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## ***Australian Treaties***

Locating treaties is a bugbear for law librarians. Not just locating treaties but establishing their signatories, dates of effect etc. There are a multiplicity of indexes, none of which are entirely up to date.

A treaty which Australia has signed will be reproduced in the *Australian Treaty Series* and an Australian treaty will, because Australia is a member of the United Nations, be published in the *United Nations Treaty Series*, although not for several years. An Australian treaty may also be published in *International Legal Materials*, although not for several months. It may also appear in *Australian International Law News*.

Notification of Australian treaty action is published in the journal *Insight*, published by the Department of Foreign Affairs and Trade. Copies of treaties may be obtained from the Department of Foreign Affairs and Trade in Canberra. Contact the Treaty Support Unit on (06) 261 3509.

Publication of a treaty does not of course mean that it will be easy to find. The index to the *Australian Treaty Series* is currently up-to-date until only 1989. The Department of Foreign Affairs and Trade does however produce an in-house index which is up-to-date until the end of 1993. It is published in two volumes, one with details of bilateral treaties, the other covering multilateral treaties. Copies are available from the Treaty Support Unit. Mr Brian Slee of the Unit suggests keeping up to date by annotating a copy of the Index from information supplied in *Insight*.

Those interested in treaty research will be glad to know about the publication of a major new work which provides details of all treaties to which Indonesia has been a party, from 1945 to 1990, both multilateral and bilateral. Each treaty has a separate entry with information about dates, signatories, publication etc.

Details: *The Indonesian Law of Treaties* /by Ko Swan Sik, Dordrecht: Nijhoff, 1994. ISBN 0-7923-2693-8, A\$170.

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## ***Tasmanian Legislation Overridden***

The *Human Rights (Sexual Conduct) Bill 1994* which was introduced by the Federal Parliament in September will have the indirect effect of overriding the provisions of the Tasmanian Criminal Code which makes homosexual activity a criminal act.

George Zdenkowski (Director of the Human Rights Centre at the University of New South Wales) writing in the *Sydney Morning Herald*, 21 August 1994, describes the legislation as 'a modest but important victory for human rights'. The law will guarantee freedom from conviction for any alleged offence involving private sexual conduct between consenting adults, whether heterosexual or homosexual. The Tasmanian Government will not repeal its law but as the Federal law "covers the field" and is directly inconsistent with the State law it will prevail under s109 of the Constitution. The Tasmanian Government has indicated that it may appeal the validity of the new law to the High Court.

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## ***Native Title Challenge***

The High Court hearing of the challenges by Western Australia to the Federal Government's native title legislation (*State of Western Australia v The Commonwealth*) and the challenge by Western Australian aboriginal groups to the Western Australian legislation (*The Wororra Peoples v The State of Western Australia*) was heard in early September over 8 sitting days. The transcript of argument covers 725 pages and the Court reserved its decision on 15 September.

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