

APRIL 2012

AHRCENTRE

AUSTRALIAN HUMAN RIGHTS CENTRE

- **What's on at the AHRCentre**
- **Upcoming Events**
- **Recent Events**
- **AHRCentre Review**
- **Visitors and Associates**
-
- **Research Projects and Programs**
- **Education Programs**
- **Publications and Presentations**
 - **Publications**
 - **Presentations**
- **AHRCentre Contacts**

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FACULTY OF LAW

What's on at the AHRCentre

Farwell to AHRCentre Coordinator Amber Rowe

After providing an incredible contribution to the life and work of the AHRCentre, Centre Coordinator, Amber Rowe, stepped down from the role in early April. Amber has been with us for over six years and has done an amazing job managing a major international conference, coordinating events, editing publications and generally proving herself indispensable around the office. We wish her all the best with her work coordinating UNSW Law's internship program. We are currently advertising for a new 3 day a week coordinator – see:

<http://www.hr.unsw.edu.au/services/recruitment/jobs/13041211.html>

AHRCentre Director Secondment to the Australian Human Rights Commission

In July 2011, the AHRCentre Director Andrea Durbach was appointed Deputy Sex Discrimination Commissioner to the Australian Human Rights Commissioner. The part-time twelve month appointment arose with the Sex Discrimination Commissioner, Liz Broderick undertaking a review of the Australian Defence Force. Andrea has been working on the development of domestic violence as a new ground of discrimination and this month, will be travelling with the Special Rapporteur on Violence against Women, Rashida Manjoo, across Australia meeting with government, service providers, women from migrant and refugee and Indigenous communities and women with disability.

JD and human rights internship student, Lucia Noyce, has been working with Andrea Durbach at the Australian Human Rights Commission in developing the study tour across Australia for the visit of the UN Special Rapporteur on Violence Against Women and will travel with Andrea and the Special Rapporteur to Fitzroy Crossing, Alice Springs, Perth, Melbourne and Canberra (and Sydney) to meet with government representatives, service providers, NGOs, individual women and visit refuges and shelters to document the tour and produce a report.

Justine Nolan, the Deputy Director of the AHRCentre is Acting Director during this time.

Upcoming Events

International Initiative to Promote Women's Rights to Social Security and Protection – International Webinar:

19 and 26 April 2012

Date: Thursday 19 and Thursday 26 April, 2012

Time: 19 April – 10:00am-3:30pm; 26 April – 10:00am-10.30pm

Venue: University of Ottawa

RSVP: <http://www.distance.uottawa.ca/direct1.htm>

Enquiries: mphillip@uottawa.ca

Day One (10:00-12:00 EST)

'Current Situation : UN Perspective'

Emmanuelle St-Pierre Guilbault (ILO), Maya Stern Plaza (ILO), Prof Frances Raday (Israel), Maria Virginia Bras Gomez (Portugal), Dr. Magdelana Sepúlveda Carmona (UN)

Day One (13:30-15:30 EST)

'Thinking outside the Box from a Feminist Perspective: a New Right to Social Security?'

Dr. Shahra Razavi (UNRISD), Prof Judy Fudge (Canada), Prof Hester Lessard (Canada), Prof Mary Murphy (Ireland)

Recent Events

(Anti) anti Impunity: Reflections on the History and Trajectory of the Human Rights Movement: 26 April 2012

On 26 April Professor Karen Engle spoke about how today's human rights movement places the fight against impunity at its centre. Such a focus is the culmination of a governance project in which the movement has been engaged for close to two decades that puts an enormous amount of attention on and faith in criminal justice systems—international, transnational and domestic. Her discussion situated the fight against impunity in the history and trajectory of the human rights movement from the 1970s until today. She argued that the movement's early ideology of antipolitics has reemerged in recent years, functioning to defer—even suppress—substantive debates over visions of social justice, even while relying on criminal justice systems of which the movement has long been critical.

Karen Engle is Minerva House Drysdale Regents Chair of Law and Founder and Co-director of the [Bernard and Audre Rapoport Center for Human Rights and Justice](#) at the University of Texas. She is author of *The Elusive Promise of Indigenous Development: Rights, Culture, Strategy* (Duke University Press, 2010), which received the Best Book Award from the American Political Science Association Section on Human Rights

UN Guiding Principles on Business and Human Rights: 6 March 2012

On 6 March, 2012, Dr Daniel Augenstein from Tilburg University gave a seminar discussing the UN Guiding Principles on Business and Human Rights (endorsed in July 2011 by the UN Human Rights Council) in the context of whether they apply extraterritorially to protect human rights against violations by business entities. According to the Guidelines, states are at present, not generally required under international human rights law to regulate the extraterritorial activities of business domiciled in their territory and/or jurisdiction. Nor are they generally prohibited from doing so, provided there is a recognized jurisdictional basis.

'Justice for All'? The International Criminal Court – A Conference: A Ten Year Review: 13-15 February 2012

In February 2012, the AHRCentre and the Faculties of Law and Arts and Social Sciences at the UNSW hosted a major international conference: *Justice for All? The International Criminal Court - A Conference: A Ten Year Review*.

The conference marked the 10th Anniversary of the operation of the International Criminal Court (ICC) and discussed the work and impact of the ICC during its first decade. The President of the Court, Judge Sang-Hyun Song, the Registrar of the Court, Ms Silvana Arbia and the Deputy Prosecutor, Ms Fatou Bensouda spoke at the conference in addition to a number of leading academics in the field, such as Professor William Schabas, Dapo Akande, Morten Bergsmo, Benjamin Schiff and Valerie Oosterveld.

The two key objectives of the Conference were (1) to examine the role and success of the ICC in achieving gender justice, and (2) to analyse the participation of the Asia Pacific region in the ICC regime. The Conference reviewed the circumstances and reasons for the Asia Pacific's limited engagement with the ICC, and the key lessons from other regions about how to achieve ratification and full implementation of the Court's mandate, including in the area of gender justice. The final days of the conference were dedicated to a capacity-building workshop with invited delegates from the Asia Pacific region. The workshop brought together those involved in advocacy around the Rome Statute and its implementation, with a specific focus on the role of the ICC in relation to gender justice.

Annual Australian Human Rights Centre Lecture: 12 February 2012

Addressing a capacity audience at the Sydney Theatre, award-winning playwright and human rights activist, Eve Ensler, delivered the AHRCentre's Annual Lecture on 12 February. Her lecture, *Until the Violence Stops*, explored theatre as a mechanism for giving visibility to human rights violations, focusing on her work with women and girls in conflict situations. Arriving in Australia directly from the Democratic Republic of Congo where she has established the City of Joy, a special facility for survivors of sexual violence, Ensler told the audience how Congolese women have learnt to heal through telling their stories.

'At the first City of Joy graduation I watched 41 women who had been raped by gangs or had members of their families killed, or had bullet wounds to their heads, strut across a stage and demand an end to impunity, rape, corruption and exploitation.'

Ensler spoke about the power of theatre to transform, declaring that her work over many years continued to demonstrate that theatre was not "just an indulgence in the midst of global poverty and genocide".

'I have witnessed theatre change consciousness, bring about revelation, catharsis and activate people to become change-makers in their communities,' she said.

'Theatre penetrates our denial and disrupts the ordinary by dramatising it.'

In a dramatic conclusion to her lecture, Eve Ensler called for one billion men and women across the world to dance to stop violence against women on V-Day in 2013. She established V-Day, a global movement to end all forms of violence against women and girls, which is celebrated annually on Valentines Day.

Ensler was invited to speak on the eve of the UNSW international conference, *Justice for All? The International Criminal Court – a Ten Year Review*. The conference marked the first decade of the ICC's work, with a particular focus on its role in achieving gender justice.

The Abolition of Military Jurisdiction and Recent Developments at the Inter-American Commission on Human Rights: 7 November 2011

On 7 November, 2011, Christina Cerna gave a seminar on the abolition of military jurisdiction and recent developments at the Inter-American Commission on Human Rights. Christina Cerna is a specialist at the Inter-American Commission on Human Rights (IACHR) at the headquarters of the Organization of American States (OAS) in Washington, D.C. The Seminar was hosted by the AHRCentre in conjunction with the International Law and Policy Group.

Electoral Reform and the Quest for Democracy in Malaysia: 31 October 2011

On 31 October, 2011, Dato Ambiga Sreenevasan gave a seminar on Electoral Reform and the Quest for Democracy in Malaysia. Dato' Ambiga Sreenevasan is a practising litigation lawyer in Malaysia and a Director of the Securities Industry Dispute Resolution Centre. She has long been an active member of the Malaysian Bar Council, and has been involved in drafting many memoranda on issues relating to the rule of law, the judiciary and the administration of justice, legal aid, religious conversion, the rights of Orang Asli (indigenous persons) and other human rights issues.

Sri Lanka after the War: Rights, Governance and the Law: 17 October 2011

On 17 October, 2011, Dr Deepika Udagama gave a seminar on Sri Lanka post civil war. Dr Deepika Udagama is the Founding Director of the Centre for the Study of Human Rights, Faculty of Law, University of Colombo, Sri Lanka and is currently *Head of the Department of Law, Peradeniya University*. In May 2009 a nearly three decade long civil war came to an end with the government forces defeating the secessionist Liberation Tigers of Tamil Eelam (LTTE). *Dr Udagama spoke on how* Sri Lanka was once known for its high social indicators and tranquil way of life and that today, Sri Lanka presents a study in contrasts. While still boasting high social indicators, Dr Udagama spoke on how Sri Lanka has nevertheless seen sustained violence and fractious ethnic politics for decades.

Prosecutions under Australia's anti-people smuggling legislation: The Real Stories: 17 October 2011

On 17 October, 2011, Edwina Lloyd and Gerry Georgatos gave a seminar on the real stories behind prosecutions under Australia's anti-people smuggling legislation. Edwina Lloyd is a Solicitor at Blair Criminal Lawyers defending Indonesian boys and adults charged with people smuggling. Gerry Georgatos is a Campaigner working with the Human Rights Alliance on behalf of Indonesian children in Australian Jails. The seminar was organised in conjunction with the Diplomacy Training Program, UNSW Migrant Refugee Rights Project and the Indonesian Solidarity Network.

Business and Human Rights – the role of international law: 28 September 2011

On 28 September, 2011, Professor Robert McCorquodale gave a seminar on business and human rights and the context of the role of international law. Professor McCorquodale is the Director of the British Institute of International and Comparative Law in London. He is also a Professor of International Law and Human Rights, and former Head of the School of Law, at the University of Nottingham.

Screening of A Common Purpose and Q & A with Andrea Durbach: 1 September 2011

On 1 September, 2011, the AHRCentre, in partnership with Truman Hoyle, held a screening of 'A Common Purpose', presented by AHRCentre Director, Andrea Durbach. A Q&A session with Professor Durbach followed the screening. Straight from its premiere at the Sydney Film Festival, 'A Common Purpose' follows Andrea Durbach as she returns to South Africa to meet her clients from the landmark Upington 25 trial. In 1985, when apartheid was at its most violent, a black policeman was burnt to death and 25 people were convicted of his murder; 14 were sentenced to hang. 'A Common Purpose' portrays the legal complexity of a notorious trial that marks South Africa's transition from apartheid

to democracy. The story - as told by Durbach, journalist, John Carlin and the accused - reveals one of legal history's biggest death penalty cases and a battle for justice in a country where injustice was entrenched in law.

Palestine in progress: contemporary human rights challenges in the Palestinian territories: 18 August 2011

On 18 August, 2011, Khaled Abu Toameh gave a seminar on contemporary human rights challenges in the Palestinian territories. Mr Toameh is an award-winning, independent Israeli-Arab journalist who has been covering Palestinian and Israeli issues in Israel, the West Bank and Gaza for over two decades and now writes for *The Jerusalem Post*. He has produced several documentaries on the Palestinians for the BBC and other networks.

Children's Rights & a Capabilities Approach: The Question of Special Priority: 12 August, 2011

On 12 August, 2011, Professor Martha Nussbaum and Senior Visiting UNSW Fellow Rosalind Dixon gave a seminar on Children's Rights and a Capabilities Approach.

Professor Nussbaum is a philosopher and influential intellectual in the fields of classical studies, philosophy, literature, gender studies, education, and law. Currently, she is the Ernst Freund Distinguished Service Professor of Law and Ethics at the University of Chicago, with appointments in the Schools of Law and Divinity, as well as the Philosophy Department.

Rosalind Dixon is an Assistant Professor in Law at the University of Chicago Law School and currently a Senior Visiting Fellow in the UNSW Faculty of Law.

The Precarious Migrant Status and Precarious Employment: The Paradox of International Rights for Migrant Workers: 2 August, 2011

On 2 August, 2011, Professor Judy Fudge gave a seminar at the AHRCentre on 'the paradox of international rights' for migrant workers. Professor Fudge holds the Lansdowne Chair in Law at the University of Victoria in Canada and is an international expert on labour law. She spoke about precarious employment and temporary migrant workers and whether a human rights framework can offer some improvement to their working conditions.

AHRCentre Review

In June, 2011, the AHRCentre was reviewed as part of a regular Centres review process within UNSW. The Review Committee released its findings late last year, which can be summarised as follows:

The Centre is highly respected as a focus of academic and public intellectual thought in the human rights sphere in Australia and overseas. The Centre's activities encompass advocacy, public education and research. The Centre publishes two specialist journals and organises workshops, conferences and seminars that attract very distinguished speakers. It also has been running a very successful undergraduate intern program.

The Centre has made big strides in increasing the quantity and diversity of its research activity, as recommended in the 2007 review. The Committee commends the Centre's achievements, especially in light of the very limited funding.

AHRCentre Visitors and Associates

Over the last year we have been delighted to welcome new and continuing AHRCentre Visiting Fellows and Associates:

UNSW International Humanitarian Law academic, **Sarah Williams** has joined the Centre and co-directs the International Human Rights Law Project with Andrew Byrnes.

Urban and regional planner and UN Habitat consultant, and FBE sessional lecturer, **Garth Seneque** will direct the Centre's Human Rights, Shelter and Environment Project (our renamed Human Rights and the Environment Project) .

International human rights and criminal law academic and International Advisor to the Women's Justice Unit of the Judicial System Monitoring Program in Dili, East Timor, **Amrita Kapur**, will co-direct the Human Rights, Gender and Development project with Beth Goldblatt.

AHRCentre Research Projects and Programs

Globalisation and Social Transformation in Australia and Malaysia

Claudia Tazreiter, a Senior Lecturer with the UNSW Faculty of Arts and Social Sciences is the recipient of a grant from the Australian Department of Foreign Affairs and Trade, which will fund a project focusing on globalisation and social transformation in Australia and Malaysia. This project is a collaboration between UNSW and the Institute of Malaysian and International Studies (IKMAS), Universiti Kebangsaan Malaysia.

In Semester 2, 2011, Claudia was a Visiting Fellow at the Centre for Politics and International Studies (CERI) at Sciences Po, Paris.

Contact:

Claudia Tazreiter: (c.tazreiter@unsw.edu.au)

The ACT Human Rights Act and the Protection of Economic, Social and Cultural Rights Project

This ARC Linkage project, which is close to completion, has been conducted by the Centre for International Governance and Justice at the Regulatory Institutions Network at the ANU (Professor Hilary Charlesworth, Ms Renuka Thilagaratnam and Dr Katie Young) and the Australian Human Rights Centre (Andrew Byrnes), in collaboration with the ACT Department of Justice and Community Safety. The *Final [Report](#) of the Australian Capital Territory Economic, Social and Cultural Rights Project* (September 2010), was tabled in the ACT Legislative Assembly on 9 December 2010 by the Attorney-General, Mr Simon Corbell, MLA, see ACT Legislative Assembly, *Hansard*, 9 December 2010, pp 6126-6129. The Attorney-General congratulate[d] the project team on a comprehensive analysis of the scope of economic, social and cultural rights and options for incorporating economic, social and cultural rights into ACT statute law”, noting that the report would “form an excellent basis for community consultations to be undertaken next year to inform the government’s decision on whether to expand rights protected under the *Human Rights Act 2004* to include economic, social and cultural rights.” (media release)

The report was the subject of a public [forum](#) addressed by the ACT Attorney-General, Mr Simon Corbell MLA, organised by the ANU’s Centre for International Governance and Justice on Monday, 25 July 2011.

For more details on the project and its output, see <http://acthra.anu.edu.au/PESCR/index.html>

Contact:

Andrew Byrnes (andrew.byrnes@unsw.edu.au)

Business and Human Rights

Project Director, Justine Nolan recently presented a paper on ‘Promises and Pitfalls: the irrelevance of human rights to the marketplace’ at the ANZSIL (Australian and New Zealand Society of International Law) conference at the ANU in July, 2011. Justine was a keynote speaker at Amnesty International’s conference on 6 to 8 October, 2011, in Brisbane. In 2011, she (along with co-authors Adam McBeth and Simon Rice) released a new international human rights text *The International Law of Human Rights* ((Oxford University Press).

Contact:

Justine Nolan (justine.nolan@unsw.edu.au)

Disability

AHRCentre staff and Associates are involved in research on issues of disability and human rights. These include a focus on the *UN Convention on the Rights of Persons with Disabilities*, and its international and domestic implementation. Project Director, Rosemary Kayess has been working on a number of grant applications, including on access to health care for people with disability and access to voting for people with disability (in Cambodia, East Timor & Indonesia). Rosemary has been invited to join McGill University’s Institute for Health and Social Policy Advisory Committee and taught at the Centre for Disability Law and Policy Summer School, at NUI Galway Faculty of Law.

Contacts:

Andrew Byrnes (andrew.byrnes@unsw.edu.au)

Rosemary Kayess (r.kayess@unsw.edu.au)

Gender, Development and Human Rights

AHRCentre Board members Louise Chappell and Andrew Byrnes and Associates Christine Forster, Beth Goldblatt and Gillian Moon work on a number of projects on gender rights and development in different contexts. During 2011 Louise has undertaken research at the University of Manchester as a Hallsworth Fellow, and also as the 2011 Australian European University Institute (EUI) Visiting Scholar in Florence. Andrew Byrnes has written a number of chapters on a comprehensive commentary on the CEDAW Convention to appear in 2011 and, together with Professor Marsha Freeman of the University of Minnesota, recently prepared a study for the World Bank on the impact of the CEDAW Convention at the national level. Christine Forster is currently part of a team working on drafting a new progressive CEDAW-compliant Family Law Bill for the Cook Islands which incorporates extensive protection for victims of domestic violence as well as spousal benefits and parenting orders. She is also working on articles on the role of gender equality laws in transitional states, monitoring and implementation mechanisms in gender equality laws, and recognising both culture and human rights in family law reform. Beth Goldblatt has co-edited a special issue of the South African Journal on Human Rights on Women and Social and Economic Rights and in 2011 launched a co-edited book (with K McLean) on *Women and Social and Economic Rights*, published by Juta (Cape Town).; Gillian Moon works on the issues of equality and non-discrimination in the context of trade and development (see project below).

Recently, Beth Goldblatt, together with Lucie Lamarche, has been successful in an application to the Onati Institute for the Sociology of Law for support for the holding of an international seminar in June 2013 on “Interpreting and Advancing Women’s Rights to Social Security and Social Protection”. Lucie is a prominent Canadian scholar and Research Director of University of Ottawa Human Rights Research and Education Centre (HRREC). It is with Lucie that Beth is organising the international webinar on the right to social security later this month. The webinar and the seminar are bringing together a range of leading lights in feminist critique of international law and human rights.

Contacts:

Andrew Byrnes (andrew.byrnes@unsw.edu.au)

Louise Chappell (l.chappell@unsw.edu.au)

Christine Forster (c.forster@unsw.edu.au)

Beth Goldblatt (b.goldblatt@unsw.edu.au)

Gillian Moon (g.moon@unsw.edu.au)

Health and Human Rights

Andrea Durbach and Beth Goldblatt have been involved in a research project on transnational obligations to redress the impact of health professional migration on the right to health in developing countries.

Contacts:

Andrea Durbach (a.durbach@unsw.edu.au)

Beth Goldblatt (b.goldblatt@unsw.edu.au)

International Human Rights and Humanitarian Law,

AHRCentre Chair and International Law Professor, Andrew Byrnes has been awarded an ARC Discovery Grant to undertake a project entitled: *Whose law is it, anyway? Citizens' and peoples' challenges to state dominance in the making and application of international law* (DP110101594). This project will run until 2013. It will explore the role of citizens' and peoples' tribunals operating outside formal international institutional structures, yet deploying international law norms and procedures, as a form of accountability mechanism.

Project co-director, Dr Sarah Williams, has recently completed a book to be published by Hart Publishing in 2012 on *Internationalized criminal courts and tribunals*.

Contacts:

Andrew Byrnes (andrew.byrnes@unsw.edu.au)

Sarah Williams: (sarah.williams@unsw.edu.au)

International Co-operation, Human rights and counter-Terrorism

This project directed by Chris Michaelsen addresses a range of pressing international law and human rights questions in the area of international co-operation on counter-terrorism. It explores the relationship between the quasi-permanent threat of international terrorism and the option for States to 'derogate' from international human rights obligations in times of public emergency. It also examines the legality of relying on so-called diplomatic assurances on the non-use of torture when deporting and extraditing individuals suspected of terrorism. A major sub-project focuses on the Security Council's Al-Qaeda and Taliban sanctions regime established by Security Council Resolution 1267. The 1267 regime's listing and de-listing mechanism, in particular, raises a number of human rights concerns and challenges.

Contact:

Christopher Michaelsen (c.michaelsen@unsw.edu.au)

Migrant and Refugee Rights in Asia Program

Led by Bassina Farbenblum, the Migrant and Refugee Rights Project engages in research, advocacy, litigation and law reform to advance the human rights of migrants and refugees in Asia and Australia. It is affiliated with UNSW's Human Rights Clinic, in which students gain practical experience in multifaceted approaches to human rights litigation and advocacy in both domestic and international settings, in collaboration with regional partner organisations.

Contact:

Bassina Farbenblum (b.farbenblum@unsw.edu.au)

National Human Rights Institutions in the Asia Pacific Region

Since 2008, the Australian Human Rights Centre (Andrew Byrnes, Andrea Durbach, Catherine Renshaw), have been researching the role of the Asia Pacific Forum of National Human Rights Institutions (APF), in establishing and strengthening national human rights institutions (NHRIs) in the Asia Pacific region. The research is part of a 3-year project jointly funded by an Australian Research Council Linkage grant and the APF (LPO776639). Nearing completion,

the project will draw to a close with the publication of the final results of its research. List of the publications of the project can be found at <http://www.ahrcentre.org/APFproject.html>.

Contacts:

Andrew Byrnes (Andrew.Byrnes@unsw.edu.au)

Andrea Durbach (a.durbach@unsw.edu.au)

New Media and Human Rights

Daniel Joyce joined the UNSW Faculty of Law in 2011, his project combines his post-doctoral research in international law with his research and teaching interests in media law and human rights law. A particular focus of this project will be the connection between new and social media and the human rights methodology of witnessing.

Contact:

Daniel Joyce (daniel.joyce@unsw.edu.au)

Trade, development and Human Rights

The intersections between international economic law, international human rights law and trade, commerce and investment are the focus of this project, led by Gillian Moon. During 2011 Gillian Moon was on study leave in Oxford and, for part of that time, researching in liaison with the Global Economic Governance Project (GEG) at University College, Oxford, under the Directorship of Professor Ngaire Woods. While on leave, Gillian completed new research on two aspects of the relationship between WTO law and human rights. The first, to be published in the next volume of the *African Journal of International and Comparative Law*, probes the adequacy of the WTO law provisions which might permit non-compliant domestic human rights measures. The second explores the likelihood that some WTO law-mandated domestic measures may be unlawfully discriminatory in their impacts. The research paper advances evidence that agricultural tariff reduction measures in some developing countries are likely to have disparately adverse effects on racial or ethnic minorities and women. The research was presented at a joint GEG/Global Trade Ethics Projects seminar, "Negotiating the Non-negotiable: Protecting Human Rights in Trade Agreements," held at Oxford University's European Studies Centre in March 2011.

Contact:

Gillian Moon (g.moon@unsw.edu.au)

AHRCentre Education Programs

Human Rights in Practice

The director of the Migrant and Refugee Rights program, Bassina Farbenblum, has pioneered the establishment of a UNSW Human Rights in Practice summer school program based in New York, in collaboration with Columbia Law School's Human Rights Institute. The program will be held for the first time in June –July 2012 and more information is available at: <http://www.handbook.unsw.edu.au/postgraduate/courses/2012/LAWS8146.html>

Contact:

Bassina Farbenblum (b.farbenblum@unsw.edu.au)

Human Rights in Postgraduate Internship Program

Human Rights Postgraduate Internship Program

The AHRCentre has been instrumental in establishing a Human Rights Internship Program within the Faculty of Law for post-graduate students. The program commenced in early 2010 with students undertaking a research project with a partner human rights organization, including International, the Asia Pacific Forum of National Human Rights Institutions, Australian Human Rights Centre Migrant and Refugee Rights Project, Civil Liberties Australia, Disability Discrimination Law Centre, Edmund Rice Centre, Public Interest Advocacy Centre, Indigenous Policy and Dialogue Research Unit, International Committee of the Red Cross, Institute for Human Rights and Business and Human Rights Watch. The internship program is open to students in the Master of Laws, the Master (and Graduate Diploma) of Human Rights Law & Policy and the Master of International Law and International Relations.

Contact: Frances Gibson (f.gibson@unsw.edu.au)

Master of Human rights Law and Policy

Launched by the UNSW Faculty of Law this program is open to both law and non-law graduates and offers an extensive range of courses which examine human rights law, with an emphasis on the international context. This specialised post-graduate degree provides an opportunity for those working or active in the field to develop enhanced human rights law and policy skills, capacity and impact. The program aims to train and support future professionals and scholars as leaders in the field of human rights law and policy. Please see www.law.unsw.edu.au/mhrplp

NSW LEGAL Aid Commission Human Rights Graduate Fellowships

The Legal Aid Commission of New South Wales in partnership with the AHRCentre and UNSW Faculty of Law offers a Human Rights Fellowship Program for graduate law students each year. The fellowship program has been developed to give UNSW law students interested in human rights legal practice an opportunity to gain hands-on work experience within a legal aid commission. Fellows gain experience in human rights advocacy, assisting with the preparation of legal cases, law reform, training and education. For more details, please see <http://www.ahrcentre.org/student-programs/other>

AHRCentre Publications

Australian Journal of Human Rights

The latest edition of the *Australian Journal of Human Rights (AJHR)* (Vol 17(2) 2011) included articles on the right to health of Australians with an intellectual disability, the UN special procedures, the right to a fair trial in Australia, the legal status and treatment of youth in Queensland, public crackdown on migrant workers and refugees in Malaysia, disability discrimination, the politics of interpretation of human rights and the ACT Economic, Social and Cultural rights project.

The next edition, due for publication in July 2012, will be a general (rather than thematic) edition. If you would like to submit an article to the *AJHR* please email ajhr@unsw.edu.au. Submission criteria are available at http://www.ahrcentre.org/documents/Publications/AJHR_styleguide.pdf

The *AJHR* is a peer-reviewed journal. For back issues see: <http://www.austlii.edu.au/au/journals/AJHR/>

The Human Rights Defender

The most recent edition of the *Human Rights Defender (HRD)* (Vol 20(3) December 2011) focused on the International Criminal Court (ICC), in particular its relationship with states in the Asia Pacific region. Articles addressed the current engagement with the ICC of states in the Asia Pacific region and the potential for the ICC to develop its support in this region; the existing approach to gender crimes that the Court has adopted; the important issue of encouraging states in the region to become a State Party to the Rome Statute; and, the Extraordinary Chambers in the Courts of Cambodia (such courts are often considered alternatives to the ILC). The next edition will be published in late April 2012 and focuses on human rights advocacy in Asia, with a particular emphasis on India and China. To subscribe or submit articles, please contact hrd@unsw.edu.au. For back issues, see http://www.ahrcentre.org/HRD_home.html

Publications and Presentations by AHRCentre Staff and Associates

Publications

Andrea Durbach

Andrea Durbach (with Hilary Charlesworth), 'Equality for Indigenous People in the Australian Constitution' (accepted for publication in (2011) 16 (2) *Australian Indigenous Law Review*)

Andrea Durbach, 'Human rights commissions in times of trouble and transition: the case of the National Human Rights Commission of Nepal' in Hitoshi Nasu and Ben Saul (eds), *Human Rights in the Asia-Pacific Region: Towards Institution Building* (Routledge, 2011) 209-234

Andrea Durbach (with Andrew Byrnes and Catherine Renshaw), 'Testing the Mettle of National Human Rights Institutions: A Case Study of the Human Rights Commission of Malaysia' (2011) 1 *Asian Journal of International Law* 165-198

Andrew Byrnes

Andrew Byrnes, 'Article 1 [The Definition of Discrimination]' in Marsha Freeman, Christine Chinkin and Beate Rudolf (eds), *The UN Convention on the Elimination of All Forms of Discrimination against Women: A Commentary* (Oxford University Press, 2012) 51-70

'Article 2 [State obligations]' in Freeman, Chinkin & Rudolf (eds), *CEDAW Commentary* (2012) 71-99

'Article 23 [Savings provision]' in Freeman, Chinkin & Rudolf (eds), *CEDAW Commentary* (2012) 531-537

'Article 24 [Adoption of all necessary measures]' in Freeman, Chinkin & Rudolf (eds), *CEDAW Commentary* (2012) 539-545

Andrew Byrnes and Marsha Freeman, 'The Impact of the CEDAW Convention: Paths to equality' (Background Paper prepared for the World Development Report 2012, 2011) available

<<http://law.bepress.com/unswwps/flrps12/art7/>,http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2011655>

Bassina Farbenblum

Bassina Farbenblum, Submission No 15 to Senate Standing Committee on Legal and Constitutional Affairs' Inquiry into the Deterring People Smuggling Bill 2011

Beth Goldblatt

Beth Goldblatt and Solange Rosa, 'Social Security Rights' in M Langford, B Cousins, J Dugard, and T Madlingozi (eds), *Symbols or Substance? Socio-Economic Rights Strategies in South Africa* (Cambridge University Press, forthcoming 2012)

Kristy Muir and Beth Goldblatt, 'Complementing or conflicting human rights conventions? Realizing an inclusive approach to families with a young person with a disability and challenging behaviour' (2011) 26 (5) *Disability and Society* 629-642

Beth Goldblatt, 'Getting it Right: lessons from South Africa's equality framework' (Guest blog for the Equality Law Reform Project of the Human Rights Law Centre, Melbourne, 11 July 2011) available

<<http://www.equalitylaw.org.au/CustomContentRetrieve.aspx?ID=1447380>>

Catherine Renshaw

Catherine Renshaw and Kieren Fitzpatrick, 'National human rights institutions in the Asia Pacific region: change agents under conditions of uncertainty' in Ryan Goodman and Thomas Pegram (eds), *Human Rights, State Compliance, and Social Change: Assessing National Human Rights Institutions* (Cambridge University Press, 2012) 150-180

Christine Forster

Christine Forster and Jeni Engel, 'Reinforcing Historic Distinctions Between Mental and Physical Injury: The Impact of the Civil Liability Reforms' (2012) 19 *Journal of Law and Medicine* 1

Christopher Michaelsen

Christopher Michaelsen, 'From Strasbourg, with Love': Preventive Detention before the German Federal Constitutional Court and the European Court of Human Rights' (2012) 12 (1) *Human Rights Law Review* 148-67

Christopher Michaelsen, 'Out flawed responses to 9/11', *Canberra Times*, 9 September 2011, Opinion, 13

Claudia Tazreiter

Claudia Tazreiter, Sharon Pickering, Marie Segrave and Leanne Weber, 'Migration Control and Human Security' in Satvinder Juss (ed), *Research Companion to Migration Theory and Policy Research* (Ashgate, 2011)

Claudia Tazreiter, 'The politics of protection and negotiating identity. The experience of asylum seekers' in Devleena Ghosh, Anna Hayes and Robert Mason (eds), *Seeking Sanctuary: Cultures in Refuge in Modern Australia* (Ashgate, 2011)

Claudia Tazreiter, 'Police Raids, Detention and Deportation of Migrants' in Immanuel Ness (ed), *Encyclopaedia of Global Human Migration* (Wiley-Blackwell, 2011)

Claudia Tazreiter, 'Memory and Reconciled Futures Social Amnesia and the Politics of Remembering' (2011) 14 (2-3) *Australian Journal of Indigenous Issues* 121-132

Daniel Joyce

Daniel Joyce, George Williams and Paul Kildea, Submission to the Independent Media Inquiry (November 2011)

Gillian Moon

Gillian Moon, 'Fair in Form, But Discriminatory in Operation—WTO Law's Discriminatory Effects on Human Rights in Developing Countries' (2011) 14 (3) *Journal of International Economic Law*

Gillian Moon, 'Double Agents, Discrimination, Duress and Doha: A Review of Trade and Human Rights since the *China - Publications and Audiovisuals* Decision' (2011) 19 *African Journal of International and Comparative Law*

Gillian Moon, 'The Human Rights Dimension in Exchanges' in Ross P. Buckley (ed), *Debt-for-Development Exchanges: History and New Applications* (Cambridge University Press, 2011) 138-151

Justine Nolan

Adam McBeth, Justine Nolan and Simon Rice, *The Law of International Human Rights* (Oxford University Press, 2011)

Louise Chappell

Louise Chappell (with Mayet Costello), 'Australian Federalism and Domestic Violence Policy Making' (2011) 46 *Australian Journal of Political Science* 633-650

Sarah Williams

Sarah Williams, 'Arresting Developments? Restricting Enforcement of the UK's Universal Jurisdiction Provisions' (2012) *Modern Law Review* [in-press, accepted 01/12, publication date May 2012]

Sarah Williams, *Hybrid and Internationalized criminal courts and tribunals: Selected Jurisdictional Issues* (Hart Publishing, 2012)

Sarah Williams and Justine Stefanelli, 'Disaster Strikes: Overcoming Barriers to the effective delivery of international disaster assistance within the EU' (2011) 2 *Journal of International Humanitarian Legal Studies* 53-83

Presentations

Andrea Durbach

Andrea Durbach, 'Teaching Human Rights to non-Western cultures' at Human Rights Tertiary Teachers' Workshop on *Human Rights and Culture*, Australian National University, 16 March 2012

Andrea Durbach, hosted a roundtable at the Australian Human Rights Commission with American playwright, writer and human rights activist, Eve Ensler and representatives from domestic violence organizations and women's advocacy groups, 11 February 2012

Andrea Durbach, addressed Federal Attorney-General's Department *Talking Heads* seminar programme and screened a condensed version of 'A Common Purpose', 2012

Andrea Durbach, addressed the 'Safe at Home, Safe at Work Conference' on *Domestic Violence Discrimination and the Consolidation of Commonwealth anti-discrimination laws*, Melbourne, 5 December 2011

Andrea Durbach, addressed the South Australia State Aboriginal Women's Gathering on *Strong Cultures, Inspires Strong Futures*, Adelaide, 30 November 2011

Andrea Durbach, Commentator, Expert Panel *African Court of Testimonies*, hosted by African Women Australia Inc., Anglicare, Parramatta, 11 November 2011

Andrea Durbach, convened a roundtable with Professor Martha Nussbaum and the Australian Human Rights Commission President, Commissioners and Policy Managers at the Commission to discuss the work of the Commission and Professor Nussbaum's work on human rights and capability theory, 11 August 2011

Andrea Durbach, convened a Workshop on Domestic Violence as a Potential New Ground of Discrimination with representatives from trade unions, academia, women's NGOs, the Australian Law Reform Commission, VICHealth and the Australian Domestic Violence Clearinghouse (UNSW), at the Australian Human Rights Commission, October 2011

Andrea Durbach, addressed the South Australia State Aboriginal Women's Gathering in Adelaide on *Strong Cultures, Inspires Strong Futures*, 30 November 2012

Andrew Byrnes

Andrew Byrnes, Andrea Durbach, and Bassina Farbenblum, participated in the Human Rights Tertiary Teachers' Workshop on *Human Rights and Culture*, Australian National University, 16 March 2012

Andrew Byrnes and former student associate Amy Rogers, attended the hearing of the 'Permanent Peoples' Tribunal on Agrochemical Transnational Corporations', Bangalore, 4-6 December 2011

Andrew Byrnes, participated in the Inaugural Commonwealth Attorney-General's Department International Law Colloquium *Looking Ahead: Cross-cutting Issues in International Law*, Canberra, 14 November 2011. This meeting brought together international lawyers from government, academia and practice in order to explore current and emerging international law issues and to explore way of enhancing collaboration between the various parts of the international law community

Andrew Byrnes, was invited to be a participant in the *Lucerne Academic Consultation on Strengthening the United Nations Treaty Body System*, Lucerne, Switzerland, 24-25 October 2011 – Which submitted a report to the Office of the UN High Commissioner for Human Rights

<<http://www2.ohchr.org/english/bodies/HRTD/docs/ReportLucerneConsultation.doc>>

Andrew Byrnes participated as a trainer in the first week of the Diplomacy Training Program's Annual Human Rights course, Dili, September 2011

Bassina Farbenblum

Bassina Farbenblum, gave oral evidence to the Senate Standing Committee on Legal and Constitutional Affairs' Inquiry into the Deterring People Smuggling Bill 2011, on *international law implications of the Bill*, 11 November 2011

Bassina Farbenblum, 'International Dimensions in Clinical Legal Education: Opportunities and Challenges for Australian Clinics' at *Australian national conference on clinical and experiential learning*, UNSW, 7 September 2011

Christine Forster

Christine Forster, was an organiser of the International Conference on Feminism and The Law, Pune, India, February 2012. The conference was a huge success with 150 delegates from 20 countries

Christine Forster, ran a three day workshop on implementing CEDAW for government and non government participants from seven South East Asian countries, Bangkok, Thailand, February 2012

Daniel Joyce

Daniel Joyce, 'The Bolt Decision - Free Speech or Hate Speech?' (Paper delivered at 7 Wentworth, 26 November 2011)

Daniel Joyce, 'A Democratic Watchdog? Free Speech and the Development of international Media Law' (paper delivered at the Media, Democracy and the Rule of Law conference held at UNSW, 6 September 2011)

Justine Nolan

Justine Nolan, was a guest lecturer at the University of Hong Kong on April 3 2012 speaking on business and human rights issues.

Justine Nolan, presented a workshop on *Corporate Accountability for human rights* at the Amnesty International annual conference, October 2011

Louise Chappell

Louise Chappell, hosted a theme panel on *Translating Women's Rights Norms into Practice* at the American Political Science Association Conference and presented a paper on the panel entitled 'Gender, Complementarity and the ICC', Seattle, September 2011

Louise Chappell, organised two panels on *Feminism and Federalism* at the Australian Political Science Association Conference, Canberra, September 2011.

Louise Chappell, gave a paper (co-authored with Jennifer Curtin) on *Gender policy and state architecture in Australia and New Zealand*, Canberra, September 2011.

Louise Chappell, with Professor Deb Brennan, Social Policy Research Centre (UNSW) and Prof Kim Rubenstein, Law Faculty (ANU), co-organised *Gender, Public Policy and the Council on Australian Governments Forum*, ANU, Canberra, September 2011. This event brought together key bureaucrats, including the current Executive Director of COAG and the COAG Reform Council, Maryann O'Loughlin with former ministers, academics and key civil society actors to discuss how to better include women's policy concerns in areas such as violence against women and childcare in COAG processes.

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