

---

The Parliament of the Commonwealth of Australia  
Joint Standing Committee on Treaties

# Report 145

## **Treaties tabled on 26 August and 2 September 2014**

The Force Posture Agreement between the Government of Australia and the Government of the United States of America (Sydney, 12 August 2014)

Agreement between the Government of Australia and the Government of Japan concerning the Transfer of Defence Equipment and Technology (Canberra, 8 July 2014)

Agreement between the Government of Australia and the Government of the United States of America for the Sharing of Visa and Immigration Information (Canberra, 27 August 2014)

November 2014  
Canberra

---

© Commonwealth of Australia 2014

ISBN 978-1-74366-239-7 (Printed version)

ISBN 978-1-74366-240-3 (HTML version)

This work is licensed under the Creative Commons Attribution-NonCommercial-NoDerivs 3.0 Australia License.



The details of this licence are available on the Creative Commons website: <http://creativecommons.org/licenses/by-nc-nd/3.0/au/>.



# Contents

Membership of the Committee .....	v
Resolution of Appointment .....	vii
List of abbreviations .....	viii
List of recommendations .....	ix


## REPORT

<b>1</b>	<b>Introduction .....</b>	<b>1</b>
	Purpose of the report.....	1
<b>2</b>	<b>The Force Posture Agreement between the Government of Australia and the Government of the United States of America.....</b>	<b>3</b>
	Introduction .....	3
	Overview and national interest summary .....	3
	Reasons for Australia to take the proposed treaty action.....	4
	Obligations .....	5
	Implementation.....	14
	Costs .....	14
	Conclusion .....	16
<b>3</b>	<b>Agreement between the Government of Australia and the Government of Japan concerning the Transfer of Defence Equipment and Technology.....</b>	<b>17</b>
	Introduction .....	17
	Background .....	18
	The Agreement.....	19
	Obligations .....	19

Potential benefits .....	20
Implementation.....	21
Conclusion .....	22
<b>4 Agreement between the Government of Australia and the Government of the United States of America for the Sharing of Visa and Immigration Information.....</b>	<b>23</b>
Introduction .....	23
Reasons for Australia to take the proposed treaty action.....	24
Obligations .....	25
Implementation.....	28
Costs.....	30
Conclusion .....	31

**APPENDICES**

Appendix A – Submissions .....	33
Appendix B – Exhibit.....	35
Appendix C – Witnesses.....	37



## Membership of the Committee

Chair Mr Wyatt Roy MP

Deputy Chair The Hon Kelvin Thomson MP

Members Mr Andrew Broad MP

Senator Chris Back

Dr Dennis Jensen MP

Senator David Fawcett

Mr Ken O'Dowd MP

Senator Sue Lines

The Hon Melissa Parke MP

Senator the Hon Joe Ludwig

The Hon Dr Sharman Stone MP

Senator James McGrath

Mr Tim Watts MP

Senator Glenn Sterle

Mr Brett Whiteley MP

Senator Peter Whish-Wilson

## Committee Secretariat

Secretary	Stuart Woodley
Inquiry Secretary	Dr Narelle McGlusky
Senior Researchers	Kevin Bodel Zoe Smith
Researcher	Belynda Zolotto
Administrative Officers	Cathy Rouland ( <i>from 13/10/14</i> ) Heidi Lushtinetz ( <i>to 22 /10/14</i> ) Jhie Gough



## 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

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

ADF	Australian Defence Force
ADOD	Australian Department of Defence
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
FCC	Five Country Conference
ICCPR	International Covenant on Civil and Political Rights
IOM	International Organisation for Migration
MoU	Memorandum of Understanding between the Australian Department of Immigration and Citizenship and the United States Department of Homeland Security and the United States Department of State for the purposes of Implementation of the High Value Data Sharing Protocol between the Nations of the Five Country Conference
NIA	National Interest Analysis
RIS	Regulation Impact Statement
SOFA	Agreement Between the Government of Australia and the Government of the United States of America concerning the Status of United States Forces in Australia
USAF	United States Air Force
USMC	United States Marine Corps





## List of recommendations

### **2 The Force Posture Agreement between the Government of Australia and the Government of the United States of America**

#### **Recommendation 1**

The Committee supports *The Force Posture Agreement between the Government of Australia and the Government of the United States of America* and recommends that binding treaty action be taken.

### **3 Agreement between the Government of Australia and the Government of Japan concerning the Transfer of Defence Equipment and Technology**

#### **Recommendation 2**

The Committee supports the *Agreement between the Government of Australia and the Government of Japan concerning the Transfer of Defence Equipment and Technology* and recommends that binding treaty action be taken.

### **4 Agreement between the Government of Australia and the Government of the United States of America for the Sharing of Visa and Immigration Information**

#### **Recommendation 3**

The Committee supports the *Agreement between the Government of Australia and the Government of the United States of America for the Sharing of Visa and Immigration Information* and recommends that binding treaty action be taken.

