

The Australian International Lawyer

JULY 2009 NO. 7

This edition provides an update of recent and interesting international legal developments affecting Australia and distinctive contributions made by Australia to contemporary international legal issues during June 2009.

Treaty Action – Disability Convention – Monitoring and Implementation

The Australian Human Rights Commission has received specific responsibilities for monitoring the implementation by Australia of its commitments under the Convention on the Rights of Persons with Disabilities. The Convention was also formally recognized as part of Australia's human rights framework. These developments followed the recent passage of the Disability Discrimination and Other Human Rights Legislation Amendment Bill 2008 (Cth) which amends the federal Disability Discrimination Act. A recent Productivity Commission inquiry also found that stronger measures were needed to ensure economic and social inclusion for all people with a disability.

(Australian Human Rights Commission, 'Advances in disability and human rights legislation welcomed', Press Release, 25 June 2009).

International Criminal Law - Drug Importation and Manufacturing

The World Drug Report, a United Nations report on the international drug trade, reported that large quantities of pseudo-ephedrine and ephedrine are being imported into Australia by air cargo. Australia now ranks as one of the largest markets for amphetamines and ecstasy within South East Asia.

Current trends in the global drug trade suggest declining markets for cocaine, opiates and cannabis and the increasing production, supply and use of synthetic drugs. Although Australia has successfully disrupted the supply chains for heroin, its porous borders are understood to be enabling greater methamphetamine and precursor chemicals to be imported for laboratory use. Methamphetamines are increasingly being imported from Canada which accounts for 83% by weight of seized imports within Australia. Australian customs authorities intercepted a single shipment of 850 kilograms of pseudoephedrine from Thailand in July 2007.

The World Drug Report also found continued evidence of 'notable domestic manufacture' of ecstasy within Australia. It also identified Australia as having more laboratories for the manufacture of that drug than in any other State. This reflected a shift in ecstasy manufacturing operations from western and central European States to locations closer to consumers. The Report also noted that the seizure of ecstasy globally had increased by 62% during 2007 to a total of 7.9 metric tonnes. Six States accounted for more than 80% of seizures, with Australia second only to the Netherlands.

('Australia has most ecstasy labs: UN', *Sydney Morning Herald*, 26 June 2009, p.10).

People Trafficking - Victims Support Programme.

The Commonwealth government has announced several changes to benefit the victims of human trafficking and their families. Support will now be made available to them on the basis of need rather than being conditional upon providing appropriate assistance to law enforcement

authorities. These changes implement several recommendations made by the Australian Human Rights Commission and non-governmental organisations during the National Roundtable on People Trafficking in 2008. The People Trafficking Visa Framework is also believed to provide a greater degree of certainty and security for individuals and their families while in Australia. The Australian Human Rights Commission also reported that the Sex Discrimination Commissioner, Ms Elizabeth Broderick, had attended a forum organized by the Australian Institute of Criminology on Labour Trafficking on 18 June 2009.

(Australian Human Rights Commission, 'For trafficked people, Government changes put human rights first', Press Release, 17 June 2009).

International Dispute Settlement – Israeli-Palestinian Conflict

The Deputy Prime Minister, Julia Gillard, called for Israel to cease the construction of Jewish settlements in the occupied territories. Australia backed the call by the US President Barack Obama for a settlement freeze to assist negotiations between Israel and the Palestinians. This statement followed a meeting with the Prime Minister of the Palestinian Authority where it was announced that Australia had allocated \$10 million worth of aid to assist the Palestinian Authority to improve health care and education services. Ms Gillard indicated that she was optimistic that a two-State solution to the conflict was achievable. She also reiterated the Australian government's position that if Hamas sought to be included in negotiations then it had to accept the conditions specified by the US, the European Union, Russia and the UN, including the renunciation of violence.

('Gillard calls for freeze on new settlements', *Sydney Morning Herald*, 27-28 June 2009, p.19).

Legislation – UN Sanctions Implementation

Charter of the United Nations (Sanctions - Iran) (Export Sanctioned Goods) List Determination 2008 (Cth).

All content within The Australian International Lawyer is attributable to the International Law Committee of New South Wales Young Lawyers unless otherwise indicated. The Australian International Lawyer is a free monthly newsletter intended to promote informed discussion among its membership on international legal developments affecting Australia and Australia's distinctive contributions to contemporary international legal issues. It does not purport to be a substitute for professional legal advice. Links and content were correct at time of press. Contributions and feedback are welcome to The Editor at intlaw.chair@younglawyers.com.au. The Editor invites casenotes, legislative summaries, book reviews, comments and other short and original contributions falling within the remit of this newsletter. The Editor may refuse inclusion or first require modification as agreed. All intellectual property rights are reserved. Content may be reproduced without prior permission for educational purposes only provided the source is acknowledged.