



SYDNEY  
CENTRE FOR INTERNATIONAL AND GLOBAL LAW

The Sydney Centre for International and Global Law presents:

**Dr Hitoshi Nasu**

*Affiliate of the Sydney Centre for International and Global Law  
and Lecturer, ANU College of Law*

## “Chapter VII Powers and the Rule of Law”

**Date:** Thursday, 7 June 2007  
**Time:** 12:30pm lunch for 1:00pm presentation  
**Venue:** Minter Ellison Conference Room, Level 13  
Sydney Law School, 173-175 Phillip Street, Sydney

**Chair:** Dr Fleur Johns  
*Programme Director, SCIGL Programme in Public  
International Law & Senior Lecturer, Faculty of Law,  
University of Sydney*

### About the Topic:

The expansion of the UN Security Council's activities since 1990s has posed a fundamental challenge to the supremacy of the rule of law over the influence of discretionary power. While the purposes and principles of the UN Charter as well as human rights norms set an 'outer limit' upon the exercise of Chapter VII powers, attention should also be drawn to an 'inner limit' specific to the valid exercise of the powers in conformity with the logical reading of the UN Charter. This paper explores possible grounds for ascertaining jurisdictional errors that the Security Council may commit in exercising Chapter VII powers. To that end, this paper draws on the jurisprudence developed in the Australian migration law where the notion of jurisdictional error has recently been given a greater role against the backdrop of significant obstacles posed to judicial review of privative clause decisions.

### About the Speaker:

**Dr Hitoshi Nasu** is a lecturer at the ANU College of Law. Prior to his appointment to the ANU, he was a part-time lecturer teaching international law in the Faculty of Law, The University of Sydney, where he also completed a PhD in 2006 by submitting a doctoral thesis on *Precautionary Approach to International Security Law: A Study of Article 40 of the UN Charter*. His recent publications related to this seminar paper include: Hitoshi Nasu, 'Responsibility to React? Lessons from the Security Council's Response to the Southern Lebanon Crisis of 2006' (2007) *International Peacekeeping* forthcoming; Kristen Daghish and Hitoshi Nasu, 'Towards a True Incarnation of the Rule of Law in War-Torn Territories: Centring Peacebuilding in the Will of the People' (2007) 54 *Netherlands International Law Review* 81-114.

Please RSVP by Monday, 4 June to [law.scigl@usyd.edu.au](mailto:law.scigl@usyd.edu.au) for catering purposes.



Faculty of Law, The University of Sydney  
173-175 Phillip Street Sydney NSW 2000 Australia DX 983  
Telephone: +61 2 9351 0312 Fax: +61 2 9351 0200  
Email: [law.scigl@usyd.edu.au](mailto:law.scigl@usyd.edu.au)

