

Introduction

Purpose of the report

- 1.1 This report contains the Joint Standing Committee on Treaties' review of the following treaty actions tabled on 18 June, 24 November, 2 December 2014 and 25 February 2015:
 - World Trade Organization (WTO) *Agreement on Trade Facilitation: Protocol Amending the Marrakesh Agreement Establishing the World Trade Organization* (including the *Agreement on Trade Facilitation* annexed to that Protocol (Agreement on Trade Facilitation originally adopted at Bali on 7 December 2013; Protocol adopted at Geneva on 27 November 2014));
 - *First Protocol to Amend the Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area* (Nay Pyi Taw, 26 August 2014); and
 - *Treaty on Mutual Legal Assistance in Criminal Matters between Australia and the Socialist Republic of Viet Nam* (Sydney, 2 July 2014).
- 1.2 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.
- 1.3 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.
- 1.4 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.

- 1.5 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 only treaty considered in this report for which an RIS was required is the *First Protocol to Amend the Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area*.
- 1.6 The Committee takes account of these documents in its examination of the treaty text, in addition to other evidence taken during the inquiry program.
- 1.7 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/18_June_2014/Terms_of_Reference;
 - http://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Treaties/24_November_2014/Terms_of_Reference; and
 - http://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Treaties/2_December_2014/Terms_of_reference.

Conduct of the Committee's review

- 1.8 The treaty actions reviewed in this report were advertised on the Committee's website from the date of tabling. Submissions for the treaties were requested by 23 January 2015.
- 1.9 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.
- 1.10 The Committee held a public hearing into these treaties in Canberra on Monday 2 March 2015.
- 1.11 The transcripts of evidence from the public hearings may be obtained from the Committee Secretariat or accessed through the Committee's website under the treaties' tabling dates, being:
 - 18 June 2014 (also for treaty tabled 25 February 2015);
 - 24 November 2014; and

- 2 December 2014.
- 1.12 A list of submissions received and their authors is at Appendix A.
- 1.13 A list of witnesses who appeared at the public hearings is at Appendix B.

