

Report 53

Treaties tabled in May and June 2003

Investments – Sri Lanka

Social Security Agreements – Belgium, Chile and Slovenia

International Unification Agreement – Timor-Leste

International Labour Organization Conventions

Medical Treatment for Temporary Visitors – Norway

Highly Migratory Fish Stocks in the Western and Central Pacific Ocean

Fulbright Agreement – United States of America

Joint Standing Committee on Treaties

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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 Analysis and proposed treaty actions 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

AAFC	Australian-American Fulbright Commission
ABS	Australian Bureau of Statistics
ACCI	Australian Chamber of Commerce and Industry
ACTU	Australian Council of Trade Unions
AFFA	Department of Agriculture, Fisheries and Forestry Australia
DFAT	Department of Foreign Affairs and Trade
DWFN	Distant Water Fishing Nation
EEZ	Exclusive Economic Zone
EFIC	Export Finance and Insurance Commission
FACS	Department of Family and Community Services
ICSID	International Centre for the Settlement of Investment Disputes
ILO	International Labour Organization
IME Act	<i>National Health Amendment (Improved Monitoring of Entitlements to Pharmaceutical Benefits) Act 2000</i>
IPPA	Investment Protection and Promotion Agreements
ISPS	International Ship and Port Facility Security

IUA	International Unitisation Agreement
IUU	Illegal, Unreported and Unregulated
JPDA	Joint Petroleum Development Area
JSCOT	Joint Standing Committee on Treaties
MCS	Monitoring, Control and Surveillance
MHLC	Multilateral High Level Conference
NIA	National Interest Analysis
PBS	Pharmaceutical Benefits Scheme
RFMO	Regional Fisheries Management Organisations
PFRP	Pelagic Fisheries Research Program
RHCA	Reciprocal Health Care Agreement
SARS	Severe Acute Respiratory Syndrome
UNCLOS	United Nations Convention on the Law of the Sea
UNTAET	United Nations Transnational Administration in East Timor
USA	United States of America
VMS	Vessel Monitoring System



List of recommendations

Agreement between the Government of Australia and the Government of the Democratic Socialist Republic of Sri Lanka for the Promotion and Protection of Investments

Recommendation 1

The Committee supports the Agreement between the Government of Australia and the Government of the Democratic Socialist Republic of Sri Lanka for the Promotion and Protection of Investments and recommends that binding treaty action be taken.

Social Security Agreements

Recommendation 2

The Committee supports the proposed *Agreement with Belgium on Social Security* and recommends that binding treaty action be taken.

Recommendation 3

The Committee supports the proposed *Agreement with Chile on Social Security* and recommends that binding treaty action be taken.

Recommendation 4

The Committee supports the proposed *Agreement with Slovenia on Social Security* and recommends that binding treaty action be taken.

Agreement Relating to the Unitisation of the Sunrise and Troubadour Fields

Recommendation 5

The Committee supports the International Unitisation Agreement and recommends that binding treaty action be taken.

Denunciation of International Labour Organization Conventions

Recommendation 6

The Committee recommends that the Australian Government denounce the following International Labour Organization (ILO) Conventions:

- No. 83: Labour Standards (Non-Metropolitan Territories) Convention, 1947;
- No. 85: Labour Inspectorates (Non-Metropolitan Territories) Convention, 1947; and
- No. 86: Contracts of Employment (Indigenous Workers) Convention, 1947.

Agreement on Medical Treatment for Temporary Visitors between the Government of Australia and the Government of the Kingdom of Norway

Recommendation 7

The Committee recommends that the Government investigate ways of improving data collection for the purposes of monitoring costs associated with similar agreements.

Recommendation 8

Although reservations are expressed concerning the adequacy of the data collection, the Committee supports the Agreement and recommends that binding treaty action be taken.

Convention on Highly Migratory Fish Stocks in the Western and Central Pacific Ocean

Recommendation 9

The Committee supports the Convention on Highly Migratory Fish Stocks in the Western and Central Pacific Ocean and recommends that binding treaty action be taken.

Recommendation 10

The Committee recommends that in future international Treaty negotiations of this kind, Australia seek to give preference to more rigorous language of the kind contained in Article 5(b) 'best possible scientific evidence' in contrast to the ill defined terms of Article 5(c) 'precautionary approach' with the consequent definitional and commercial uncertainty that this ill defined term carries at the international level.

Recommendation 11

The Committee recommends that Australia support and encourage through the preparatory conferences the aim of ensuring that countries that are proposed as members of this body ratify the Fish Stocks Agreement.

Exchange of Notes for the Financing of Certain Education and Cultural Exchange Programmes

Recommendation 12

The Committee supports the views expressed in the National Interest Analysis and the Exchange of Letters amending the Agreement between the Government of the Commonwealth of Australia and the Government of the United States of America for the Financing of Certain Educational and Cultural Exchange Programmes, and recommends that binding treaty action be taken.

