25-26 OCTOBER 2012

THE AUSTRALIAN AND NEW ZEALAND SOCIETY OF INTERNATIONAL LAW & THE ASIAN SOCIETY OF INTERNATIONAL LAW

JOINT CONFERENCE ON INTERNATIONAL LAW AND JUSTICE
Welcome to the inaugural joint Conference of the Australian and New Zealand Society of International Law, and the Asian Society of International Law. For those of you who have joined us from afar, welcome to Sydney, Australia, and to the Faculty of Law at the University of New South Wales.

This is a historic juncture for the international law community—as the first time that the two societies have combined forces and joined forces to host a joint event. For this special occasion we have brought together a collection of eminent thinkers and experts to reflect together, in the collegiate spirit common to both societies, on the broad theme of ‘International Law and Justice’.

This is an exciting and dynamic period for international law in this region; there are many issues to consider, as reflected in the richness and diversity of our conference programme. Our intention is that this conference will serve to strengthen the relationships between the two societies, and to foster networks of international lawyers and experts across the region, interested in diverse issues relating to international law and justice. We are delighted also that the biennial Ingram Colloquium on International Law and Development, convened by the UNSW Faculty of Law, will take place at the same time as the Conference.

In recognition of this historic occasion, we are especially pleased that the Asian Journal of International Law, the flagship journal of the Asian Society of International Law, has invited Conference presenters to submit their papers for peer review with a view to inclusion in a special symposium issue of the Journal. We encourage presenters to look in their conference packs for details of the submission process and timeline.

This joint conference follows an important event of the Executive Council of the Asian Society of International Law on 24 October 2012, kindly hosted by King’s College London. The Conference precedes two key events in 2013: the annual ANZSL conference, which will be held in Canberra, Australia from 4 to 6 July 2013, and the Biennial Conference of the Asian Society of International Law, to be held in New Delhi, India in late 2013. We encourage all participants to consider attending both events next year.

This conference would not have been possible without the generous support of our partners and sponsors, to whom we owe our sincere thanks: the University of New South Wales, the Macquarie University Centre for Legal Governance, the International Law Association (Australian Branch), and the United Nations University and its Institute for Ethics, Governance and Law, Griffith University.

On behalf of the Conference Steering Committee, we welcome all participants to the conference, and wish you a stimulating and productive few days of discussions.

CONFERENCE CO-CHAIRS
• Professor Andrew Byrnes, ANZSL President, Australian National University
• Associate Professor Shirley Scott, ANZSL member, University of New South Wales
• Dr Sarah McCozer, ANZSL Executive Council, ANZSL member, University of New South Wales

CONFERENCE STEERING COMMITTEE
• Professor Andrew Byrnes
• Associate Professor Shirley Scott
• Dr Sarah McCozer
• Dr Showkat Alon, Associate Professor of Law and Director of the Centre for International and Environmental Law, Macquarie University
• Professor Rosemary Rayfuse, Professor of International Law, University of New South Wales
• Ms Lucia Ong Hui, Solicitor, UNSW, Associate ANZSL member
• Conference Secretariat: Ms Angela Sutton, University of New South Wales

We gratefully acknowledge the financial and other support for this Conference provided by:
• The Faculty of Law of the University of New South Wales
• Macquarie University Centre for Legal Governance
• The Australian Branch of the International Law Association
• The Faculty of Arts and Social Sciences of the University of New South Wales
• the United Nations University and its Institute for Ethics, Governance and Law, Griffith University

The Conference Steering Committee would also like to acknowledge financial and other support from the following publishers: Cambridge University Press, Interemediary, Hart Publishing, Ashgate-Crower Asia Pacific, and Edward Elgar.

OUR THANKS
We would also like to thank all our student volunteers and others who have assisted with the organisation of the conference, including Hilary Blackburn, Development Officer, UNSW Law Faculty and the Marketing Team at the UNSW Law Faculty, as well as Elizabeth Chui and Khairiyah Binte Abu, National University of Singapore and Asian Society of International Law. And our particular thanks are due to Angela Sutton, for her outstanding contribution as the Conference Secretariat at the UNSW Law Faculty.

ASIANSL
The Asian Society of International Law (AsianSL) is an international non-partisan, non-profit and non-governmental organization with the following objectives:
1. To promote research, education and practice of international law by serving as a centre of activities among international law scholars and practitioners in Asia and elsewhere, in a spirit of partnership with other relevant international, regional and national societies and organizations
2. To foster and encourage Asian perspectives of international law; and
3. To promote awareness of and respect for international law in Asia.

To these ends, the functions of the Society include organizing conferences, regional and subregional seminars, workshops and other meetings, undertaking publication for the Society, including the proceedings of the conference organized by the Society; and collecting and disseminating information relating to research, academic activities and other developments relevant to Asia in the field of international law.

Further information about the Society and information on how to apply for membership can be found at www.asiansl.org or from the AsianSL staff who will be attending the conference.
Panel Venues

All sessions will be held in the Law Building, either on the ground floor or on the first floor.

The Law Theatre (G04) is on the ground floor of the Law Building.

Lecture Theatre G02 is on the ground floor of the Law Building.

Seminar rooms LAW101, LAW162 and 163 are on the first floor of the Law Building.

Registration Desk

There will be a registration desk in the foyer of the Law Building for the duration of the conference. If you have any questions or need any assistance, please feel free to ask our colleagues on the desk.

Conference Dinner

The conference dinner will be held at the Tyree Room in the Scientia Building at the University of New South Wales. This is a short walk from the Law Building. You must have registered for the dinner in addition to your registration for the conference.
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<tr>
<th>Time</th>
<th>Session</th>
<th>Title</th>
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<th>Chair/Presenter</th>
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<tr>
<td>8:30</td>
<td>REGISTRATION</td>
<td>Ingram Colloquium on Law and Development (II): Beyond Rice: New Perspectives on Embracing Development</td>
<td>Law G02</td>
<td>Rosemary Raggatt, University of New South Wales</td>
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<tr>
<td>9:15</td>
<td>CONFERENCE OPENING</td>
<td>Ingram Colloquium on Law and Development (II): Beyond Rice: New Perspectives on Embracing Development</td>
<td>Law G02</td>
<td>Rosemary Raggatt, University of New South Wales</td>
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<td>10:30</td>
<td>MORNING TEA</td>
<td>Ingram Colloquium on Law and Development (II): Beyond Rice: New Perspectives on Embracing Development</td>
<td>Law G02</td>
<td>Rosemary Raggatt, University of New South Wales</td>
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<tr>
<td>11:00</td>
<td>PANEL 1: International dispute resolution</td>
<td>Ingram Colloquium on Law and Development (II): Beyond Rice: New Perspectives on Embracing Development</td>
<td>Law G02</td>
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<td>11:30</td>
<td>PANEL 2: International criminal law and justice</td>
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<td>12:00</td>
<td>PANEL 3: International regime gaps, rights and regulation</td>
<td>Ingram Colloquium on Law and Development (II): Beyond Rice: New Perspectives on Embracing Development</td>
<td>Law G02</td>
<td>Rosemary Raggatt, University of New South Wales</td>
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<td>12:30</td>
<td>LUNCH</td>
<td>Ingram Colloquium on Law and Development (II): Beyond Rice: New Perspectives on Embracing Development</td>
<td>Law G02</td>
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<td>13:30</td>
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<td>Ingram Colloquium on Law and Development (II): Beyond Rice: New Perspectives on Embracing Development</td>
<td>Law G02</td>
<td>Rosemary Raggatt, University of New South Wales</td>
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<td>14:00</td>
<td>PANEL 5: International criminal law and justice</td>
<td>Ingram Colloquium on Law and Development (II): Beyond Rice: New Perspectives on Embracing Development</td>
<td>Law G02</td>
<td>Rosemary Raggatt, University of New South Wales</td>
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<td>14:30</td>
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<td>Ingram Colloquium on Law and Development (II): Beyond Rice: New Perspectives on Embracing Development</td>
<td>Law G02</td>
<td>Rosemary Raggatt, University of New South Wales</td>
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<td>15:00</td>
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<td>15:30</td>
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<td>16:00</td>
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<td>16:30</td>
<td>CONFERENCE DINNER</td>
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<td>Rosemary Raggatt, University of New South Wales</td>
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<td>17:00</td>
<td>7:00 PM</td>
<td>Ingram Colloquium reception hosted by the Ingram Fund for International Law and Development</td>
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2012 JOINT ANZSIL-ASIAN SIL CONFERENCES PROGRAMME

26 October 2012 Friday

09:00-10:30am

PLENARY SESSION

Location: Law G02
Chair: Greg French, Department of Foreign Affairs and Trade, Canberra

Charles Sampford, Griffith University
Is justice the first virtue of international institutions?

Sato Yumi, University of Tokyo
Access to Justice for Human Security in Nuclear Age: Lessons from Fukushima, Japan

Susan Lamb
Access to justice through ad hoc international tribunals

10:30-11:00am

MORNING TEA

11:00-12:30pm

PANEL 10: International Law in a rising Asia
Location: Law G02
Chair: Dorian Stuczynski, International Law Association (Australia Branch)

Sarah McCusker and Damien van der Toorn, Attorney-General’s Department, Canberra
The role of international law in a rising Asia: lessons and opportunities for the coming decades

David Leong, University of Technology Sydney
International Law and Authoritarian in the Asian Century

Lili Bin, Beijing University of Aeronautics and Astronautics
Space Security in the Context of Asia and Potential "Soft Law"

Hitoshi Noda, Australian National University
Re-evaluating the role of international law in territorial disputes in Asia

PANEL 11: International Environmental Law
Location: Law 101
Chair: Karen Scott, ANZSIL and University of Canterbury

Laegy Noh, Macquarie University and Indonesian Institute of Sciences
The Role of International Environmental Law in Addressing haze Pollution in the ASEAN Region

Jukol Abdul, Macquarie University
Development of Customary Law of Internationally Shared Water Management in Emerging Principles

Arshin Akhtar, Griffith University
Restoration as Justice in International Environmental Law

PANEL 12: International Criminal Law
Location: Law 102
Chair: Lucia Otaño

Christine Nguyen, University of Canterbury
Vietnam - Jailing War on Transnational Crime and the Need to Make Changes in its Criminal Laws

Melanie O’Brien, Griffith University
Where Security Meets Justice: Prosecuting Massacre in the International Criminal Court

Holly Cullen, University of Western Australia
Realising International Justice within Domestic Law: Renewed Efforts to Enforce the Transnational Crimes of Slavery and People Trafficking in the Australian Criminal Code

PANEL 13: International Human Rights
Location: Law 103
Chair: Denise Meyerson, Macquarie University

Dorota A. Gondecka, Centre for European Studies, Australian National University
borrowing the Margins of Justice – the European Court of Human Rights, Judicial Borrowing and Cultural Pluralism in Europe

Catherine Iorns Magellan, Victoria University of Wellington
Conceptions of Justice in the UN Declaration on the Rights of Indigenous Peoples

Beth Goldblatt, University of New South Wales
Re-thinking the International Right to Social Security to Address Gender Inequality

12:30pm

LUNCH

01:30-3:00pm

PANEL 14: International Law and Security
Location: Law G02
Chair: Greg French, Australian Attorney-General’s Department

Natalia Yeti Puspita, Atma Jaya Catholic University of Indonesia
The Application of the Doctrine of Responsibility to Protect in the Frame of Legal Protection to IDPs in Time of Natural Disasters

Paula Wiluykiewicz Almeida, Cetulo’n Yargas Foundation, Rio de Janeiro
Brazilian View of Responsibility to Protect: From Non-Indifference to Responsibility While Protecting

David Berman and Christopher Milstein, University of New South Wales
Intervention in Libya: Another Nail in the Coffin for the Responsibility-to-Protect?

Andrew Garwood-Gowers, Queensland University of Technology
International Law and Global Justice: China and the “Responsibility to Protect”

PANEL 15: Movement of People Across Borders and International Law
Location: Law 101
Chair: Gavan Rock, University of New South Wales

Song Li, Victoria University of Wellington
China’s Law, Policy and Practice Regarding Refugee Definitions

Susan Kneebone, Monash University
State Accountability under International Law and Access to Justice for Trafficked Persons in ASEAN States – A Duet for Four?

Maggie Crock, University of Sydney
Shadow Plays and Shifting Sands: International Law and the New Pacific Solution

PANEL 16: Law of the Sea
Location: Law 103
Chair: Natalie Klein, Macquarie University

Ajit Kumar, Amity Law School, New Delhi
Maritime Law and India: A Critical Analysis

Stathis Palaiopolis, University of Technology Sydney
International Shipping and the Environmental Protection of the Arctic Region

Harry L. Ford, Jr., University of the Philippines
Examining the UNCLOS Dispute Settlement Procedure in the Settlement of the Scarborough Shoal Dispute

3:00-3:30pm

AFTERNOON TEA

3:45-4:45pm

FINAL SESSION Reflections
Location: Law G02
Chair: Sarah McCusker, AustralasIL and ANZSIL

Zhou Weng, Rennmin University
Tim Stephens, University of Sydney

4:45-5:00pm

CLOSING SESSION
Location: Law G02
LOUISE CHAPPELL
Louise Chappell is a Professor of Politics and ARC Future Fellow in the School of Arts and Social Sciences. Her research focus is on comparative gender and politics and women’s rights. Her current research project is focused on the implementation of the gender justice mechanism of the International Criminal Court in its first decade in operation.

MARY CROCK
Professor Mary Crock came to academia in Sydney in 1995 after completing her PhD in immigration and refugee law. Her main field of research is migration and refugee law. However, she also has general interests in administrative law and international human rights law as well as in related fields of public law such as constitutional law and political theory.

Her specific research interests range from studies of the interaction between Parliament and the judiciary to the legal rights of migrants and refugees in general and of child migrants in particular. She is known for her work on immigration detention, but has also written and lectured on many other aspects of immigration and refugee law and their interaction with other areas of law and other disciplines.

The most recent focus of her research has been twofold. In 2006 she published the results of her research into child migrants and asylum seekers (as author of two reports and advisor to two others), as well as a general text on refugees and irregular migrants. In 2007 she has continued work on a second edition of her text on Immigration and Refugee Law. Professor Crock is currently completing an historical and cultural study on the impact that migrants have had on the development of public law in Australia.

HOLLY CULLEN
Holly Cullen is a Winthrop Professor of Law at the University of Western Australia, who teaches international and public law and legal theory. Prior to joining UWA in 2013, she was Reader in Law at Durham University in the United Kingdom. From 1998 to 2006, she was also Deputy Dean of the Durham University Law Institute, and was its Acting Director in 2004-2005. She is the author of The Role of International Law in the Elaboration of Child Rights (LexisNexis, Brill, 2007), which explores, amongst other issues, the role of corporate social responsibility regimes in implementing international child labor norms. She is a member of the International Law Association’s research committee on non-State actors and international law and the International Law Association’s Human Rights Commission.

LORRAINE FINLAY
Lorraine Finlay is a lecturer in the School of Law at Murdoch University. She currently lectures in Criminal Law and co-ordinates the Law School Moot Program. Lorraine joined Murdoch University in 2009. Prior to joining Murdoch she worked at the WA Police Legal Section as the Year Award (2011) and the Dean’s Service Award (2010). Lorraine is a graduate of the University of Western Australia, and was admitted as a solicitor to the Supreme Court of Western Australia in 2004. Before joining Murdoch University she worked as a Senior Prosecution at the Office of the Director of Public Prosecutions (WA). She has also previously worked at the High Court of Australia, initially as the Legal Research Officer and then as an Associate to The Hon Justice [11th] Hayne. In 2009 she was selected as a Singapore Scholar with the NYU-BNUS program. As part of this program she was awarded a double LL.M in Law and the Global Social Justice and Social Justice in New York University, and in International Comparative Law and Social Justice from the National University of Singapore.

STEVEN FREELAND
Steven Freeland is Professor of International Law and Co-Director of Research of the Faculty of Law at Victoria University of Wellington. He is a Visiting Professor in International Law at the University of Copenhagen and the University of Vienna, and a Permanent Visiting Professor at the European University Institute in Florence, Italy. He is also a Visiting Professor at the University of Aarhus in Denmark. He has been a Visiting Professor within the Aegean Chamber at the International Criminal Court, and a Specialist Advisor to the Danish Ministry of Justice, in matters related to the International Criminal Court. He sits on the Editorial Board of the Australian Journal of International Law and the Journal of International Criminal Law and Journal and the Chinese-based Space Law Review, and on the Advisory Board of the Indian-based Journal of Air and Space Law and the UK-based journal of Philosophy of International Law, as well as a series of books entitled Studies in Space Law. He is also Co-Editor of the Oxford University Press series on The International Criminal Tribunals, a long-established series of casebooks annotating the jurisprudence of all of the international and hybrid criminal courts. He has also published extensively on various aspects of international law and is a frequent speaker at national and international conferences.

GREG FRENCH
Dr Greg French (LLM (Bar Louison); LLB) is a Legal Advisor and Head of the International Legal Branch in the Australian Department of Foreign Affairs and Trade. He has led Australian delegations at meetings of the International Criminal Court Assembly of States Parties and Advisory Committee on the Rome Statute, as well as representations on the Law of the Sea Convention and its jurisprudence. He also led the Australian delegation that negotiated the International Convention to Suppress the Taking of Children, especially girls, from their families in circumstances of violence. He has chaired a UN Commission on seabed mining and was rapporteur for the renegotiation of the 1994 Implementing Agreement to the Law of the Sea Convention. He has published many chapters and articles on international law. He was Australia’s High Commissioner to Sri Lanka and the Maldives (2004-2008). He received the Australian Overseas Service Medal for service with respect to the 2004 Indian Ocean tsunami. He has worked as a simultaneous conference interpreter in French and English and as a translator with publications in the fields of law, economics, medicine and marketing. He has also interpreted for Australian prime ministers and German cabinet ministers and presidents.

ANDREW GAWOOD-GOWERS
Andrew Gawood-Gowers (LLM at the Faculty of Law at Queensland University of Technology in Brisbane). He received his Bachelor in Political Science and BAs in Humanities Research Council (UK) funded project on the definition of slavery, where her role is researching the use of international law norms on slavery by national and international courts.

BETH GOLDBLATT
Beth Goldblatt is a Visiting Fellow of the Australian Human Rights Centre in the Faculty of Law at UNSW where she is a Director of the Centre and a member of the Gender, Rights and Development Project and the Health and Human Rights Project. She is a Senior Fellow of the Faculty of Law at the University of Witwatersrand in Johannesburg, South Africa. Beth has been involved in research, advocacy, litigation, law reform and policy work with women and girls in South Africa since 1996. She has held posts at UNSW, the University of Sydney and the University of the Witwatersrand. Her work focuses on gender, human rights, criminal justice, domestic violence and human rights in Europe and Latin America. She has published extensively on women’s rights and the right to social security in Europe and Latin America. She has contributed to a number of international and regional reports.

NETTA GOSSAC
Netta Gossac is a Senior Legal Officer in the Office of International Law in the Attorney-General’s Department, where she works in the fields of international security, disarmament, department, international law, international law and international criminal law. She completed her Master of Laws (International Law) at the Australian National University in 2009 and her Bachelor of Laws and Bachelor of Arts (Political Science) at the University of Western Australia in 2006.

PAUL GODVIN
Paul Godvin LLB (Monash), LLM (Sydney) is a Lecturer/Convener at the Centre for International and Environmental Law, Macquarie University and a Senior Consultant with AMKL. He also serves as Assistant Editor of the Macqruie Journal of International and Comparative Environmental Law.

DOROTA A GODZECKA
Dr Dorota Anna Godzicka is a Post-Doctoral Research Fellow at the Centre of Excellence in Foundations of Law and Policy Research (Hunan University) and a Visiting Scholar at the Australian National University. Her post-doctoral research focuses on theoretical aspects of multilevelities and explores issues of growing religiosity and social and cultural pluralism of European societies in the European legal context. She is also a co-director of an international research project ‘Political Identity and Identity in a New European Identity’.

The project focuses on conceptualisation of key policy areas such as citizenship, education, migration, equality and justice and fundamental rights of the context of ethnic, linguistic, cultural and religious diversity of Europe.

JING QUOGIO
Professor Dr Jiang Guangyi is Director of the United Nations Studies Centre, China Foreign Affairs University. He has formerly served as Dean and Director, International Law Department and International Law Institute, China. He has been an Advisory Committee of Legal Education of Academic Council of EDPC, a Standing council member, Chinese Society of International Law; a Council member of the Chinese Association of Legal Science (CAALS); a Council member of China International Trade Association; an Adviser of the Beijing Arbitration Commission and Chinese International Economic and Trade Arbitration Commission; on the editorial board of the Foreign Affairs Review, published by China Foreign Affairs University; a founder of the Academy of China Foreign Affairs University; and the Beijing Arbitration Secretary of the Ministry of Foreign Affairs, PRC. He is the author or editor of a dozens of legal texts and over 200 international law and international organizations.

HE LING LING
Lin Lin Ling He LRL, LL.M and LL.M (Hong Kong) is a PhD candidate and tutor in the University of Western Sydney. Her research interests are in the fields of international investment law, project disputes, investment-state arbitration, bilateral trade agreements. She has made presentations at international conferences and co-authored a publication on ‘China’s participation in international law: Triumphs and Challenges’ in China’s Participation in International Law: Challenges and Opportunities.


SIMON HENDERSON
Simon Henderson is a Policy Lawyer at the Law Council of Australia and an Adjunct Research Fellow at the University of Melbourne. He is known for his work on technology and constitutional law and his interest in the intersection of technology, digital rights and democracy. His work focuses on the tension between a regulatory approach to digital rights law and a more rights-based approach to digital rights law. His work has involved drafting documents that seek to balance the interests of technology companies and the public interest. Simon's work experience includes an internship in 2008 at Human Rights in China where he worked on the Human Rights in China Project and as a law student at the ACT Supreme Court. Simon was awarded a scholarship to pursue postgraduate research in Information and Communication Technology Law at the University of Melbourne and University of Melbourne and University of Melbourne. He also worked as a law student at the ACT Supreme Court. Simon was awarded a scholarship to pursue postgraduate research in Information and Communication Technology Law at the University of Melbourne and University of Melbourne.

RIZWAN ALAM
Mr. Rizwan Islam, PhD (2011, Macquarie University, LL.A, National University of Singapore, LL.B, Honors), University of Dhaka, Bachelor’s, and BBL, Bangladesh. He has published extensively on International Trade Law. His most recent publication includes Economic Integration in South Asia (2020). BBL Islam can be contacted at rizwana@nus.edu.sg.

CATHERINE MACELLANES IORIO
Catherine Iorio Magalhaes is a Senior Lecturer in Law at Victoria University of Wellington and a member of the national Government Team for Amnesty International Australia. Her primary area of research is international law and human rights, and she has been publishing on this topic since 1992. Her most recent publication in this area focuses on indigenous political participation rights in international and regional law and the role of government in the environment, in domestic, comparative and international law. Her research has been used to inform the drafting of conventions on the environment, to the protection of the environment and the natural environment.

AMRITA KAPUR
Amrita Kapur is a Lecturer in Law at the University of New South Wales, where she directs a project on the relationship between the constitutional law and international law in the context of the Commonwealth and the United Kingdom. She has published extensively in the field of international law and human rights, with particular reference to the role of the International Criminal Court and the United Nations. She has also published extensively on the role of the United Nations and the International Criminal Court in the context of international law and human rights.
MAHIO LAMBA

Lamb has a deep understanding of legal issues in Africa and has worked extensively with international organizations such as the United Nations and the African Union.

LAMB has a strong background in international law, with a particular focus on human rights and international justice.

LAMB is involved in the work of several organizations, including the International Covenant on Civil and Political Rights (ICCPR) and the African Commission on Human and Peoples' Rights.

She is currently working on several research projects related to human rights and international law, and is a member of various professional associations and networks.

LAMB is also a regular contributor to legal and academic publications, including journals and conference proceedings.