Anti-Terrorism Bill (No. 2) 2005

(Amendment to be moved by Senators Brown and Nettle on behalf of the Australian Greens in committee of the whole)

(1) Page 4 (after line 14), after clause 4, add:

5 Application of the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

(1) This Act must be read and given effect to in a way which is consistent with the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

(2) If in any proceedings regarding any matter in relation to this Act a court is satisfied that a provision of the Act is inconsistent with a right arising under the International Covenant on Civil and Political Rights or the Convention on the Rights of the Child or the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the court may make a declaration of that inconsistency and the provision of the Act shall be of no effect to the extent of that inconsistency.

Note: The text of the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is set out in Australian Treaty.

[application of ICCPR]