



## Publications and Other Activities by Centre Faculty Members

### MELISSA CASTAN

#### Book

Castan M and Gerber P (eds) *Proof of Birth* (Future Leaders, 2015).

#### Book Chapters

Castan M and Gerber P '*The right to universal birth registration in Australia*' in Melissa Castan and Paula Gerber, Proof of Birth (Future Leaders 2015). Chapter 1, p 3-20.

Gerber P and Castan M '*Registering the births of Indigenous Australians in Victoria*' in Melissa Castan and Paula Gerber, Proof of Birth (Future Leaders 2015). Chapter 3, p 34-46.

Castan M and Gerber P '*The Way Forward*' in Melissa Castan and Paula Gerber, Proof of Birth (Future Leaders 2015). Chapter 3, p 149-61

#### Articles

Castan M '*The recognition of Indigenous Australia in the teaching of federal constitutional law*' Journal of the Australasian Law Teacher's Association 2014; vol 7, iss 1 & 2, pp. 87-99.

#### Submission

Castan M & Joseph S, *Submission to House of Representatives Standing Committee, Environment Inquiry into the Register of Environmental Organisations*, May 2015

### AZADEH DASTYARI

#### Book Chapters

Breaching International Law: Immigration Detention in Guantánamo Bay, Cuba' in Amy Nethery and Stephanie J Silverman (eds), *Immigration Detention: migration of a policy and its human impact* (Routledge, 2015).

#### Article

'*Detention of Australia's Asylum Seekers in Nauru: Is Deprivation of Liberty by Any Other Name Just as Unlawful?*' 38 (2) University of New South Wales Law Journal, 669.

#### Submissions

*Submission to the Select Committee on the Recent Allegations Relating to Conditions and Circumstances at the Regional Processing Centre in Nauru* (2015)

### JULIE DEBELJAK

#### Article

'*Proportionality, Rights-Consistent Interpretation and Declarations under the Victorian Charter of Human Rights and Responsibilities: the Momcilovic Litigation and Beyond*' (2014) 40(2) Monash University

Law Review 340-388

#### Submission

'Eight-year Review of the Charter of Human Rights and Responsibilities Act 2006 (Vic)', a Submission to the Independent Reviewer of the Charter, June 2015, pp 1- 49

### PAULA GERBER

#### Book

Melissa Castan and Paula Gerber (eds) *Proof of Birth* (2015, Future Leaders)

#### Book Chapters

Paula Gerber & Melissa Castan '*The Right to Universal Birth Registration in Australia*', Chapter 1 in Paula Gerber and Melissa Castan (eds) Proof of Birth (2015) Future Leaders, Melbourne.

Melissa Castan and Paula Gerber '*Registering the Births of Indigenous Australians in Victoria*' Chapter 3 in Paula Gerber and Melissa Castan (eds) Proof of Birth (2015) Future Leaders, Melbourne.

Melissa Castan and Paula Gerber '*The way Forward*' Chapter 12 in Paula Gerber and Melissa Castan (eds) Proof of Birth (2015) Future Leaders, Melbourne.

#### Media

Opinion Piece '*No Andrew, it is not the responsibility of the LGBT community to help you hang on to your 1950s ideal of marriage*' Castan Centre Blog, 1 June 2015

Radio Interview: '*Should people have the right to have their crimes forgotten?*' Panorama, 23 April 2015

TV Interview: '*Punishing children for not being immunised*' Al Jazeera, 13 April 2015,

Opinion Piece: '*There needs to be more LGBTI rights subjects across Australian law schools*' 9 April, 2015

Opinion Piece: (with Melissa Castan) '*It's Time to Modernise Australia's Birth Registration System*' Right Now 19 March 2015

Opinion Piece: '*Homophobia is alive and well in the world of cricket*' Castan Centre Blog, 17 March 2015

Extended radio interview: '*Should immunisation be compulsory?*' ABC Radio National Life Matters on 9 February 2015, at: 2015.

Opinion Piece: (with Farinaz Zamani Ashni) '*Referendum on banning the Burqa?: No thanks*' Online Opinion, 2 February 2015,

#### Conference Papers

'LGBT Rights in SE Asia: 1 Step Forward, 2 steps back?' Fifth Asian Conference on Cultural Studies, Kobe, Japan.

'Why LGBTI People Seek Asylum, and Problems with How their Claims are Assessed' Refugee Action Coalition, ANU, Canberra.

'Teaching about the rights of sexual and gender minorities' Human Rights Tertiary Teachers' Workshop, ANU, Canberra.

#### Submission

*Submission to the Parliament of Victorian Legislative Council Standing Committee on Law and Justice Inquiry into Adoption by Same-Sex Couples* (March 2015)

### STEPHEN GRAY

#### Book chapter

Stephen Gray, 'Criminal Justice in Practice: the Historical Treatment of Aboriginal Human Remains', in Thomas Crofts and Arlie Loughnan (ed), *Criminalisation and Criminal Responsibility in Australia*, Oxford University Press, 2015, pp. 225-241

### SARAH JOSEPH

#### Book chapter

'Global Media Coverage of the Universal Periodic Review (UPR) Process', in Hilary Charlesworth and Emma Larking (eds), *Assessing the Universal Periodic Review* (CUP, Cambridge, 2014), 147-166

#### Conference Paper

19 February 2015, "The Racial Discrimination Act: a 1970s perspective", Australian Human Rights Commission conference: the RDA at 40, Sydney

10 April 2015, "Social Media and International Law", invited panellist, American Society of International Law, Washington DC

#### Submission

*Submission to the Australian Law Reform Commission on Traditional Rights and Freedoms*, February 2015 (with Adam Fletcher)

*Submission to the House of Representatives Standing Committee, Environment Inquiry into the Register of Environmental Organisations*, May 2015 (with Melissa Castan)

#### Media

9 January 2015, "*Charlie Hebdo: the pen must defy the sword, Islamic or not*", The Conversation

19 January 2015, "*Ticking down to a possible date with executioners*", The Conversation

#### Other

26 February 2015, "The Death Penalty,

Chan and Sukumaran", Victorian Parliament Amnesty Group

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## DR JOANNA KYRIAKAKIS

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### Book Chapter

'International Legal Personality, Collective Entities and International Crimes', in Noemi Gal-Or, Cedric Ryngaert and Math Noortmann (eds), *Responsibilities of the Non-State Actor in Armed Conflict and the Market Place: Theoretical Considerations and Empirical Findings* (Brill Nijhoff, Leiden, 2015) pp. 79 – 104.

### Conference Paper

'Article 46C: Corporate Criminal Liability', invited expert presenter and participant, paper presented at African Court Research Initiative International Criminal Law Experts Conference, Florida International University, Miami, 20-22 March 2015.

### Media

'*2015 Castan Human Rights Report: The International Criminal Court's Africa Problem*', Castan Centre for Human Rights Law Blog, 18 May 2015.

'*The Debate about having a debate about a business and human rights treaty*', Castan Centre for Human Rights Law Blog, 17 February 2015.

'*Rights and the Non-human Animal*', Castan Centre for Human Rights Law Blog, 22 January 2015.

### Other

Seminar: 'The Criminal Liability of Corporations Under International Criminal Law – Issues and Challenges', Progressive Law Network Lunchtime Seminars, Monash University, 29 May 2015.

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## ADAM MCBETH

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### Conference paper

A McBeth, Impunity Abroad: The Case for Concurrent Human Rights Obligations, invited seminar to Centre for International Law and Human Rights, Lancaster University, Lancaster, March 2015.

### Media

Interview with ABC radio, The World Today, regarding Australian Federal Police involvement in the execution of Andrew Chan and Myurun Sukumaran, 4 May 2015.

Interview with ABC News 24, regarding Australian Federal Police involvement in the execution of Andrew Chan and Myurun Sukumaran, 4 May 2015.

Opinion Piece *The Bali Nine could happen again tomorrow: the rules still allow Australian*

*police to provide information in death penalty cases*, Castan Centre Blog, 4 May 2015

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## BRONWYN NAYLOR

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### Article

'Researching Human Rights in Prisons' (2015) 4(1) International Journal for Crime, Justice and Social Democracy 79-95.

'*Responding to the needs of children whose parents are facing imprisonment in Victoria, Australia. The role of the adult criminal justice system*' (Catherine Flynn, Bronwyn Naylor and Paula Fernandez Arias) (2015) xxx Australian and New Zealand Journal of Criminology

### Media

TV Interview on Prison Overcrowding: The Project (Channel 10) <http://tenplay.com.au/channel-ten/the-project/2015/4/14>

'*The evidence is in: you can't link imprisonment to crime rates*' (23 April 2015) The Conversation

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## MARIA O'SULLIVAN

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### Article

'*Rethinking Asylum-Seeker Detention At Sea: The Power to Detain Asylum-Seekers at Sea under the Maritime Powers Act 2013*' (2015) 38(2) UNSW Law Journal 695-737 (co-authored with Patrick Emerton)

### Media

Interview: 'Detention of asylum seekers at sea: The High Court decision' BBC World News Service: Newshour, 28 January 2015

'*Australia can detain asylum seekers on the high seas, the High Court decides*' The Conversation, 28 January 2015

### Other

Refugee Health Symposium: 'Workshop – International Law and Australian Refugee Policy', Melbourne, 17 May 2015

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## TANIA PENOVIC

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### Articles

Harsh Treatment of asylum seekers breaches human rights, *Castan Centre's annual Human Rights Report*, 2015

### Conference Papers

Engaging students and the broader community in learning about human rights presented at the Better Teaching Better Learning showcase, Monash Caulfield, 16 February 2015

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## COLIN CAMPBELL

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### Article

(With Dale Smith) "Direct Discrimination without a Comparator? Moving to a Test of Unfavourable Treatment" (2015) 43 Federal Law Review 92.

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## HELI ASKOLA

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### Book Chapter

Askola, H., 2015, Human rights in the European Union: the challenge of people on the move, in *The European Union and Global Engagement*, eds Normann Witzleb, Alfonso Martinez Arranz and Pascaline Winand, Edward Elgar Publishing, Cheltenham UK, pp. 104-121.

### Article

Askola, H., 2015, *Taking the bait? Lessons from a hate speech prosecution*, Canadian journal of law and society, Revue canadienne de droit et société [P], vol 30, issue 1, Cambridge University Press, US, pp. 51-71.

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## RONLI SIFRIS

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### Article

'Involuntary Sterilization of HIV-Positive Women: An Example of Intersectional Discrimination' (2015) 37(2) Human Rights Quarterly 464-491

'Why Commercial Surrogacy should be Legalised' *Castan Centre for Human Rights Law Human Rights Report*, May 2015

### Conference papers and other speaking engagements

Second International Conference on Advances on Women's Studies (Toronto, June 2015) (Surrogacy and the Right to Autonomy)

Law and Society Association Conference (Seattle, May 2015) (Commercial Surrogacy: An Autonomy Based Perspective)

Melbourne Law School's IILAH Seminar Series (Melbourne, April 2015) (Surrogacy and the Right to Autonomy)

Commercial Surrogacy: What Role for Law? A Roundtable Discussion (Melbourne, April 2015) (Commercial Surrogacy: An Autonomy-Based Perspective)

### Media

'*Involuntary Sterilisation of Marginalised Women*' Right Now, 10 April 2015

'*AFP will have blood on its hands if Bali pair Chan and Sukumaran are executed*' The Age, 28 January 2015