

Introduction

Purpose of the report

- 1.1 This report contains the Joint Standing Committee on Treaties' review of treaty actions tabled on 23 August, 13 September and 20 September 2011.
- 1.2 These treaty actions are proposed for ratification and are examined in the order of tabling:
 - **Tabled 23 August**
 - ⇒ *Agreement for the Establishment of the International Anti-Corruption Academy as an International Organization (done at Vienna on 2 September 2010)*
 - ⇒ *Agreement between the Government of Australia and the European Atomic Energy Community (Euratom) for Co-Operation in the Peaceful Uses of Nuclear Energy*
 - ⇒ *International Convention for the Suppression of Acts of Nuclear Terrorism (New York, 14 April 2005)*
 - **Tabled 13 September 2011**
 - ⇒ *Southern Indian Ocean Fisheries Agreement (Rome, 29 December 2006 Signed for Australia in Rome, 29 December 2006)*
 - ⇒ *Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean (Auckland, 14 November 2009)*

■ **Tabled 20 September 2011**

- ⇒ *Air Services Agreement between the Government of Australia and the Government of the Czech Republic (New York, 24 September 2010)*
- ⇒ *Exchange of Notes constituting an Amendment to the Agreement between the Government of Australia and the Government of the Socialist Republic of Vietnam relating to Air Services (done at Canberra on 31 July 1995) (Hanoi, TBA 2011)*
- ⇒ *Exchange of Notes constituting an Agreement to amend the Agreement between the Government of the United States of America and the Government of Australia concerning Space Vehicle Tracking and Communication Facilities of 29 May 1980, as amended (Canberra, TBA 2011)*

- 1.3 The Committee's resolution of appointment empowers it to inquire into any treaty to which Australia has become signatory, on the treaty being tabled in Parliament.
- 1.4 The treaties, and matters arising from them, are evaluated to ensure that ratification is in the national interest, and that unintended or negative effects on Australians will not be entailed.
- 1.5 Prior to tabling, major treaty actions are subject to a *National Interest Analysis* (NIA), prepared by Government. This document considers arguments for and against the treaty, outlines the treaty obligations and any regulatory or financial implications, and reports the results of consultations undertaken with State and Territory Governments, Federal and State and Territory agencies, and with industry or non-government organisations.
- 1.6 A Regulation Impact Statement (RIS) may accompany the NIA. The RIS provides an account of the regulatory impact of the treaty action where adoption of the treaty will involve a change in the regulatory environment for Australian business. The treaties examined in this report do not require an RIS.
- 1.7 The Committee takes account of these documents in its examination of the treaty text, in addition to other evidence taken during the inquiry program.
- 1.8 Copies of each treaty and its associated documentation may be obtained from the Committee Secretariat or accessed through the Committee's website at:
- 1.1 <www.aph.gov.au/house/committee/jsct>

Conduct of the Committee's review

- 1.9 The treaty action reviewed in this report was advertised on the Committee's website from the date of tabling. Submissions were invited by Friday 15 September 2011 for those treaties tabled on 23 August 2011, 14 October 2011 for those treaties tabled on 13 September and 20 September 2011, with extensions available on request.
- 1.10 Invitations were made to all State Premiers, Chief Ministers and to the Presiding Officers of each Parliament to lodge submissions. The Committee also invited submissions from individuals and organisations with an interest in the treaty.
- 1.11 Submissions received and their authors are listed at Appendix A.
- 1.12 The Committee examined the witnesses on each treaty at a public hearing held in Canberra on 31 October 2011.
- 1.13 Transcripts of evidence from the public hearings may be obtained from the Committee Secretariat or accessed through the Committee's website under the treaty's tabling dates, being:
- **31 October 2011**
<<http://www.aph.gov.au/house/committee/jsct/31october2011/hearings.htm>>
- 1.14 A list of witnesses who appeared at the public hearings is at Appendix B.

Minor treaty action

- 1.15 Minor treaty actions are generally technical amendments to existing treaties, which do not impact significantly on the national interest.
- 1.16 The Joint Standing Committee on Treaties has the discretion to formally inquire into these treaty actions or indicate its acceptance of them without a formal inquiry and report.
- 1.17 One minor treaty action is considered in this Report: *Resolution MEPC.202(62): Amendments to the Annex of the Protocol of 1997 to amend the International Convention For The Prevention Of Pollution From Ships, 1973, as modified by the Protocol of 1978 relating thereto, adopted at London on 15 July 2011.*

1.18 This minor treaty action was tabled in Parliament on 13 October 2011.

1.19 The Committee's views on this treaty action are contained in Appendix C.