

Report 93

Treaties tabled on 12 March and 14 May 2008

Amendments, agreed at The Hague, Netherlands, in June 2007, to Appendices I and II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973

International Tropical Timber Agreement (Geneva, 27 January 2006)

Protocol amending the Agreement between the Government of Australia and the Government of the Republic of South Africa for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income of 1 July 1999 (Pretoria, 31 March 2008)

Amendment, adopted at London in July 2007, to the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code)

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Membership of the Committee

Chair	Mr Kelvin Thomson MP	
Deputy Chair	Senator the Hon Sandy Macdonald (until 30/6/08)	Senator Julian McGauran (appointed 1/7/08, elected Deputy Chair 2/9/08)
Members	Hon Kevin Andrews MP	Senator Andrew Bartlett (until 26/6/08)
	Mr John Forrest MP	Senator Simon Birmingham
	Ms Jill Hall MP	Senator David Bushby (until 26/6/08)
	Ms Belinda Neal MP	Senator Michaelia Cash (from 1/7/08)
	Ms Melissa Parke MP	Senator Don Farrell (from 1/7/08)
	Mr Luke Simpkins MP	Senator Gavin Marshall (until 26/6/08)
	Mr Chris Trevor MP	Senator Louise Pratt (from 1/7/08)
	Ms Maria Vamvakinou MP	Senator Glen Sterle (until 26/6/08)
		Senator Dana Wortley

Committee Secretariat

Secretary	James Rees (until 16/6/08)
	Siobhán Leyne (from 16/6/08)
Inquiry Secretaries	Sonya Fladun
	Julia Searle
Administrative Officers	Heidi Lushtinetz (until 6/6/08)
	Dorota Cooley
	Claire Young (from 2/7/08)



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 Analyses and proposed treaty actions and related Explanatory Statements 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

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

CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
EPBC	Environment Protection and Biodiversity Conservation Act 1999
HSI	Humane Society International
ITTO	International Tropical Timber Organisation
IUCN	International Union for Conservation of Nature
MFN	Most Favoured Nation
NIA	National Interest Analysis
OECD	Organisation for Economic Co-operation and Development
STC	Secondary Tax on Companies
WHT	Withholding taxes



List of recommendations

2 Amendments to Appendices I and II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora

Recommendation 1

The Committee recommends that the Australian Government monitor and assess the impact of trade in freshwater sawfish to determine whether the current listing, with annotation, on Appendix II of the *Convention on International Trade in Endangered Species of Wild Fauna and Flora* provides sufficient protection for the species.

Recommendation 2

The Committee recommends that the Australian Government review its existing policies on the composition of delegations to CITES negotiations with a view to minimising conflicts of interest, whether real or perceived.

Further, the Committee recommends that the Australian Government review the policy of allowing the participation in delegations of parties with a commercial or other direct interest in negotiations.

Recommendation 3

The Committee recommends that the Australian Government undertake a consultative and publicly accessible process for the assessment of non-detriment findings and ambassador agreements, including providing the opportunity for public comment by interested stakeholders.

Recommendation 4

The Committee recommends that the Australian Government review its existing assessment process under the *Environment Protection and Biodiversity Conservation Act 1999* for CITES listed species to provide for a

more formalised process of independent scientific verification of the claims made by proponents in non-detriment findings.

3 International Tropical Timber Agreement

Recommendation 5

The Committee recommends that the consultation process undertaken for any future agreement on sustainable trade in tropical timber specifically includes consultation with environmental groups.

Recommendation 6

The Committee supports the *International Tropical Timber Agreement 2006* and recommends that binding treaty action be taken.

4 Protocol Amending the Agreement between the Government of the Republic of South Africa for the Avoidance of Double Taxation

Recommendation 7

The Committee supports the Protocol Amending the Agreement between the Government of Australia and the Government of South Africa for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income of 1999 (the Protocol) and recommends that binding treaty action be taken.