

Madam President, fellow delegates

It is an honour to represent Australia at the 141st IPU Assembly, along with my colleagues Senator Deborah O'Neill, Mr Andrew Wallace MP and Mr Julian Hill MP and to participate in this debate.

Australia has a long and proud history of strengthening international law and other norms of responsible State behavior, including through our Parliamentary roles and mechanisms.

As our Prime Minister, The Honourable Scott Morrison said recently, he is determined that Australia will play a more active role in setting new international rules and standards; and that we must not shy away from the realities that face us in this challenging but necessary task.

But the reality is that only a national government, especially one accountable through the ballot box and governed by the rule of law, can define its national interests and parliamentarians can never answer to a higher authority than their constituents, in my case, the Australian people.

An approach that takes this into account is more likely to support the ultimate sustainability, effectiveness and longevity of international multilateral institutions. Within this construct, such institutions are vital to this rules-based global order.

Australia was at the forefront of establishing the existing international rules based order. In 1945, we actively participated in the San Francisco Conference which saw the negotiation and drafting of the *Charter of the United Nations*. Australia was

also one of just eight nations involved in drafting the *Universal Declaration on Human Rights*, adopted by the UN General Assembly in 1948.

However, the rules of last century may not serve us as well for the trials of this century. Given Australia's longstanding involvement in the rules-based order, it is therefore not surprising that we also want to play a key role in both their maintenance and modernisation.

Take for example, our membership of the Human Rights Council. The Human Rights Council is by no means perfect but our commitment to being a member demonstrates our commitment to improving it with the other members from within to better promote and protect human rights.

International law must continue to play a vital role in maintaining global security and prosperity. It provides a framework for the peaceful resolution of disputes, without the threat or use of force or coercion.

It also guides global cooperation on global issues and supports the function of services integral to our daily lives.

So it remains in Australia's interests to continue to strengthen this framework by:

- encouraging others to adopt or ratify international conventions and instruments to broaden adherence to international law;
- supporting international accountability and adjudicatory mechanisms, such as the International Criminal Court and the International Court of Justice as appropriate;
- continuing to make a significant contribution to the development of new rules and norms; and,

- using our development assistance to help partner countries join and comply with international rules-based processes.

Australia has a long history of supporting our regional neighbours to develop effective law and justice systems, in particular through our support of law and justice agencies in Pacific countries to develop and implement laws that respond to regional priorities. Our parliaments also engage in “twinning” arrangements with Pacific parliaments that focus on capacity building and professional development of parliamentarians.

Our domestic parliamentary scrutiny processes also exemplify our commitment to the international rules based order. In Australia, treaty-making is conferred on the Executive; whilst the Parliament is tasked with passing necessary legislation to enable the application of international laws domestically.

As a part of this process, all treaties, including minor amendments to existing treaties, are referred to the Parliamentary Joint Standing Committee on Treaties by the Foreign Minister prior to the Government taking binding treaty action.

Parliamentary scrutiny also occurs through the work of committees such as the Joint Standing Committee on Foreign Affairs, Defence and Trade, the Joint Committee on Human Rights, and the Standing Committee on Foreign Affairs, Defence and Trade.

Our parliamentarians also play an important role in our international engagement to promote and strengthen the international rules based order, including through their participation in Australia’s delegation at the United Nations General Assembly, and of course, Australia’s participation in organisations like the IPU.

And one of the practical ways the IPU could enhance its contribution in this regard could be by identifying and deliberating on how to remove any limitations or obstacles that may restrict the ability of individual Parliaments to most effectively contribute to the preservation and development of the international legal order. Such limitations may exist in their own legal systems or in the wider international system.

IN CONCLUSION:

Our Government in Australia is committed to efforts to protect and strengthen the existing international rules based order.

Our federal, state and territory parliamentary roles and mechanisms play an important role in supporting these efforts by ensuring we comply with Australia's international legal obligations.

Moreover, Australia will continue working with our partners in the Indo- Pacific region – and more broadly – to promote international rules and norms, including by supporting other countries to strengthen their parliamentary processes and international institutions.

If such institutions want to continue to be relevant and effective, they must (at least in a broader sense) serve countries' national interests. Otherwise, many will resort to a non-rules-based global order, which would disadvantage the majority to the advantage of very few.

I appreciate the opportunity to participate in this debate today, and thank our Serbian hosts; and also thank the IPU and all delegates present from Parliaments

around the world, for their attention to the importance of strengthening international law.

Thank you.