

Report 116

Treaties tabled on 24 and 25 November 2010, 9 February and 1 March 2011

Treaties referred on 16 November 2010 (Part 3)

2010 Amendments to Appendices I and II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora

Amendments to the Implementation Procedures for Airworthiness Covering Design Approval, Production Activities, Export Airworthiness Approval, Post Design Approval Activities, and Technical Assistance Between Authorities under the Agreement on the Promotion of Aviation Safety Between the Government of Australia and the Government of the United States of America

United Nations Convention on the Use of Electronic Communications in International Contracts

Exchange of Letters Constituting an Agreement to Amend Annex 4-A (Textile or Apparel Specific Rules of Origin) of the Australia-United States Free Trade Agreement

Exchange of Letters Constituting an Agreement between the Government of Australia and the Government of New Zealand to amend Article 3 of the Australia New Zealand Closer Economic Relations Trade Agreement (ANZCERTA) and Exchange of Letters Constituting an Agreement between the Government of Australia and the Government of New Zealand to amend Annex G of the ANZCERTA

International Labour Organization Protocol of 2002 to Convention No. 155: concerning Occupational Safety and Health and the Working Environment, 1981

International Labour Organization Convention No. 162: Convention Concerning Safety in the Use of Asbestos

International Labour Organization Convention No. 175: Part-Time Work

International Labour Organisation Convention No. 186: Maritime Convention

Resolution MEPC.196 (59), adopted 17 July 2009, Amendments to the Annex of the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships

Amendments to the Convention Establishing the Multilateral Investment Guarantee Agency to Modernise the Mandate of the Multilateral Investment Guarantee Agency and Amendment to the International Finance Corporation Articles of Agreement

Agreement between the Government of Australia and the Government of New Zealand on Trans-Tasman Court Proceedings and Regulatory Enforcement

Australia's Accession to the Council of Europe Convention on Cybercrime

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Membership of the Committee

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Resolution of Appointment

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

- a) matters arising from treaties and related National Interest Analyses and proposed treaty actions and related Explanatory Statements 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

AIMPE	Australian Institute of Marine and Power Engineers
ANZCERTA	Australia New Zealand Closer Economic Relations Trade Agreement
APMA	Australian Parts Manufacturers Approval
ASA	Australian Shipowners' Association
AUSFTA	Australia-United States Free Trade Agreement
BASA	Bilateral Aviation Safety Agreement
CASA	Civil Aviation Safety Authority
CITES	Convention on International Trade in Endangered Species
CTC	Change-in-Tariff-Classification
DFAT	Department of Foreign Affairs and Trade
DIISR	Department of Innovation, Industry, Science and Research
EA	Executive Agreement
FAA	Federal Aviation Administration
IBRD	International Bank for Reconstruction and Development
IFC	International Finance Corporation

ILO	International Labour Organisation
IMO	International Maritime Organisation
IPA	Implementation Procedures for Airworthiness
MARPOL	International Convention for the Prevention of Pollution from Ships
MIGA	Multilateral Investment Guarantee Agency
MUA	Maritime Union of Australia
NIA	National Interest Analysis
NZ	New Zealand
PACER	Pacific Agreement on Closer Economic Relations
PSR	Product Specific Rules
RIS	Regulation Impact Statement
RVC	Regional Value Content
SCAG	Standing Committee of Attorneys-General
SPARTECA	South Pacific Regional Trade and Economic Co-operation Agreement
TFIA	Textile and Fashion Industries Australia
US	United States
UNCITRAL	United Nations Commission on International Trade Law



List of recommendations

3 Amendments to the Implementation Procedures for Airworthiness covering Design Approval, Production Activities, Export Airworthiness Approval, Post Design Approval Activities, and Technical Assistance between Authorities

Recommendation 1

The Committee supports the *Amendments to the Implementation Procedures for Airworthiness covering Design Approval, Production Activities, Export Airworthiness Approval, Post Design Approval Activities, and Technical Assistance between Authorities* and recommends that binding treaty action be taken.

4 United Nations Convention on the Use of Electronic Communications in International Contracts 2005

Recommendation 2

The Committee supports the *United Nations Convention on the Use of Electronic Communications in International Contracts* and recommends that binding treaty action be taken.

5 Exchange of Letters Constituting an Agreement to Amend Annex 4-A (Textile or Apparel Specific Rules of Origin) of the Australia-United States Free Trade Agreement

Recommendation 3

The Committee supports the *Exchange of Letters Constituting an Agreement to Amend Annex 4-A (Textile or Apparel Specific Rules of Origin) of the*

Australia–United States Free Trade Agreement, and recommends binding treaty action be taken.

6 Exchange of Letters Constituting an Agreement between the Government of Australia and the Government of New Zealand to amend Article 3 of the Australia New Zealand Closer Economic Relations Trade Agreement, and

Exchange of Letters Constituting an Agreement between the Government of Australia and the Government of New Zealand to amend Annex G of the Australia New Zealand Closer Economic Relations Trade Agreement

Recommendation 4

The Committee supports the Exchange of Letters implementing Amendments to Article 3, and to Annex G, of the *Australia New Zealand Closer Economic Relations Trade Agreement* (ANZCERTA) and recommends binding treaty action be taken.

Recommendation 5

The Committee recommends the Minister of Innovation, Industry, Science and Research report to the Committee on the measures implemented to address the impact of ‘duty drawback’ on Australia’s Structured Apparel sector under the amendments to Article 3 and to Annex G of ANZCERTA, and monitor ongoing effects on the sector after 2012.

7 Four International Labour Organisation Treaties

Recommendation 6

The Committee supports the *International Labour Organisation Protocol of 2002 to Convention No. 155 concerning Occupational Safety and Health and the Working Environment* and recommends that binding treaty action be taken.

Recommendation 7

The Committee supports the *International Labour Organisation Convention No. 162: Convention Concerning Safety in the Use of Asbestos*, and recommends that binding treaty action be taken.

Recommendation 8

The Committee supports the *International Labour Organisation Convention No. 175: Part Time Work*, and recommends that binding treaty action be taken.

Recommendation 9

The Committee supports the *International Labour Organisation Convention No. 186: Maritime Labour Convention*, and recommends that binding treaty action be taken.

8 Amendments to the Annex of the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships**Recommendation 10**

The Committee recommends that all future amendments to *International Convention for the Prevention of Pollution from Ships 1973 (MARPOL)* be tabled in Parliament in sufficient time for the view of the Parliament to be taken into consideration before the period for objections to the amendments ends.

9 Amendments to the Convention Establishing the Multilateral Investment Guarantee Agency to Modernise the Mandate of the Multilateral Investment Guarantee Agency and Amendment to the International Finance Corporation Articles of Agreement**Recommendation 11**

The Committee recommends that all future amendments to the *Convention Establishing the Multilateral Investment Guarantee Agency and International Finance Corporation Articles of Agreement* be tabled in Parliament in sufficient time for the view of the Parliament to be taken into consideration before the amendments come into force.

10 Agreement between the Government of Australia and the Government of New Zealand on Trans-Tasman Court Proceedings and Regulatory Enforcement**Recommendation 12**

The Committee supports the *Agreement between the Government of Australia and the Government of New Zealand on Trans-Tasman Court Proceedings and Regulatory Enforcement* and recommends binding treaty action be taken.

11 Council of Europe Convention on Cybercrime

Recommendation 13

The Committee supports Australia's accession to the Council of Europe *Convention on Cybercrime* and recommends binding treaty action be taken.

Recommendation 14

The Committee recommends that the Attorney General report to the Committee on any proposed amendments to Commonwealth or State and Territory law in support of the Council of Europe *Convention on Cybercrime*.