The fifth CIPL workshop linking public lawyers with international lawyers was held in late June under the heading “Security Institutions and International and Public Law.” I thank my colleague Dr Hitoshi Nasu, who helped me run this workshop, which occasioned excellent papers from national and international participants. Those papers are now being written up for the fifth book in the CIPL, Cambridge University Press series. During the course of the year, production has proceeded on the finalisation of the third book in the series which is due out in December (see page 15) and work is being finalised on the fourth book from last year’s workshop on Allegiance and Identity in a Globalised World. To that end a Call for Abstracts has been issued for the sixth workshop, which will be held in August 2012 (see further at page 13).

Since 2008 CIPL has been acting in the role of Secretariat for the Jessup International Law Moot Competition held at the ANU College of Law each summer and I thank those members of CIPL who coordinate it – in particular Professor Don Rothwell.

As in each newsletter, we present the wonderful contributions of our CIPL colleagues whose research output and community outreach is prodigious! I’d also like to take the opportunity to thank all those who support the Centre in so many ways.

Our Dean, Michael Coper continues to be a great champion of CIPL and we have all been thinking of him and sending nurturing hearty wishes during his extended leave this year, and look forward to his return in 2012. I am grateful for Professor Fiona Wheeler’s support as Acting Dean and her general support as a member of CIPL.

Our Advisory Board members continue to provide invaluable support for the Centre in various guises, and I thank The Honourable Susan Kenny, Federal Court of Australia, Professor William Maley AM, Asia-Pacific College of Diplomacy Mr Richard Rowe, Acting First Assistant Secretary International Organisations & Legal Division Senior Legal Adviser, Department of Foreign Affairs and Trade, Professor Don Rothwell, Professor of International Law Centre for International and Public Law, ANU College of Law, ANU, Mr Roger Wilkins AO, Secretary, Attorney-General’s Department, The Honourable Justice Richard Refshauge, The Supreme Court of the ACT, Ms Kathy Leigh ACT Dept of Justice & Community Safety and Ms Elizabeth Broderick, Australian Human Rights Commission for all of their work this year.
The administrative support for CIPL within the ANU College of Law comes through our College’s Outreach and Administrative Support team (COAST) in particular Wendy Mohring who has been doing a wonderful job – supported by Christine DeBono, Kristian Draxl, Sarah Hull, Claire Atteia and Elaine Cooper. Thanks also to Margaret Donnelly who was part of the team during 2011.

I am always interested to hear feedback from our CIPL larger community and I wish you all the best for the forthcoming holiday season, and look forward to seeing you in 2012.

Kim Rubenstein
December 2011

CIPL EVENTS

November 2010–December 2011

To access recordings and proceedings of CIPL events, go to http://law.anu.edu.au/cipl/events.asp

CIPL Friday Lunchtime Seminar

5 November 2010

Universal Periodic Review: The Politics of International Law

Ms Rowan McRae, Attorney-General’s Department

The Universal Periodic Review (UPR) was established in 2007. Under this process, every four years, each member state of the United Nations is required to engage in an interactive dialogue about its human rights record with member and observer states of the Human Rights Council. The aim is to improve the human rights situation in all countries and address human rights violations wherever they occur. Australia’s first UPR was staged in January 2011. Rowan McRae’s presentation considered how the mechanism operates in practice, and how it measures up against its stated aims.

Symposium

18 November 2010

Colonial Copyright, Postcolonial Publics: The Berne Convention and the 1967 Stockholm Diplomatic Conference Revisited

Professor Hemmungs Wirtén, Uppsala University, Sweden

This symposium explored the debate over intellectual property and the knowledge commons in the fields of research, culture, and science. The keynote speaker, Professor Eva Hemmungs Wirtén from Uppsala University in Sweden discussed the development of a cultural commons, looking at the Berne Convention and the 1967 Stockholm Diplomatic Conference.
The four panellists explored a number of further contexts for the debate over intellectual property and the knowledge commons. In particular, the speakers investigated the water commons; debates over cultural environmentalism and climate change; the development of a scientific commons for the emerging field of synthetic biology; and the place of traditional knowledge in the intellectual commons. [http://www.law.ed.ac.uk/ahrc/script-ed/vol7-3/wirten.asp](http://www.law.ed.ac.uk/ahrc/script-ed/vol7-3/wirten.asp)

**CIPL Friday Lunchtime Seminar**

19 November 2010

Attributes and Attribution of State Courts

Mr Brendan Lim, Attorney General's Department, Canberra

After a succession of failed challenges to state legislation affecting the functions, processes and composition of state courts, the constitutional principle first identified in *Kable v DPP* (NSW) has been revived in the High Court. In its current form, the Kable principle elaborates the constitutional expression “court of a State.” Its doctrinal locus is the identification of the defining characteristics, or attributes, of a court. This presentation sought to identify a further, if overlooked, dimension to the Kable principle, which Lim called the attribution of a court. By ‘attribution’ is meant the identification of a court as an emanation, more or less exclusively, of a particular constituent body politic of the federation. From its inception, the Kable principle has had to negotiate an awkward tension between, on the one hand, the continued existence of the states and ‘their’ courts and, on the other hand, the integrated judicature under Chapter III. Thus, Kim argued the Kable principle must be seen to be expressive of values flowing from both of the structural pillars of the Australian Constitution: the separation of powers (attributes of a court) and federalism (attribution of courts). Federalism values relate to the width of the constitutional implication in this way: a stronger Kable principle implies and is implied by a weaker attribution of a court to a state and vice versa.

**CIPL Friday Lunchtime Seminar**

3 December 2010

Recent Developments in Chapter III: Kirk v Industrial Relations Commission of NSW

Emeritus Professor Leslie Zines, ANU College of Law

In this seminar, Emeritus Professor Leslie Zines AO FASSA shared his views on recent developments in Chapter III of the Australian Constitution. Emeritus Professor Zines is a visiting fellow with the John Fleming Centre for the advancement of Legal Research at the ANU College of Law and a visiting professor with the Faculty of Law at UNSW.

**Public Lecture**

24 January 2011

U.S. Policy and Accountability for Mass Atrocities, Past and Present

Mr Stephen J Rapp, U.S. Ambassador-at-Large, War Crime Issues

The Office of War Crimes Issues, led by Ambassador Rapp, advises the Secretary of State directly and formulates U.S. policy responses to atrocities committed in areas of conflict and elsewhere throughout the world. The office coordinates U.S. Government support for war crimes accountability in the former Yugoslavia, Rwanda, Sierra Leone, Cambodia, Iraq, and other regions where crimes have been committed against civilian populations on a massive scale. The office works closely with other governments, international institutions, and non-government organizations, and with the courts themselves, to see that international and domestic war crimes tribunals succeed in their efforts
to bring those responsible for such crimes to justice. The Ambassador-at-Large for War Crimes Issues has available a range of diplomatic, legal, economic, military, and intelligence tools to help secure peace and stability, ensure accountability, and build the rule of law, which the Ambassador covered in his presentation.

Friday Lunchtime Seminar

11 March 2011

ITLOS CASE NO.17: International Environment Law in the Seabed Disputes Chamber

Don Anton, ANU College of Law

Don Anton teaches, researches, and advises in the areas of international law and environmental law. He has been a tenured member of the faculty at the ANU College of Law (ANU) since 2000 and teaches across a wide range of subjects including International Law, Human Rights, Property, Torts, International Environmental Law, Human Rights and the Environment, Marine and Coastal Law, International Trade and the Environment, International Procedure and Advocacy, Federalism and the Environment, and Environmental Dispute Settlement. In this presentation he shared his involvement in ITLOS CASE No 17.

Friday Lunchtime Seminar

18 March 2011

The First Four Months of the FOI Reforms

James Popple, Freedom of Information Commissioner, Office of the Australian Information Commissioner

Dr James Popple is the Australian Freedom of Information Commissioner. He is responsible for undertaking merits review of FOI decisions made by Commonwealth departments and agencies; monitoring, investigating and reporting on compliance with the Freedom of Information Act 1982; assisting departments and agencies to publish information in accordance with the information publications scheme under the Act; and promoting awareness and understanding of the Act and its objects. Before being appointed FOI Commissioner in November 2010, James worked for 12 years in various areas of the Australian Attorney-General’s Department, six years as First Assistant Secretary. In this presentation he shared some of his experience so far in this role.

Public Lecture

29 March 2011

Aspects of the Work of the International Law Commission

Sir Michael Wood, Member of UN International Law Commission, FCO Legal Advisor (1999-2006)

As a member of the International Law Commission, Sir Michael discussed the current work of the ILC, including the ILC’s recent work on the rules relating to expulsion of aliens and reservations to treaties. Sir Michael was the principal Legal Adviser to the Foreign and Commonwealth Office between 1999 and 2006. During 35 years as a lawyer in the FCO, he participated in many important international negotiations, including the United Nations Conference on the Law of the Sea. He spent three years at the United Kingdom Mission to the United Nations in New York, dealing chiefly with Security Council matters. He was Agent for the United Kingdom for a number of years before the European Commission and Court of Human Rights, and UK Agent in cases before the ICJ, as well as in proceedings before the International Tribunal for the Law of the Sea and arbitral tribunals.

Friday Lunchtime Seminar

1 April 2011

New Constitutional Review in France: How Does the French Constitution Finally Speak to its People - or Does it?

Dr Marie-Luce Paris-Dobozy

A major constitutional reform took place in France in July 2008 aimed at modernizing the institutions of the Fifth Republic. One of the main goals of the reform was ‘to confer a new right to the citizen’ even before purging
the constitutional order of unconstitutional statutes. But it also had the ambitious, somehow ambiguous goal, of reintroducing the prevalence of the constitutional norm by making it a legal basis for claim in court. The Constitution, and the rights and freedoms it refers to, are now part of the French litigation landscape. This has caused several problems at both the adoption and implementation stages, especially when it comes to the operation of other established principles and mechanisms at the domestic and European levels. This seminar looked at the new constitutional review in the complex context of French and European law. An assessment of the new procedure was also made through a comparison with the Australian constitutional context.

Public Lecture

14 April 2011

Universal Jurisdiction and the Suppression of Modern-day Piracy

His Excellency Kriangsak Kittichaisaree
Thai Ambassador to Australia

Ambassador Kriangsak Kittichaisaree is Thailand’s Ambassador Extraordinary and Plenipotentiary to the Commonwealth of Australia, and, concurrently, Papua New Guinea, Fiji, the Solomon Islands, and Vanuatu. From November 2004–06, he was Ambassador attached to the Ministry of Foreign Affairs of Thailand responsible for international legal issues and counter-international terrorism. While in that position, he served as Coordinator of the International Legal Cooperation against Terrorism stream of the Legal Issues Working Group of the Bali Regional Ministerial Meeting on Counter-Terrorism, in response to the Bali Bombing of 12 October 2002 and subsequent terrorist activities in the Asia-Pacific region and beyond. From March 2006–07, he was Director-General of the Department of International Organisations, Ministry of Foreign Affairs of Thailand. He was elected Chairman of the Group of 77 of the Whole of the 9th Session of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea.

In this presentation the Ambassador gave his thoughts on Universal Jurisdiction and the Suppression of Modern-day Piracy.

Friday Lunchtime Seminar

6 May 2011

The Battle over Interpretive Power: States and Tribunals in the Investment Treaty System

Ms Anthea Roberts, Lecturer in Law, London School of Economics, Visiting Fellow, ANU College of Law

The investment treaty system is currently witnessing a battle between states and tribunals about the appropriate balance of power between them when it comes to interpreting investment treaties. States entering into investment treaties establish dual roles for themselves as treaty parties (with an interest in interpretation) and actual or potential respondents in investor-state disputes (with an interest in avoiding liability). By viewing states primarily as respondents rather than also as treaty parties, investment tribunals often overlook or undervalue the relevance of the treaty parties’ subsequent agreements and practice to the interpretation of investment treaties. Drawing on international relations theories, public international law interpretive tools and comparisons with human rights law, this talk examined how states can reclaim their interpretive role in the investment treaty field and what limitations should be imposed on such a role.

Friday Lunchtime Seminar

20 May 2011

Judicial Review in Australia: the Administrative Review Council’s Inquiry

Roger Wilkins AO, Secretary, Attorney General’s Department and member of the Administrative Review Council

The Administrative Review Council (ARC) is conducting an inquiry into the operation of judicial review across the federal administrative law system. The inquiry is being conducted as part of the Council’s statutory responsibility to keep the administrative law system under review. The Council intends to report to the Attorney-General by the end of 2011. This lunch time seminar provided a great opportunity for the ARC to
promote public discussion about issues raised in the Consultation Paper Judicial Review in Australia, released by the Council for comments.

Roundtable Discussion

24 May 2011

Human Rights Protections - What does Australia Need

Navanethem (Navi) Pillay, UN High Commissioner for Human Rights; Dr Helen Watchirs, ACT Human Rights & Discrimination Commissioner and Professor Tom Campbell, Centre for Applied Philosophy and Public Ethics, ANU

In 2008 the UN Secretary-General appointed Ms Pillay of South Africa as the High Commissioner for Human Rights. Before this Ms Pillay was a judge on the International Criminal Court, The Hague where she served for five years. From 1995–2003 she was a judge and for the last four years, President of the International Criminal Tribunal for Rwanda where she played a critical role in the Court’s groundbreaking jurisprudence on rape as genocide, as well as on issues of freedom of speech and hate propaganda. She was the first woman to start a law practice in her home province of Natal. She also acted as a defence attorney for anti-apartheid activists, exposing torture, and helping establish key rights for prisoners on Robben Island. After apartheid (1995), Ms Pillay was appointed a judge on the South African High Court. In this round-table Ms Pillay, Dr Helen Watchirs and Professor Tom Campbell engaged in some robust discussion regarding Australia’s need for Human Rights Protection.

Public Lecture

15 June 2011

Bringing Nazi Criminals to Justice: The Domestic and International Law Parameters

Efraim Zuroff, Director of the Simon Wiesenthal Centre Office

Efraim Zuroff is recognised as the world’s leading expert on tracking and bringing to justice the last remaining Nazi war criminals. Following in the footsteps of the late legendary Simon Wiesenthal, Zuroff has earned the title of The Last Nazi Hunter. His research in the 1980s led to the discovery of hundreds of Nazi war criminals who fled Europe to the United States, South America, Australia, Canada, Great Britain and elsewhere. This paper drew from his latest book Operation Last Chance: One Man’s Quest to Bring Nazi Criminals to Justice, Zuroff which details the many cases he has worked on and the methodology he uses to bring alleged Nazi war criminals and their associates to justice, particularly focusing on the challenges faced with many key witnesses long since having died.

Annual Kirby Lecture on International Law

23 June 2011

The Laws of WAR: Under Siege or Gaining Ground?

The Hon Louise Arbour CC, GOQ, President & CEO International Crisis Group, Brussels, Belgium

Louise Arbour has served as President and CEO of the International Crisis Group since July 2009. Previously she acted as United Nations High Commissioner for Human Rights from 2004 to 2008. The evening began with a video presentation by Michael Kirby who was unable to be present, and then the Vice Chancellor Gareth Evans introduced Louise Arbour who gave an excellent presentation on the laws of War.

19th Annual ANZSIL Conference

23-25 June 2011

The Promise and Limits of International Law

The 19th Annual Conference of the Australian and New Zealand Society of International Law (ANZSIL) was held at University House, ANU on 23–25 June. The conference, themed The Promise and Limits of
Workshop

27-29 June 2011
Connecting International and Public Law
Security Institutions and International and Public Law

This was the fifth workshop in the CIPL series connection International law and Public law and Dr Hitoshi Nasu assisted in the running of the workshop. Participants hailed from all around the world and the nation, and all papers are currently being worked up for the fifth book in the CIPL series (see further at p 15).

Public Seminar

28 June 2011
Law Enforcement issues in Maritime Security
Assistant Professor Chie Kojima & Commander Ian Campbell

Maritime law enforcement remains an evolving legal field. As new (or renewed) challenges emerge, such as maritime terrorism, piracy, and proliferation of weapons of mass destruction related materials by sea, and continuing challenges escalate (people and drug smuggling by sea), maritime law enforcement has become ever more complex and dynamic.

This seminar examined this complexity. Focussing upon one of the mainstays of maritime law enforcement — fisheries — the speakers approached the topic from two different perspectives — international and domestic legal responses, examining a variety of legal issues arising from those responses including the challenges which non-state actors have presented for regulating states.

Public Event

26 July 2011
Arms Trade Treaty
Hosted by the ANU Centre for European Studies, CIPL and the ACT Red Cross International Humanitarian Law Committee

From 11–14 July 2011, the international community met in New York to discuss how to regulate the global arms market to prevent weapons reaching the hands of criminals, insurgents, human rights abusers and those violating international humanitarian law. The ultimate aim was to have in place by 2012 a strong arms trade treaty to control the international trade of conventional firearms.

The speakers included: Matthew Zagor, Red Cross International Humanitarian Law Committee ACT; Dr Stephanie Koorey, Adjunct Research Associate, Monash University; Jesse Clarke, Legal Adviser, UK Foreign & Commonwealth Office; Netta Goussac, Office of International Law, Attorney-General’s Department and Kelisiana Thynne, Legal Advisor, International Committee of the Red Cross.
Friday Lunchtime Seminar

5 August 2011

Prosecuting Drug Cheats in the Court of Arbitration for Sport: Insight into the International anti-doping framework

Ms Catherine Ordway, Sport & Anti-Doping Consultant

Catherine has more than 10 years experience in anti-doping internationally, including working at the Senior Executive Service level with the Australian Sports Anti-Doping Authority. As one of the legal representatives to the Australian Olympic Committee in the lead up to the Sydney Olympic Games, Catherine established strong relationships with National Sports Organisations and International Federations. This work involved drafting the anti-doping policies for the 32 Olympic sports, as well as conducting more than 30 anti-doping prosecutions and she drew upon this work for her presentation.

Friday Lunchtime Seminar

19 August 2011

Running a Large Commonwealth Legal Services Team: the Challenges and the pitfalls

Mr Simon Matthews, ATO General Counsel Law & Practice and Mr Nick Westerink, Assistant Commissioner Legal Service, ATO

Simon Matthews has been the ATO General Counsel since October 2010. He joined the ATO as an ANU BA/LLB graduate in 1990. Most of his career has been in policy and legislation areas of the office, but he also spent several years as a senior tax counsel in law interpretation. In his current role, Simon and his team has corporate responsibility for safe guarding the ATO’s non-tax legal risks.

Public Seminar

23 August 2011

Reflections on the ECCC

Presented by the Australian Red Cross, CIPL & Mallesons Stephen Jaques. Panelists: Professor Gerry Simpson, Ms Margaret Adamson

Between 1975 and 1979 approximately 1.7 million people lost their lives in the Cambodian genocide under Pol Pot’s Khmer Rouge regime. The enormous number of deaths, amounting to 21 per cent of the country’s population, was a tragedy that devastated the country. In 2002, the United Nations and the Royal Government of Cambodia came to an agreement to establish a special court called the ‘Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Khmer Rouge regime 1975–79 (the ECCC). The ECCC is sometimes referred to as a ‘hybrid court’, i.e. one with both domestic and international elements. A special chamber has been established in the existing court structure of the Cambodian Courts where Cambodian and International judges sit together and jointly preside over hearings. A major innovation of the ECCC is the enhanced role it gives victims – they can be recognised as parties to the proceedings.
seminar discussed the ‘extraordinary’ nature of the court, both in its structure and victim participation. It commented on the progress of the cases to-date, how it has been received in Cambodia and its relationship to the broader project of international criminal justice.

Public Seminar

31 August 2011
State Control over Private Military & Security Companies in Armed Conflict
Dr Hannah Tonkin, Lawyer, United Nations

The proliferation of private military and security companies (PMSCs) in armed conflict raises concerns about state control over military/security activities. Hannah Tonkin critically analysed the key international obligations on states to control PMSCs in armed conflict and identified the circumstances in which PMSC misconduct may lead to state responsibility.

CIPL Friday Lunchtime Seminar

2 September 2011
Do we need an International Law on the Self-determination of Peoples?
Mr Nicholas Duff, Australian Institute of Aboriginal and Torres Strait Islander Studies

This paper made a critical assessment of the international law of self-determination in light of the constructed nature of peoples. The author drew on his recent research into the political philosophy of self-determination, and argued that all of the important moral values caught up in the conventional ideal of self-determination could be adequately protected without an institutionalised legal right to national self-determination. The author argued further that just and peaceful outcomes could be more successfully promoted in the absence of such a legal right.

16th Annual Public Law Weekend

9–10 September 2011
10 years on from September 11: The impact on public law

The 2011 Public law weekend drew together some wonderful papers upon the theme, including an excellent address by Professor Michael L'Estrange from the National Security College at the ANU. On the Saturday attention was paid to updates, including the panel on Momsilovic which had to present on the decision that had only been handed down 2 days earlier!

Fourteenth Geoffrey Sawer Lecture

9 September 2011
Anti-Terrorism, the Judiciary and the Rule of Law
The Right Hon Madam Chief Justice Beverley McLachlin, PC, Canadian Chief Justice

The Right Honourable Beverley McLachlin was appointed Chief Justice of Canada on 7 January 2000. She had been appointed a judge of the Supreme Court of Canada in 1989. Prior to that, she was Chief Justice of the British Columbia Supreme Court from 1988–89, a judge of the British Columbia Court of Appeal from 1985–88, a judge of the British Columbia Supreme Court from 1981–85, and a judge of the Vancouver County Court from April to September 1981. The Chief Justice’s paper drew upon the theme of the conference and developed an interesting comparative framework for thinking through the application of the Rule of Law in the context of Anti-Terrorism.
This presentation told the story of the constitutional debate in 2010 as it was reported in state-owned newspapers. This analysis took an up-close look at particular moment in the constitutional dialogue, and aimed to make sense of contemporary ideas and arguments. It relied on John Gillespie's discussion of the rule of law in Vietnam as the analytical framework, and on Mark Sidel's work on the constitutional amendment process in 2001, for a better understanding of the scope of the debate. The analysis revealed three general characteristics of elite constitutional discourse in the 2010 debate. First, the discourse blended elements of both the conventional rhetoric and liberal interpretations of the concept of a 'law-based state'. Concretely, a 'law-based state' would necessarily require the adoption of fundamental principles such as constitutional supremacy, a democratic popular mandate, limited state powers, and the protection of individual rights. Second, the intellectual environment of the elite in 2010, as reflected in popular media, seemed to be quite supportive of separation of state powers, with three clearly defined state organs—legislative, executive, judiciary—to balance and check one another. Third, the myth of the 1946 Constitution was revived as a significant talking point in order to justify the need for fundamental change in the structure of state powers. A close analysis of these characteristics has revealed the centrist and pragmatic nature of the constitutional discourse. Reformers within the country are clearly attempting to cope with the constraints of political boundaries while trying to push forward reform.

Friday Lunchtime Seminar

16 September 2011

Constitutional Change and Australian Republicanism

Glenn Patmore, University of Melbourne

Under section 128 of the Australian Constitution federal parliamentarians have the responsibility for initiating constitutional amendments. Yet there is an absence of attention in the constitutional literature to the motivations of leaders to initiate constitutional amendments. This paper examined the motivation of politicians to propose and support a constitutional amendment to introduce an Australian republic. Three motivations were examined: the desire to succeed in passing a referendum and for re-election, the desire to promote a new national identity, and timeliness. The paper sought to understand such motivations by an in-depth analysis of interviews with political leaders involved with the 1999 republican referendum and subsequent proposals.

Friday Lunchtime Seminar

7 October 2011

An Australian's Experience in Vienna: Drafting the UNODC model law on smuggling of migrants

Fiona David, ANU College of Law

In 2009, Fiona David, a graduate of the ANU Law School, was invited by the United Nations Office of Drugs and Crime (UNODC) to draft a Model Law on the Smuggling of Migrants. The purpose of the Model Law is to provide guidance to any State wanting to implement the ‘Protocol against the Smuggling of Migrants by Land, Sea and Air’, which supplements the ‘United Nations Convention against Transnational Organized Crime’. The Model Law, which was released in December 2010, is being translated into all five UN languages. In this presentation, Fiona discussed her experience of drafting the Model Law, including observations on the process used to develop the Model Law and some of the contentious issues that arose in the drafting process.

Friday Lunchtime Seminar

21 October 2011

Pursuing Constitutional Dialogue within Socialist Vietnam: The 2010 Debate

Huong Nguyen, Maurer School of Law, Indiana University

This presentation discussed the international law aspects of the situation in Libya. The introduction covered the issues of democratic forms of government under international law, and of state responsibility, including the right of third subjects (states and international organisations) to bring international claims. This was followed by a discussion of UNSC resolutions 1970 and 1973, dealing with the intervention in Libya. It also looked at the role of NATO and the European Union.
in the Libyan conflict, in particular from the point of view of the role of regional organisations in maintaining and restoring international peace and security beyond the Member States. It analysed how the international recognition of the Transitional Council will be dealt with (including problems connected with the nature of that body). Finally, the analysis covered aspects of international criminal law (prosecution of Gaddafi and members of his staff), including the complicated and unclear relations between the UNSC and ICC.

Public Seminar

29 November 2011

*Plaintiff M61/2010E v Commonwealth and Momcilovic v The Queen*

**Daniel Stewart** and **James Stellios**

Presented by ACLA and the Australian National University. Daniel Stewart considered the High Court’s decision in *Plaintiff M61* which raised a number of important questions about the outsourcing of government decision making.

James Stellios considered the High Court’s decision in *Momcilovic v The Queen* which dealt with the impact of Ch III of the Constitution on key features of the dialogue model of human rights protection in the 2006 *Victorian Charter of Human Rights and Responsibilities Act*, further to his presentation on this at the Public Law weekend.

Public Seminar

12 December 2011

*Current issues at the desk of the Danish legal advisor*

**Ambassador Thomas Winkler**

Head of the Legal Service, Ministry of Foreign Affairs, Copenhagen, Denmark
FUTURE 2012 EVENTS

Friday Lunchtime Seminar Series

In 2012 we will repeat our successful Friday seminar series on the first and third Fridays of March, April, May, August, September, and October. Details will be sent as they are finalised. Any scholars/government lawyers interested in presenting a seminar in 2012 should email cipl@law.anu.edu.au

2012 Annual ANZSIL Conference

5–7 July 2012
Wellington, New Zealand
International Law in the Next Two Decades: Form or Substance?

The 20th Annual Conference of the Australian and New Zealand Society of International Law (‘ANZSIL’) will take place from Thursday, 5 July 2012 to Saturday, 7 July 2012 hosted by the New Zealand Centre for Public Law, Faculty of Law, Victoria University of Wellington. The Conference Organising Committee now invites proposals for papers to be presented at the Conference.

Call for Papers – Deadline 14 February 2012

2012 PostGraduate Workshop

4 July 2012
Wellington, New Zealand

The ANZSIL International Law Postgraduate Research Students Workshop will be held on Wednesday, 4 July 2012, 9.30am–5.00pm. The Workshop will take place at the Victoria University, Wellington. The aims of the Workshop are to provide postgraduate degree research students with an opportunity to present their research to their peers, to discuss their experiences of postgraduate research and to make academic and professional connections. Call for Papers – Deadline: 24 February 2012

CIPL Workshop

6-8 August, 2012
En/gendering governance: from the local to the global

This final workshop of the CIPL series bringing public lawyers together with international lawyers aims to bring together scholars interested in gender and law’s structuring of politics and governing, including the role that gender plays in the themes of representation and participation in both ‘government’ and ‘governance’. Issues to be addressed include, but are not limited to:

- Where, how and/or why have constitutional principles evolved, if at all, to take into account gender equity and gendered issues in countries around the world?
- How have favoured features of constitutional design influenced or constrained gender equity outcomes in countries around the world?
- How diverse are the conceptions of gender equity, gender equality, parity etc?
- Could the political architecture of the state better reflect and accommodate the distinct concerns of women and men and their respective varied needs? Or is the state necessarily gendered?
- Where, how and/or why have international institutions evolved, if at all, to take into account gender equity and gendered issues?
- How well have institutions of global governance including the UN Charter bodies and treaty organs such as the ICJ, the ICC, or Committee system, regional systems such as the EU, and its courts and tribunals and economic bodies such as the World Bank and IMF, addressed gender as a distinct issue?
- How could institutional policies and practices, at the local and/or international level, be reshaped to ensure that the issues that most effect women’s lives are dealt with?
- Are local frames of analysis intrinsically more responsive or resistant to gender than global frames of analysis?
- What are the uses and misuses of comparative approaches to gender?
- To what extent has new governance theory incorporated gendered perspectives?
- How have concepts such as accountability, participation, transparency and rights, which are constructed as fundamental to both public law and international law, been helpful or constraining of gender equity?
- Have citizenship claims empowered or constrained gender equity from the local to the global?

Abstracts welcome for a paper addressing any of the
issues raised by the topic of the workshop by Friday 2nd March 2012. Participants need to be involved for the three days of the workshop.

Extended 2012 Public law weekend

**Thursday 20th September** (international law focus),
**Friday 21st September** (public law focus) and
**Saturday 22nd September** (updates in public and international law).

**Law’s Challenge to Democracy: Democracy’s Challenge to Law**

In 2012 we are planning an extended Public Law weekend around the theme Law’s Challenge to Democracy.

The Friday 21st September will replicate earlier public law weekend formats, concentrating upon the domestic, public law aspects to the theme, with the 2012 Sawer lecture to be presented at the end of the Friday 21st September, and the Saturday concentrating on updates in important judicial decisions and current legislative or public policy initiatives.

The PLUS, is an additional day on Thursday 20th September looking at the topic from an International law perspective culminating with the Kirby lecture in international law at the end of the day on Thursday 20th September, and a dinner to follow the Kirby lecture.

This will be a great opportunity, to either register for the traditional Public law weekend, or also add in the Thursday 20th day - or just come for the Thursday! With two important public lectures thrown in – and a dinner on the evening of Thursday 20th September I hope you agree it will be a terrific opportunity to mix with colleagues with common academic and practical interests, and hear some stimulating papers!

Please note those dates now, and academics and practitioners who are interesting in submitting paper proposals, please do so by Friday March 16th 2012 to cipl@law.anu.edu.au

**Annual Kirby Lecture on International Law**

**Thursday 20 September**

**15th Geoffrey Sawer Lecture**

**Friday 21 September**
The Australian Yearbook of International Law Volume 30 will be published in 2012— it will include papers presented at an Australian Year Book of International Law Forum ‘Tampa and 9/11—Ten Years on: Reflections on Developments in International Law’.

This was presented by the Australian Centre for Military Law and Justice with the Centre for International and Public Law ANU College of Law.

Kirby Lecture in International Law (2009)

- Swimming to Cambodia: Justice and ritual in human rights after conflict
  Hilary Charlesworth

- Comment: United Nations Special Procedures: A Response to Professor Hilary Charlesworth
  The Hon Michael Kirby AC CMG

- Burden of Proof in International Courts and Tribunals
  Caroline E Foster

- The Legal Value of Silence as State Conduct in the jurisprudence of International Tribunals
  Sophia Kopela

- Limiting Good Faith: ‘Bootstrapping’ asylum seekers and exclusion from refugee protection
  Penelope Mathew

- Defining the Rule of Law for Military Operations
  Angeline Lewis

BOOK REVIEWS — edited by Wendy Lacey

- Cases before Australian Courts and Tribunals Involving Questions of Public International Law 2008

- Australian Cases before International Courts and Tribunals Involving Questions of Public International Law 2008

- Australian Legislation Concerning Matters of International Law 2008

- Australian Practice in International Law 2008

- Annual Survey of Recent Developments in Australian Private International Law, 2008

- Australian Treaty Action 2008

- Table of Cases

The third workshop in August 2009 saw CIPL join with the Australian Centre for Environmental Law (ACEL) from the ANU College of Law to examine the topic of Environmental discourses in international and public law. The book from this workshop is now in press, jointly edited by Kim Rubenstein and Brad Jessup and is due out in February as set out in the image.

The fourth workshop held in July 2010 explored the theme Allegiance and Identity in a Globalised World. The book from that workshop is currently in the editorial process, and is being jointly edited by Fiona Jenkins, Mark Nolan and Kim Rubenstein.

The fifth workshop held in July 2011 addressed Security Institutions and International and Public Law and is being jointly edited by Hitoshi Nasu and Kim Rubenstein.

The final workshop in the series En/gendering governance: from the local to the global will be held in August 2012 and a call for abstracts is set out earlier in this newsletter.

Brad Jessup, Kim Rubenstein
Subject: Public international law
Series Connecting International Law with Public Law (No. 3)
Not yet published - available from February 2012
Dr Katie Young attended the RegNet@10 conference in March on behalf of CIPL and has prepared this report for our associates who were unable to be there.

November 2011
What regulatory concepts improve the study of public and international law? The question is an important one, as both fields of public law and international law grow in complexity and ambition. The close proximity of the Regulatory Institutions Network (RegNet) and CIPL allows us to broach some answers.

RegNet, of course, exists in close spatial proximity to CIPL – it is housed 200 metres away from the College of Law in the Coombs Extension on Fellows Road. Many members of CIPL have formal affiliations with RegNet. Former CIPL Director Hilary Charlesworth leads the Centre for International Governance and Justice within RegNet. Other CIPL members affiliated with RegNet include Jeremy Farrall, RegNet PhD students Amanda Alexander, Jo Ford, and Adérito Soares and recently graduated RegNet PhD scholars Laura Grenfell and Gabrielle Simm.

The spatial closeness is combined with a closeness of vision. CIPL members no doubt share in the general aim expressed by Veronica Taylor, Director of RegNet – to change the world. And there is much to be gained by drawing further connections, between what I would call the broad socio-legal multi-disciplinarity of RegNet, and the “law-and” cross-disciplinarity of CIPL.

In March this year, RegNet celebrated its first decade with the RegNet@10 conference, organised by Hilary Charlesworth and attracting regulatory scholars from all over the world. The ideas shared during that conference demonstrate the rewards of connecting regulatory study with public and international law.

Carol Heimer, a sociologist from Northwestern University, drew insights from the increasing legalization of the practice of medicine. Using data from HIV/AIDS clinics in the United States, Uganda, Thailand and South Africa, she suggested that an onslaught of procedural rules, produced in faraway places through the practice of global governance, was changing the practice of medicine in places with diverse populations and hugely different disease profiles and resource burdens.

She identified certain local responses to these global rules. For instance, local clinicians practice ‘strategic ignorance’, insequestering knowledge and therefore disciplining the reach of rules. Identifying the implications of this practice may help us to move more subtly beyond the legal concepts of transplants, borrowing, and reception, ubiquitous to the study of international and comparative law.

Terence C. Halliday, Co-Director of the Center on Law and Globalization, American Bar Foundation and University of Illinois College of Law, presented a micropolitics of global lawmaking. For four years, he observed the input of country and institution delegates at UNCITRAL, in a working group which was charged with designing global norms of bankruptcy. He identified the varied influence held by individual delegates, by tracking their speaking input and attendance at negotiation sessions.

His conclusions – that the delegates of the United States were among the most regular attendees, and that delegates from developing countries were among the least – introduced a new layer to our understanding of state influence in global lawmaking. He also identified an alternative mobilisation among African States, led by Senegal, in the drafting of the Carriage of the Sea Convention. In identifying the points of leverage within lawmaking contexts, Halliday’s observations move beyond the realist and constructivist paradigms for understanding international law. His description of the recursivity of law, and a developing equilibrium of global lawmaking and national lawmaking, is a rich lens to view projects crossing domestic and international law.

Many readers of this newsletter will be familiar with the work of local RegNet scholars, and much of their pathbreaking work was on display. Valerie Braithwaite, for example, spoke about her findings of respect and disrespect between regulators and regulatees. Drawing on her study of the Australian Tax Office, and on varied doctoral and other RegNet studies on taxed tobacco farmers and on recipients of child protection services in Australia, she identified the spirals of disrespect that
regulation can invite. She suggested that notions of procedural justice, which were useful in decades past in identifying minimums of procedural protection, had become ritualised. She called for a renewal of attention to the substantive goals of procedural justice, lest regulation loses the trust and confidence that is vital to its success.

Veronica Taylor, in her remarks, described current projects of rule of law promotion in Asia. She noted the diversity in projects promoting the rule of law, which has encompassed the support of environmental governance in China, independent regulators in Indonesia, court buildings in Mongolia, and judicial independence in Vietnam. She also reflected critically on the projects not reached by the visions of rule of law donors and technical assistance, and the challenges of such rapid institutional reform. Reflecting more positively on RegNet’s potential, she noted the growing investment in the young intellectual leaders of the region, and a continued mobilization of new ideas in favour of the vulnerable in an increasingly complex legal environment.

John Braithwaite described his recent study of the peacekeeping process in Timor-Leste, which he has completed with CIPL affiliates Hilary Charlesworth and Adérito Soares. He suggested that the determined efforts of the independence movement, the skilful leadership of José Ramos-Horta and Xanana Gusmao, and the connection with Indonesian democracy movements, built a networked governance of (temporary) liberation. The weapons of the weak, he suggested, can be powerful. Realist theories, and their adoption by Australian leaders such as Gough Whitlam and Gareth Evans, are inadequate tools for describing this strength. The alternative idea of principled engagement helps to describe a better grounding for international relations.

Alongside this operation, John noted the value that comes from a principled engagement between the disciplines of the university. He described the recombination of disciplinary structures that had taken place in the biological sciences, where zoology and botany recombined around more significant categories, such as molecular study, and the like. Not so for the social sciences. He suggested disciplines like economics, psychology – and here we might add law – would create the greatest intellectual breakthroughs if they were structured around ideas, rather than around the boundaries forged in earlier periods of intellectual study.

This interdisciplinarity has been the intent behind RegNet, and we are lucky to have this world leader in socio-legal studies – now ten years old – in the midst of CIPL’s own work. May the connections continue.
CIPL INTERNSHIPS

Anna Aidman

Nearing conclusion of my degree, and approaching my Honours semester, I was drawn to an internship with CIPL in the hopes of expanding my research skills and getting a taste for the mysterious academic realm. I was excited to be given an opportunity to engage in independent research and to contribute to a larger project involving several academics who are experts in their field.

My internship involved conducting research for Professor Kim Rubenstein in the area of intergovernmental relations and the structure and function of the Council of Australian Governments. In particular, I assisted Professor Rubenstein with her preparation for a Federalism symposium. In addition to this research, I was also able to complete – under Professor Rubenstein’s supervision – an internship research paper combining my personal passion for anti-discrimination law with a newly developed interest in Federalism (acquired through an exposure to the area during my time with CIPL). Developing my paper, exploring the interaction between industrial relations and sex-discrimination law in regulating women’s work, provided a valuable experience in academic writing as well as enabling me to delve deeper into a (fascinating) developing area of law.

I feel indebted to Professor Rubenstein and to CIPL for the opportunity to grow as a researcher and as a writer. The experience has certainly empowered me as I come to write my Thesis!

Alice Rumble

I had the pleasure of undertaking an internship with CIPL in the first semester of 2011. At the start of the semester, I assisted Kim Rubenstein in drafting a submission to the Inquiry into Multiculturalism. This submission made recommendations about how to include normative understandings of citizenship in ‘multicultural’ policies.

Under Kim’s supervision, I wrote a paper addressing the citizenship issues surrounding deportation of British subjects from Australia. This was done from a legal-historical perspective using four High Court decisions regarding deportation. The legal analysis addressed the changing interpretation of the alien’s power, the changing statutory frameworks for deportation of “non-citizens” under the Immigration Restriction Act, the Nationality Act and the Migration Act. These changes were situated within their broader historical context, through considering the publicly recorded response to these cases as well as the government policies informing the original decisions of the relevant Minister.

This was an incredibly challenging and rewarding opportunity. I was very fortunate to have the enthusiastic support of Kim and the experience has prompted me to consider further research in the field of legal history. I was also very grateful for Wendy Mohring’s assistance with the other tasks I carried out for CIPL.
A SELECTION OF PUBLICATIONS BY CENTRE MEMBERS

November 2010–November 2011

DON ANTON

Anton, D & Shelton, D 2011, Environmental Protection and Human Rights, Cambridge University Press


SUE HARRIS-RIMMER

‘Raising women up: analysing Australian advocacy for women’s rights under international and domestic law’ in M Thornton & T Luker (eds) 2010, Sex Discrimination in Uncertain Times, ANU E-press.


‘The dangers of character tests under Australian migration laws’, Australian Journal of Administrative Law 2010, 17 (4), 229-244

SARAH HEATHCOTE


HITOSHI NASU


‘Operationalizing the Responsibility to Protect in the Context of Civilian Protection by UN Peacekeepers’ International Peacekeeping, 2011, 18 (4), 364-378


SIMON RICE


MATTHEW RIMMER
Rimmer, M 2011, Intellectual Property and Climate Change: Inventing Clean Technologies, Edward Elgar, Cheltenham (UK) and Northampton (Mass): http://www.e-elgar.co.uk/bookentry_main.lasso?id=13601

Refereed Articles


HEATHER ROBERTS

DON ROTHWELL

Rachel Baird and Donald R. Rothwell (eds), Australian Coastal and Marine Law (Federation Press, Annandale (NSW): 2011) xxxvi + 379pp

Donald R. Rothwell and Rachel Baird “Australia’s Coastal and Marine Environment” in Rachel Baird and Donald R. Rothwell (eds), Australian Coastal and Marine Law (Federation Press, Annandale (NSW): 2011) 1-20

‘The International Legal Framework’ in Rachel Baird and Donald R. Rothwell (eds), Australian Coastal and Marine Law (Federation Press, Annandale (NSW): 2011) 21-44

‘Ports and Harbours’ in Rachel Baird and Donald R. Rothwell (eds), Australian Coastal and Marine Law (Federation Press, Annandale (NSW): 2011) 178-202

“Environmental Integration and Coastal and Marine Law” in Rachel Baird and Donald R. Rothwell (eds), Australian Coastal and Marine Law (Federation Press, Annandale (NSW): 2011) 348-372

KIM RUBENSTEIN

‘From Suffrage to Citizenship: A Republic of Equals’ 2011, Legal Date, 23 (3) 13-14.

Hollie Kerwin and Kim Rubenstein “Reading the Life Narrative of Valerie French, the First Woman to Sign the Western Australian Bar Roll” in Fiona Davis, Nell Musgrove and Judith Smart (eds), Founders, Firsts and Feminists: Women Leaders in Twentieth-Century Australia. First published online in December 2011 by the Australian Women’s Archives Project at http://www.womenaustralia.info/leaders/fff

JAMES STELLIOS
Articles
‘Reconceiving the Separation of Judicial Power’, 2011, Public Law Review 113

‘Exploring the Purposes of Section 75(v) of the Constitution’, 2011, UNSW Law Journal 70


Other publications
‘Constitutional Limitations on State and Commonwealth Parliaments’, 2011, 23(3) LegalDate 4

ERNEST WILLHEIM
‘A Federation in these Seas: An account of the Acquisition by Australia of its External Territories’, 2010, 21 PLR 47.
PAPERS,
PRESENTATIONS AND
OTHER ACTIVITIES BY
CENTRE MEMBERS

November 2010–November 2011

DON ANTON


Anton’s Weekly Digest of International Law, (3 Feb 2011 - http://theantonweeklydigestofinternationallaw.com/)


Discussed possible international arbitral action by Philip Morris against Australia over cigarette labelling *ABC News 24, Afternoon Live*, (27 June 2011)


Print and online media coverage of commentary by Don Anton on possible international arbitral action by Philip Morris against Australia over cigarette labelling (27-28 June 2011)

Anton’s Weekly Digest of International Law Vol. 2, No. 34, 1 September 2011

MATTHEW ZAGOR

‘I am the law! Perspectives of Legality and Illegality in the Israeli Army’ (2010) 43 *Israel Law Review*

**KEVIN BOREHAM**


**TONY CONNOLLY**

Dr Tony Connolly’s most recent book *Cultural Difference on Trial: The Nature and Limits of Judicial Understanding* (Ashgate, 2010) was the subject of a symposium at the Australian Society of Legal Philosophy Annual Conference held in Brisbane in late July. The papers presented at the symposium (including Tony’s) published in the *Australian Journal of Legal Philosophy*.

**SARAH HEATHCOTE**

Seminar
‘Legal Curiosities in the Central and Southwest Pacific’, Centre de droit international, Université libre de Bruxelles (Belgium), 7 April 2011.

**THOMAS FAUNCE**


**PETER BAILEY**


**LAW REFORM**


**International Appearance before ITLOS**

Don appeared as Co-Counsel for the International Union for the Conservation of Nature (IUCN) before the Seabed Disputes Chamber of the International Tribunal for the Law of the Sea in Case No. 17, *Responsibilities and Obligations of States Sponsoring Persons and Entities with Respect to Activities in the Area (Request for Advisory Opinion Submitted to the Seabed Disputes Chamber)*. In a first for any international court or tribunal, the oral submissions were webcast live. The Advisory Opinion was handed down on 1 February 2011 and took account of a number of arguments made by the IUCN.

**LITIGATION**

Appeared as Counsel and Attorney of Record in the Federal Court of Appeals in New York to file an amici curiae brief in *Chevron v. Donziger* on questions of international law on behalf of 30 international lawyers around the world, including: Martti Koskeneimi, Stephen McCaffrey, Manfred Nowak, and Burns Weston.

**EVENTS**


Participated in the 2011 ANU Great Green Debate on opposing sides of the proposition: The Environment will never be prioritised over material desires

**PETER BAILEY**


BRAD JESSUP

MATTHEW RIMMER
Speeches


Media


‘The Case for Plain Packaging of Tobacco Products’, Alastair Air, Crikey, (21 June 2011)


‘The Cliff Richard Copyright Term Extension’ Louise Maher, ABC 666 Drive, (13 September 2011)


‘Plain Packaging of Tobacco Products’, 2CN (14 September 2011); Mike Welsh, 2CC (14 September 2011); John Barron, ABC News Radio, (14 September


‘Aussies Get Tough on Tobacco Advertising’, Greymouth Evening Star (NZ) (26 September 2011) 4


‘Apple, Samsung Tablet War Judgement Imminent in Australia and Australian Court to Make Key Ruling in Tablet War’, Dow Jones International News.


‘The Plain Packaging of Tobacco Products’, Chris Hedley, BBC World News (11 November 2011)

‘Australia Stubs Out Cigarette Branding’, Greymouth Evening Star (NZ), (11 November 2011) 7

‘Threats of by cigar-producing countries Cuba and Ukraine to take action over Australia’s plain packaging legislation is just bluster,’ 3 pm news, ABC 666 Radio (14 November 2011)

‘IP presents ‘barriers to climate action’, Anna Salleh, ABC Science, (1 December 2011)
SUE HARRIS-RIMMER

Panellist, ‘The Children of Afghanistan Save the Children’, National Press Club, televised for ABC TV
Big Ideas, 2 February 2011

Paper presenter at Women, Leadership and Democracy Conference – Old Parliament House, 2 December 2011

DONALD ROTHWELL

Conferences
‘Global and Regional Dimensions to Maritime Security in the Pacific’ presented at Cooperation Regimes and Third Parties conference, ANU Centre for European Studies/Centre for International Security and European Studies, University of Grenoble, ANU, Canberra (22 November 2010)


Joint Development in the Timor Sea” presented at CIL Conference on Joint Development and the South China Sea, Centre for International Law, National University of Singapore, Singapore, 17 June 2011


Conference Panellist
‘Joint Development in the Timor Sea’ presented at CIL Conference on Joint Development and the South China Sea, Centre for International Law, National University of Singapore, Singapore (17 June 2011)

Lecture
‘Maritime Boundary Delimitation: State Practice and Implications for the Arctic’ lecture presented at Faculty of Law, McGill University, Montreal, Quebec, Canada, (1 November 2010)

‘Arctic Governance: Is there a need for a new legal regime?’ lecture presented at Faculty of Law, Université de Montréal, Montreal, Quebec, Canada, (1 November 2010)


Seminars
‘Juggling International Law in the Southern Ocean: Pursuing Japan’s Whaling in the ICJ, or Sea Shepherd in the Australian Courts, or both?’ presented at Faculty of Law, University College London (17 February 2011)

‘Arctic Ocean Choke Points and the Law of the Sea’ presented at Ministry of Foreign Affairs (Denmark), Copenhagen, Denmark (18 February 2011)

‘International Law and Military Operations in Libya’ presented at Perspectives on the International Intervention in Libya forum, Castan Centre for Human Rights, Monash University, Melbourne (20 April 2011)

‘Operationalising the Responsibility to Protect: The Libyan Experience’ presented at Centre for Public, International and Comparative Law, TC Beirne School of Law, University of Queensland, 20 May 2011

‘IHL, R2P and the Libyan Experience’ presented at The Libyan Conflict: International Humanitarian Law Issues, Red Cross IHL Committee Solferino Seminar, Canberra, 24 June 2011
‘The 2011 Libyan Conflict and Operationalising the ‘Responsibility to Protect’ doctrine’ presented at Faculty of Law, University of Western Australia, 15 August 2011

‘The 2011 Libyan Conflict and Military Operationalisation of the ‘Responsibility to Protect’ doctrine’ presented at Australian Defence Force Reserve Legal Panel, Irwin Barracks, Karrakatta, Western Australia, 15 August 2011

‘South China Sea Maritime Disputes: Options for China and the US’ Faculty of Law, Singapore Management University, Singapore, 4 October 2011

“The Responsibility to Protect and Libya: A New Principle of International Law?” Faculty of Law, University of Hong Kong, Hong Kong, 7 October 2011

‘South China Sea Security Issues: China’s Approach to the Law of the Sea’ presented at Looking Ahead: Cross-cutting Issues in International Law, Attorney-General’s Department International Law Colloquium, Canberra, 14 November 2011

‘Australia’s Antarctic Engagement’ presented to University of the Third Age (U3A), Belconnen, ACT, 23 November 2011

Book Review

Parliamentary Briefing
Parliamentary Briefing to the Foreign Affairs Sub-Committee of the Joint Standing Committee on Foreign Affairs, Defence, and Trade on “Australian Sovereignty in Antarctica” – Parliament House, Canberra (12 September 2011)

Media
ABC Radio Gold Coast Drive 4 November 2010, 5.15pm discussing the possibility that Schapelle Corby may be eligible to return to Australia under a prisoner transfer agreement which is the subject of ongoing negotiation between Australia and Indonesia

- ABC Radio 666 Canberra Mornings 10 November 2010, 9.20am
- ABC Radio The World Today 10 November 2010, 12.11pm


ABC Local Radio Queensland Drive 10 November 2010, 5.25pm Discussing the case of Gabe Watson and the potential for him to be held in Immigration Detention following his release from a Qld prison because of fears he may be subject to the death penalty upon his return to the US: 11 November 2010


- Hedley Tomas “Killer’s Alabama honeymoon over” The Australian 12 November 2010, p. 39 discussing the case of Gabe Watson and the government of Queensland accepting assurances from Alabama regarding his fate


Chinese law is Australia’s business” ABC Online Unleashed (29 November 2010) http://www.abc.net.au/unleashed/41544.html discussing the detention of Matthew Ng in China and parallels with the Stern Hu case

ABC Radio National PM 1 December 2010 at 5.12pm discussing the Interpol search alert that had been issued for Julian Assange following criminal proceedings being launched against him in Sweden for alleged rape

ABC Radio 702 Sydney/666 Canberra “Evenings with Robbie Buck” 1 December 2010 at 9.32pm discussing the situation of Julian Assange and the potential for him to face criminal charges arising from the release of material on WikiLeaks

ABC TV Lateline 1 December 2010 at 10.35pm discussing the situation of Julian Assange and the potential for him to face criminal charges arising from the release of material on WikiLeaks

Andrew Darby ‘Calls for Gillard to seek whaling injunction’ The Sydney Morning Herald, 3 December 2010, p. 10 discussing the timeline for ICJ litigation against Japan in the JARPA II case
Sea stoushes with Japanese whalers could sink the legal battle’ *The Age* (13 January 2011), p. 15 [discussing Australia’s obligations with respect to the Australian-flagged Gojira and its role in SSCS protests against Japanese whaling]

Also reported in:

Discussing the potential extradition from Thailand of two Thai fugitives wanted in relation to the murder of a Melbourne man in 2009:
- ABC Radio PM – 25 January 2011, 5.42pm discussing the potential extradition from Thailand of two Thai fugitives wanted in relation to the murder of a Melbourne man in 2009
- National Nine News – 25 January 2011 – 6.07pm

Discussing the extradition proceedings against Julian Assange in the UK and the implications for later changes arising from his activities with WikiLeaks - 8 December 2010:
- ABC NewsRadio, 9.17am.
- ABC 4SCR Sunshine Coast FM (Queensland) Mornings, 10.15am
- Lanai Vasek ‘Curious case of the Swedish sex charges’ *The Australian* 8 December 2010, p. 6
- Radio 3AW Melbourne, 4.50pm
- Radio 2CC Canberra, 5.10pm
- ABC Radio PM 5.30pm
- ABC Radio 666 Canberra Drive 5.45pm
- ABC Radio Statewide Drive (Qld) 5.50pm
- ABC TV 7.30 Report 7.31pm
- ABC News 24 *The World* 9.34pm
- Jessica Crouch and Caroline Zielenksi “The extradition case against Assange” <crikey.com.au>

Discussing the potential extradition from Thailand of two Thai fugitives wanted in relation to the murder of a Melbourne man in 2009:
- ABC NewsRadio, 9.17am.
- ABC 4SCR Sunshine Coast FM (Queensland) Mornings, 10.15am
- Lanai Vasek ‘Curious case of the Swedish sex charges’ *The Australian* 8 December 2010, p. 6
- Radio 3AW Melbourne, 4.50pm
- Radio 2CC Canberra, 5.10pm
- ABC Radio PM 5.30pm
- ABC Radio 666 Canberra Drive 5.45pm
- ABC Radio Statewide Drive (Qld) 5.50pm
- ABC TV 7.30 Report 7.31pm
- ABC News 24 *The World* 9.34pm
- Jessica Crouch and Caroline Zielenksi “The extradition case against Assange” <crikey.com.au>

ABC TV News 24, 16 February 2011 at 9.10pm discussing *Japan’s announcement that it will be prematurely suspending its whaling operations for the 2010/2011 season*

*Newsline* Australia Network, 23 February 2011, discussing the case of the former CIA contractor Raymond Davis being held in Pakistan and whether he enjoys immunity under the Vienna Convention on Diplomatic Relations

ABC Radio *The World Today*, 25 February 2011, 12.50pm discussing the extradition case against Julian Assange and the latest ruling of the UK courts in this matter

ABC News 24 *Breakfast*, 28 February 2011, 8.05am discussing UNSC Res 1970 (2011) adopted dealing with the situation in Libya and its implications for the responsibility to protect doctrine

Radio 6PR *Breakfast*, 15 March 2011, 7.05am discussing issues associated with Julian Assange and whether he had committed treason through his release of materials with WikiLeaks

Discussing the UN Security Council’s Resolution authorising the use of military force against Libya (18 March 2011):
- ABC Radio 702 Sydney, 10.06am
- ABC Radio Northern Tasmania, 10.50am
- ABC Radio 720 Perth, 11.05am
- 2CA Canberra, 2.29pm
- 2SER Razor’s Edge, 6.13pm

‘UN resolution on intervention sets new benchmark’ The Canberra Times (19 March 2011), p. 15 [discussing the UN Security Council Resolution on Libya and its implications for international law]

- ABC News 24 Breakfast – 7.43am
- Radio Adelaide Breakfast – 7.50am
- ABC Radio Hobart Mornings – 8.34am
- ABC Radio 612 Brisbane Mornings – 8.54am

Op-Ed “Libya is not Iraq and Civilian Protection, not Regime Change, is the Goal” The Australian, 22 March 2011, p. 12 [discussing the implementation of a no-fly zone in Libya as part of UNSC Res 1973 (2011)]

Discussing the situation in Libya and the implementation of UNSC Res 1973 (2011) by way of military operations (22 March 2011):
- 3AW ‘Breakfast’ – 7.50am

SBS World New Australia Radio – 25 March 2011 - discussing revelations that ADF members in Afghanistan had posted inappropriate comments on Facebook

ABC Radio 612 Brisbane ‘Mornings’ – 8.55am discussing Australia’s bid for a seat on the UN Security Council

Discussing the recent admission by Richard Goldstone that aspects of the 2009 Goldstone report into the Gaza conflict were incomplete due to the absence of certain key facts that have only recently emerged:
- ABC Radio The World Today 4 April 2011, 12.33pm
- ABC Radio PM 4 April 2011, 6.31pm

Commenting on reports that Japan was to release radioactive waste water from the Fukushima nuclear plant and reactions from South Korea:
- ABC News 24 Breakfast – 6 April 2011, 8.09am
- ABC Radio Australia – 6 April 2011, 8.47am


ABC News Radio/Radio Australia – 14 April 2011, 8.47pm discussing the report of the Australian Transport Safety Bureau regarding the 2010 grounding of the Shen Neng I

‘Responsibility to protect, not reason to invade’ ABC Online The Drum (21 April 2011) at <www.abc.net.au/unleashed/97706.html>

Radio Adelaide The Wire, 27 April 2011 at 5.38pm discussing Wikileaks revelations regarding Mamdouh Habib and David Hicks

ABC News Radio Drive, 2 May 2011 at 6.22pm discussing the death of Osama bin Laden and the legal issues associated with his killing

Amber Jamieson “Crikey Clarifier: was it legal to kill Osama? Crikey <www.crikey.com.au> (4 May 2011) discussing the legal issues surrounding the death of Osama bin Laden

Nick Butterly and Andrew Tillett “Pregnant and sick to be sent to Malaysia” The West Australian 10 May 2011, p. 6 (discussing Australia’s announcement that it will send asylum seekers intercepted off the coast of Australia to Malaysia)

Decision of the ICC Prosecutor to seek an arrest warrant from the ICC Pre-Trial Chamber for Colonel Gadaffi (17 May 2011):
- ABC News 24 Breakfast – 8.38am
- ABC Local Radio Tasmania – 9.45am
- SBS Radio World View

Decision of the ICC Prosecutor to seek an arrest warrant from the ICC Pre-Trial Chamber for Colonel Gadaffi (18 May 2011):
- SBS Ethnic Radio World View – 6.28am

‘Carving up the Arctic: how the rule of law could save the poles’ The Conversation (20 May 2011) at <http://theconversation.edu.au/articles/carving-up-the-arctic-how-the-rule-of-law-could-save-the-poles-2041>

Channel 7 “News” 5 June 2011, 6.02pm regarding the potential extradition from Thailand of Adam Freeman who is wanted on drugs charges in Australia
Ron Sutton “50th anniversary of the Antarctic Treaty” SBS World News Australia Radio 23 June 2011 at 6.22am [commenting on the 50th anniversary of the entry into force of the Antarctic Treaty]

Discussing a possible international legal claim by Philip Morris Asia against the government of Australia over plain packaging of tobacco (27 June 2011):
- ABC Radio 612 Brisbane Mornings 27 June 2011
- ABC Regional Statewide Radio NSW Drive 27 June
- ABC Radio 666 Canberra Drive 27 June
- 3AW The Derryn Hinch Show 27 June 2011
- ABC Radio 774 Melbourne Drive 27 June 2011
- Channel TEN News 27 June 2011
- ABC Radio Triple J Hack 27 June 2011
- ABC TV News 27 June 2011
- ABC TV Lateline 27 June
- 2CC Canberra Drive 27 June
- Radio New Zealand News
- ABC Radio News (various)


Aj-Jazerra TV (English) 29 June 2011, 11.28pm (GMT) discussing France’s arms drop in Libya and its consistency with the UN Security Council Resolutions dealing with Libya also

BBC Monitoring Middle East 30 June 2011, 0806

ABC Radio The World Today 30 June 2011, 12.34pm discussing France’s arms drop in Libya and its consistency with the UN Security Council Resolutions dealing with Libya

“Australia side steps the ‘law of war’ The Wire (Community Radio) 4 July 2011 (discussing revelations that Australia sought to avoid certain Geneva Convention obligations with respect to detainees)

Radiolive (New Zealand) Drive with Paul Henry discussing the trial before the ICTY of Ratko Mladic and his initial appearance before the Tribunal

ABC Radio AM 6 July 2011, 8.20am discussing reports that Indonesia may decline to prosecute an alleged Bali bomber and the options available to Australia to prosecute and extradite

ABC Radio JJJ Hack 6 July 2011, 5.40pm discussing the introduction into Parliament of the tobacco plain packaging Bill and its implications for potential litigation challenging the legislation

ABC Radio 612 Brisbane Drive 4 August 2011, 4.20pm discussing the withdrawal by the Vatican of its Ambassador to Ireland and the diplomatic and legal issues arising from this.

Discussing the High Court of Australia’s injunction against the Commonwealth government sending asylum seekers to Malaysia:
- ABC News 24 Breakfast, 9 August 2011 at 7.37am
- ABC 720 Radio Perth Mornings at 11.30am
- ABC Radio NSW Statewide Drive at 4.45pm
- TEN News at 5.15pm
- Seven News at 11.39am
- ABC News at 12.10pm

Discussing the High Court of Australia’s injunction against the Commonwealth government sending asylum seekers to Malaysia, 10 August 2011:
- Michelle Grattan and Richard Willingham “No-risk bid on asylum” The Age 10 August 2011, p. 11
- ‘Bowen: delay ‘no green light’’ The Canberra Times 10 August 2011, p. 4
- ‘Malaysia delay puts PNG talks in frame’ West Australian 10 August 2011, p. 14
- RTR FM Perth Morning Magazine 9.45am

Australia Network TV Newsline 17 August 2011 discussing the Lowy Institute report on Australia’s strategic interests in Antarctica

John Garnaut “Australian businesswoman falls foul of China’s legal system” The Sydney Morning Herald, 23 August 2011, p. 1 discussing the case of Charlotte Chou and whether Australian citizens of ethnic Chinese heritage are being targeted by Chinese officials

Discussing the High Court proceedings in the Malaysian refugee case and implications for the Gillard government:
- ABC News 24 Afternoon Line, 23 August 2011 at 4.22pm
- Channel 7 Seven News 23 August 2011 at 6.03pm
- ABC Radio PM 23 August 2011 at 5.48pm
- ABC TV 7.30 23 August 2011 at 7.48pm
- AAP “Malaysia Solution verdict due next week” 23
August 2011
- ABC TV Lateline 23 August 2011 at 10.35pm

Discussing the issues confronting the High Court in the Malaysian Solution case:
- ABC News Radio – 9.15am, 31 August 2011

Discussing the High Court’s decision in the ‘Malaysian Solution’ case (31 August 2011):
- ABC News 24 at 3.05pm
- MTR Melbourne at 3.35pm
- ABC Radio 666 Canberra Drive at 4.06pm
- ABC Radio NSW Drive at 4.23pm
- ABC Radio 702 Sydney Drive at 5.07pm
- ABC News 24 The Drum at 6.05pm
- ABC TV 7.30 at 7.34pm

Discussing the High Court’s decision in the ‘Malaysian Solution’ case (1 September 2011):
- Radio Adelaide FM Breakfast – 6.45am
- ABC 24 News Breakfast – 7.44am
- ABC Radio 612 Brisbane Mornings – 8.37am
- Radio 4BC Mornings – 9.20am
- ABC Radio JJJ Hack - 5.33pm
- ZINC FM Townsville – 6.01am
- ABC Radio North West WA – 10.06am
- SBS TV World News – 6.31pm

Discussing the High Court’s decision in the ‘Malaysian Solution’ case (2 September 2011):
- Radio 6PR Mornings – 8.34am
- ABC 24 News Breakfast – 6.35am
- Radio FM 104.7 – 8.02am


Discussing the advice of the Solicitor-General to the government regarding the High Court’s decision in the M70 case (5 September 2011):
- Paul Maley and Milanda Rout, “Abbott refloats offshore solution” The Australian 5 September 2011, p. 1, 4
- ABC Radio 702 News: 5.30am
- ABC Radio 612 News: 6am
- ABC TV Lateline 5 September 2011 at 10.40pm

Lauren Wilson ‘Lawyer ready for migration scrap’ The Australian (7 September 2011), p. 4 discussing the amendments that would be required to the Migration and Immigration (Guardianship of Children) Act to achieve offshore processing of asylum seekers

Lenore Taylor, ‘Leader’s stand-off may sink a common goal’ The Sydney Morning Herald, September 10-11, 2011, News Review, 17, discussing the options open to the Gillard government to amend the Migration and Guardianship Acts

Discussing proposed government amendments to the Migration Act and the Immigration (Guardianship of Children) Act (12 September 2001):
- ABC Radio News at 2.03pm
- ABC TV News 24 at 4.15pm
- ABC Radio Regional WA Drive at 5.10pm
- ABC Radio Perth Drive at 5.25pm
- BBC World TV at 1.18pm (GMT time)

Discussing proposed government amendments to the Migration Act and the Immigration (Guardianship of Children) Act (13 September 2001):
- Radio Australia Breakfast at 7.33am
- Kirsty Needham ‘Children remain challenge in Malaysia plan’ The Sydney Morning Herald, 13 September 2011, p. 6
- Matthew Franklin ‘Minors stay at minister’s mercy’ The Australian, 13 September 2011, p. 2
- ABC Radio NSW Regional Drive at 5.12pm
- FM 104.7 (Canberra) at 7.33am
- SYN FM (Melbourne) at 4.59pm


Discussing proposed government amendments to the Migration Act and the Immigration (Guardianship of Children) Act (14 September 2001):
- SBS Radio World View at 6.17am

Channel 7 News – 14 September 2011, 6pm discussing the extradition to Australia from the United States of the Australian citizen accused of having strapped a fake bomb to the Sydney teenager Madeleine Pulver

ABC Radio Hobart Mornings, 27 September 2011 discussing the case of the SS Gairsoppa and its salvage in the Atlantic and the rights that may be enjoyed by the salvors to the estimated $236 million of silver on board the vessel

Discussing the Gillard’s government efforts to amend the Migration Act following the High Court decision in
M81 (13 October 2011):
- 2CC Canberra Drive: 5.06pm
- ABC Radio Perth Drive: 5.11pm

ABC Radio PM, 17 October 2011, 5.22pm discussing allegation against the Sri Lankan High Commissioner for having committed war crimes in Sri Lanka in 2009 and the legal processes that would apply in the case of an Australian prosecution

ABC Radio Gold Coast Breakfast, 18 October 2011, 7.12am discussing allegation against the Sri Lankan High Commissioner for having committed war crimes in Sri Lanka in 2009 and the legal processes that would apply in the case of an Australian prosecution

Lucy Ardern ‘War crimes slap mars Games bid’ The Gold Coast Bulletin, 19 October 2011, p. 2 discussing allegations against the Sri Lankan High Commissioner for having committed war crimes in Sri Lanka in 2009 and the legal processes that would apply in the case of an Australian prosecution

Letter to the Editor The Australian 22 October 2011, p. 15 discussion Coalition policy of ‘towing back the boats’ carrying asylum seekers

Discussing possible war crimes changes being brought against the Sri Lankan President during his visit to Australia for CHOGM (25 October 2011):
- ABC Radio 774 Melbourne Drive: 5.10pm
- ABC Radio 666 Canberra Drive: 5.30pm
- SBS TV World News: 6.40pm

ABC Radio National Asia Pacific 26 October 2011, 5.05am discussing possible war crimes charges being brought against the Sri Lankan President during his visit to Australia for CHOGM

ABC Radio AM 29 October 2011, 8.13am discussing developments with the possible surrender of Saif Gaddaffi to the International Criminal Court so as to face charges that have been brought against him

Discussing the decision of the High Court in the UK on the appeal of Julian Assange against his extradition to Sweden (3 November 2011):
- ABC News 24 Breakfast – 7.34am
- 2CC Drive – 3.10pm

SBS TV World News 7 November 2011, 6.44pm discussing an Australian man detained in Israel following IDF interdiction of a flotilla heading for the Gaza Strip

ABC TV 7.30 10 November 2011, 7.45pm discussing the enactment of tobacco plain paper packaging legislation and the possible legal claims that could be made by tobacco manufacturers against the legislation

ABC Radio National Asia Pacific 16 November 2011 at 5.18am discussing a proposal by the Philippines to develop a zone of peace for the South China Sea

Discussing the claim lodged by Philip Morris Asia against the introduction of plain paper tobacco packing laws (22 November 2011):
- ABC Radio 612 Brisbane – 8.40am
- Radio Australia – 11.05am

**Book Review**


29 Australian Year Book of International Law

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**Commentator**

‘Antarctica: Assessing and Protecting Australia’s National Interests’ Lowy Institute for International Policy

Food for Thought seminar series, Canberra, (8 August 2011)

**Community Presentation**

‘Sea Piracy in the 21st Century’ presented to University of the Third Age (U3A), Belconnen, ACT, 6 April 2011

**Workshop**


‘Australian Jurisdiction and International Law’ presented at International Law in Australia (Third Edition) Contributors Workshop, Australian Institute of International Affairs, Canberra (22 June 2011)


**KIM RUBENSTEIN**

Presented a paper on ‘Citizenship and Constitutions’ to the Centre for Constitutional Democracy at the University of Indiana on 3 March 2011 and a paper on ‘Feminism and Australian Constitutional law’ at a conference on Constitutionalism and Difference for the first Pan Asian Seminar, a joint initiative of the ANU and Indiana University, on 4-5 March 2011 at the University of Indiana in Bloomington Indiana

Chaired the Launch of the ANU Gender Institute (10 March 2011)
Presented a paper with Louise Chappell and Deborah Brennan on “Australian Intergovernmental Relations: A Gender And Change Perspective” in a workshop on Federalism and Intergovernmental Relations at the Gilbert and Tobin Centre, UNSW (24-25 March 2011)

Keynote speaker at the YWCA World Breakfast at Old Parliament House (29 April 2011)

Speaker at ANU Holocaust Remembrance Service, (3 May 2011)

Panellist at Forum ‘Tackling Intolerance’, Australian Centre for Christianity and Culture, Barton (17 May 2011)

Chair, ‘Human Rights Protections - What does Australia Need?’ Panel Members: Navanethem (Navi) Pillay, UN High Commissioner for Human Rights, Dr Helen Watchirs, ACT Human Rights & Discrimination Commissioner, Professor Tom Campbell, Centre for Applied Philosophy and Public Ethics, ANU (24 May)

Participated in Public Consultation about Indigenous Australians in our nation’s Constitution (25 May 2011)

Chair, Annual Kirby Lecture on International Law, presented by Hon Louise Arbour CC, GOQ, President and CEO International Crisis Group, Brussels, Belgium, (23 June 2011)

Chair, Opening and session at 19th Annual ANZSIL Conference, The Promise and Limits of International Law, 23-25 June 2011

Chair-Connecting International and Public Law Workshop- Security, Institutions and International and Public Law (27-29 June 2011)


Chair: Lunchtime forum: Progress of the world’s women - in pursuit of justice (August 3, 2011)

Key note speaker “The Challenges of Citizenship” at Uni SA conference From Refugee to Citizen, August 4

Presentation on Submission Guidelines to forum: Getting ready for the Referendum: Aboriginal and Torres Strait Islander Peoples in the Australian Constitution (8 August 2011)

Presented a paper to the Women, Leadership and Democracy Conference at Old Parliament House on Using Citizenship as a Theoretical Framework to analyse Trailblazing Women Lawyers, 2 December 2011

JAMES STELLIOS

Media

Article on Momcilovic v The Queen, Public Sector Informant, July 2011

Article on Dickson v the Queen, Public Sector Informant, May 2011

ERNST WILLHEIM

‘The Mounting Legal Bills of an Ideological War’, The Public Sector Informant, March 2010

Submission to public consultations on ACT hospital planning drawing’s attention to human rights issues

Contribution to Civil Liberties Australia submission to parliamentary inquiry into unexplained wealth legislation

Media interviews

Violence in Libya and possible application of the Responsibility to Protect principle

Australia’s article 40 human rights report

SBS: Swiss referendum for automatic expulsion of foreign criminals

ABC: Constitutional implications of gay marriage legislation proposals

SBS: Rule of law, international criminal law and implications for state sovereignty

Presentations

Presentation to AAACL Talking Constitutions group on Rowe v Australian Electoral Commission [2010] HCA 46

MATTHEW ZAGOR


Seminar


Media

‘Is Australia Serious about Eradicating Cluster Munitions?’ The Canberra Times (28 February 2011)
Don Anton and Matthew Zagor taught a new course, *Environmental Protection and Human Rights*. Built around Don Anton’s recent text of the same name (co-authored with Dinah Shelton), the course explored recent human rights developments that bear on the environment in international law, examining the environmental application of human rights contained in international instruments, national constitutions, and legislation.

**ADDITIONAL MEDIA**

**Don Anton & Gregor Urbas**

*Why Julian Assange May Have a Case to Answer in Australia, Despite What the AFP Says (or, Why Julia Gillard Might Be Right)*, SSRN (1 January 2011)


**Peter Cane and Jane Stapleton**

*A Goodhart, or two, for ANU*, ANU News, On Campus (February 2011)

**Thomas Faunce, Gregor Urbas and Lesley Skillen**

*Implementing US-style anti-fraud laws in the Australian pharmaceutical and health care industries*, *MJA*, 194 (9) 474-478 (2 May 2011)

**Donald Rothwell & Hitoshi Nasu**

*UN Security Council resolutions on Libya and the significance of ‘R2P’*, *East Asia Forum* (8 April 2011)

**Ruth Townsend and Dominique Dalla-Pozza**

*National security, private rights: should doctors identify would-be terrorists?*, *The Conversation*, (16 June 2011)
CENTRE STAFF & MEMBERS

- Kim Rubenstein, Professor and Director
- COAST, Administration & Events
- Glenda Waddell, Assistant Editor, Australian Year Book of International Law
- Amanda Alexander, PhD Candidate (RegNet)
- Kent Anderson, Professor (Asian Studies)
- Don Anton, Senior Lecturer
- Hafiz Aziz-Ur-Rehman, PhD Candidate
- Peter Bailey AM, OBE, Adjunct Professor
- Helen Bermingham, Assistant Lecturer
- Kevin Boreham, Lecturer
- Peter Cane, Professor
- Hilary Charlesworth, Professor & ARC Federation Fellow, Director of Centre for International Governance & Justice (RegNet CIGJ)
- Moeen Cheema, Teaching Fellow
- Jennifer Clarke, Senior Lecturer (on leave from July 2008)
- Tony Connolly, Associate Professor
- Michael Coper, Professor and Dean
- Dominique Dalla-Pozza, Associate Lecturer
- Lynn Du Moulin, Lecturer (Part Time)
- Thomas Faunce, Associate Professor
- Jeremy Farrall, Fellow, Asia-Pacific College of Diplomacy
- Jean-Pierre Fonteyne, Senior Lecturer
- Jo Ford, PhD Scholar, (RegNet-CIGJ)
- Don Greig, Visiting Fellow and Emeritus Professor
- Kath Hall, Senior Lecturer
- Susan Harris-Rimmer, Research Officer (RegNet,CIGJ)
- Sarah Heathcote, Senior Lecturer
- Vivian Holmes, Senior Lecturer
- Brad Jessup, Teaching Fellow
- Judith Jones, Senior Lecturer
- Ann Kent, Visiting Fellow
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- Anne MacDuff, Lecturer & PhD Candidate
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- Achmad Gusman Catur Siswandi, PhD Candidate
- Adérito Soares, PhD (RegNet)
- James Stellios, Associate Professor
- Daniel Stewart, Senior Lecturer
- Fiona Wheeler, Professor
- Ben Wickham, Lecturer
- Ernst Willheim, Visiting Fellow
- George Williams, Visiting Fellow
- Katie Young, SJD Senior Lecturer
- Matthew Zagor, Lecturer
- Leslie Zines, Visiting Fellow and Emeritus Professor