The Parliament of the Commonwealth of Australia

Report 72

Treaties tabled on 29 November 2005 (2)

Amendments to the Statute of the Hague Conference on Private International Law of 31 October 1951

Universal Postal Union: Seventh Additional Protocol to the Constitution of 10 July 1964, as amended; Convention, and Final Protocol; General Regulations

Annex G: Settlement of Disputes to the Stockholm Convention on Persistent Organic Pollutants

Agreement between the Government of Australia and the Government of the Republic of Turkey on the Reciprocal Promotion and Protection of Investments

February 2006 Canberra © Commonwealth of Australia 2006 ISBN 0 642 78758 1 (printed version) ISBN 0 642 78759 X (HTML version)

Contents

Resolution of appointment List of abbreviations	viii
List of recommendations	ix
1 Introduction	1
Purpose of the report	1
Briefing documents	2
Conduct of the Committee's review	2
2 Amendments to the Statute of the Hague Conference on Private International Law.	3
Introduction	3
Background	3
The Amendments	5
Implementation	6
Costs	6
Conclusion and recommendation	6
3 Universal Postal Union: Seventh Additional Protocol to the Constitution 10 July 1964, as amended; Convention, and Final Protocol; General	of
Regulations	7
Introduction	7

	The Amendments	7		
	Regulation Impact Statement	9		
	Implementation	10		
	Costs			
	Conclusion and recommendation	11		
4	Amendments to the Stockholm Convention on Persistent Organic			
	Pollutants	13		
	Introduction	13		
	Background	13		
	Annex G	14		
	Consultation	15		
	Entry into force	15		
	Conclusion and recommendation	16		
5	Agreement with the Republic of Turkey for the Promotion and Prote	ection of		
•	Investments			
	Introduction	17		
	Background	17		
	Overview			
	Obligations	19		
	Consultation			
	Dispute resolution	21		
	Potential costs	21		
	Entry into force, implementation and withdrawal	21		
	Conclusion and recommendation	22		
Ар	pendix A - Submissions	23		
Ар	pendix B - Witnesses	25		
	Monday, 5 December 2005 – Canberra			

iv

Membership of the Committee

Chair	Dr Andrew Southcott MP	
Acting Chair	Mrs Margaret May MP (from 5/9/2005 until 11/12/2005)	
Deputy Chair	Mr Kim Wilkie MP	
Members	Hon Dick Adams MP	Senator Andrew Bartlett
	Mr Michael Johnson MP	Senator Carol Brown
	Mr Michael Keenan MP	Senator Brett Mason
	Ms Sophie Panopoulos MP	Senator Julian McGauran (from 9/2/2006)
	Mr Bernie Ripoll MP	Senator Santo Santoro (until 9/2/2006)
	Hon Bruce Scott MP	Senator Glenn Sterle
		Senator Russell Trood

Senator Dana Wortley

Committee Secretariat

Secretary	Gillian Gould
Inquiry Secretary	Stephanie Mikac
Research Officer	Serica Mackay
Administrative Officer	Heidi Luschtinetz

Resolution of appointment

The Resolution of Appointment of the Joint Standing Committee on Treaties allows it to inquire into and report upon:

- a) matters arising from treaties and related National Interest Analyses and proposed treaty actions presented or deemed to be presented to the Parliament;
- b) any question relating to a treaty or other international instrument, whether or not negotiated to completion, referred to the committee by:
 - (i) either House of the Parliament, or
 - (ii) a Minister; and
- c) such other matters as may be referred to the committee by the Minister for Foreign Affairs and on such conditions as the Minister may prescribe.

List of abbreviations

DEH	Department of Environment and Heritage
EC	European Community
ICJ	International Court of Justice
IPPA	International Promotion and Protection of Investments Agreements
NIA	National Interest Analysis
OECD	Organisation for Economic Cooperation and Development
POPs	Persistent Organic Pollutants
REIO	Regional Economic Integration Organisations
RIS	Regulation Impact Statement
SCOT	Standing Committee on Treaties
UPU	Universal Postal Union

List of recommendations

2 Amendments to the Statute of the Hague Conference on Private International Law

Recommendation 1

The Committee supports the *Amendments, adopted on 30 June 2005, to the Statute of the Hague Conference on Private International Law* and recommends that binding treaty action be taken.

3 Universal Postal Union: Seventh Additional Protocol to the Constitution of 10 July 1964, as amended; Convention, and Final Protocol; General Regulations

Recommendation 2

The Committee supports the Universal Postal Union: Seventh Additional Protocol to the Constitution of 10 July 1964, as amended; Convention, and Final Protocol; General Regulations and recommends that binding treaty action be taken.

4 Amendments to the Stockholm Convention on Persistent Organic Pollutants

Recommendation 3

The Committee supports the *Amendments, adopted at Punta Del Este on 6 May 2005, to add a new Annex G to the Stockholm Convention on Persistent Organic Pollutants (POPs)* and recommends that binding treaty action be taken.

5 Agreement with the Republic of Turkey for the Promotion and Protection of Investments

Recommendation 4

х

The Committee supports the *Agreement between the Government of Australia and the Government of the Republic of Turkey for the Promotion and Protection of Investments* (Canberra, 16 June 2005) and recommends that binding treaty action be taken.