

EXPLANATORY MEMORANDUM TO THE TREATY BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF AUSTRALIA FOR DEFENCE AND SECURITY COOPERATION.

Title of the Treaty

Treaty between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Australia for defence and security cooperation.

Command Paper Number: 8603

Subject Matter

The UK – Australia Defence and Security Cooperation Treaty will formalise the many strands of existing military/defence co-operation between the UK and Australia, it will provide a framework for doing more, and will ensure that the bilateral relationship continues to evolve in line with contemporary security challenges and will build on the commitment made by the Foreign and Defence secretaries when they visited Australia in January 2011. The treaty will drive forward closer cooperation on a wide range of issues, making our armed forces more interoperable and maximising capabilities. It will provide the momentum and legal framework in order to deepen co-operation in areas such as cyber security and military equipment and capabilities.

The treaty will re-energise our bilateral co-operation on military capabilities and on equipment development. It will enable closer working on projects of common interest (i.e. where requirements align), potentially leading to collaborative procurement in the future. This could have a number of mutual benefits, including improved value for money. It was signed by the Secretary of State for Defence and the Defence Minister of Australia in Perth, Australia on 18th January 2013.

Ministerial Responsibility

The Secretary of State for Foreign and Commonwealth Affairs has overall responsibility for policy relating to the UK's relations with Australia. The Secretary of State for Defence and Secretary of State for Business, Innovation and Skills have direct policy interests in the Treaty.

Policy Considerations

General

During the Australia-UK Ministerial (AUKMIN) meeting in January 2011, my predecessor as Secretary of State for Defence (Dr Liam Fox) and his Australian counterpart (Stephen Smith) made a commitment to develop and implement a bilateral Defence Cooperation Treaty.

Both the UK and Australia face security challenges from an increasingly diverse variety of sources, including terrorism, international and regional military crises, activities in cyber space, regional challenges, piracy, the proliferation of weapons of mass destruction, and natural disasters such as major flooding and pandemics. Full and active engagement on issues of mutual interest through strategic dialogue, operational cooperation, intelligence

sharing, and personnel exchange allows us to react quickly and effectively when threats to our national interests arise.

The Treaty aims to formalise the various elements of existing defence partnership and cooperation, and to provide a framework for going further. It will be an 'umbrella' arrangement that captures the breadth and depth of our defence relationship, strengthening current linkages and providing a platform from which to drive the relationship forward. By increasing visibility of the wealth of activity that is currently undertaken the Treaty will encourage closer defence and security co-operation between the UK and AUS, as well as facilitating discussion on future equipment and capability requirements, providing a focus on potential collaboration and areas of shared interest.

Financial

Any costs to be borne by each Party as a result of the cooperative activities pursued under this Agreement shall be detailed in written arrangements which have been entered into to implement specific aspects of their cooperation under this Agreement.

Reservations and Declarations

There are no reservations or declarations.

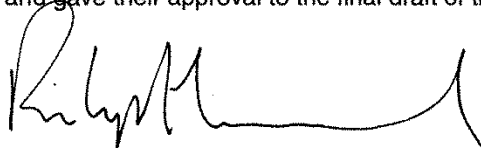
Implementation

The Parties may decide to enter into written arrangements as deemed appropriate to implement specific aspects of their cooperation under this Agreement.

No specific legislation is needed to implement the Agreement, which shall enter into force on the date of receipt of the last notification by which the Parties notify each other in writing that their respective internal procedures for entry into force of this Agreement have been fulfilled.

Consultations

Relevant Government Departments and Agencies were consulted during the negotiations and gave their approval to the final draft of the Treaty.



The Rt Hon Philip Hammond MP
Secretary of State for Defence