

## Introduction

### Purpose of the report

- 1.1 This report contains the Joint Standing Committee on Treaties' review of treaty actions tabled on 21 August, 11 September and 18 September 2012.
- 1.2 These treaty actions are proposed for ratification and are examined in the order of tabling:
  - **Tabled 21 August 2012**
    - ⇒ *Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (Tokyo, 11 November 2004)*
  - **Tabled 11 September 2012**
    - ⇒ *Treaty between Australia and the Socialist Republic of Vietnam on Extradition done at Canberra on 10 April 2012*
    - ⇒ *Partial Revision of the 2008 Radio Regulations, as incorporated in the International Telecommunication Union Final Acts of the World Radiocommunication Conference (WRC-12) done at Geneva on 17 February 2012*
  - **Tabled 18 September 2012**
    - ⇒ *Agreement between the Government of Australia and the Kingdom of Spain for the Mutual Protection of Classified Information of Defence Interest done at Madrid on 17 November 2011*
  - **Minor Treaty Actions**
    - ⇒ *Amendments to the Schedule of the International Convention on the Regulation of Whaling*

- ⇒ *MARPOL Resolution MEPC.216(63): Regional arrangements for port reception facilities under MARPOL Annexes I, II, IV and V*
  - ⇒ *MARPOL Resolution MEPC.217(63): Regional arrangements for port reception facilities under MARPOL Annex VI and Certification of marine diesel engines fitted with Selective Catalytic Reduction systems under the NOx Technical Code 2008*
- 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.
  - 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 treaties examined in this report do not require an RIS.
  - 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/House\\_of\\_Representatives\\_Committees?url=jsct/under\\_review.htm](http://www.aph.gov.au/Parliamentary_Business/Committees/House_of_Representatives_Committees?url=jsct/under_review.htm)>

## **Conduct of the Committee's review**

- 1.9 The treaty actions reviewed in this report were advertised on the Committee's website from the date of tabling. Submissions for the treaties

tabled on 21 August were requested by Friday, 21 September 2012; submissions for the treaties tabled on 11 September were requested by Friday, 12 October 2012 and submissions for the treaties tabled on 18 September were requested by Friday, 19 October 2012 with extensions available on request.

- 1.10 Invitations were made to all State Premiers, 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 examined the witnesses on each treaty at a public hearing held in Canberra on Monday 29 October 2012.
- 1.12 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:
  - **21 August 2012**  
<[http://www.aph.gov.au/Parliamentary\\_Business/Committees/House\\_of\\_Representatives\\_Committees?url=jsct/21august2012/hearings.htm](http://www.aph.gov.au/Parliamentary_Business/Committees/House_of_Representatives_Committees?url=jsct/21august2012/hearings.htm)>
  - **11 September 2012**  
<[http://www.aph.gov.au/Parliamentary\\_Business/Committees/House\\_of\\_Representatives\\_Committees?url=jsct/11september2012/hearings.htm](http://www.aph.gov.au/Parliamentary_Business/Committees/House_of_Representatives_Committees?url=jsct/11september2012/hearings.htm)>
  - **18 September 2012**  
<[http://www.aph.gov.au/Parliamentary\\_Business/Committees/House\\_of\\_Representatives\\_Committees?url=jsct/18september/hearings.htm](http://www.aph.gov.au/Parliamentary_Business/Committees/House_of_Representatives_Committees?url=jsct/18september/hearings.htm)>
- 1.13 A list of witnesses who appeared at the public hearings is at Appendix A.

