

Introduction

Purpose of the report

1.1 This report contains the Joint Standing Committee on Treaties' review of the *Treaties Ratification Bill 2012* ('the Bill') that was introduced into the House of Representatives on Monday, 13 February 2012, by the Hon. Robert Katter MP, (Kennedy).

1.2 The Bill has only one substantive provision:

The Governor-General must not ratify a treaty unless both Houses of the Parliament have, by resolution, approved the ratification.

Selection Committee consideration

1.3 Under Standing Order 222, the House of Representatives' Selection Committee may refer bills it considers controversial or as requiring further consultation or debate to the relevant standing or joint committee.¹

1.4 On 16 February 2012, the House of Representatives Selection Committee referred the Bill to the Committee for inquiry.²

1.5 Mr Katter outlined his reasons for introducing the Bill in his First Reading Speech.³ Driven by his concern that the treaties Australia is entering into

1 House of Representatives Standing Orders 222 (a) iii.

2 House of Representatives Selection Committee, Report No. 44, Consideration of Bills, 16 February 2012, p. 3.

3 *Hansard*, House of Representatives, 13 February 2012, pp. 28-29.

are economically damaging to Australian agriculture and manufacturing and that Australia's sovereignty is being eroded,⁴ Mr Katter has introduced this Bill to address what he perceives as the undemocratic nature of treaty negotiation and implementation.

To enable the representatives of the people to have a genuine say in the formulation and approval of treaties is important for two reasons. Treaties ought to be treated like laws because they have a legally binding effect. They have a direct impact on people, especially when it is a serious impact such as costing people their jobs and costing children job opportunities. Treaties ought to be determined by the parliament after proper debate. This process enables public awareness of what is being proposed and a thorough analysis of the consequences of what is being proposed. Certainly, on occasions there is the odd discussion or consultation involving vested interest groups, usually the ones that are involved with the treaty that will benefit by it – usually overseas corporations. Public awareness of the public engagement process simply does not happen.⁵

- 1.6 Copies the *Treaties Ratification Bill 2012*, and its associated documentation may be obtained from the Committee Secretariat or accessed through the Committee's website at:

http://www.aph.gov.au/Parliamentary_Business/Committees/House_of_Representatives_Committees?url=jsct/index.htm

Conduct of the Committee's review

- 1.7 Submissions for this inquiry were invited with a closing date of Friday 11 May 2012. Extensions were available on request.
- 1.8 Five Submissions were received and their authors are listed at Appendix A.
- 1.9 The Committee held a public hearing in Canberra on 25 June 2012 to take evidence on the Bill.
- 1.10 Transcripts of evidence from the public hearing may be obtained from the Committee Secretariat or accessed through the Committee's website:
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4 The Hon. Robert Katter MP, *Committee Hansard*, 25 June 2012, pp. 1-6.

5 House of Representatives Selection Committee, Report No. 44, Consideration of Bills, 16 February 2012, p. 3.

http://www.aph.gov.au/Parliamentary_Business/Committees/House_of_Representatives_Committees?url=jsct/ratification_bill/hearings.htm

- 1.11 A list of witnesses who appeared at the public hearings is at Appendix B.

