



JOINT STANDING COMMITTEE on TREATIES

Treaties tabled on 24 and 25 November 2010, 9 February and 1 March 2011 and Treaties referred on 16 November 2010

MEDIA RELEASE

Issued: 11 May 2011

Chair: Mr Kelvin Thomson MP

Deputy Chair: Senator Julian McGauran

Committee finds treaties amended without review

The Australian Parliament's Treaties Committee is concerned that, for treaties that can be changed without ratification, amendments come into force before they are scrutinised by the Committee or the public.

"The Treaties Committee plays an important role in the treaty making process by allowing Parliamentarians and the public to have their say about treaties Australia is proposing to ratify," the Committee Chair, Kelvin Thomson MP, said. "Regrettably some treaties come into force for Australia without the benefit of Parliamentary or public scrutiny."

The Committee's Report 116, tabled in Parliament today, found that changes to treaties that can be amended without ratification are provided to signatory countries for consideration up to twelve months before they take effect. This period allows signatory countries that do not agree with the changes to either 'opt out' of the changes or attempt to have the changes removed.

Mr Thomson pointed out that: "There is enough time in this twelve month period for Parliament and the public to make a material contribution to the outcome."

The Committee's Report recommends that amendments to treaties of this sort be referred to the Parliament for consideration at the time they are first provided to Australia, so that the Parliament can have a say before the changes come into force.

Report 116 is also notable for the fact that it deals with the last of the treaties for which consideration was delayed by the 2010 Federal Election.

"It is a credit to the Committee's Members that it has been able to consider and report on no less than 55 treaties since the election, and has met the agreed reporting deadline for each one of them," Mr Thomson said.

Report 116 contains the Committee's reviews of fifteen treaties, including:

- the United Nations Convention on the Use of Electronic Communications in International Contracts;
- ILO conventions on the working conditions of sailors, the treatment of asbestos; and occupational health and safety;
- the Council of Europe Convention on Cybercrime;
- amendments to the Convention on International Trade in Endangered Species of Wild Fauna and Flora;
- amendments to the Australia and New Zealand Closer Economic Relations Trade Agreement; and
- amendments to the Convention Establishing the Multilateral Investment Guarantee Agency and the International Finance Corporation Articles of Agreement.

Report 116 is available on the Committee's website:

www.aph.gov.au/house/committee/jsct/reports.htm or by contacting the Committee Secretariat on (02) 6277 4002.

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