

Department of Defence

Joint Standing Committee on Treaties – 16 June 2014

**Question on Notice No. 1 - Similar treaties with countries such as Great Britain,
Northern Ireland, Canada, New Zealand**

Dr Stone MP asked on 16 June 2014, Hansard page 3:

Dr STONE: Is there a similar treaty between Great Britain, Northern Ireland and, say, Canada, New Zealand or India? Is this treaty following in a line of others making similar arrangements in recent times?

Mr Hamilton: Perhaps I can answer that by saying that we have similar arrangements with other countries—with France, for example.

Dr STONE: I know we do, but I am thinking in particular about Great Britain and Ireland. I am thinking of our old Commonwealth status, obviously, or our old colonial status. Do they have similar treaties with, in this case, Canada or New Zealand? I know we have lots of treaties with lots of other countries. I am wondering: do they? Have they engaged in a similar treaty making with some of our like-minded—

Mr Hamilton: That is really a question for the United Kingdom, but we can take that on notice and see what we can get you. It will take us a bit of time to talk to the United Kingdom and find out that information.

Response:

In response to Dr Stone's question, the United Kingdom Ministry of Defence has provided the following response:

“The United Kingdom has a 2006 treaty with Canada concerning the training of United Kingdom forces in Canada. The United Kingdom does not have defence treaties with India or New Zealand, or a policy of prioritising Commonwealth countries for defence treaties.

Most of the United Kingdom's defence engagement takes place with the United States of America, France, NATO, and like-minded Commonwealth countries including Australia. The majority of this engagement is facilitated by memorandums of understanding rather than treaties. There are significant numbers of bilateral memorandums of understanding between the United Kingdom and Commonwealth nations that have similar content to the *Treaty between the Government of Australia and the Government of the Kingdom of Great Britain and Northern Ireland for Defence and Security Cooperation*.

Where there is a requirement for a legally binding agreement, or desire for a publicly recognised agreement, then treaties are the favoured mechanism, as is the case with the *Treaty for Defence and Security Cooperation*.”

Further to the United Kingdom Ministry of Defence's response, the Committee may also wish to review the information on treaties found at the United Kingdom Foreign and Commonwealth Office website <http://treaties.fco.gov.uk/treaties/treaty.htm>