



Additional Comment

I support the Committee's recommendations that binding treaty action be taken in regard to all the Treaties considered in this report. However, I believe the comments in paragraph 2.31, combined with recommendations 1 and 2, give an unnecessarily negative view about the potential use of the external affairs power by the Commonwealth.

Whilst I agree that a practical and reasonable approach should always be followed in the use of this power by the Commonwealth, I also believe that when Australia takes binding treaty action, Parliament should not be apologetic if it decides it is necessary to implement legislation at the federal level that reflects the provisions of those treaties.

The current government should certainly be up-front if there is any legislation it intends to put forward using the external affairs power under the *United Nations Convention against Corruption* (or any other Treaty). However, it will always be the prerogative of the Senate and the Parliament as to whether it passes such legislation.

Senator Andrew Bartlett

