



Annual Report 2009

1. Introduction

The Australian Human Rights Centre (AHRCentre) is an inter-disciplinary research and teaching institute based at the Faculty of Law. Established in 1986, the AHRCentre:

- undertakes and facilitates interdisciplinary research projects and consultancies with a particular focus on economic, social and cultural rights
- develops human rights educational initiatives by hosting workshops, public lectures, seminars and conferences, co-ordinates interdisciplinary human rights teaching and internship programs, and provides a forum for domestic and international scholarship and debate on contemporary human rights issues
- provides accessible information on significant human rights developments in Australia, the Asia-Pacific region and internationally, facilitating access to online human rights resources via the AHRCentre website and publishing the *Australian Journal of Human Rights*, the *Human Rights Defender* and occasional papers and publications.

2. Management

Although located in the Faculty of Law, the Centre's Management Board includes representatives from a number of UNSW faculties and schools, including the School of Public Health and Community Medicine, the Australian School of Business and the Faculties of the Built Environment, Arts and Social Sciences and Law. Members of the AHRCentre Management Board, drawn from the academic, government and private sectors, bring strong governance skills and financial expertise to the overall management of the AHRCentre and a commitment to promoting interdisciplinary research and educational initiatives.

The Management Board met in April and November 2009 to ensure compliance with AHRCentre objectives, provide strategic direction, oversee AHRCentre financial administration and ensure its ongoing viability. In keeping with UNSW Centres Policy Guidelines, the Management Committee has been renamed the Management Board. In addition, the Board approved the new acronym for the Centre as 'AHRCentre' which reflects the Centre's website address and avoids confusion with the new acronym of the Australian Human Rights Commission, namely AHRC.

The members of the AHRCentre Management Board are:

- Clark Butler - UNSW Law Alumni; Director, Ironbark Ferrier
- Professor Andrew Byrnes - Faculty of Law, UNSW
- Phillip Chung – Faculty of Law, UTS and Executive Director, Austlii
- Associate Professor Linda Corkery – Faculty of the Built Environment, UNSW
- The Hon Catherine Branson QC – President, Australian Human Rights Commission
- Associate Professor Andrea Durbach - Faculty of Law, UNSW

- Elizabeth Evatt AC - Visiting Professor, Faculty of Law, UNSW; Commissioner of the International Commission of Jurists and Chair, PIAC
- Professor Martin Krygier – Faculty of Law, UNSW and Co-Director, Centre for Interdisciplinary Studies of Law
- Emeritus Professor Garth Nettheim – Faculty of Law, UNSW
- Professor Daniel Tarantola - Global Professor of Health and Human Rights, UNSW
- Associate Professor Lucy Taksa - Head of the School of Organisation and Management, UNSW (until August 2009).

The Chairperson of the AHRCentre Management Committee is Professor Andrew Byrnes and the Director of the AHRCentre is Associate Professor Andrea Durbach.

The Board was delighted to welcome Australian Human Rights Commission President, Catherine Branson QC as a new member in 2009. Ms Branson replaced John von Doussa QC.

The Centre's project/program directors are:

- Health and Human Rights - Andrea Durbach and Beth Goldblatt
- International Human Rights Law – APF/NHRI project –Catherine Renshaw
- Business and Human Rights - Justine Nolan
- Trade, development and human rights - Gillian Moon
- Gender, development and human rights – Andrew Byrnes and Beth Goldblatt
- Migrant and Refugee Rights Project – Asia Pacific - Bassina Farbenblum
- Counter-terrorism and Human Rights – Chris Michaelson
- Environment and human rights (contact Linda Corkery)

The Conference, Seminar and Annual Public Lecture program is co-ordinated by Andrea Durbach and the Human Rights Teaching Program is co-ordinated by Gillian Moon.

3. Staff

During 2009, AHRCentre **staff** were:

- Director, Andrea Durbach, who is a full-time member of the Law Faculty academic staff (since mid-2004)
- Deputy Director, Justine Nolan, who is a part-time member of the Law Faculty academic staff
- AHRCentre co-ordinator, Amber Rowe (3 days per week)
- Catherine Renshaw, Research Fellow, Director, APF project (ARC Linkage Grant)
- Social Justice Program student intern: one intern per semester 1 day per week: Leanne Donde (semester 1), Jessica Roth (semester 2)
- co-editors of the *Australian Journal of Human Rights* (AJHR): Christine Forster and Alan Morris (and the editorial board (see under Publications))
- co-editors of the *Human Rights Defender* (HRD): Justine Nolan (Law); Claudia Tazreiter (Arts); Janice Gray (Law) and Jill Hunter (Law)
- Student editor interns of *AJHR* – Alana Yap (semester 1), Chanelle Mao (semester 2)
- Student editor interns of *HRD* – Carmen Chung (semester 1), Hannah Withers (semester 2).

The Centre's Director and Co-ordinator positions are funded by the Faculty of Law. In addition, the Centre benefits enormously from in-kind contributions from the Faculty, including office space and furniture, office equipment, communication and technological resources.

During late 2009, space requirements and resource constraints within the Law Faculty saw the Centre's co-ordinator, Amber Rowe move to level 3 from the Faculty Centres precinct (on level 1) to share an office and administrative tasks with the Gilbert + Tobin Centre of Public Law administrator, Belinda McDonald. Having the AHRCentre co-ordinator located on level 3 in close proximity to AHRCentre staff has been a valuable and productive initiative. Space allocated in the Law Faculty Centres precinct (level 1) to AHRCentre staff and interns was however reduced to accommodate staff from the newly established Disability Studies and Research Centre (DSRC)

4. Research

4.1 Research Projects

Building Human Rights in the Region: the role of the Asia Pacific Forum of National Human Rights Institutions

The AHRCentre is undertaking a major 3 year research project which will explore the role of the Asia Pacific Forum of National Human Rights Institutions (APF) in promoting the domestic dissemination of international human rights norms via the establishment of national human rights bodies. In analysing the work of the APF and some of its member NHRIs, the project is examining the adequacy of existing theoretical models to explain how horizontal transnational public networks, such as the APF, contribute to the implementation of international norms at the national level. Andrew Byrnes and Andrea Durbach are the project chief investigators, Catherine Renshaw is the project research fellow and former AHRCentre visiting fellow, Maria Herminia Graterol, currently at the Kennedy School of Government at Harvard University, is also undertaking research on the project.

The project (LPO776639) is funded by the Australian Research Council and the Asia Pacific Forum of National Human Rights Institutions under the ARC Linkage Projects Scheme.

During 2009, Andrew Byrnes, Andrea Durbach and Catherine Renshaw conducted interviews, published articles, attended conferences and international meetings on NHRIs. Andrea and Catherine attended the 14th Annual Conference of the Asia Pacific Forum in Amman, Jordan where they also conducted interviews with commissioners and staff from the Jordan National Centre for Human Rights, the Jordanian government, civil society representatives and journalists. Andrea Durbach (in her capacity as a member of the APF's Advisory Council of Jurists) was part of a small APF/UN OHCHR delegation which travelled to the West Bank to observe the operations and work of the Independent Commission for Human Rights – Palestine (ICHR).

In April 2009, Catherine Renshaw attended regional workshop in Apia, Samoa, on the *Establishment of National Human Rights Mechanisms in the Pacific*, organised by APF and Office of the High Commissioner for Human Rights. Participants drafted and endorsed 'the Samoa Declaration,' recognising importance of Pacific states adopting measures to establish Paris Principles complaint NHRIs. At the 17th Annual Conference of the Australian and New Zealand Society of International Law in Wellington in July 2009, the project team presented a paper as part of a Plenary Panel – 'Regionalism and human rights protection in the Pacific.'

In July 2009, Catherine Renshaw participated in a workshop on NHRIs hosted by Melbourne University: 'Creating change?: NHRIs (In)Action in the Asia-Pacific Region.' Catherine presented a paper on SUHAKAM and the engagement of civil society in the processes of the International Coordinating Committee of Institutions for the Promotion and Protection of Civil Society. In September 2009, Catherine Renshaw and Kieren Fitzpatrick, the Director of

APF, presented their research on National Human Rights Institutions in Asia and the Pacific at a workshop jointly organised by Harvard Law School and New York University Law School.

At the 'Human Rights in Asia Pacific Region' conference held at the University of Sydney Andrea Durbach presented a paper 'Human Rights Commissions in Times of Trouble and Transition: the case of the National Human Rights Commission of Nepal' and Catherine Renshaw presented 'The Role of Networks in the Implementation of Human Rights in the Asia Pacific region.' Andrew Byrnes presented a paper on the role and contribution to of the APF's Advisory Council of Jurists to the Sixth Asian Law Institute Conference in Hong Kong.

Economic, Social and Cultural Rights

Professors Andrew Byrnes and Hilary Charlesworth (Centre for International Governance and Justice, Regnet, ANU) continued their work on their project, *Protecting economic, social and cultural Rights in the ACT: models, methods and impact*, carried out in collaboration with the ACT Department of Justice and Community Safety. This project follows on from an earlier Linkage project on the impact of the ACT Human Rights Act 2004.

Asian Development Bank

Professor Andrew Byrnes was awarded a Goldstar for his ARC Linkage application *The Asian Development Bank: the role of human rights in the pursuit of just and sustainable development in the Asia-Pacific region*. A revised application will be submitted in 2010.

4.2 Other research activities

International Human Rights Law

Andrew Byrnes continued his work on assessing the impact of both the ACT and Victorian Bills of Rights with Hilary Charlesworth and Gabrielle McKinnon (Regnet, ANU). A book based on the research to date, *Bills of Rights in Australia* (UNSW Press) (co- authored by Andrew with Hilary Charlesworth and Gabrielle McKinnon) was published in 2009.

Justine Nolan is co-authoring a human rights textbook for Oxford University Press (to be released in 2011) with Simon Rice (ANU) and Adam McBeth (Monash). It is designed as an introductory text for undergraduate and postgraduate international human rights students.

Business and Human Rights

The project focuses on the role business can play in protecting and promoting human rights. Project Director, Justine Nolan presented a paper at the ANZSIL conference in New Zealand in July on the role of 'soft law' in protecting human rights from corporate violations. In October 2009 Justine attended a meeting of the UN Special Representative for business and human rights in Geneva and also chaired a panel on corporate accountability at the *Breaking down Boundaries conference* at Sydney University on 5 December 2009. Justine was a consultant to the Australian Human Rights Commission to develop factsheets on the role business in protecting human rights (released in May 2009).

Trade and Human Rights

During 2009, the focus of the project directed by Gillian Moon was the application of human rights concepts to international trade law. The first part of the project - an analysis of the

impact of WTO law on equality and non-discrimination - was published in the 2009 *Journal of International Economic Law*. The second part, which looks at the role of trade protection measures as special measures under human rights law, will be published in the first part of 2010.

Gillian Moon attended the International Trade Conference of the NZ Centre for International Economic Law which was held in Wellington on 21-23 October 2009. The Conference theme was *Trade Agreements: Where do we go from here?* and Gillian presented a paper on the subject of the discriminatory impacts of some trade reforms, looking particularly at whether states may be in violation of their human rights obligations when they introduce trade liberalisation measures which disparately and adversely affect women and minorities. Gillian also attended the UNRISD conference, *The Global Financial Crisis and its Implications for Developing Countries*, held at the Palais des Nations in Geneva in November 2009. Gillian joined the Advisory Board of the Geneva-based NGO 3-D, which undertakes research into and advocacy for the inclusion of human rights in trade law and policy.

Health and Human Rights

Andrea Durbach and Beth Goldblatt were awarded a grant from the NSW Law Society Public Purpose Fund to draft an issues paper to which considered the development of a transnational obligation to redress the impact of health professional migration on the right to health in developing countries. A paper entitled 'Redressing the Impact of Health Professional Migration: the case of Zimbabwe', was accepted for presentation at the *International Conference on Realising the Rights to Health and Development for All* in Hanoi, Vietnam, 28 October 2009 and Andrea attended the conference to deliver the paper and participate in a post-conference research symposium. *AJHR* co-editor, Christine Forster also presented a paper at this conference: 'Protecting the Human Rights of Sex-Workers in the South Pacific: the Need for Law Reform'.

Gender, Development and Human Rights

Beth Goldblatt, the AHRCentre's Director of Gender and Development Program, convened a research workshop to explore the *Intersection of gender, cultural and religious rights* with Israeli gender scholar, Professor Frances Raday (see Annual Human Rights Lecture below) and representatives from UNSW's Indigenous Law Centre and Kingsford Legal Centre, Sydney University, the Australian Human Rights Commission and the Asia Pacific Forum of National Human Rights Institutions. Andrew Byrnes acted as a Resource person for a meeting with the CEDAW Committee on the Optional Protocol to CEDAW, organised by International Women's Rights Action Watch Asia Pacific in collaboration with the Office of the High Commissioner for Human Rights in New York in July 2009. Andrew Byrnes also attended workshops organised by the Universities of Leiden and Maastricht and the Free University of Berlin on the elaboration of a commentary to the CEDAW Convention, at The Hague and Berlin.

International Co-operation, Human Rights and Counter-Terrorism

This new project, led by Christopher Michaelsen, undertakes a comprehensive and interdisciplinary analysis of pressing international human rights problems and challenges in contemporary international co-operation in counter-terrorism. A key objective of the project is to examine recent state practice, case law as well as developments in international diplomacy in order to identify trends in international jurisprudence and policy on the intersection between human rights and counter-terrorism law and policy. The project will

also explore, where appropriate, options for reform that bring counter-terrorism measures in compliance with international human rights obligations. Research undertaken as part of the project has already led to a number of conference presentations, including at the 2009 ANZSIL conference in Wellington.

Migrant and Refugee Rights in Asia Program

Led by Bassina Farbenblum, the Migrant and Refugee Rights in the Asia Pacific Project engages in advocacy, litigation and law reform to advance the human rights of refugees and migrants in Australia and the Asia Pacific region. In addition to its domestic litigation and advocacy work, MRRP collaborates with legal NGOs in the region on advocacy and law reform initiatives such as drafting communications to UN human rights bodies; undertaking fact-finding and documentation of systemic rights violations; research and drafting white papers and parliamentary submissions; and filing and litigating freedom of information requests. The MRRP's current projects and cases in development focus on transparency and accountability with respect to Australia's role in the interception and detention of asylum seekers in South-East Asia.

Bassina Farbenblum attended the second Asia Pacific Consultation on Refugee Rights in Bangkok in October. She also attended the United Nations High Commissioner for Refugees Roundtable and NGO, Academic and Legal Practitioners Dialogue in Canberra.

In 2010, it is anticipated that MRRP will supervise several UNSW undergraduate law student interns each session. Based on campus, students will gain unique clinical experience in multifaceted approaches to human rights litigation and advocacy in both domestic and international settings, in collaboration with regional partner organisations. The MRRP is collaborating with several Indonesian NGOs and KLC to establish new projects.

Other research projects

Disability Rights

The AHRCentre remained active in the area of disability rights in 2009. Andrew Byrnes and Rosemary Kayess each presented a paper at the Expert Group Meeting on the *Harmonisation of National Legislations with the Convention on the Rights of Persons with Disabilities in Asia and the Pacific*. Andrew Byrnes also acted as a resource person at the Regional Inter-agency Meeting on the Promotion and Implementation of the Convention on the Rights of Persons with Disabilities in Asia and the Pacific and presented at a Roundtable on OPCAT-CRPD Implementation.

The establishment of the new Disability Studies and Research Centre, some of whose staff are being temporarily housed in the AHRCentre offices, offers great prospects for collaborative research projects.

Right to reparations for stolen generations

Andrea Durbach's work on reparations for the Stolen Generations continued during 2009 and she presented a paper on 'Securing Reparations for the Stolen Generations: the constraints of public interest litigation' at *Breaking down the Boundaries Conference* at Sydney University in December.

4.3 Research Associates/Visiting Fellows

During 2009, the AHRCentre continued to attract human rights scholars of excellence keen to pursue their research with Centre colleagues. The scholars included:

- **Professor Brian Burdekin AO**, former Australian Human Rights Commissioner, was a Visiting Professor at the AHRCentre and the Faculty of Law and taught a new course on *Human Rights in Asia* which focused on the role of national human rights institutions in the protection of human rights in the region. Brian is a former Special Adviser on National Institutions to the UN High Commissioner for Human Rights and currently Visiting Professor at the Raoul Wallenberg Institute of Human Rights in Sweden.
- **Simon Rice** was a Visiting Research Fellow at the AHRCentre for 6 months working with AHRCentre Deputy Director, Justine Nolan and Adam McBeth (Monash University) on a book for Oxford University Press on international human rights, and with Andrea Durbach on a research proposal relating to the impact of public interest litigation on policy formulation and revision. Simon is an Associate Professor at the ANU College of Law in Canberra, where he is Director of Law Reform and Social Justice.
- London and Dublin-based barrister Dublin, **Dr. Angela Ward** was a Visiting Fellow at both the AHRCentre and Gilbert + Tobin Centre. A specialist in European Union law and international human rights law, she undertook research on comparative human rights protection and guest lectured in various human rights courses. Angela is Adjunct Professor in European Union and Human Rights Law at University College, Dublin. While at the Centre she also she also addressed a UNSW Amnesty International and Law Society student forum *Does Australia need a Human Rights Act?* with former Prime Minister Malcolm Fraser, former President of the NSW Court of Appeal, Keith Mason, barrister Stephen Keim SC and director of Gilbert + Tobin Centre for Public Law's Charter of Human Rights Project, Ed Santow.
- **Beth Goldblatt** is a Visiting Senior Research Fellow undertaking research with Andrea Durbach on the impact on the right to health of the migration of health professionals. She was formerly based at the School of Law, University of the Witwatersrand, South Africa. Beth is also undertaking research for the Disability Studies and Research Centre at UNSW and is an Honorary Senior Research Fellow on a gender and rights project at Sydney University Law Faculty.
- **Dr. Gregor Heißl** visited the AHRCentre in March - April 2009 to conduct research on Australian immigration law and practice and the right to respect for family life. Dr. Heißl is based at the Institute for Constitutional and Administrative Law, University of Vienna.
- **Jessie Taylor** is a Visiting Research Fellow with Centre's Migrant and Refugee Rights Project. She is the author of the only empirical public report on Indonesian immigration detention conditions, bringing unique expertise to the MRRP's work on the interception and detention of asylum seekers in South-East Asia. Her research at the Centre focused on Australia's role in relation to Indonesian immigration detention, and concentrated on transparency and accountability issues concerning the International Organisation for Migration (IOM). Jessie is Chair of the Law Institute of Victoria Refugee Law Reform Committee and Secretary of Liberty Victoria, among other appointments.
- **Ineke Boerefijn** was the Julius Stone Visiting Research Fellow in the Faculty and Visiting Fellow at the AHR Centre from September 2008 until February 2009. She is an associate

professor at the Netherlands Institute of Human Rights of Utrecht University's School of Law. Ineke conducted research on the concept of positive obligations under the UN core human rights treaties, particularly in relation to the issue of ill-treatment by non-state actors.

- Visiting Fellow, **Mac Darrow's** research focuses on the human rights implications of climate change, extra-territorial obligations under international human rights law and theories of global distributive justice, as well as international aid and development policies in their relationship with human rights obligations concerning water and sanitation. Mac is the Coordinator of the Millennium Development Goals Unit of the Office of the United Nations High Commissioner for Human Rights, Geneva, on extended leave from the United Nations in 2009-10, based in Cambodia. In 2009 he worked as a consultant to the World Bank, Washington D.C., on climate change and human rights issues under international law. He was formerly Secretary to the U.N. Committee on the Elimination of Racial Discrimination, and prior to that, Research Fellow at the European University Institute, Florence (Academy of European Law) and government lawyer working on disability discrimination and human rights issues at the Commonwealth Attorney-General's Department, Canberra.

The students currently undertaking PhDs or Masters of Laws by research under the supervision of staff or associates of the Centre include:

- **Nazir Gul Daawar**, who completed his LLM at UNSW. Nazir is undertaking a PhD on "Re-evaluating the prominence of 'accountability' in building the rule of law in a transitional period within conflict and post-conflict societies". He is supervised by Martin Krygier and Justine Nolan.
- **Cristy Clark** continued her PhD which addresses the impact of privatisation on the right to water. Cristy is supervised by Andrea Durbach and Rosemary Rayfuse.
- **Phillip French**, disability rights advocate and scholar, conducted research on human rights and disabilities in light of the new UN Convention on the Rights of Persons with Disabilities. He is supervised by Andrew Byrnes and Andrea Durbach.
- **Fabiana Dal'Mas Rocha Paes** continued research on "Domestic Violence against African-descent women in Brazil: The Power of Prosecutors in the Protection of Women's Rights". She is supervised by Chris Cuneen.
- **Andre Gustavo de Almeida Geraldes** continued his PhD on "Sustainable Development and the Development Banks in the Brazilian Amazon." He is supervised by Andrew Byrnes and Gillian Moon.
- **Jacoba Brasch** continued her PhD research for her thesis "From exceptionalism to convergence: the development of fair trial standards in Australian military justice." She is supervised by Andrew Byrnes.

5 Educational initiatives

5.1 Human rights courses

Masters of Human Rights Law and Policy

The Master of Human Rights Law and Policy program, developed by Gillian Moon, continued in 2009. Open to both law and non-law graduates, the Masters offers an extensive range of courses which examine human rights law in an international and domestic context. The new program is a postgraduate degree which aims to train and support future professionals and scholars as leaders in human rights law and policy.

Masters in Health, Human Rights and Development

For the third successful year, AHRCentre staff participated in teaching a course on *Health, Development and Human Rights* – a joint venture of the UNSW Faculties of Medicine, Law and Arts and Social Sciences. The course, developed by Prof Daniel Tarantola within the UNSW Health and Human Rights Initiative, covered a wide range of topics, including Human Rights and Disabilities, Intellectual Property Rights and Access to Medicines, Human Rights and the Law and the Gender, Health and Development.

Postgraduate courses

Members and associates of the AHRCentre developed two new postgraduate courses for 2009:

Human Rights in Asia (National Human Rights Institutions in the Asia Pacific Region) (LAWS4060).

The course focused on the origins, mandates, functions and powers of national human rights institutions in the Asia Pacific region and is aimed at increasing the knowledge of their role and impact among governments, legislators, bureaucrats and NGOs interested in promoting and protecting human rights. The course was taught by Professor Brian Burdekin AO, former Federal Human Rights Commissioner and former Special Adviser on National Institutions to the UN High Commissioner for Human Rights, currently Visiting Professor at the Raoul Wallenberg Institute of Human Rights in Sweden, and Visiting Professor at UNSW.

Australian Bills of Rights in International and Comparative Perspectives (LAWS4061)

This course explored the theoretical debates around the desirability of constitutional and other models of bills of rights. It focused on statutory bills of rights, in particular the existing and proposed State and Territory statutory charters in Australia, and the continuing debate about an Australian federal bill of rights. It examined the impact of the human rights charters in the ACT and Victoria on policy-making, government decision-making, legislative processes, and in the courts by reference to a number of case studies and consideration of selected areas of substantive law. Reference was also be made to bills of rights elsewhere, including the UK Human Rights Act, the Canadian Charter, the South African Bill of Rights, and the Hong Kong Basic Law. The course was convened by Professor Andrew Byrnes.

Undergraduate courses

Australian Bills of Rights and the Protection of Human Rights (LAWS2047)

In 2009, Andrew Byrnes introduced a new course which explored the debates around the desirability of constitutional and other models of bills of rights. It explored the reluctance in Australia to enact formal bills of rights, and examined the development and operation of the modern statutory “charters” of rights adopted by the ACT and Victoria, as well as the proposals for similar legislation at the State/Territory and federal levels. It examined the impact of the human rights legislation in the ACT and Victoria on the policy-making, government decision-making, legislative processes, and the work of the courts. It also examined the ways in which human rights may be protected without a bill of rights, and tracked the national consultation on a charter of rights.

5.2 Student internships/placements

Human Rights Postgraduate Internship Program

AHRCentre’s Gillian Moon has been instrumental in establishing a Human Rights Internship for post-graduate students which will be introduced from session 1, 2010 at the UNSW Faculty of Law. Enrolment will be by competitive application. Students will undertake a research project with an external human rights organisation. Partner organizations include Amnesty International, 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 internships will be open to students in the Master of Laws, the Master of Human Rights Law & Policy and the Grad Dip Human Rights Law and Policy and the Masters of International Law and International Relations.

Social Justice Program

The AHRCentre continues to participate in the Social Justice Internship Program each semester with final year law students working in the Centre. During 2009, Leanne Donde (semester 1) undertook research for the Centre’s submission to the National Consultation on Human Rights. Jessica Roth (semester 2) prepared briefing materials in preparation for the APF/NHRI Project team field trip to Jordan and assisted with the organisation of the visits of Professor Frances Raday and Hina Jilani.

Australian Journal of Human Rights and the *Human Rights Defender*

The AHRCentre publications, the *Australian Journal of Human Rights* and the *Human Rights Defender* offer student editor electives to law students. The Journal takes 2 students a year and the HRD takes 3 students, one over the summer.

The *Human Rights Defender* student editors were: Carmen Chung (semester 1), Hannah Withers (semester 2) and Alpana Modi (summer). The *Journal* interns were Alana Yap (semester 1) and Chanelle Mao (semester 2). The students plan editions, edit submissions and liaise with authors.

AHRCentre International Program

In 2009, the AHRCentre continued the partnership with the Australian Youth Ambassadors for Development (AYAD) Program which aims to strengthen mutual understanding between Australia and the countries of the Asia-Pacific region and make a positive contribution to development in the region. The inaugural AHRCentre International program participant was Avigail Shai. She undertook her internship with UNICEF in Nepal as a Child Protection Officer. Two other AHRC/ AYAD program participants began their placements in March 2009:

Julia Mansour - Judicial Systems Monitoring Programme, Timor Leste and Anouska Perram - Feminist Dalit Organisation, Nepal.

The AHRCentre has developed this partnership to increase opportunities for AHRCentre researchers, student interns and volunteers to broaden their practical and research experience by working with human rights organisations in developing countries in the Asia Pacific Region. The AYAD program is fully funded by the Australian Government's overseas aid agency, AUSAID.

AHRC/AHRCentre Model UN meeting, China

During the last four years, the AHRCentre and the Faculty of Law have participated in the student Model UN meeting in China at the invitation of the Australian Human Rights Commission. The initiative is a joint venture of the United Nations Association of China and the Australian Human Rights Commission, and forms a part of the Australia-China Human Rights Technical Cooperation Program. UNSW is the only foreign university invited to participate. In mid-November, four UNSW law students were selected to attend the meeting at Beijing Normal University. The AHRCentre/Faculty of Law team – Marissa Chorn, Sarah Haid, Jessica Roth and Jermir Punthakey - representing the member state of Jordan won the Outstanding Delegation Award and Best Position Paper Award. The team developed submissions on the universality of rights and the right to education for children. The team was accompanied by their Faculty Adviser and AHRCentre Deputy Director, Justine Nolan who came away with the Best Faculty Advisor award. Special thanks to David Robinson and Natasha de Silva from the International Programs Unit, Australian Human Rights Commission which each year has provided funding to enable a team to participate in this remarkable event.

UCT/UNSW Student Exchange Program

Throughout 2009 Justine Nolan and Andrea Durbach worked to establish a student exchange program between the UNSW Faculty of Law and the University of Cape Town Faculty of Law. The program was finally launched by Professor David Dixon, Dean of the Faculty of Law, UNSW, and Professor Evance Kalula, Deputy Dean, Internationalisation and Outreach, Faculty of Law, University of Cape Town (UCT) in August 2009. UNSW law students will now be able to spend a semester on exchange at UCT and UNSW and the AHRCentre looks forward to welcoming UCT students to our Faculty.

NSW Legal Aid Commission Human Rights Fellowship for Graduate Lawyers

The AHRCentre, in partnership with the Legal Aid Commission of New South Wales, developed and established a Human Rights Fellowship Program for graduate law students interested in human rights legal practice in 2007. The Fellowship provides students with an opportunity to gain hands-on experience working in the Human Rights Unit of the NSW Legal Aid Commission for a 15 week period (being the clinical component of their College of Law Practical Training Course Professional Program). Law graduates Penny Adams (May – October) and Shana Krishnan (Nov – Jan 2010) were selected for the 2009 intake. Our thanks to Alex Grosart of the NSW LAC for his management of the project and supervision of our graduates.

5.3 Schools

On 1 July 2009, the AHRCentre and the Faculty of Law hosted a Human Rights Round Table with senior high school students across Sydney. The round table brought together human rights, experts, practitioners and advocates, including Disability Discrimination Commissioner, Graeme Innes AM and AHRCentre staff and interns to inspire young people to develop an understanding of and interest in human rights and their impact on daily lives.

6. Events

6.1 AHRCentre Annual Public Lecture

On 17 November 2009, **Professor Frances Raday** delivered the AHRCentre Annual Lecture on religious challenges to human rights. Professor Frances Raday is Emerita Professor at the Hebrew University and Director of the Concord Research Institute for Integration of International Law in Israel. At the Hebrew University she has held the positions of chair of the Lafer Center for Women Studies, chair of the Academic Committee of the Minerva Center for Human Rights and chief editor of the Israel Law Review. She was also the founding chair of the Legal Center of the Israel Women's Network and from 2000-2003, she was an independent expert to the UN Convention on the Elimination of Discrimination against Women Committee. Professor Raday addressed the question whether secularism could contribute to peace-making in the Middle-East, arguing that while secularism does not guarantee peace or human rights, secular human rights regimes provide the neutral space in which peaceful co-existence and territorial compromise can be reached.

While visiting the Centre, Professor Raday met with the Australian Sex Discrimination Commissioner, Liz Broderick and conducted a workshop on the intersection of religious and cultural rights and gender. The AHRCentre is grateful for funding from the Law Faculty Small Research Grants Scheme and the Evan Wynn Family Trust to support Professor Raday's visit.

6.2 AHRCentre Seminar Program

Seminars held in 2009 include:

- 17 February 2009: AHRCentre staff and associates including **Andrea Durbach** and **Andrew Byrnes** addressed a seminar on the implementation of the most recent human rights treaty to enter into force, the Convention on the Rights of Persons with Disabilities. The seminar, *International Convention on the Rights of Persons with Disabilities: Implementation, National and International Monitoring* was co-convened with the Disability Studies and Research Centre and the Australian Human Rights Commission.
- 24 March 2009: Israeli anthropologist, **Professor Jeff Halper** addressed a packed theatre when he spoke on *Reframing the Israel-Palestine Conflict: a human rights perspective*.
- 30 March 2009: **Andrew Byrnes** spoke at *Meeting of the Minds* - a panel discussion on whether Australia should enact a Human Rights Act. Other panel speakers included NSW Attorney General, John Hatzistergos, former Solicitor-General of the Commonwealth of Australia, David Bennett QC, NSW barrister, Dr Melissa Perry QC, Gilbert + Tobin Centre of public Law Bill of Rights Project Director, Ed Santow and PIAC Executive Director, Robin Banks.

- 21 May 2009: AHRCentre Deputy Director, **Justine Nolan** addressed a seminar, *Corporate responsibility: failed rhetoric or future remedy?* held at Allens Arthur Robinson. Other speakers included Vanessa Zimmerman (Office of the United Nations Special Representative on Business and Human Rights), Sally Herman (Westpac), Vanessa Lesnie (Australian Human Rights Commission), Jeremy Baskin (Cambridge Programme for Sustainability Leadership), and Ed Santow (Gilbert + Tobin Centre for Public Law).
- 21 July 2009: **Justice Yvonne Mokgoro** from the South African Constitutional Court addressed the topic *The Role of Legislation and Courts in Promoting Socio-Economic Rights: the South African experience*.
- 1 September 2009: *The right to health in Zimbabwe: interpreting Australia's transnational human rights obligations*. **Andrea Durbach and Beth Goldblatt** presented a lunchtime seminar on what, if any, are Australia's obligations towards realising the right to health in countries where the health system is a casualty of political conflict and economic collapse.
- 18 September 2009: the AHRCentre hosted a roundtable discussion with Pakistani human rights lawyer, **Hina Jilani**, who was in Australia to deliver the 2009 Hal Wootten lecture.
- 8 October 2009: *After the War on Drugs*: at a joint AHRCentre and UNSW Initiative on Health and Human Rights seminar, former Chief of the Seattle Police Department and author, **Dr Norm Stamper**, warned that the so-called war on drugs in America has been a war on people, criminalising the poor and the marginalised and over-crowding the prisons.
- 15 October 2009: *Civilising Globalisation: Human Rights and the Global Economy*. **Professor David Kinley** of the University of Sydney discussed his recent book, *Civilising Globalisation* at a Centre lunchtime seminar. He analysed how human rights intersect with the three principal components of the global economy – trade, aid and commerce – arguing that while the global economy is an essential civilising instrument, it has within it tendencies and practices that themselves require 'civilising', in accordance with human rights standards.
- 23 October 2009: **Cameron Jacobs**, Senior Researcher in the Economic and Social Rights Unit of the South African Human Rights Commission, addressed the South African experience in monitoring economic, social and cultural rights and its implications for the Australian Government's consideration of the Brennan report on human rights protection in Australia.
- 17 November 2009: the ARHCentre hosted a seminar with **Emerita Professor Frances Raday** on the Goldstone Report (see Annual Lecture above) .

6.3 Other events

- On 18 March, a new and timely book, *Bills of Rights in Australia – history, politics and law*, written by AHRCentre Chair, Andrew Byrnes and Hilary Charlesworth and Gabrielle McKinnon (Regnet, ANU) was launched in March at Gleebooks by Sydney Morning Herald Columnist and law journalist, Richard Ackland.

7. Other Activities

7.1 Conferences

AHRCentre Director Andrea Durbach and AHRCentre Board Chairperson, Andrew Byrnes participated in the *Protecting Human Rights Conference* held by the Gilbert + Tobin Centre of Public Law on 2 October 2009. The conference considered the National Human Rights Consultation and provided an update on developments in the Victorian Charter of Human Rights and Responsibilities, the ACT Human Rights Act and NSW human rights law.

The AHRCentre co-convened a conference in November with Sydney University on *Human Rights in Asia* which was addressed by Catherine Renshaw and Andrea Durbach.

7.2 Visiting delegations

In February 2009 the Faculty of Law hosted a number of international visitors for the International Research Collaboration workshop. Several AHRCentre staff and associates organised and participated in the Human Rights and International Law stream of the workshop and it is hoped that research projects with colleagues at the various international universities represented will be developed.

The AHRCentre coordinated a visit to the Faculty of Law by a high-level delegation from the Chinese University of Political Science and Law on 7 April 2009. Various members of the Centre and Faculty addressed the delegation, which was in Australia to review human rights initiatives and protections. The AHRCentre also collaborated with the UNSW Initiative for Health and Human Rights (IHHR) in hosting a delegation from Vietnam.

7.3 Submissions to government or Parliamentary Inquiries

The AHRCentre made a submission to the National Human Rights Consultation in June 2009 focusing on the need for a progressive model of rights protection adapted to the Australian experience, reasons for and functions of a federal bill of rights, the principles that should underpin assessment of the desirability of a bill of rights, the limitations of 'dialogue' as a mechanism for extensive human rights protection and proposing a different model combining elements of the 'dialogue' and repeal models.

A full list of submissions by members of the AHRCentre is available on pages 19 and 20.

7.4 Other

The centre is involved in a project coordinated by the National Association of Community Legal Centres, the Human Rights Law Resource Centre and Kingsford Legal Centre which documents the state of human rights in Australia. The primary focus of this project is the preparation and submission of two NGO reports to the United Nations—one to the Committee on Economic, Social and Cultural Rights, and the other to the Human Rights Committee. In April 2008, the first of the two NGO Reports entitled *Freedom, Respect, Equality, Dignity: Action*, was submitted to the UN Committee on Economic Social and Cultural Rights regarding Australia's implementation of the International Covenant on Economic, Social and Cultural Rights. Substantial contributions to the report were made by over 30 NGOs with specific human rights expertise, and the Report is supported by over 100 NGOs.

8. Publications

8.1 Australian Journal of Human Rights (2 issues per year)

The *Journal* remains the only comprehensive and refereed human rights journal in Australia and includes articles on human rights from a variety of disciplines and perspectives. It recently received 'A' ranking status in the ARC journal classification exercise. The first edition of the *Journal* in 2009 featured articles on human trafficking, academic freedom, South Africa's Truth and Reconciliation Commission and strategic litigation. The second edition was a special edition on human rights and disability (vol 15, number 1).

Christine Forster and Alan Morris are the *Journal* co-editors and Andrew Byrnes, Andrea Durbach, Steven Freeland, Fleur Johns, Peter Kriesler and Eileen Pittaway make up the editorial board.

8.2 Human Rights Defender (3 issues per year)

The *Human Rights Defender* editorial team consists of Justine Nolan, Janice Gray, Jill Hunter and Claudia Tazreiter.

The three editions in 2009 concentrated, respectively, on: *Criminal Justice, Race and Human Rights* (Vol 18, Issue 1); *The impact of climate change on the human right to food, water and shelter* (Vol 18, Issue 2) and *Economic, Social and Cultural Rights* (Vol 18, Issue 3). The December 2009 edition was guest edited by Kingsford Legal Centre.

8.3 Publications and presentations by Centre staff and associates

Publications

Boerefijn, I (AHRCentre Visiting Research Fellow 2008-9), 'Establishing State Responsibility for Breaching Human Rights Treaty Obligations: Avenues under UN Treaties' (2009) 56 *Netherlands International Law Review* 167-205.

Byrnes, A, Charlesworth, C and McKinnon G *Bills of Rights in Australia – History, Politics and Law* (Sydney, UNSW Press, 2009).

Darrow, M and Arbour, L 'Pillar of Glass: Human Rights in the Development Operations of the United Nations,' (July 2009) *AJIL*

Durbach, A, Renshaw, C and Byrnes, A "A tongue but no teeth? The emergence of a new regional human rights mechanism in the Asia-Pacific region", (2009) 31(2) *Sydney Law Review* 211-238.

Forster, C and Jivan, V 'Achieving Real Pacific Solutions: The Challenge(s) of Realising Greater Legislative Compliance With CEDAW in the Pacific' (2009) 10 *Melbourne Journal of International Law* 1.

Forster, C and Jivan, V, "Gender equality laws: good practice and a review of five southeast Asian countries" UNIFEM Bangkok: Bangkok, March 2009.

Joyce, D 'Fact-Finding and Evidence at the International Court of Justice: Systemic Crisis, Change or More of the Same?' (2007) Volume XVIII *Finnish Yearbook of International Law* pp 283-306.

Michaelsen, C 'Kadi and Al Barakaat v Council of the EU - The Incompatibility of the UN Security Council's 1267 Sanctions Regime with European Due Process Guarantees' (2009) 10(1) *Melbourne Journal of International Law* 329-345.

Michaelsen, C "Face the flaws – don't choose the scaremonger path", *Canberra Times*, 17 August 2009, Opinion, p. 11.

Michaelsen, C "Legal Duty, No, Moral Duty, Yes," *Canberra Times*, 18 November 2009, Opinion, p. 19.

Michaelsen, C "Time for an objective approach to the terrorism threat," *Canberra Times*, 26 February 2010, Opinion, p. 21.

Nolan, J "The China dilemma: internet censorship and corporate responsibility" (2009) 4(1) *Asian Journal of Comparative Law*.

Nolan, J "The nexus between human rights and business: defining the sphere of corporate responsibility" in Farrell, J and Rubenstein, K (eds) *Sanctions Accountability and Governance in a Globalised World*, 2009 Cambridge University.

Nolan, J and Taylor, L 'Corporate Responsibility for Economic, Social and Cultural Rights: Rights in Search of a Remedy?' (2009) 87(2) *Journal of Business Ethics* 433-451.

Nolan, J Review of *Human Rights and Corporations* edited by David Kinley, Ashgate Publishing Company, (2009), 539pp in (2009) 15(1) *Australian Journal of Human Rights* 185-187.

Renshaw, C, Byrnes, A and Durbach, A "Implementing Human Rights in the Pacific through the work of National Human Rights Institutions: the experience of Fiji" (2009) 40(1) *Victoria University of Wellington Law Review* 251-277.

Tarantola D and Gruskin S (2009) 'Universal Access: Are National Strategic Plans Sensitive to Human Rights?' in: RG Marlink, SJ Teitelman, (eds) *From the Ground Up: Building Comprehensive HIV/AIDS Care Programs in Resource-Limited Settings* Washington, DC, Elizabeth Glaser Pediatric AIDS Foundation, 331-350.

Presentations

Andrea Durbach addressed the launch of the Young Lawyers Human Rights Opportunities Database, NSW Parliament House, 14 May 2009.

Andrea Durbach and Beth Goldblatt presented papers at a Sydney University Law School workshop on *Gender, Race and Reparations* on reparations for the Stolen Generations and the failure of reconciliation and the South African Truth and Reconciliation Commission's approach to gender issues, 3 April 2009.

Andrea Durbach, *Redressing the Impact of Health Professional Migration : the case of Zimbabwe*, paper presented to the IHHR *International Conference on Realising the Rights to Health and Development for All* in Hanoi, Vietnam 26 – 30 October, 2009.

Andrea Durbach and Catherine Renshaw briefed a visiting delegation of Thai court officials from the Supreme Court of Thailand on the AHRCentre national human rights institutions project and the Australian human rights protection national consultation, 15 May 2009.

Andrea Durbach spoke at the launch of the NSW Legal Aid Commission's 'Connecting Human Rights to Everyday People, at the State Civil Legal Aid Conference, Sydney, 13 November 2009.

Andrea Durbach, 'A missed opportunity: the foregone conclusion of a national human rights consultation', paper presented at the *Protecting Human Rights Conference 2009*, Sydney, 2 October 2009, (forthcoming in the Indigenous Law Bulletin, April 2010).

Andrea Durbach, 'Human Rights Commissions in Times of Trouble and Transition: the case of the National Human Rights Commission of Nepal' paper presented at the International Conference on Human Rights in the Asia-Pacific Region, Sydney University, November 2009.

Andrea Durbach, 'Securing Reparations for the Stolen Generations: the constraints of Public Interest Litigation' paper presented at the *Breaking down Boundaries conference*, Sydney University, 5 December 2009.

Andrea Durbach addressed a seminar in Melbourne on 'Can the UN Combat Racism? A Preview of the Durban Review Conference'. The seminar was organised by the Castan Centre for Human Rights, Monash University, 20 February 2009 and also featured Tom Calma (the Aboriginal and Torres Strait Islander Social Justice Commissioner and Race Discrimination Commissioner from the Australian Human Rights Commission) and Richard Clarke (Human Rights Officer in the Anti Discrimination Unit of the Office of the High Commissioner for Human Rights in Geneva)

Andrew Byrnes 'Exclusion, engagement and inclusion? Reflections on the relevance of feminist critiques to disability-based critiques of international law' paper presented at Conference on Feminist Internationalisms: Celebrating feminist engagements with international law and politics, Centre for International Governance and Justice, ANU, Canberra, 23-24 November 2009.

Andrew Byrnes "Drug offences, Access to Courts and Human Rights", presentation to Young Lawyers CLE Seminar Series, 11 February 2009.

Andrew Byrnes "The Asian Development Bank: the role of human rights in the pursuit of just and sustainable development in the Asia Pacific region, and other research projects" presentation at the International Research Workshop, UNSW, 29 February 2009.

Andrew Byrnes "The Convention and the National Human Rights Consultation", presentation at seminar on the International Convention on the Rights of Persons with Disabilities: implementation, national and international monitoring, UNSW, 17 February 2009.

Andrew Byrnes, 'The Optional Protocol to the Convention against Torture: An Overview', presentation to the Australian Council of Human Rights Agencies, Sydney, 5 November 2009.

Andrew Byrnes, 'Asia's Human Rights Comité des Sages? The Advisory Council of Jurists of the Asia Pacific Forum of National Human Rights Institutions', paper presented at Sixth Asian Law Institute Conference, University of Hong Kong, 29-30 May 2009.

Andrew Byrnes, 'Disability discrimination law and the Asia Pacific region: progress and challenges in the light of the United Nations Convention on the Rights of Persons with Disabilities', paper presented at Expert Group Meeting on the Harmonization of National Legislations with the Convention on the Rights of Persons with Disabilities in Asia and the Pacific, organised by UNESCAP and OHCHR, 8-10 June 2009.

Andrew Byrnes, 'Implementing the ICRPD in Australia: Ideas for Best Practice', presentation at Roundtable on OPCAT – ICRPD Implementation, organised by Institute of Legal Studies, Australian Catholic University, Melbourne, 7 August 2009.

Andrew Byrnes, 'The protection of human rights in NSW through the Parliamentary process – a review of the recent performance of the NSW Parliament's Legislation Review Committee', paper presented at *Protecting Human rights Conference 2009*, Sydney, 2 October 2009.

Andrew Byrnes was a panellist commentator on 'The Forgotten Freedom: Freedom from Fear', address delivered by Chief Justice of New South Wales, the Hon James Spigelman AC, to the Australian Academy of Law, Sydney, 18 November 2009

Bassina Farbenblum, participated on a panel on Transforming Human Rights and Refugee Narratives in Public Discourse at the United Nations High Commissioner for Refugees' Roundtable and NGO, Academic & Legal Practitioners Dialogue in Canberra and attended the second Asia Pacific Consultation on Refugee Rights in Bangkok, October 2009.

Beth Goldblatt and Andrea Durbach addressed a UNSW staff seminar on Australia's legal obligations towards realising the right to health in developing countries: the case study of Zimbabwe, 1 September 2009

Catherine Renshaw and the Director of the Asia Pacific Forum of National Human Rights Institutions, Kieren Fitzpatrick, presented their paper 'NHRIs in the Asia Pacific' region at a workshop jointly organised by Harvard Law School and New York University Law School at Harvard, September 2009.

Catherine Renshaw participated in a workshop on national human rights institutions (NHRIs) hosted by Melbourne University: '*Creating change? NHRIs (In)Action in the Asia-Pacific Region*' in July 2009. Catherine presented a paper on SUHAKAM and the engagement of civil society in the processes of the International Coordinating Committee of Institutions for the Promotion and Protection of Civil Society (ICC).

Catherine Renshaw, 'The Role of Networks in the Implementation of Human Rights in the Asia Pacific region.' paper presented at the International Conference on Human Rights in the Asia-Pacific Region, Sydney University, November 2009.

Chris Michaelsen, 'Human Rights and Counter-Terrorism in Theory and Practice', 51st Annual Convention, International Studies Association, New Orleans, USA, 19 February 2010.

Chris Michaelsen, 'The Proportionality Principle, Counterterrorism and Human Rights: A German-Australian Comparison', International Conference on *Exclusions from Constitutional Law*, City University of Hong Kong, CHINA, 29 October 2009.

Chris Michaelsen, 'The Security Council's 1267 Sanction Regime and Due Process,' 17th Annual Conference, Australian and New Zealand Society of International Law, Victoria University of

Wellington, New Zealand, 3 July 2009.

Christine Forster 'Sexual Offences Law Reform in Pacific Island Countries: Replacing Colonial Norms with International Good Practice Standards', paper presented at PIPSA Conference Auckland University, December 2009.

Christine Foster, 'Protecting the Human Rights of Sex Workers in the South Pacific: The Need for Law Reform', paper presented at the IHHR *International Conference on Realising the Rights to Health and Development for All* in Hanoi, Vietnam 26 – 30 October, 2009.

Justine Nolan, 'The Role of 'Soft Law' in Protecting Corporate Violations of Human Rights' at the 17th Annual Conference of the Australian and New Zealand Society of International Law, Wellington, 2-4 July 2009.

Submissions

Andrew Byrnes and Andrea Durbach, Submission of the Australian Human Rights Centre to the National Consultation on Human Rights, 15 June 2009.

Andrea Durbach, Catherine Renshaw and Andrew Byrnes, Submission presented and evidence given at hearing of Human Rights Sub-committee of the Joint Standing Committee on Foreign Affairs, Defence and Trade, Inquiry into Human Rights Mechanisms and the Asia-Pacific, Sydney, 18 February 2009.

Andrew Byrnes and Andrea Durbach (with Hilary Charlesworth, Susan Harris Rimmer, ANU), Submission into the Inquiry into the Optional Protocol to the Convention on the Rights of Persons with Disabilities, conducted by the Joint Standing Committee on Treaties, February 2009.

Hilary Charlesworth, Andrew Byrnes and Gabrielle McKinnon, *A Report to the ACT Department of Justice and Community Safety prepared by the ACT Human Rights Act Research Project*, May 2009, 95 (this report was tabled on 18 August 2009 in the ACT Legislative Assembly by the ACT Government as the basis for public consultation as part of the 5-year review of the ACT Human Rights Act 2004).

Andrew Byrnes, Hilary Charlesworth and Renuka Thilagaratnam, Submission to the National Consultation on Human Rights, 15 June 2009.

Justine Nolan (co-signatory to the) Joint Submission of International Academic Human Rights Programs to the United Kingdom's Joint Committee on Human Rights inquiry into business and human rights, May 2009.

Mac Darrow, Consultancy report for the World Bank Legal Vice Presidency, Washington DC, on 'Climate Change and Human Rights', mapping the relationships between these fields under international law, October 2009.

Mac Darrow, Report for the Office of the UN High Commissioner for Human Rights, Geneva, on 'Delivering as One', background paper for a UN inter-agency workshop organised by UN/OHCHR and the UN Development Group in Geneva, October 2009.

Mac Darrow, Report for the UN Independent Expert on human rights obligations relating to water and sanitation, on 'Millennium Development Goals and the rights to water and sanitation', November 2009.

Statement of Financial Performance for the Year Ended 31 December 2009

The AHRCentre income is derived from a mix of project work, consultancies, donations seminar/lecture fees and subscription from the *Australian Journal of Human Rights* and *Human Rights Defender*.

	2008	2007	2006
Income			
External Funds (i)	6,833.92	28,331.50	42,294.59
UNSW Contribution	-57.78	-26,500.36	108,238.00
Total Income	6,776.14	1,831.14	150,532.59
Expenses			
Payroll	5,822.84	11,728.61	82,744.08
Equipment	364.55	0.00	1505
Materials	25,051.25	25,660.78	13,281.62
Travel	550.36	685.76	2,136.07
Total Expenses	31,789.00	38,075.15	99,666.77
Encumbered			
Materials	_____	_____	_____
Total Encumbered	_____	_____	_____
Operating result	(25,012.86)	(36,244.01)	50,865.82
Surplus(Deficit) Bfwd from Prior Year	66,316.91	102,560.92	51,775.05
Accumulated Funds Surplus(Deficit)	41,304.05	66,316.91	102,640.87
Less Unpaid Invoice	0	0	80.00
Net Accumulated Funds Surplus(Deficit)	41,304.05	66,316.91	102,560.87
Plus Non Project Bfwd bal Per PROJSTATG	0.00	0.00	0.05
Net Accumulated Funds Surplus(Deficit)	41,304.05	66,316.91	102,560.92

(i) Excludes debtors (unpaid invoices)

- * 1. As per UNSW Budget Guideline, no carry forwards were allowed.
 2. Direct UNSW contribution was discontinued from 2007.
 3. The Centre received an in-kind contribution of \$45,651 towards the payroll.
 4. Additionally, the Centre is supported by the provision of office space, computer and communication infrastructure and administrative (Professional & Technical) support from the Faculty.

Note: the grant received from the ARC and APF for the 'Building Human Rights Project' is administered through the UNSW Grants Management Office and is accordingly not reflected in the AHRCentre accounts.

