



MONASH University

Centre for Commercial Law and Regulatory Studies

**PROPERTY RIGHTS AND HUMAN RIGHTS:
NEW POSSIBILITIES IN AN AGE OF
INEQUALITY SYMPOSIUM**

9 AUGUST-10 AUGUST 2018

PROGRAMME



MONASH University
Castan Centre for Human Rights Law

All Panels will take place at the Monash University Law Chambers unless stated otherwise.

Monash University Law Chambers

555 Lonsdale Street, Melbourne Vic 3000



Thursday 9 August 2018

0900-0930 Registration and tea/coffee

0930-0945 **Welcome**

0945-1030 **Keynote; Property and Human Flourishing**

Keynote Speaker – Gregory S. Alexander (A. Robert Noll Professor of Law, Cornell University)

Property, Dignity and Human Flourishing

1030-1045 Tea/coffee

1045-1215 **Panel 1; Property Rights as Human Rights**

Patrick Emerton (Associate Professor, Faculty of Law, Monash University)

The Place of Property Rights in the Scheme of Human Rights

Nicole Graham (Associate Professor, Law School, University of Sydney)

Property and Proportionality

William Phillips (PhD Candidate, Melbourne University)

Do Property Rights undermine the Distinction Between Liberty Rights and Welfare Rights?

1215-1300 Lunch

1300-1345 **Keynote; Property, Disability and Discrimination**

Keynote Speaker – Robin Paul Malloy

(E.I White Chair and Distinguished Professor of Law, Syracuse University)

Advancing Accessible Communities

1345-1515 **Panel 2; Property, Privilege and Pluralism**

Margaret Davies (Matthew Flinders Distinguished Professor of Law, Flinders University)

Can Property Be Justified in an Entangled World

Amy Laura Cahn (Staff Attorney, Conservation Law Foundation)

Dismantling White Supremacy in Land Rights Struggles

Bin Li (Professor, Law School, Beijing Normal University)

The Protection of Property Rights by Investment Treaty

1515-1530 Tea/coffee

1530-1630 **Panel 3; Property and Distributional Justice**

Kathryn James (Senior Lecturer, Faculty of Law, Monash University)

The Role of Taxation in Distributive Justice: The Property and Human Rights Implications of Wealth Taxation

Hanoch Dagan

(Stewart and Judy Colton Professor of Legal Theory and Innovation, Tel-Aviv University)

Property, Justice and Distribution

Friday 10 August 2018

0900-1100 **Panel 4; Property Rights and Indigeneity**

Angela Riley

(Professor of Law, University of California; Director, Native Nations Law and Policy Centre)

Privatizing the Reservation?

Lee Godden (Professor, Law School, Melbourne University)

Benefit-Sharing: Can these Models Achieve Human Rights for Indigenous Peoples in a Climate Change Era?

Stephen Gray (Senior Lecturer, Law Faculty, Monash University)

Cultural Property Rights and Indigenous Rock Art

1030-1045 Tea/coffee

1045- 1300 **Panel 5; Property, Sovereignty and the State**

Daniel Fitzpatrick (Professor, Faculty of Law, Monash University)

Property in 'Slums': Perpetuating Poverty through Law

Rebecca Monson (Senior Lecturer, Australian National University College of Law)

"As Mothers of the Land": Grounding Debates About Women's Land Rights in the Pacific

Ani Landau-Ward (School of Global, Urban and Social Studies, College of Design and Social Context, RMIT University)

Asking Theory to be Contingent: Decolonisation, Development, Digital

Jayani Nadarajalingam (Teaching Associate, Faculty of Law, Monash University)

Path-Dependent Property Regimes and Social Change

1300-1345 Lunch

1345-1530 **Panel 6; Property, Commodities and Displacement**

Nathan John Cooper (Associate Professor, Faculty of Law, The University of Waikato)

Interrogating the Inviolable: Property, Commodification, and the Human Right to Water

Adefolake Adeyeye (Lecturer, Faculty of Law, Monash University)

Companies, Land Grabs and Tenure Rights of Small-Holder Farmers: Subtle Realities

Caroline Henckels (Senior Lecturer, Faculty of Law, Monash University)

"Investor Rights" in International Investment Law

Susanna Price

(Lecturer, ANU College of Asia and the Pacific, Australian National University)

Forced Displacement: Is there a Case for Enhanced National Law?

1530-1545 Tea/coffee



Friday 10 August 2018 (continued)

1545-1745 **Panel 7; Property and Privatisation**

Cathy Sherry (Associate Professor, Faculty of Law, University of New South Wales)

Does Discrimination Law Apply to Australian Strata Schemes?

Douglas Harris (Professor and Nathan T. Nemetz Chair in Legal History, Peter A. Allard School of Law, The University of British Columbia)

Determining the Right to the City within Condominium Property

Shitong Qiao (Assistant Professor, Faculty of Law, The University of Hong Kong)

Transferable Development Rights: Cure or Curse for Chinese Farmers

Amelia Thorpe (Senior Lecturer, Faculty of Law, The University of New South Wales)

Rights in and to the City

1745-1800 **Closing Remarks**