



Appendix B – Additional Comments by Senator Gavin Marshall and Senator Andrew Bartlett

There are two issues which we have substantial reservations about. These issues prevent us from supporting Recommendation 2.

1. We consider that in the best interests of transparency and for best consultative practice, the Committee should have conducted public hearings regarding this treaty. We strongly recommend that future treaties of this nature being considered by the Committee conduct public hearings and take submissions from all interested parties; and
2. We believe that the States and Territories should have been directly advised by the Committee of the specific impact the proposed treaty would have upon States and Territories. States and Territories should have been required to specifically consent to the making of the treaty. In future, when the Committee is considering treaties of this nature, States and Territories should be specifically requested for a direct response, thereby assuring the Committee that they have effectively consented to the making of the treaty. We believe that opportunities for comment should also be extended to representatives of local government.

Senator Gavin Marshall

Senator Andrew Bartlett