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e-bulletin

November 2010

- **New members of AHRCentre Board**

We are delighted to welcome to the AHRCentre Board new Board members Professor Louise Chappell and Professor Anthony Zwi.

Louise Chappell is an inaugural Australian Research Council Future Fellow in the School of Social Sciences and International Studies. Her research focuses on gender and political institutions, with a particular interest in federal institutions, as well as women's human rights. Louise took an appointment as Professor and ARC Future Fellow at UNSW in 2010 to work on a project on the implementation of the gender provisions of the International Criminal Court. Previously Louise was an Associate Professor in Government and International Relations at the University of Sydney and has held visiting positions at Leiden University (2008) and Simon Fraser University Vancouver (2005).

Anthony Zwi is Professor in the School of Public Health and Community Medicine at UNSW. His research focuses on international health and policy and their interface with equity, social justice and human rights. He has worked extensively in Timor-Leste and also has ongoing research projects in Sri Lanka, the Solomon Islands, Vietnam and Cambodia. Anthony heads a team exploring how health-related interventions in countries which have experienced disasters and wars could be more sensitive to culture, conflict, and to rebuilding trust and social cohesion. Anthony is a Fellow of the Australasian Faculty of Public Health Medicine and a member of various committees and boards.

With gratitude we farewell AHRCentre retiring Board members Daniel Tarantola, Clark Butler and Lucy Taksa who have provided us with wonderful service over the last few years.

www.ahrcentre.org

● What's on at the AHRCentre

Upcoming Events

Visit by Professor Hugh Corder

Former Dean of the Law Faculty at the University of Cape Town, South Africa and constitutional and administrative law scholar, Prof Hugh Corder will visit the AHRCentre and Law School on 1 December 2010. Hugh will also meet with the Dean, David Dixon and AHRCentre staff to discuss the exchange program of law students (see below) and staff and to meet with administrative law experts on the role of administrative tribunals.

Inaugural Hong Kong University-UNSW Research Symposium

On 2 and 3 December 2010 the inaugural UNSW-HKU Research Symposium will be held at the UNSW Faculty of Law. This is the first major event to be held under the Memorandum of Understanding between the University of Hong Kong and UNSW Law Faculties which was signed last year by the Vice-Chancellors of the two institutions. The Symposium will bring nearly twenty colleagues from Hong Kong to UNSW to explore common interests in a variety of fields including human rights, international law, land law, restitutions and remedies, and taxation law and policy. The Symposium is being held in conjunction with the Ingram Colloquium for Law and Development.

Recent Events, Seminars and Presentations

Hal Wooten Annual Lecture/AHRCentre Annual Public Lecture September 2010

Former Judge of the South African Constitutional Court, Albie Sachs: *'A man called Henri: Truth, reconciliation, justice and gross violations of the past'*



Albie Sachs receiving his honorary degree as part of the Hal Wooten Annual Lecture/ AHRCentre Annual Public Lecture September 2010

AHRCentre Annual Lecture

This year, the Annual AHRCentre Public Lecture was held in conjunction with the Law Faculty's Annual Hal Wootten lecture. The lecture was delivered by South African human rights activist, lawyer and former judge of the South African Constitutional Court, Albie Sachs. An iconic figure in the struggle against apartheid, Albie Sachs went on to play a key role in South Africa's road to reconciliation. He was one of the first judges appointed to the new Constitutional Court of South Africa by Nelson Mandela. In 1996, the Constitutional Court, which interprets the country's Bill of Rights, handed down a decision which upheld the law allowing the Truth and Reconciliation Commission (TRC) to grant civil and criminal indemnity to perpetrators of torture and assassination under apartheid. Some months later, Albie Sachs met Henri, a security operative who had participated in the 1988 attempt to assassinate him in Mozambique. In his address, Albie Sachs reflected on the role of the TRC, the different meanings of truth in a complex society and the place of restorative justice in dealing with human rights abuses of the past. Both Hal Wootten's response to Albie's lecture and Andrea Durbach's introduction of Albie are published in the December 2010 edition of the Human Rights Defender.

Albie's lecture is available on-line at www.law.unsw.edu.au/news_and_events/newsasp?type=&name=3667&year=2010

Prior to the lecture, the Chancellor David Gonski presented Albie with an honorary degree (LLD), UNSW being the first Australian university to award him such an honour. In addition to the lecture, Albie met with UNSW law students, conducting what emerged as riveting 'master classes' in human rights law and policy.

At an AHRCentre event hosted by Freehills, close to 150 people packed a room to hear Albie in conversation with former Federal Minister for Home Affairs and NSW Attorney General, Bob Debus – who also launched Albie's recent book, *The Strange Alchemy of Life and Law*.

The AHRCentre organised a national tour which saw Albie Sachs deliver seminars, lectures, meet with members of the judiciary and launch his book in Adelaide, Canberra, Melbourne and Perth.

Human Rights as Foreign Policy August 2010

On 19 August 2010, the AHRCentre and the Australian Council for International Development (ACFID) held a joint seminar at which Professor Alison Brysk spoke on the topic '*Global Good Samaritans: Human Rights as Foreign Policy*.' Alison Brysk is Professor of Political Science and International Studies, as well as Director of Human Rights Program, at University of California, Irvine. She has authored and edited numerous books on human rights, foreign policy and globalization and in 2007 held the Fulbright Distinguished Visiting Chair in Global Governance at Canada's Centre for International Governance Innovation. Professor Brysk's most recent book is *Global Good Samaritans: Human Rights as Foreign Policy* (OUP, 2009). Introductory remarks were made by Gillian Moon (Senior Lecturer, UNSW Law School and Director, Trade, Human Rights and Development Project) and James Cox from the Human Rights Task Group, ACFID.

The Fight against Terror June 2010

The AHRCentre and the UNSW International Law and Policy Group hosted a seminar on the 'Fight against Terror: Practical Dilemmas in applying the Laws of War'. Prof Abraham Bell of Bar-Ilan University (Israel) and Col. Sharon Afek, Deputy Military Advocate General for the Israel Defence Forces presented their views on the difficulties in applying the current international humanitarian laws in counter-terrorism operations. Since 11 September 2001, the nature of the terrorism threat to the global community has expanded both quantitatively and qualitatively to encompass private groups having a multinational presence and the capacity to inflict armed attacks against states. There is a growing awareness that the traditional laws of conflict did not foresee the new challenge of states fighting world-wide terrorism networks. Difficult questions were raised as to the extent to which and the manner in which contemporary international humanitarian law applies to situations of international terrorism – and whether changes in the law may be necessary to allow effective regulation of this new form of terrorism compliance.

Human Rights in an Age of Digital Media May 2010

On 27 May 2010 Daniel Joyce, Director of the AHRCentre's New Media and Human Rights Project, examined human rights in the age of digital media. Daniel discussed the impact of new media witnesses (such as NGOs and international organizations) on the development of human rights and international law and the emergence of 'citizen media' as a potential new avenue for engagement with international law. The Siege of Gaza and the Erosion of Human Rights Protection May 2010.

Professor George Bisharat May 2010

Professor George Bisharat, author of *Palestinian Lawyers and Israeli Rule: Law and Disorder in the West Bank* (1989), addressed an AHRCentre seminar in early May. Formerly a trial lawyer with the Office of the Public Defender in San Francisco, George Bisharat is Professor of Law at the University of California, Hastings. During his seminar, Professor Bisharat argued that Israel's continued siege of Gaza and occupation of the West Bank has undermined the promise of international law with the steady erosion of international humanitarian and human rights protections evident in both territories.

Protecting Civilians in Times of Conflict: the Case of the DRC April 2010

On 30 April 2010 Anneke Van Woudenberg from Human Rights Watch (Africa Division), delivered a seminar recounting her experiences as a senior researcher in the Democratic Republic of Congo. A renowned specialist on human rights and humanitarian issues in the DRC – she regularly briefs the UN Security Council, the United States Congress and the British and European Parliaments – Anneke discussed the role of research in effective international human rights advocacy in relation to one of the most protracted and brutal wars.

● **AHRCentre Visitors and Associates**

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

Anna Cody, Kingsford Legal Centre Director (Associate)(see Gender program);

Brian Burdekin, former Australian Human Rights Commissioner (Visiting Professor);

Raoul Wallenburg Institute, Sweden;

Mac Darrow, Coordinator, Millennium Development Goals Unit, Office of the United Nations High Commissioner for Human Rights, Geneva (Visiting Fellow);

Greg Heesom, Legal Counsel, Asia Pacific Forum of National Human Rights Institutions (APF) (Visiting Fellow) and

Dr Lisa Yarwood, School of Law, University of Exeter.

We are also delighted that AHRCentre Associates, Research Fellow Chris Michaelsen and Daniel Joyce have been appointed to the UNSW Faculty of Law commencing 2011. Chris is the director of the AHRCentre's International Co-operation, Human Rights and Counter-Terrorism project and Daniel, will lead the Centre's New Media and Human Rights' project.

● **AHRCentre research projects and programs**

The ACT Human Rights Act and the protection of economic, social and cultural rights

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 Project recently submitted a major report to the ACT government on the desirability of including economic, social and cultural rights in the ACT Human Rights Act 2003 (which should be available by the

end of 2010).

Please visit our website for more information <http://acthra.anu.edu.au/PESCR/index.html>.

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

Business and human rights

Justine Nolan conducts research on the intersection of human rights and business. Her current research is focusing on the effectiveness of codes of conduct and 'soft law' in protecting against corporate human rights violations and in November 2010 she presented a paper on this topic at a conference at the United Nations University in Tokyo on 'Sustainable decision making in a time of crisis: public and private perspectives'.

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.

Contacts: Andrew Byrnes (andrew.byrnes@unsw.edu.au) or Rosemary Kayess (r.kayess@unsw.edu.au).

Gender, Development and Human Rights

A number of Centre staff and Associates are working on issues of the human rights of women, particularly the implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women. AHRCentre Board members Louise Chappell and Andrew Byrnes, Anna Cody, Christine Forster, Beth Goldblatt and Gillian Moon work on a number of projects analysing gender rights and development in different contexts. ARC Future Fellow, Louise Chappell, is undertaking research on gender justice and the International Criminal Court, specifically the extent to which the Court's promise to advance women's rights are being implemented in practice. In the first half of 2011 Louise will be undertaking her research at the University of Manchester as a Hallsworth Fellow, and 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 2001 and with Jane Connors of the Office of the UN High Commissioner for Human Rights is preparing a monograph on the treaty. 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 currently working on articles on domestic violence law in Pacific Island countries and the role gender equality laws in transitional states. Anna Cody has worked on the last two reviews of Australia by the CEDAW Committee, developing and writing NGO alternative reports for the Committee's consideration. In July 2010 Anna was a participant in the NGO delegation which advocated on behalf of Australian NGOs to the CEDAW committee and is currently working on the implementation of the Committee's concluding observations; Beth Goldblatt has co-edited a special issue of the South African Journal on Human Rights on Women and Social and Economic Rights; Gillian Moon works on the issues of equality and non-discrimination in the context of trade and development (see project below)

Contacts: Andrew Byrnes (andrew.byrnes@unsw.edu.au), Louise Chappell (l.chappell@unsw.edu.au), Anna Cody (acody@unsw.edu.au), Christine Forster (c.forster@unsw.edu.au), Beth Goldblatt (b.goldblatt@unsw.edu.au) or Gillian Moon (g.moon@unsw.edu.au)

Health and human rights

The health and human rights projects developed via the work undertaken by the AHRCentre with the UNSW Initiative for Health and Human Rights (IHHR) established in 2005 under the chair of Professor Daniel Tarantola. AHRCentre staff have participated in developing a symposium on the impact of climate change on the right to health, research projects on balancing human rights and public health emergency

imperatives during pandemics in Australia and the impact of health professional migration on the right to health in developing countries, teaching components of the IHHR course, Health, Development and Human Rights and presenting papers at the International Conference on Realising the Rights to Health and Development for All (Hanoi, October 2009).

Contacts: [Andrea Durbach \(a.durbach@unsw.edu.au\)](mailto:a.durbach@unsw.edu.au) or [Beth Goldblatt \(b.goldblatt@unsw.edu.au\)](mailto:b.goldblatt@unsw.edu.au)

International human rights 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 new project will run from 2011 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.

Contact: [Andrew Byrnes \(andrew.byrnes@unsw.edu.au\)](mailto:andrew.byrnes@unsw.edu.au)

International Co-operation, Human Rights and Counter-Terrorism

Analysing recent developments in public policy and in international and domestic jurisprudence, 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 \(c.michaelsen@unsw.edu.au\)](mailto:c.michaelsen@unsw.edu.au)

Human Rights and the Built Environment: Intersecting Issues and Opportunities March 2011 – date and venue to be confirmed

This event, convened under the AHRCentre's Human Rights and the Environment program, will bring together colleagues from the UNSW Faculties of Law and Built Environment. The focus of the symposium will be identifying how built environment endeavours— planning, architecture, landscape and interior architecture, industrial design, public art, property development—intersect with and/or have an impact on issues related to human rights. For example, in what ways does the planning, design and construction of built environments enable or impede positive human rights outcomes, such as access to health facilities and healthy environments; affordable housing and public transport; universal design and accessible public domain; inclusive environments that invite the participation of children and young people; culturally meaningful public spaces that encourage social interaction, etc. The event will include brief presentations around these themes and a workshop session to explore ideas for collaborative research and coursework opportunities.

Contact: [Linda Corkery, Faculty of Built Environment, l.corkery@unsw.edu.au](mailto:l.corkery@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 refugees and migrants in Australia and Asia. It runs a clinical program in which UNSW Law 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. The MRRP's current advocacy 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.

Contact: [Bassina Farbenblum \(b.farbenblum@unsw.edu.au\)](mailto: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). In each of the sub-regions of the Asia Pacific; Nepal (South Asia), Malaysia (South East Asia), Jordan (West Asia), New Zealand (the Pacific), interviews have been conducted with present and former commissioners and staff of NHRIs, members of government and opposition political forces, civil society leaders, journalists and members of the legal profession and professional societies. In September 2010, the research team travelled to Seoul, South Korea, to carry out the final set of interviews. In 2010/2011, using the data collected in over 100 interviews with research participants from across the region, the project has examined the extent to which the APF, as a horizontal network of state-based human rights institutions, has operated to promote international human rights standards in the Asia Pacific region. In addition to a number of publications which have already appeared, the final results of the research will be published in 2011. The preliminary research results will be presented by Catherine Renshaw at the Annual Conference of the Law and Society Association of Australia and New Zealand, which will be held in Wellington, 8-10 December 2010.

Contact: Catherine Renshaw (catherine.renshaw@unsw.edu.au)

New Media and Human Rights

This project combines Daniel Joyce's post-doctoral research in international law with his research and teaching interests in media law and human rights law. A particular focus of his inquiry will be the connection between new and social media and the human rights methodology of witnessing. Daniel will commence as a lecturer in the Faculty in January 2011.

Contact: Daniel Joyce (daniel_joyce@hotmail.com)

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. It seeks to foster and conduct research into the impacts of international investment and trade law, policy and practice on economic and social rights in developing countries, including into the intersection between trade and investment law and norms of equality and non-discrimination. Gillian is currently undertaking research in this area while on sabbatical at Cambridge University.

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

● **AHRCentre education programs**

Model United Nations, Chongqing, China, November 2010

For the last five years, the Australian Human Rights Centre 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. AHRCentre delegations have attended Model UN meetings in Chengdu, Harbin, Xiamen and Beijing. This year, AHRCentre Director, Andrea Durbach and UNSW law students Adam Arnold, Georgia Drake, Alison Ewart and Katherine McCallum participated in the Model UN meeting held in Chongqing at the Sichuan International Studies University. The student delegation, representing the country of Cuba, drafted two positions papers and made submissions on the impact of the GFC on the realisation and enjoyment of human rights and the promotion and protection of the rights of persons with disabilities. AHRCentre student delegates Alison Ewart and Georgia Drake were awarded a Best Delegates Award.



UNSW Faculty of Law students Adam Arnold and Katherine McCallum (representing Cuba) hard at work drafting resolutions at the 2010 China Model UN in Chongqing. (Photo courtesy Natasha de Silva, Australian Human Rights Commission)

UNSW Law students make semi-finals round of World Human Rights Court Moot in South Africa

UNSW Law students, Carolyn Dorrian and Jessie Ingle are through to the semi-finals of the second World Human Rights Moot Court Competition to be held at the University of Pretoria, South Africa in December. The first Human Rights Moot Court was initiated in 2009 by the University of Pretoria, with the support of the UN Office of the High Commissioner for Human Rights.

Human Rights Postgraduate Internship Program

The AHRCentre has been instrumental in establishing a Human Rights Internship for post-graduate students introduced from semester 1, 2010 at UNSW, Faculty of Law. Students undertake a research project with an external human rights organization. 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 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)

Masters of Human Rights Law and Policy

The Faculty of Law at the University of New South Wales has recently launched a Masters of Human Rights Law and Policy. The new 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 visit our website for more information: www.law.unsw.edu.au/mhrlp

AHRCentre International Internship Program with AYAD

The AHRCentre's partnership with the Australian Youth Ambassador Development (AYAD) Program increases opportunities for AHRCentre researchers, student interns and volunteers to broaden their practical and research experience by working with human rights organizations and agencies in a developing country in the Asia Pacific region. AYAD placements – which vary from 3 to 12 months - are fully funded by the Australian Government's overseas aid agency, AUSAID. AHRCentre/AYAD interns have undertaken various roles within NGOs, including : Child Protection Officer with UNICEF in Nepal, at the Judicial Systems Monitoring Programme in Timor Leste and at the Feminist Dalit Organisation in Nepal. We currently have a candidate applying for a placement in Kenya, the first country in Africa to be included in the AYAD program. If you or someone you know is interested in the AHRCentre/AYAD program

Please visit our website for more information: www.ahrcentre.org/opportunities.html

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. We are inviting applications for 2011.

Please visit our website for more information www.ahrcentre.org/opportunities.html

● **AHRCentre Publications**

Australian Journal of Human Rights

The latest edition of the Australian Journal of Human Rights (AJHR) (Vol 16(1) 2010) included articles on the role of the ombudsmen in the protection of human rights, the Convention of the Rights of Persons with Disabilities, the impact of human rights charters on young people, the Myanmar Charter and NGO's representing war-affected children. The next edition, due for publication in January 2011, will be a general (rather than thematic) edition. The AJHR is a peer-reviewed journal article and recently received 'A' ranking in the ARC journal classification exercise.

If you would like to submit an article to the AJHR please email ajhr@unsw.edu.au. Submission criteria are available at www.ahrcentre.org/documents/Publications/AJHR_styleguide.pdf.

For back issues see: <http://www.austlii.edu.au/au/journals/AJHR/>

The Human Rights Defender

The upcoming edition of the Human Rights Defender (HRD) (Vol 19(3), December 2010) is out now and focuses on issues arising around refugee and asylum seekers in the Asia-Pacific region. Articles address

people smuggling, Australia's offshore processing system, the role of NGOs in supporting refugees and an interview with a refugee. To subscribe or submit articles, please contact hrd@unsw.edu.au

● **Publications and Presentations by AHRCentre Staff and Associates**

Publications

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 (forthcoming)

Andrea Durbach and Beth Goldblatt, 'Realising the right to health in Zimbabwe: Advocating a Reciprocal Obligation', 19 (2) *Human Rights Defender* July 2010, 9-11

Andrea Durbach, *A Missed Opportunity: The Foregone Conclusion of a National Human Rights Consultation*, 7(17) *Indigenous Law Bulletin*, March/April 2010.

Andrea Durbach, 'The Sins of the Nation and the Ritual of Apologies' by Danielle Celermajer, 15 (2) *Australian Journal of Human Rights*, 2010, 143 (book review)

Andrea Durbach, 'Rainbow nation offers clues for Australia's indigenous healing', *National Times*, 14 September 2010 at <http://www.nationaltimes.com.au/opinion/politics/rainbow-nation-offers-clues-for-australias-indigenous-healing-20100913-157vl.html>

Andrew Byrnes, "Second-Class Rights Yet Again? Economic, Social and Cultural Rights in the Report of the National Human Rights Consultation", (2010) 33 *University of New South Wales Law Journal* 193-238, available at <http://law.bepress.com/unswwps/flrps10/art26/>.

Andrew Byrnes and Catherine Renshaw, "Within the State" in D Moeckli, S Shah, S Sivakumaran and D Harris (eds), *International Human Rights Law* (Oxford: Oxford University Press, 2010) 498-517

Catherine Renshaw, Andrea Durbach, and Andrew Byrnes, "Human Rights Protection in the Pacific: The Emerging Role of National Human Rights Institutions in the Region" (2010) 8 *New Zealand Journal of Public and International Law* 117-144

Christine Forster 'Advancing the Implementation of CEDAW in the Cook Islands: Good Practice Approaches to a Civil Family Law Bill' (forthcoming) UNDP Pacific Centre, Suva.

Christine Forster 'Women's Right to Health in Australia', Conference Papers, Institute of Law Chinese Academy of Social Sciences, Beijing, 2010.

Chris Michaelsen, "The Security Council's Practice of Blacklisting Alleged Terrorist and Associates: Rule of Law Concerns and Prospects for Reform" (2010) 8 (1) *New Zealand Journal of Public and International Law* 71-90.

Chris Michaelsen, "The Proportionality Principle, Counterterrorism and Human Rights: A German-Australian Comparison", (2010) 2 (1) *City University of Hong Kong Law Review* 19-43.

Chris Michaelsen, "Terrorism in Australia: An Inflated Threat", (2010) 6 (2) *Security Challenges* 19-25.

Daniel Joyce "Photography and the Image-Making of International Justice" (2010) 4(2) *Law and Humanities* pp 229-249.

Daniel Joyce "Human Rights and the Mediatization of International Law" (2010) 23 Leiden Journal of International Law pp 507-527.

Daniel Joyce "International Law and the Media: Envisioning the Media" in the Proceedings of the Third Biennial Conference of the European Society of International Law (Hart Publishing, Oxford, 2010)

Louise Chappell 'Gender and Judging at the International Criminal Court' 2010. Politics & Gender, (6,3): 484 -495

Presentations

In April, at the invitation of the Dublin-based Forum on Migration and Communications and the British Council (Ireland), Andrea Durbach developed and led a 3-day 'learning lab' on Identities and Social Justice. She also participated in a round-table discussion with Irish NGOs on the intersection of race, ethnicity, gender, sexuality, religion, culture, language, and age.

While in Dublin, Andrea delivered the opening lecture at the PILA (Public Interest Law Alliance) conference, Public interest law in action – using the law to face current challenges. Her paper considered the efficacy of litigation in redressing the experience of the Stolen Generations in Australia and children who suffered abuse in Irish church-run institutions.

Following a meeting convened in 2009 by the Asia Pacific Forum of National Human Rights Institutions (APF) to discuss the role of national human rights institutions in implementing the Yogyakarta Principles on Sexual Orientation and Gender Identity (SOGI), the APF requested its Advisory Council of Jurists (ACJ) to review the extent to which SOGI laws in the region were consistent with international human rights law. In August, ACJ member (Australia) Andrea Durbach, participated in a 3-day meeting held in conjunction with the APF's 15th Annual Meeting in Bali, Indonesia. With the assistance of experts from ARC-International, Geneva, the Alternative Law Forum in Bangladesh, the International Gay and Lesbian Human Rights Commission and the United Nations Development Program, the ACJ reviewed SOGI domestic laws and policies of 17 countries within the region.

[The resultant ACJ report and recommendations are available on the APF website at www.asiapacificforum.net/acj/references](http://www.asiapacificforum.net/acj/references)

Andrea Durbach participated on a panel with University of London political scientist, Eric Kaufman and Secretary of State for the Council of Ministers of Timor L'Este, Agio Pereira arguing the 'affirmative' in the Sydney Opera House Festival of Dangerous Ideas IQ2 debate, If you want Peace, Forget Justice.

Andrew Byrnes participated in The International Conference on Disability Rights Tribunal in Asia & Pacific, Bangkok, 22 October 2010

Andrew Byrnes prepared an expert report on international legal issues relating to the death penalty and international law (and other issues) for the District Court of Denpasar, May 2010, and presented oral evidence at hearing before the Court, 16 September 2010

Andrew Byrnes participated as one of four panelists at the 2010 Lesbia Harford Memorial Oration, Do We Measure Up? Protecting Women's Rights in Australia organised by PILCH and the Victorian Women Lawyers' Association, Melbourne, 8 September 2010.

Andrew Byrnes was participant in a workshop of authors developing a Commentary on the UN Convention on the Elimination of All Forms of Discrimination against Women, held at the Rockefeller Center, Bellagio, July 2010

Andrew Byrnes visited the Secretariat of the Permanent Peoples' Tribunal in Rome in July 2010, as part

of a research project on peoples' tribunals.

Andrew Byrnes contributed to the OHCHR's Thematic study of the High Commissioner for Human Rights on discrimination against women, in law and practice, and on how the issue is addressed throughout the UN human rights system, for the UN Human Rights Council, 15th session (September 2010), UN Doc A/HRC/15/40 (2010). The Council established a new thematic mechanism in October 2010, the Working Group on the issue of discrimination against women in law and in practice (Council resolution 15/23), which will commence work in 2011.

Beth Goldblatt: 'Transnational obligations: realising health rights in Zimbabwe' Staff Seminar, School of Law, University of Technology Sydney on 18 August 2010.

Christine Forster 'Challenges of Drafting a CEDAW-compliant Family Law Bill for the Cook Islands' 11th Triennial Conference of Pacific Women, Noumea, August 2010.

Christine Forster 'Women's Right to Health in Australia' International Conference on Strengthening legal protection of Women's Social Rights, Beijing, May 2010.

Chris Michaelsen, 'Interception and International Law', Overboard Seminar No. 4 (invited lecture), Amnesty International, Sydney, 9 September 2010.

Chris Michaelsen, 'The Competence of the Security Council to Sanction 'Independent' Individuals', paper presented at the Third Four Societies Conference (ANZSIL, ASIL, CCIL, JSIL), International Law in the New Era of Globalization, Awaji, Japan, 27 August 2010.

Ben Golder and Chris Michaelsen, 'Men from the Forest: Political Criminals, Terrorists and Extra-Criminal Regimes of Punishment', paper presented to the Centre for International and Public Law (ANU) Workshop, Connecting International Law with Public Law - Allegiance and Identity in a Globalised World, Canberra, 20 July 2010.

Chris Michaelsen, 'Banning the Burqa? A Human Rights Perspective', invited address at the 46th Annual Congress of the Australian Federation of Islamic Councils, Sydney, 16 May 2010.

Chris Michaelsen attended the Third Four Societies Conference, hosted by the Japanese Society of International Law, in Hyogo, Japan from 26-28 August, as one of four scholars selected by the Australian and New Zealand Society of International Law (ANZSIL) at the event. The conference brings together 16 scholars from the Japanese, American, Canadian and Australian and New Zealand Societies. Andrew Byrnes also attended the conference in his capacity as President of ANZSIL and member of the Conference Steering Committee.

Daniel Joyce, 'Public Opinion and the Mediatization of International Law', at the Australian and New Zealand Society of International Law, Annual Conference, ANU, Canberra, 26 June 2010.

Gillian Moon provided a commentary in response to a paper given by Professor David Kinley as part of Sydney University Law School's Distinguished Scholars Lecture Series, 7 September 2010. The topic, 'Too Big to Fail: Making Global Finance Pay for Human Rights,' investigated the relationship between human rights and the activities of the international finance sector, with a particular focus on the critical differences and connections between the real and paper economies. The relative capacities of global finance to do great harm to human rights as well as its potential to do great good was canvassed, especially in the context of developing countries.

Justine Nolan and Andrew Byrnes attended the Third Beijing Forum on Human Rights, organised by the China Society for Human Rights Studies, Beijing, 20-21 October 2010. They delivered papers entitled 'Privatising Human Rights' and 'The Asian Development Bank : the role of human rights in the pursuit of just and sustainable development in the Asia Pacific region', respectively.

Justine Nolan presented a paper at a conference at the United Nations University in Tokyo on November 4-5 2010 on 'Privatising Human Rights: a just and sustainable development' which explored the implications of regulating human rights in manufacturing supply chains.

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As we draw to the end of another packed year of AHRCentre projects, events and publications, we thank you for your contribution and support and wish you all a safe and happy holiday season.

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