



Protecting Rights of ‘Operation Bring Them Home’ Personnel

After the downing of Malaysia Airlines flight MH17 in July this year, a Treaty was negotiated with the Netherlands to ensure the rights of Department of Defence personnel and the Australian Federal Police were protected, including the right to wear police and military uniforms and carry firearms.

Due to the urgency of the situation, the Treaty entered into force immediately, bypassing the usual requirement for it to be tabled in Parliament and examined by the Joint Standing Committee on Treaties prior to implementation.

This process, called the National Interest Exemption, is rarely invoked and allowed the personnel to be deployed quickly and safely to the Netherlands to help with Operation Bring Them Home.

The *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* will be examined by the Treaties Committee at a public hearing on Monday 27 October 2014.

Committee Chair Wyatt Roy, MP says that it is sometimes in the national interest to fast-track a Treaty through Parliament.

“In this case, the rights of Australian personnel required protection to ensure they could commence operations without loss of time. However this does not exempt the Treaty from Parliamentary scrutiny.”

“The National Interest Exemption has only been invoked half a dozen times since the Committee was formed in 1996 so Members will take the opportunity to learn more about the process of establishing and implementing an exemption for a treaty.”

Public Hearing: Monday 27 October 2014, Committee Room 2R1, Parliament House, Canberra

- 11.35am **The Force Posture Agreement between the Government of Australia and the Government of the United States of America**
- 12.15pm **Close**

The hearing will be broadcast through: www.aph.gov.au/live

Copies of the treaties and submissions received can be found at: http://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Treaties

Alternatively, interested parties may email jsct@aph.gov.au or phone (02) 6277 4002.

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