



Kaldor Centre Conference 2016

From refugee emergency to protracted exile: The role of 'time' in international protection

18 November 2016, 9am–5.30pm, Law Theatre G04,
Ground Floor, Law Building, UNSW Kensington Campus

Never Stand Still

Law

Andrew & Renata Kaldor Centre for International Refugee Law

Program

8.30–9.00 Registration

9.00–9.30 The year in review

Professor Jane McAdam, Director, Kaldor Centre for International Refugee Law, UNSW

9.30–10.30 Keynote address

Jean-François Durieux, former Director at UNHCR Geneva

Chaired by Renata Kaldor AO, Founder, Kaldor Centre for International Refugee Law, UNSW

10.30–11.00 Break

11.00–12.30 Panel 1 - Time and refugee status determination

'It's about time': The role of time in protection status determination procedures under the Migration Act
Linda Kirk, Migration Law Program, Australian National University

Time and the assessment of risk in refugee status determination
Bruce Burson, New Zealand Immigration and Protection Tribunal

Pathways to refugee trauma recovery: what does the psychological and neurobiological research tell us?
Professor Richard Bryant & Dr Belinda Liddell, School of Psychology, UNSW

Chaired by Farid Varess, Special Counsel, Fragomen

12.30–1.30 Lunch

1.30–3.00 Panel 2 - Creeping crises: From emergency to development

Minding the humanitarian–development gap in refugee response: Where do we stand?
Frances Voon, Executive Manager, Kaldor Centre for International Refugee Law, UNSW

The notion of 'crisis': Do we need to rethink the links between, mobility, development and inequality?
Professor Stephen Castles, Faculty of Arts & Social Sciences, University of Sydney

A crisis of political imaginary: Categorising mobile populations and the ambivalence of a categorised life
Associate Professor Claudia Tazreiter, Faculty of Arts & Social Sciences, UNSW

Chaired by Dr Eileen Pittaway, founding Director of the Centre for Refugee Research, UNSW

3.00–3.30 Break

3.30–4.40 Panel 3 - How do law and policy shape refugees' experience of time?

Sarah Dale, Principal Solicitor, Refugee Advice & Casework Service

Professor Ben Saul, Faculty of Law, University of Sydney

Shukufa Tahiri, Policy Assistant, Refugee Council of Australia

Chaired by Professor Jane McAdam, Director, Kaldor Centre for International Refugee Law, UNSW

4.40–5.25 Closing keynote address

Professor François Crépeau, United Nations Special Rapporteur on the Human Rights of Migrants

Chaired by Andrew Kaldor AM, Founder, Kaldor Centre for International Refugee Law, UNSW

5.25–5.30 Vote of thanks


Part of the UNSW
Grand Challenge on
Refugees & Migrants




Refugees and Immigration Cartoon Exhibition


The Kaldor Centre is proud to host an exhibition of cartoons curated by Victor Ndula and Amnesty International's Regional Hub for East Africa, the Horn and the Great Lakes. Victor is an Editorial Cartoonist who lives and works in Nairobi, Kenya. Victor has been drawing cartoons for over a decade and has won several local and international awards. He currently mentors and works with refugee artists in Kakuma, Dadaab and Nairobi under the programme Artists for Refugees that is funded and supported by UNHCR. The exhibition shows the work of eleven satirists from the region. At least two have fled their countries of origin based on their views and work as cartoonists.

Join the conversation

 Join the conversation and share your experience using #Kaldor2016 @kaldorcentre live during the conference on Twitter.

 Please note, all sessions will be filmed and audio recorded for the Kaldor Centre podcast series available on iTunes. Please contact organisers before the end of the day if you would like your question or comment omitted.

WiFi at the conference

 Wifi is available at the conference. Please register for a guest account at the registration desk during session breaks.

CPD for Registered Migration Agents

Item Number: CN63 - UNSW - Kaldor Centre Conference 2016: The role of 'time' in international protection
Duration: 8 hours
CPD: 3 points

It is an OMARA requirement for approval of CPD points that migration agents sign the attendance form at the registration desk on arrival and departure.

The Kaldor Centre Annual Conference is proudly supported by

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Keynote Speaker Sponsor, **Fragomen** and the generous donation of **Penelope Seidler AM**. Not-For-Profit Sponsor, **Wotton + Kearney**

We would also like to thank volunteers and interns who have generously given their time to support the Kaldor Centre Conference 2016.

UNSW Grand Challenge on Refugees & Migrants

The UNSW Grand Challenge on Refugees and Migrants will hold its Inaugural Address on 18 November at 6pm in the Law Theatre. The address, entitled 'The New Global Compact on Refugees', will be delivered by UNHCR's Assistant High Commissioner for Protection, Volker Türk. Visiting from Geneva, Dr Türk will share his insights on the global refugee situation following the adoption of the New York Declaration for Refugees and Migrants at last month's unprecedented UN Summit. Please join us directly after the Kaldor Centre conference for this rare public address.

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Richard Bryant AC is Scientia Professor of Psychology, UNSW, National Health and Medical Research Council Senior Principal Research Fellow, and Director of the UNSW Traumatic Stress Clinic. He has published over 440 journal articles on trauma, anxiety, and treatment. He has authored the leading text on acute stress disorder and served on committees for both the *Diagnostic and Statistical Manual of Mental Health Disorders*, 5th edition (DSM-5) and the *International Classification of Diseases*, 11th revision (CD-11) rewriting the new diagnoses for post-traumatic stress disorder. He is conducting large-scale mental health evaluation programs in Europe and the Middle East, as well as co-ordinating studies into neural and psychological mechanisms of refugee adjustment.



Bruce Burson has nearly 25 years' experience in refugee law. He is a Senior Member of the New Zealand Immigration and Protection Tribunal and has issued many of its leading decisions. He is a Senior Research Associate at the Refugee Law Initiative at the University of London and a member of the International Association of Refugee Law Judges. He delivers training on refugee law and decision-making, and has recently co-authored an edited volume, with David J Cantor, *Human Rights and the Refugee Definition* (Brill, 2016).



Stephen Castles is an Honorary Professor of Sociology at the University of Sydney. Until July 2016 he was a Research Professor of Sociology at Sydney University and a Research Associate of the International Migration Institute (IMI), University of Oxford. Until 2009 he was Professor of Migration and Refugee Studies at the University of Oxford and Director of IMI. He is a sociologist and political economist, and works on international migration dynamics, global governance, migration and development, and regional migration trends in Africa, Asia and Europe. His most recent research project, 'Social Transformation and International Migration in the 21st Century', considered the way global forces interact with local factors to shape human mobility. From 2001-06, Professor Castles was Director of the Refugee Studies Centre at the University of Oxford. He has been an advisor to the Australian and British governments, and has worked for the International Labour Organization, the International Organization for Migration, the European Union and other international bodies. His recent books include: *The Age of Migration: International Population Movements in the Modern World* (5th edition, with Hein de Haas and Mark Miller, Palgrave-Macmillan, 2014); *Migration, Citizenship and the European Welfare State: A European Dilemma* (with Carl-Ulrik Schierup and Peo Hansen, Oxford University Press, 2006); and *Migration and Development: Perspectives from the South* (edited with Raúl Delgado Wise, International Organization for Migration, 2008).



François Crépeau is the United Nations Special Rapporteur on the Human Rights of Migrants. He holds the Hans & Tamar Oppenheimer Chair in Public International Law at McGill University. He heads the 'Mondialisation et droit international' collection at Éditions Bruylant (Brussels). The focus of his current research includes migration control mechanisms, the rights of foreigners, the conceptualisation of security as it applies to migrants, and the rule of law in the face of globalisation. From 2001 to 2008, he was a professor at the Université de Montréal, holder of the Canada Research Chair in International Migration Law, and founding scientific director of the Centre d'études et de recherches internationales de l'Université de Montréal. From 1990 to 2001, he was a professor at the Université du Québec à Montréal. Until 2011, he was a member of the Canadian Commission for UNESCO and sat on the Barreau du Québec's Committee on Human Rights and Committee on Citizenship and Immigration. He also served as vice-president of the Canadian Human Rights Foundation (now Equitas) (1992-2004) and director of the *Revue québécoise de droit international* (1996-2004). Professor Crépeau holds diplomas from McGill University (BCL and LLB), Bordeaux University (DEUG and Licence in law, Masters in private law), Paris II University (DEA in sociological jurisprudence) and Paris I University (PhD in law).



Sarah Dale is acting Principal Solicitor at the Refugee Advice & Casework Service (RACS). She joined RACS after a number of years working with people seeking asylum and refugees in visa cancellation and civil law issues. Having developed an outreach legal service to unaccompanied children within NSW and throughout Australia, Sarah worked extensively with children who were detained on Christmas Island and faced transfer to Nauru. She has appeared before Senate Committee Hearings in relation to issues children are facing in the asylum process, as well as the experiences of those in detention.



Jean-François Durieux is a graduate of Facultés Universitaires St-Louis in Brussels, Belgium, and obtained a Law Degree from the Catholic University of Louvain. In 2011, Mr Durieux completed a 30-year career with UNHCR, during which he served in Africa, Asia, North America, Latin America, and at UNHCR Headquarters in Geneva, notably in the Division of International Protection and the Regional Bureau for Europe. His last position in the organisation was that of Director in the Division of Programme Support and Management. Mr Durieux has written extensively on refugee law and refugee protection, and recently co-edited with David J Cantor a book on the interface between international humanitarian law and international refugee law. He has organised seminars and courses on refugee law, statelessness and related fields, most recently as director of the International Refugee Law and Migration Law programme of the International Institute of Humanitarian Law, in Sanremo. He is a Research Associate at the Refugee Studies Centre at the University of Oxford, where he taught international law from 2007-09 and 2011-12. He currently contributes to the MA in Refugee Protection & Forced Migration Studies at the Refugee Law Initiative, University of London, where he is a Senior Research Associate.



Andrew Kaldor is the founder and Executive Chairman of a group of privately held companies. He has been a Director of a number of publicly listed companies and community organizations, and is currently a Non-Executive Director of the Sydney Symphony Orchestra (SSO). He has commissioned several works by Australian composers for the SSO and in 2013 was awarded a Member of the Order of Australia for significant service to the arts, in particular to orchestral music through advisory roles and philanthropy. He holds a Bachelor of Economics (Honours) from the University of Sydney and an MBA (Dean's Honours list) from Wharton at the University of Pennsylvania, where he was a teaching fellow. Mr Kaldor and his immediate family were accepted by Australia as refugees after WWII.



Renata Kaldor is Chair of the City Recital Hall, Angel Place, and serves on the Board of the Sydney Children's Hospital Network and the Australian World Orchestra. She is also on the Advisory Boards of the Andrew and Renata Kaldor Centre for International Refugee Law (UNSW); Heads Over Heels; and the NSW Alzheimer's Association. She was previously a Trustee of the Sydney Opera House; Judicial Commissioner of NSW; the Deputy Chancellor of the University of Sydney; Board member of the Sydney Symphony Orchestra; Chair of Women's Advisory Council of NSW; Board Director of NSW State Rail Authority; Director of the Garvan Foundation; Director of Public Interest Law Clearing House and has held positions on a number of companies and community organisations associated with education, business and law. Renata has a Bachelor's degree in Arts and a Diploma of Education from the University of NSW. She received her Officer of the Order of Australia in 2002 and a Centenary Medal 2003. She became an Honorary Fellow of the University of Sydney in 2005.



Linda Kirk is the Deputy Director and Sub-Dean of the Migration Law Program at the Australian National University's College of Law, a Visiting Fellow of the Refugee Law Initiative at the University of London, and a Fellow of the Transnational Law Summer Institute at King's College London. She was a Senior Member of the Migration Review Tribunal and the Refugee Review Tribunal from 2009-14. From 2002-08 she was a Senator for South Australia, a member of the Senate Legal and Constitutional Committee, and the Deputy Chair of the Joint Standing Committee on Migration. Linda was the Chair of the Australasian Chapter of the International Association of Refugee Law Judges (IARLJ) from October 2011 to July 2016. She is currently a member of the Committee of the newly-established Asia-Pacific Chapter of the IARLJ, and the Rapporteur of the IARLJ Extraterritorial Processing Working Party. She holds a Master of Laws from the University of Cambridge, and a Bachelor of Laws (First Class Honours) and a Bachelor of Economics from the University of Adelaide. She is currently enrolled part-time in the Doctor of Juridical Science degree at Monash University, and is writing her dissertation on consistency in protection status determination.



Belinda Liddell is a Research Fellow in the School of Psychology, UNSW and Neuroimaging Program Director at the Refugee Trauma and Recovery Program. She completed her PhD at the University of Sydney in affective and cognitive neuroscience, which was awarded the H Tasman Lovell Medallion, and she holds a first class honours degree in psychology from the University of Sydney. Dr Liddell has worked across the fields of international development and mental health, engaging in evidence-based policy development with UNICEF, Cambodia in 2007-09, and was Research Director for a longitudinal mental health project in Timor-Leste 2009-11. Her postdoctoral research at UNSW examines the neural mechanisms underlying refugee trauma including torture and other human rights violations, and the psychological processes underpinning refugee adjustment and settlement. She is also investigating cultural differences in post-traumatic stress disorder and how person and place attachments influence emotional experiences, social processing and stress responses. Dr Liddell works closely with refugee and asylum seeker agencies including STARTTS, Settlement Services International and the Australian Red Cross in her research. In 2014, she was awarded a Churchill Fellowship to investigate the links between clinical research with survivors of torture and human rights policy.



Jane McAdam is Scientia Professor of Law and Director of the Andrew & Renata Kaldor Centre for International Refugee Law at UNSW. She is a Research Associate at Oxford University's Refugee Studies Centre, an Associated Senior Fellow at the Fridtjof Nansen Institute in Norway and a Senior Research Associate of the Refugee Law Initiative in London. She is the Academic Lead of the UNSW Grand Challenge on Refugees & Migrants. She publishes widely in international refugee law and forced migration, with a particular focus on climate change, disasters and displacement. Professor McAdam is Editor-in-Chief of the *International Journal of Refugee Law*, the leading journal in the field. She serves on a number of international committees, including as Co-Rapporteur of the International Law Association's Committee on International Law and Sea-Level Rise; a member of the Consultative Committee of the Platform on Disaster Displacement and a member of the Advisory Board of the Asia-Pacific Migration and Environment Network. She holds a doctorate in law from the University of Oxford, and first class honours degrees in law and history from the University of Sydney. In 2017-18 she will be a Visiting Fellow in the Harvard Law School's Human Rights Program.



Eileen Pittaway was the founding Director of the Centre for Refugee Research, UNSW, and former Associate Professor in the School of Social Sciences and International Studies from 1999 to 2013. She co-ordinated and taught in the Master Programs of International Social Development, and Refugees and Forced Migration. Dr Pittaway now continues her involvement with UNSW in an honorary capacity with a focus on the prevention of and response to sexual and gender based violence experienced by refugee women at risk, both overseas and following resettlement to Australia. Over the past twenty years, she has conducted research, provided training to refugees, UN and NGO staff in refugee camps and urban settings, acted as technical advisor to a number of projects, and evaluated humanitarian and development projects in 18 different countries. She continues to work on applied research projects in Australia, India, Thailand, Burundi and Kenya. In 2001, Dr Pittaway was awarded a Human Rights Medal by the Australian Human Rights and Equal Opportunities Commission for her work with refugee women and children. In 2005, she received a NSW Premier's Award for service to refugee education in Australia, and in 2012 was made a Member of the Order of Australia for her work with refugees.



Ben Saul is Challis Chair of International Law at the University of Sydney, a barrister, and an Associate Fellow of Chatham House (the Royal Institute of International Affairs) in London. He is also the Gough Whitlam and Malcolm Fraser Visiting Professor of Australian Studies at Harvard University in 2017-18. Professor Saul has expertise in public international law, particularly terrorism, human rights, armed conflict, the use of force, international crimes, development, the United Nations, Antarctica, and the Asia-Pacific. He has published 13 books, 90 refereed articles, and hundreds of other publications, and been awarded numerous research grants, including a prestigious Australian Research Council Future Fellowship. His research has been used in international and national courts and he has been involved in over 130 parliamentary inquiries. His book *Defining Terrorism in International Law* (Oxford University Press, 2006) is the leading work on the subject and he is lead author of the *Oxford Commentary on the International Covenant on Economic, Social and Cultural Rights* (Oxford University Press, 2014), awarded a Certificate of Merit by the American Society of International Law.



Shukufa Tahiri was born into a Hazara family in Afghanistan. Forced to flee her homeland, Ms Tahiri's family lived in Pakistan before being reunited with their father in Australia in 2006, where they arrived as refugees. She is an advocate for the rights of refugees and people seeking asylum. In between initiating and volunteering for numerous initiatives at the grassroots, such as providing legal and interpreting assistance for people seeking asylum, she is also working as a Policy Assistant at the Refugee Council of Australia while completing her Bachelor of Laws.



Claudia Tazreiter is Associate Professor of Sociology at UNSW. Her research focuses on forced and irregular migration, human rights, the role of non-governmental organisations and civil society in social change and gendered forms of violence. She is the author of *Asylum Seekers and the State: The Politics of Protection in a Security-Conscious World* (Ashgate, 2004, 2006); *Fluid Security in the Asia Pacific: Transnational Lives, Human Rights and State Control*, with Leanne Weber, Sharon Pickering, Marie Segrave and Helen McKernan (Palgrave, 2016); and co-editor of *Globalisation and Social Transformation in Two Culturally Diverse Societies: The Australian and Malaysian Experience*, with Tham Siew Yean (Palgrave, 2013).



Farid Varess leads Fragomen's Australian Private Client and Litigation & Review Practices. Farid is an Accredited Specialist in Immigration Law, with over 13 years of experience. He is included on the Best Lawyers in Australia lists for both Immigration Law (since 2013) and Human Rights Law (since 2014). Farid acts in a wide range of migration and citizenship applications. A large part of his work is the representation of asylum seekers and others with matters before merits review bodies and the courts. He regularly presents on and authors pieces in the area of immigration law. Farid is a member of the Administrative Appeals Tribunal's (AAT) Migration Duty Solicitor panel, oversees Fragomen's work under the Immigration Advice and Application Assistance Scheme (IAAAS), and regularly assists clients in financial hardship seek judicial review of migration decisions on a speculative basis.



Frances Voon is Executive Manager at the Andrew & Renata Kaldor Centre for International Refugee Law. She joined the Kaldor Centre in 2015 from the UNHCR Policy Development and Evaluation Service in Geneva. Frances has worked for several years in refugee operations in Bangladesh, Jordan and South Sudan with UNHCR, Jesuit Refugee Service and the World Food Programme. She completed a Masters in Development Studies at the University of Oxford as a John Monash Scholar, where her research addressed policy and assistance for self-settled refugees in protracted situations. She was Tipstaff to Justice John Basten at the Supreme Court of New South Wales and is admitted to legal practice. She holds a Bachelor of Arts (Hons) and a Bachelor of Laws from UNSW.