth, John Dauth, Pene Mathew, Andrew Byrnes
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LECTURES ORGANISED BY THE CENTRE (cont.)

31 July
Fifth Geoffrey Sawyer Lecture
The International Criminal Tribunal for Rwanda
Judge Navanethem Pillay

Judge Pillay’s paper was published by the Centre as Law and Policy Paper 20.

Judge Pillay

Judge Pillay with graduate students during her visit in July.
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SEMINAR SERIES ORGANISED BY THE CENTRE

Bill of Rights Seminar Series

13 August
The New Zealand Bill of Rights and its relevance to the Australian debate
Rt Hon E W Thomas DCNZM QC, Visiting Fellow, Law Program, RSSS, ANU

29 August
Protecting economic, social and cultural rights
Professor Peter Bailey, Faculty of Law, ANU

13 September
A brief overview of the Canadian Charter of Rights and Freedoms, and what has happened since its enactment
Justice Frank Iacobucci, Justice of the Supreme Court of Canada

9 October
The new scepticism of Bills of Rights
Dr Adrienne Stone, Law Program RSSS, ANU

23 October
The Hong Kong Bill of Rights and its relevance to the Australian debate
Professor Andrew Byrnes, Faculty of Law, ANU

27 November
Rights, ‘dialogue’ and the democratic objection to judicial review
Mr Leighton McDonald, Faculty of Law, ANU

LtoR: Philippa Weeks, Andrew Byrnes, Anne McNaughton, Pene Mathew
SEMINAR SERIES ORGANISED BY THE CENTRE (cont.)

Current Issues Seminar Series

19 March
**Review of breaches and penalties in the social security system**
Emeritus Professor Dennis Pearce, Faculty of Law, ANU

18 April
**The saving of the Governor-General: the law and politics of the Hollingworth affair**
Leighton McDonald, John McMillan, James Stellios, Adrienne Stone, Faculty of Law, ANU

21 August
**Immunity of former members of Parliament from parliamentary inquiries- The Reith Affair**
Professor Geoffrey Lindell, Visiting Fellow, Faculty of Law, ANU

12 September
**The US at war**
Dr Daniel Warner, Deputy Director, The Graduate Institute of International Studies, Geneva, Switzerland

26 September
*with Australian Association of Constitutional Law*
**Freedom of political communication: ten years on**
a seminar to mark the 10th Anniversary of the High Court’s “Free Speech Cases”
Speaker: Dr Adrienne Stone, Law Program RSSS, ANU
Commentator: Mr George Witynski, Australian Government Solicitor
Chair: Dr Fiona Wheeler, Faculty of Law, ANU
International Criminal Court Seminar Series
with Royal Netherlands Embassy

25 June
Australia and the ICC
Julie Bishop MP

5 August
Challenges Facing the New ICC
Professor James Crawford, University of Cambridge

5 September (panel discussion)
Legal and political challenges to the new ICC
Keynote speaker Professor Fritz Kalshoven, University of Groningen, The Netherlands

7 November
The exercise of universal jurisdiction by States over alleged gross violators of human rights - recent developments
Professor Menno T Kamminga, Maastricht Centre for Human Rights, The Netherlands
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SEMINAR SERIES ORGANISED BY THE CENTRE (cont.)

International Law Discussion Group (ILDG) Seminar Series

25 March
‘International Community’ - Rhetoric or Reality?
Emeritus Professor Don Greig, Faculty of Law, ANU

24 April
**Sex, Gender and September 11**
Professor Hilary Charlesworth, Faculty of Law, ANU

14 May
**Queering International Law**
Wayne Morgan, Faculty of Law, ANU

26 June
**Why states comply**
Dr Ann Kent, ARC Australian Research Fellow, Faculty of Law, ANU

22 July
**Constitution-making in East Timor – lost opportunities?**
Anthony Regan, State, Society and Governance in Melanesia Project, RSPAS, ANU

1 August
**Terrorists, transnationals, torturers: the privatisation of human rights violations and the absence of law**
Professor Robert McCorquodale, Faculty of Law, University of Nottingham

20 August
**Breaching public international law in private international law (Kuwait Airways Corporation Case)**
Professor Geoffrey Lindell, Visiting Fellow, Faculty of Law, ANU

27 August
**Human rights and the parliamentary life**
Greg Hunt MP

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LtoR: Geoffrey Lindell, Dennis Rose, Bert Mowbray
TRAINING COURSES ORGANISED BY THE CENTRE

Intensive training course for DFAT Graduate Trainees
21, 22, 25 and 26 November

The Centre organised an intensive course in Fundamentals of International Law for Department of Foreign Affairs and Trade graduate trainees. Centre members Andrew Byrnes, Hilary Charlesworth, JP Fonteyne, Penelope Mathew and Wayne Morgan presented a program for the eighteen participants.

Both presenters and participants enjoyed the opportunity to discuss the international law relevant to 21st century diplomacy.

Andrew Byrnes has acted as a consultant on human rights issues for the United Nations Division for the Advancement of Women, the OSCE, the Hong Kong Attorney General’s Chambers, and the Hong Kong Equal Opportunities Commission, and has worked with international, regional NGOs on a range of human rights issues. He served as a technical adviser to the Australian delegation to the 1998 and 1999 sessions of the Commission on the Status of Women in relation to the Optional Protocol to the CEDAW Convention.

JP Fonteyne is Senior Lecturer in the Law Faculty, Australian National University. He holds degrees from the University of Virginia and the University of Ghent. His teaching and research interests are in the field of Public International Law and his main area of professional activity has been in the field of refugee law. He has for a number of years served as Australian representative on the ILA Committee on Refugee Procedures and has commented regularly, both in print and in the electronic media, on refugee issues in Australia, including the Tampa "crisis".

Pene Mathew is Senior Lecturer in the Law Faculty, Australian National University. She holds degrees from Columbia University and the University of Melbourne. She has authored many publications, conference papers and submissions, particularly in the areas of human rights law and refugee law. She has authored opinions relevant to litigation involving refugees and participated in a UN expert panel on refugee law for the global consultations held in the context of the 50th anniversary of the Refugee Convention.

Wayne Morgan is Senior Lecturer in the Law Faculty, Australian National University. He holds degrees from Columbia University and the University of Melbourne. He has designed courses in international dispute resolution and antidiscrimination law and teaches courses in international law, international trade law and human rights. He researches and writes in the area of law and sexuality.
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PUBLICATIONS BY STAFF AND MEMBERS OF THE CENTRE

Staff

Hilary Charlesworth

- ‘Sex, Gender and September 11’ (2002) 96 American Journal of International Law 600-605 (with Christine Chinkin)

Members

Andrew Byrnes

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PUBLICATIONS BY MEMBERS OF THE CENTRE (cont.)

Michael Coper


Robin Creyke


Robin Creyke and John McMillan


Don Greig

- “‘International Community”, “Interdependence” and all that … Rhetorical Correctness?’ in G Kreijen (ed) State, Sovereignty and International Governance (Oxford University Press 2002) 521-603

Ann Kent

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PUBLICATIONS BY MEMBERS OF THE CENTRE (cont.)

Ann Kent (cont.)


Penelope Mathew

- ‘Australian Refugee Protection in the Wake of the Tampa’ (2002) 96 *American Journal of International Law* 661-676


John McMillan


- ‘Controlling Immigration Litigation – A Legislative Challenge’ (2002) 10(2) *People and Places* 16-29


John McMillan and Robin Creyke


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PUBLICATIONS BY MEMBERS OF THE CENTRE (cont.)

John McMillan and Robin Creyke (cont.)


Wayne Morgan


Dennis Pearce


Daniel Stewart


Phillipa Weeks


Fiona Wheeler

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PAPERS AT CONFERENCES AND SEMINARS, MEDIA, AND PRESENTATIONS BY STAFF AND MEMBERS OF THE CENTRE

Staff

Hilary Charlesworth

• ‘Understanding September 11’, paper for Columbia Law School International Law Colloquium, New York, 24 January

• ‘International Democracy? Women in East Timor’ paper for New York University Law Faculty Globalisation Colloquium, New York, 3 February

• ‘The Hidden Gender of International Law’, paper for Temple Law School, Philadelphia, 12 February

• ‘International Law: A Discipline of Crisis’, paper for New York University Law School staff seminar, New York, 16 February

• ‘The Convention on the Elimination of Discrimination against Women’, presentation at the Australian Federation of University Women’s Executive Council dinner, Canberra, 8 March

• Discussion, Writing in Rights: Australia and the Protection of Human Rights, Late Night Live, Radio National, 13 March

• Panel member, ABCTV Compass Good Friday special ‘A Just War?’ Sydney, screened on 29 March

• ‘Globalisation and human rights’, paper for the World Association of the Alumni of the Sacre Coeur Association Bi-Annual Conference, Sydney, 16 April

• ‘International Law: A Discipline of Crisis’, paper for the ANU Law School staff seminar, 17 April

• ‘Sex, gender and 11 September’, paper for the Centre’s International Law Discussion Group, ANU, 24 April

• ‘Maybe Human Rights are Not So Well Protected’ The Canberra Times 29 April

• ‘International Law and Australian Law’, Ninian Stephen Lecture, University of Newcastle, 10 May

• Co Chair of the United Nations University’s Workshop on International Legitimacy, Tokyo, 23-25 May

• Radio interview on the International Criminal Court, ABC Radio, Adelaide, 9 June

• Book Launch of Kim Rubenstein’s Australian Citizenship Law in Context, Canberra, 11 June
Hilary Charlesworth (cont.)

- ‘Perspectives on East Timor’, paper for the Australian and New Zealand Society of International Law (ANZSIL) 10th annual conference, ANU, 14 June
- Interview on the International Criminal Court, ABC TV ‘The World Today’, 27 June
- Skynews debate on an Australian Bill of Rights, 27 June
- ‘The International Criminal Court’, public lecture for the ACT Branch of the International Campaign to Ban Landmines Australian Network Inc, ANU, 3 July
- ‘Indicators for Human Rights: Domestic and International’, paper for the Democratic Audit of Australia Indicators Workshop, ANU, 11 July (with George Williams)
- ‘A negative vote on torture puts Australia in dubious company’ Sydney Morning Herald 30 July
- ‘Educating the community about human rights’, paper for the Australian Human Rights Education Association’s Dignity, Democracy, Equality national strategic conference, Canberra, 23 August
- ‘Women and Human Rights in Latin America’ paper for the Humanities Research Centre, ANU The Diaspora of the Latin American Imagination conference, 10 September
- Chair for the Federation Dialogue on ‘The Protection of Human Rights’ between Justice Iacobucci, Supreme Court of Canada, and Justice Michael Kirby, High Court of Australia, Canberra, 12 September
- ‘Is Cosmopolitan Democracy Useful for Women?’ paper for the Hamline University School of Law’s Democracy, Globalisation and Law conference, Minnesota, 19-23 September
- ‘Capabilities and Human Rights’, paper for the Catholic Commission for Justice, Development and Peace’s Rerum Novarum lecture, Melbourne, 1 October
- meeting with the Joint Committee on Human Rights, United Kingdom Parliament, Canberra, 15 October
PAPERS AT CONFERENCES AND SEMINARS, MEDIA, AND PRESENTATIONS BY STAFF AND MEMBERS OF THE CENTRE (cont.)

Hilary Charlesworth (cont.)

- ‘Human Rights and Terrorism’, paper for the Department of the Parliamentary Library’s Vital Issues seminar program, Canberra, 16 October
- Exhibition launch of Queue Here, at the Canberra Contemporary Art Space, 14 November
- Discussant for the Thematic and Analytic Frameworks session at the Regnet, Gender, Migration and Governance in Asia conference, ANU, 5 December
- ‘Re-defining International Security’, keynote speech for the inaugural Evatt Trophy, United Nations Youth Association’s National Security Council competition, Canberra, 12 December

Hilary Charlesworth and Andrew Byrnes

- ‘Action urged on ICC Statute’ The Canberra Times 22 May

Members

Peter Bailey

- ‘Why shouldn’t we chuck asylum seekers out?’, presentation to the ANU Student Christian Movement, 28 February
- ‘Kirby deserves an apology: professor’, The Canberra Times, 14 March
- led a session at the ACT Bills of Rights Workshop on Rights and Duties, and spoke in pros and cons debate, 17 May
- Chaired the inaugural public meeting of the South Coast Branch of Rural Australians for Refugees, Bateman’s Bay, 4 June
- ‘Whistleblowers – legal and other aspects’, presentation to the University of the Third Age, South Canberra, 25 June
- ‘The Refugee Convention and Australia’s Compliance’ presentation to the South Coast Branch of Rural Australians for Refugees, Bateman’s Bay, 14 July
- ‘Protecting economic, social and cultural rights’, paper for the Centre’s Bill of Rights seminar series, ANU, 29 August
- Submission to the ACT Bill of Rights Committee, focusing on economic, social and cultural rights, drafting and enforcement, 3 September
Peter Bailey (cont.)

- ‘Engaging with God through the senses’, paper for the ANU Student Christian Movement Conference, 27 September
- chaired a consultation with religious groups on the proposed ACT Bill of Rights for the ACT Consultative Committee, 30 October
- panel member in the Deliberative Poll on an ACT Bill of Rights, Canberra, 29-30 November
- chaired the South African Experience session at the Centre’s Comparative Perspectives on Bills of Rights conference, Canberra, 18 December

Andrew Byrnes

- ‘Jumpstarting the Hong Kong Bill of Rights in Its Second Decade: The relevance of International and Comparative Jurisprudence’, paper for the Centre for Comparative and Public Law of the Faculty of Law at the University of Hong Kong's A Decade of the Bill of Rights and the ICCPR in Hong Kong: Review and Prospects conference marking the tenth anniversary of the Hong Kong Bill of Rights, Hong Kong, 12 January
- speaker in the Humanitarian Intervention after September 11 roundtable organised by the Department of International Relations, ANU and the Royal Netherlands Embassy, in association with the ANU’s National Institute for Government and Law and the National Europe Centre, ANU, 12 February
- Resource person, with Shanthi Dairiam, Executive Director of the International Women’s Rights Watch (Asia-Pacific), for the training workshop for Mongolian government officials and non-governmental organisations on The Implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women, organised by the United Nations Development Programme and UNIFEM, in conjunction with the Mongolian National Human Rights Commission and Ministry of Social Welfare, Ulaanbaatar, 26 February -1 March
- ‘Treaty Interpretations and International Relations — The Lost State Monopoly’, panel presentation for the Department of Foreign Affairs and Trade’s Treaties in the Global Environment seminar, Canberra, 13-14 March
- ‘Apocalyptic Visions and the Law: The Legacy of September 11’, professorial address in the Faculty of Law's Inaugural and Valedictory Lecture Series, ANU, 30 May
Andrew Byrnes (cont.)

- Attended the Asian Development Bank’s External Forum on Gender and Development, Manila, 5-7 June

- Gave media interviews about Australia and the International Criminal Court to:
  - ABC Lateline, 12 June
  - ABC Radio, PM, 12 June
  - Skynews Australian Agenda (debate with Bronwyn Bishop MP), 12 June
  - ABC 7.30 Report, 18 June
  - ABC Radio 702 Drive Program, 18 June

- Presenter, international law trivia quiz, Australian and New Zealand Society of International Law Conference dinner, Canberra, 15 June

- chaired ‘Challenges Facing the New ICC’, presentation by Professor James Crawford in the Centre’s International Criminal Court seminar series, ANU, 5 August

- chaired and introduced ‘National Human Rights Institutions: An Issue Central to the UN Human Rights Agenda’ lecture by Brian Burdekin, Special Adviser to the UN High Commissioner on Human Rights in the ANU Public Lecture series, 2 September

- panelist in the ‘Legal and Political Challenges to the new International Criminal Court’ seminar in the Centre’s International Criminal Court seminar series, ANU, 5 September

- ‘International legal aspects of September 11’, paper for the Pluto Institute’s September 11: One Year On seminar, Canberra, 10 September

- visitor at the University of Tasmania - staff seminar on 26 September, human rights class on 27 September

- ‘The Hong Kong Bill of Rights and its relevance to the Australian debate’, paper for the Centre’s Bill of Rights seminar series, ANU, 23 October

- participated as a resource person at the UN Division for the Advancement of Women and the UN Economic and Social Commission for Asia and the Pacific’s Regional Judicial Colloquium on the application of international human rights law at the domestic level, Bangkok, 4-6 November

- chaired ‘Recent developments in universal jurisdiction’ presentation by Professor Menno Kamminga, University of Maastricht, in the Centre’s International Criminal Court seminar series, ANU, 7 November

- participated in the Asian Development Bank’s External Forum on Gender and Development meeting, Manila, 12-14 November
PAPERS AT CONFERENCES AND SEMINARS, MEDIA, AND PRESENTATIONS BY MEMBERS OF THE CENTRE (cont.)

Andrew Byrnes (cont.)

- panel member in the Deliberative Poll on an ACT Bill of Rights, Canberra, 29-30 November
- ‘The Hong Kong Experience’, paper for the Centre’s Comparative Perspectives on Bills of Rights conference, Canberra, 18 December

Andrew Byrnes and Hilary Charlesworth

- ‘Action urged on ICC Statute’ The Canberra Times 22 May

Madelaine Chiam

- Group Manager for the Deliberative Poll on an ACT Bill of Rights, Canberra, 29-30 November

Jennifer Clarke

- ‘The labour dimension to Aboriginal “protection” laws’, Australian and New Zealand Law and History Association conference, Katoomba, 13 July
- ‘Native Title after Ward and Wilson’, September
- commentator on the Ward v WA paper for the ANU Institute for Indigenous Australia (ANUIIA) lecture by Mick Dodson, 17 October
- ‘The Yorta Yorta Case’, December

Michael Coper

- ‘The Path of the Law’, paper for the ANU Deans and Directors lecture series, 10 July

Robin Creyke

- ‘The Impact of Judicial Review on Tribunals – Recent Developments’ paper for the Australian Institute of Judicial Administration (AIJA) Annual Tribunals Conference, Melbourne, 7 June
- speaker at 25th Anniversary Dinner of Ombudsman, University House, ANU, 1 July
- ‘Justiciability’, address to the Australian Association of Constitutional Law, Perth, 10 July
2002 ANNUAL REPORT

PAPERS AT CONFERENCES AND SEMINARS, MEDIA, AND PRESENTATIONS BY MEMBERS OF THE CENTRE (cont.)

Robin Creyke (cont.)

- Co-Director of the Inaugural workshop for ACT Tribunals and first steps towards setting up the ACT Chapter of the Council of Australasian Tribunals (COAT), Law Faculty, ANU, 18 October (with Peter Sutherland)

- ‘Evidence and fact-finding’, paper for the Inaugural workshop for ACT Tribunals, Law Faculty, ANU, 18 October

- Convenor of the Centre’s Annual Public Law Weekend, ANU, 1-2 November

Robin Creyke and John McMillan

- ‘The Judicial Review Project and External Review Project in Australia’ for International Workshop on Judicial Review and Bureaucratic Impact, Tilburg University, the Netherlands, 7-8 November

Don Greig

- ‘International Community: Rhetoric or Reality’, presentation for the Centre’s International Law Discussion Group, ANU, 25 March

- ‘Criminal “Justice” – A New South Wales Story’, presentation for the British Institute of International and Comparative Law, London, October

Ann Kent

- ‘Why States Comply’, paper for the Centre’s International Law Discussion Group, ANU, 26 June

Penelope Mathew

- ‘Australia’s Refugee Policies: Representative Democracy or Irresponsible Government’, presentation to Braidwood Chapter of Rural Australians for Refugees, Braidwood, 9 May

- ‘The Pacific Solution: Panic, Punishment and Impoverished Politics’, presentation to Young Lawyers for Law Week, Sydney, 16 May

- Facilitator for the ACT Legal Aid Office’s Human Rights Forum ‘Do Refugees have Rights?’, 17 May

- Radio interview for "Undercurrents", 2XX, 23 May
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PAPERS AT CONFERENCES AND SEMINARS, MEDIA, AND PRESENTATIONS BY MEMBERS OF THE CENTRE (cont.)

Penelope Mathew (cont.)

- Panellist on Refugees, ANU, 5 June
- Presentation to Women's Constitutional Convention, 13 June
- ‘Refugee Law Issues’, paper for the Australian and New Zealand Society of International Law (ANZSIL) 10th annual conference, ANU, 15 June
- Prime TV interview on migration excision, 15 June
- Radio interview on the legality of detaining asylum-seekers for deterrence, ABC Radio National, 3 August
- Radio interview on Australian refugee policies for 2SER, 3 August
- ‘The Role of State Protection in Refugee Analysis’ Discussion Paper No. 2., for the International Association of Refugee Law Judges’ Advanced Refugee Law Workshop, Auckland, New Zealand, 18-19 October (with JC Hathaway and M Foster) and Faculty member for the two-day workshop
- ‘Revisionism and Refugee Realities: Europe, Australia and Beyond’ paper for the Contemporary European Research Centre, 8 November
- panel member in the Deliberative Poll on an ACT Bill of Rights, Canberra, 29-30 November
- chaired the Hong Kong Experience session at the Centre’s Comparative Perspectives on Bills of Rights conference, Canberra, 18 December

Leighton McDonald

- ‘The Constitutional Crisis that Wasn't', paper for the Centre’s The Saving of the Governor-General: The Law and Politics of the Hollingworth Affair, Current Issues seminar series, ANU, 18 April
- ‘Rights, ”dialogue” and the democratic objection to judicial review’, paper for the Centre’s Bill of Rights seminar series, ANU, 27 November
- ‘The myth of legal merit and ability’ Canberra Times 23 December
2002 ANNUAL REPORT

PAPERS AT CONFERENCES AND SEMINARS, MEDIA, AND PRESENTATIONS BY MEMBERS OF THE CENTRE (cont.)

John McMillan

- ‘Recent Developments in Administrative Law – 2001’, paper for an Australian Institute of Administrative Law seminar, Melbourne, 19 February
- ‘Twenty Years of Open Government: What Have We Learnt?’, professorial address in the Faculty of Law’s Inaugural and Valedictory Lecture Series, ANU, 5 March
- ‘Good Decision-Making for Government: Fact Finding’, presentation to a public service seminar, Melbourne, 26 March
- ‘Trends and Emerging Issues in Judicial Review’, paper for the Australian Corporate Lawyers’ Association Conference, Canberra, 27 March
- paper for the Centre’s The Saving of the Governor-General: The Law and Politics of the Hollingworth Affair, Current Issues seminar series, ANU, 18 April
- ‘The Courts vs The People: Have the Judges Gone too Far?’, paper for the Sixth Colloquium of the Judicial Conference of Australia Inc, Launceston, 26-28 April
- ‘Better decision-making - in whose eyes?’, Feature article: public service informant, The Canberra Times, 4 May
- ‘Should the ACT Adopt a Bill of Rights’, participant for the ‘No’ case in a debate in Law Week, Canberra, 17 May
- Discussant, ‘Federal Court Ruckus’, Radio National Breakfast, 5 June
- Panel member at the Curtin (ACT) branch of the Australian Labor Party’s Forum on Asylum Seekers, Canberra, 17 June
- ‘Judicial deference’, address to the Australian Association of Constitutional Law, Perth, 10 July
2002 ANNUAL REPORT

PAPERS AT CONFERENCES AND SEMINARS, MEDIA, AND PRESENTATIONS BY MEMBERS OF THE CENTRE (cont.)

John McMillan (cont.)

- ‘Statements of Reasons in an Administrative Law Context’, presentation to a seminar of complaints resolution officers, Canberra, 23 July
- ‘Parliamentary Control and Scrutiny of Executive Activity by the Commonwealth Parliament’, presentation to the Standing Committee on Scrutiny and Constitutional Affairs of the Norwegian Parliament, Canberra, 11 September
- panel member in the Deliberative Poll on an ACT Bill of Rights, Canberra, 29-30 November
- ‘Trends in Federal Judicial Review – 2002’, presentation to public service seminar, Brisbane, 4 December
- commentator for the Hong Kong Experience session at the Centre’s Comparative Perspectives on Bills of Rights conference, Canberra, 18 December
- ‘Quality of justice is not strained by "activism"’ *The Australian*, 26 December

John McMillan and Robin Creyke

- ‘The Judicial Review Project and External Review Project in Australia’ for International Workshop on Judicial Review and Bureaucratic Impact, Tilburg University, the Netherlands, 7-8 November

Wayne Morgan

- ‘Fear, hatred spread by stereotypes’, *The Canberra Times*, 15 March (with Adrienne Stone)
- ‘Queering International Law’, paper for the Centre’s International Law Discussion Group, ANU, 14 May
- ‘McBain and its aftermath’, paper for the Law Society of NSW’s Family Law Specialist Accreditation Conference, Sydney, 6 July
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PAPERS AT CONFERENCES AND SEMINARS, MEDIA, AND PRESENTATIONS BY MEMBERS OF THE CENTRE (cont.)

Wayne Morgan and James Stellios

• briefed the Senate Foreign Affairs, Defence and Trade Committee on the General Agreement on Trade in Services, Canberra, 14 November

Dennis Pearce

• gave presentations to:
  Department of Health and the Ageing legal branch, Canberra, 17 October
  NSW Administrative Decisions Tribunal, Sydney, 8 November
  Integrity and Ethics course in Master of Public Policy programme, ANU, 28 November

James Stellios

• ‘The High Court and the Constitution’, lecture to students visiting the ANU from Michigan State University, USA, 30 January

• “Responsible government’, lecture to the University of the Third Age, Canberra, 6 March

• ‘Three Public Figures in Crises’, paper for the Centre’s The Saving of the Governor-General: The Law and Politics of the Hollingworth Affair, Current Issues seminar series, ANU, 18 April

• ‘Reflections on experiences at the law school and legal practice’, presentation at the Faculty Awards Ceremony, Law School, ANU, 23 April

James Stellios and Wayne Morgan

• briefed the Senate Foreign Affairs, Defence and Trade Committee on the General Agreement on Trade in Services, Canberra, 14 November

Daniel Stewart

• ‘Electronic materials and student engagement: asking students to do more than just read for class’, paper for the Commercial Law Teaching Workshop, Faculty of Law, ANU, 5 April

• ‘Intellectual Property Update’, paper for the Department of Defence IP management conference, Canberra, 10 May

• ‘Standards and Intellectual Property Rights’, paper for the Competition in Property Rights and Information Markets Workshop, Centre for Competition and Consumer Policy (RegNet) and The National Institute of Government and Law, ANU, 15-16 August
2002 ANNUAL REPORT

PAPERS AT CONFERENCES AND SEMINARS, MEDIA, AND PRESENTATIONS BY MEMBERS OF THE CENTRE (cont.)

Daniel Stewart (cont.)

- ‘Slipping through the gaps? Privacy, property, communication and the limits of confidential information’, paper for the Australian Centre for Intellectual Property’s Seminar Series, ANU, 19 November

Phillipa Weeks

- ‘Fairness at Work’, professorial address in the Faculty of Law's Inaugural and Valedictory Lecture Series, ANU, 20 May
- ‘Regulating the Workplace Relationship’ paper for the Centre for Commercial Law, ANU’s Commercial Law - Private Business / Public Concern conference, 30 September
- ‘Workplace Change’, presentation to the Attorney General's Department Women's Network, Canberra, 18 October
- ‘Public Sector Employment’, presentation to Phillips Fox Lawyers, Spring Seminar, Canberra, 21 November

Fiona Wheeler

- Participant in roundtable discussions at the University of North Texas Comparative High Courts conference, 2-3 August
- Commentator on papers by Winterton and Uhr, Dead Hands or Living Tree? (and other Constitutional Conundrums) Conference, University of Melbourne, 7 December
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COLLABORATION AND OUTREACH BY STAFF AND MEMBERS OF THE CENTRE

Staff

Hilary Charlesworth

With other parts of the ANU
- Chair, Human Research Ethics Committee (HREC) (from May)
- Member, ANU Institute for Indigenous Australia (ANUIIA) Steering Committee
- Member, Centre for Aboriginal Economic Policy Research (CAEPR) Advisory Committee
- Member, Centre for Democratic Institutions (CDI) Consultative Group
- Member, Democratic Audit of Australia Academic Advisory Committee, RSSS
- Member, R G Menzies Scholarship to Harvard Selection Committee
- Member, RegNet Advisory Board
- Member, Research Services Office Review Committee
- Member, Scholarly Information Services Advisory Committee (SISAC)
- Hon. Member, Golden Key International Honour Society ANU Chapter

With government and other public institutions
- Chair, ACT Bill of Rights Consultative Committee
- Chair, International Law Association (ILA) Committee on Teaching of International Law
- Assessor, Australian Research Council (ARC)
- Assessor, Major Collaborative Initiatives Programme, Social Sciences and Humanities Research Council of Canada (SSHRC)
- Member, American Society of International Law (ASIL) Executive Council
- Member, The Australia-Asia Institute Council
- Member, Australian Society of Legal Philosophy (ASLP) Executive Committee
- Member, Advisory Panel, Defence for Children International (DCI) Australia
- Member, Diplomacy Training Program Advisory Committee
- Member, Equal Opportunity Commission Victoria Advisory Panel
- Member, Global Law Faculty, New York University Law School
- Member, International Law Association (ILA) Committee on Feminism and International Law
- Member, Monash University Law School Review Committee 2-4 October 2002
- Co-Patron, Women’s Legal Centre ACT
- Senior Adviser, National Committee on Human Rights Education
Hilary Charlesworth (cont.)

Editorial

• Co-Editor, Australian Year Book of International Law (AYBIL)
• Member, Board of Editors, American Journal of International Law (AJIL)
• Member, Advisory Board, Australian Feminist Law Journal (AFLJ)
• Member, Editorial Board, Cambridge Studies in International and Comparative Law (CSICL)
• Member, Advisory Board, Leiden Journal of International Law (LJIL)
• Member, Hon. Advisory Board, Melbourne Journal of International Law (MJIL)
• Member, Editorial Board, International Feminist Journal of Politics (IFJP)
• Member, Editorial Board, Law and Policy Papers (Centre publication)
• Member, Advisory Committee, Traffic (journal of the University of Melbourne Postgraduate Association)
• Referee, Australian Human Rights Law Journal
• Referee, Canadian Journal of Women and the Law
• Referee, Journal of Political Philosophy
• Referee, Signs
• Referee, Sydney Law Review

Members

Peter Bailey

With other parts of the ANU

• Chaired the ANU's Census Committee on discrimination and harassment, and settled and delivered the Final Report, 7 May
• Presented the Final Report to a special meeting of the Equity and Diversity Advisory Committee (EDAC), 19 June
2002 ANNUAL REPORT

COLLABORATION AND OUTREACH BY MEMBERS OF THE CENTRE (cont.)

Andrew Byrnes

With government and other public institutions

- Co-rapporteur, International Law Association Committee on Human Rights Law and Practice
- Member, Australian and New Zealand Society of International Law (ANZSIL) Annual Conference Organising Committee
- Member, Advisory committee, International Women's Rights Watch (Asia-Pacific)
- Member, External Forum on Gender, Asian Development Bank
- Advisor, Centre for Comparative and Public Law, Faculty of Law, University of Hong Kong

Editorial

- Co-Editor, *Australian Year Book of International Law (AYBIL)*
- Correspondent, *Butterworths Human Rights Cases*

Jennifer Clarke

Editorial

- Board member, *Aboriginal History*
- Manuscript reviewer, Dartmouth Press

Michael Coper

With government and other public institutions

- Chair, Transport Industry Accreditation Council
- Trustee, Lionel Murphy Foundation

Robin Creyke

With other parts of the ANU

- Member, National Institute of Government and Law (NIGL)
ROBIN CREYKE (cont.)

With government and other public institutions

- Vice-President, Australian Institute of Administrative Law (AIAL)
- Commissioner, Independent Competition and Regulatory Commission of the ACT
- Member, Commonwealth Administrative Review Council (reappointed until December 2005)
- Member, External Review Panel for School of Law and Law Awards, University of New England
- Trainer and consultant, Department of Veterans’ Affairs
- Special Counsel, Phillips Fox Lawyers
- Consultant, Lord Chancellor’s Department, UK

Editorial

- Veterans’ Affairs Editor, Administrative Law Bulletin
- Veterans’ Affairs Editor, Administrative Law Decisions Service
- Member, Editorial Board, National Law Review

ANN KENT

With government and other public institutions

- Assessor, Major Collaborative Initiatives Programme, Social Sciences and Humanities Research Council of Canada (SSHRC)

Editorial

- Member, Editorial Board, China Information
- Referee, China Information
- Referee, The China Journal
2002 ANNUAL REPORT

COLLABORATION AND OUTREACH BY MEMBERS OF THE CENTRE (cont.)

Penelope Mathew

With government and other public institutions
- Member and Treasurer, Australian and New Zealand Society of International Law (ANZSIL) Executive Council
- Submission on, and oral evidence to, the Migration Zone Excision inquiry, Legal and Constitutional References Committee

Editorial
- Member, Editorial Board, *Australian Year Book of International Law*

Leighton McDonald

With other parts of the ANU
- Member, National Institute of Government and Law (NIGL)

With government and other public institutions
- Member, Australian Institute of Administrative Law (AIAL)
- Member, Australian Society of Legal Philosophy (ASLP)

Editorial
- Member, Editorial Board, Law and Policy Papers (Centre publication)
- Reviews Editor, *Australian Journal of Legal Philosophy*
- Referee, *Australian Journal of Human Rights*
- Referee, *Australian Journal of Legal Philosophy*
- Referee, *Federal Law Review*
- Referee, *Melbourne University Law Review*
2002 ANNUAL REPORT

COLLABORATION AND OUTREACH BY MEMBERS OF THE CENTRE (cont.)

John McMillan

With other parts of the ANU
• Chair, Review Committee to Hear an Appeal under Enterprise Bargaining Agreement
• Member, Committee to Recommend Vice Chancellor’s Award for Excellence in Teaching

With government and other public institutions
• President, Australian Institute of Administrative Law (AIAL)
• Member, Australian Institute of Public Administration (AIPA) Commonwealth Government Agencies Annual Reports Award Selection Committee
• Member, Federal Offenders Review Panel, Commonwealth Attorney-General’s Department
• Consultant, Board of Taxation
• Consultant, Government Services Group, Clayton Utz

Editorial
• Member, Editorial Board, *Australian Institute of Administrative Law Forum*
• Member, Editorial Board, *Federal Law Review*
• Member, Editorial Board, *Law and Policy Papers* (Centre publication)
• Referee, *Monash University Law Review*
• Referee, *Sydney Law Review*

Wayne Morgan

With government and other public institutions
• Consultant, Attorney-General’s Department, Tasmania
• Consultant, Gilbert and Tobin, Solicitors
• Consultant to pro bono clients, UN Human Rights Committee cases and anti-discrimination cases

Editorial
• Editor, *Sexualis Lex*
2002 ANNUAL REPORT

COLLABORATION AND OUTREACH BY MEMBERS OF THE CENTRE (cont.)

Dennis Pearce

With government and other public institutions
- President, ACT Racing Appeals Tribunal
- Chair, ACT Cricket Association Independent Tribunal
- Executive Member, Australian Institute of Administrative Law (AIAL)
- Member, Copyright Tribunal
- Consultant, Lord Chancellor’s Department, UK (with Robin Creyke and John McMillan)

Editorial
- Editor, Administrative Law Decisions
- Editor, Administrative Law Service
- Editor, Australian Institute of Administrative Law Forum
- Member, Editorial Board, Federal Law Review

James Stellios

With other parts of the ANU
- Member, Undergraduate Awards Committee

With government and other public institutions
- Secretary, International Commission of Jurists (ACT Branch)

Editorial
- Assistant Editor, Federal Law Review

Daniel Stewart

With other parts of the ANU
- Member, Review of the Intellectual Property Policy taskforce

With government and other public institutions
- Chairman, ACT Welfare Rights and Legal Centre Board of Management
2002 ANNUAL REPORT

COLLABORATION AND OUTREACH BY MEMBERS OF THE CENTRE (cont.)

Phillipa Weeks

With other parts of the ANU

- Chair, ANU Union Discipline Committee
- Member, National Institute of Government and Law (NIGL)
- Member, National Institute of Social Sciences (NISS)
- ANU representative, Burgmann College Council

With government and other public institutions

- Chair, External Review Panel for School of Law and Law Awards, University of New England
- Member, External Review Panel for School of Law, University of Newcastle
- Member of the National Committee of Management and Convenor of the ACT Chapter of the Australian Labour Law Association (affiliated to the International Society for Labour Law and Social Security)
- Member (part-time, legal) Social Security Appeals Tribunal
- ANU Observer, Council of the Law Society of the ACT

Editorial

- Member, Editorial Committee, Australian Journal of Labour Law
COLLABORATION AND OUTREACH BY MEMBERS OF THE CENTRE (cont.)

Fiona Wheeler

With other parts of the ANU
- Member, Admissions Committee
- Member, Board of the Faculties
- Member, Review of Undergraduate Education Committee
- Member, National Institute of Government and Law (NIGL)
- Member, Teaching and Learning Code Working Party
- Member, Teaching Evaluations Advisory Group
- Member, Working Party on Examination Processes and Assessment Procedures and Consultation

With government and other public institutions
- Chair, ACT Advisory Panel, Australian Association of Constitutional Law (AACL)

Editorial
- Comments Editor, Public Law Review
- Referee, Sydney Law Review
2002 ANNUAL REPORT

STUDENT RESEARCH AND TRAINING

The Centre aims to encourage students’ research and to assist in their training. The Director supervises research students in both the undergraduate and graduate program of the Law School.

SJD
Tania Steinmuller, ‘Gender Crimes in the ICC Statute’

M. Phil/LLM supervision
Tanya Pridankoff, ‘Genocide in Australian law’

PhD
Zoe Pearson, ‘International human rights law and the participation of “a global civil society” – challenging ideas of international law?’

PhD panel member
Prue Bates, ‘Women and war’
Bina D’Costa, ‘Women and the creation of Bangladesh’
Suzette Mitchell, ‘NGOs and women’s human rights’

LLB Research projects

Semester 1
Melanie Calvert, ‘The Right to Development and International Aid’
Rebecca Jenkin, ‘The Role of Mary Robinson as High Commissioner for Human Rights: a pragmatic assessment’
Christine Ratnasingham, ‘An Assessment of the Global Compact’

Semester 2
Jennifer Rowe, ‘Aspects of Humanitarian Intervention’
Alexandra Owens, ‘Ratcheting Labour Standards: An Analysis’
Krishna Rajendra, ‘Peaceful Dispute Resolution under the UN Charter’

Summer Scholar
Frances Voon, ‘The Human Rights Implications of the Australian Security and Intelligence Organisation Amendment (Terrorism) Bill 2002’

Australian National Internships Program

Mentor (Vincent Fairfax Fellowship)
Katie Firster
Candidate for the St James Centre for Ethics Leadership program.
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**SUMMARY OF CENTRE’S Q ACCOUNT CODES FOR 2002**
*(as at 31 December 2002)*

### INCOME

<table>
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<tr>
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<th>Grants etc&lt;sup&gt;a&lt;/sup&gt;</th>
<th>Conferences</th>
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<td>47,312</td>
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<td>income in 2002</td>
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<td><strong>34,350</strong></td>
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</table>

### EXPENDITURE

<table>
<thead>
<tr>
<th></th>
<th>Grants etc</th>
<th>Conferences</th>
<th>AYBIL&lt;sup&gt;d&lt;/sup&gt;</th>
<th>Publications</th>
</tr>
</thead>
<tbody>
<tr>
<td>salaries &amp; oncosts</td>
<td>10,900</td>
<td>17,872</td>
<td>1,248</td>
<td></td>
</tr>
<tr>
<td>operating expenses</td>
<td>20,424</td>
<td>39,908</td>
<td>10,562</td>
<td>2,598</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>31,324</strong></td>
<td><strong>39,908</strong></td>
<td><strong>28,434</strong></td>
<td><strong>3,846</strong></td>
</tr>
</tbody>
</table>

### BALANCE

|               |             |             |                  |              |        |
|----------------|-------------|-------------|-------------------|--------------|
| **BALANCE**   | **3,026**   | **61,094**  | **82,109**        | **11,610**   | **157,839** |

<sup>a</sup> Funding derived from research grants and consultancies designated for specific purposes

<sup>b</sup> Australian Year Book of International Law (published annually)

<sup>c</sup> Includes carry forward of unspent funds from 2001

<sup>d</sup> account held in trust, managed by the Centre.

Balance includes $24,009 transferred from expired holding account and $13,000 committed to the printing of vol 22.