

Introduction

Purpose of the report

- 1.1 This report contains the Joint Standing Committee on Treaties' review of the following treaty action tabled on 30 September 2014:
 - *Treaty between Australia and the Kingdom of the Netherlands on the presence of Australian personnel in the Netherlands for the purpose of responding to the downing of Malaysia Airlines Flight MH17 (The Hague, 1 August 2014).*
- 1.2 In addition the Report contains the Committee's views on two Minor Treaty Actions:
 - 2014 Amendment to Annex I of the *International Convention Against Doping in Sport* of 19 October 2005; and
 - 2014 Amendment to Annex II of the *International Convention Against Doping in Sport* of 19 October 2005.
- 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. However, urgent treaties may be exempt from the usual requirement to be tabled in Parliament at least 15 sitting days before the Government takes binding treaty action. Such treaties will be tabled as soon as possible together with an explanation of the reasons for the urgent treaty action. The major treaty under consideration in this report was subject to the National Interest Exemption and came into force on 1 August 2014. It was tabled in the Parliament on 30 September 2014.
- 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 arise.
- 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 treaty considered in this report did not require a Regulation Impact Statement.
- 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:
 - http://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Treaties/30_September_2014

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 for the treaty were requested by 10 October 2014.
- 1.10 Invitations were made to all State Premiers, Territory 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 particular treaty under review.
- 1.11 The Committee held a public hearing into the treaty in Canberra on Monday 27 October 2014.
- 1.12 The transcripts of evidence from the public hearing may be obtained from the Committee Secretariat or accessed through the Committee's website under the treaty's tabling date, being:
 - 27 October 2014.
- 1.13 A list of submissions received and their authors is at Appendix A.
- 1.14 A list of witnesses who appeared at the public hearing is at Appendix B.