

# Preface

We live in a time in which, more than ever before, Australians are focussed on events in the world, on every continent, and at every level.

The range of issues – the war against terror, globalisation, rapid change in our region, global poverty, refugees, human rights and our own national security and alliance arrangements - would be central to Australian concerns even if modern communication technology did not bring them into our lounge rooms every night.

How our nation responds to the complexity of these multi-tiered challenges is a subject constantly in our national conversation.

That alone is a reason for a government to set out, preferably in a White Paper, what its guiding principles are, and what its attitude is on some of the key issues.

Not only do Australians need to know this, but so do our neighbours, allies and the other nations who, from time to time, have to take account of Australia's position, or at least, be able to anticipate it.

This report brings Parliament into the discussion.

The Senate Foreign Affairs, Defence and Trade Committee, in conducting an Inquiry into last February's Foreign Affairs and Trade White Paper, has been a platform for community views and an opportunity for expert opinion to be solicited on the whole range of our foreign and trade interests.

This is a key role of the Parliament. So too is the obligation to make constructive suggestions about how our national focus on these issues can be facilitated, and how public opinion can be more effectively channelled to the advantage of our legislators and policy makers.

In a recent book called *Making Australian Foreign Policy*, analysts Alan Gyngell and Michael Wesley assess the influence of parliament on Australia's foreign policy. The pickings are slim indeed.

The authors begin by noting that under the US constitution, Congress is a significant player in foreign policy, with formal roles in treaty making, the declaration of war and diplomatic appointments. Both houses of Congress have been 'highly active in setting the parameters for the exercise of executive powers in making foreign policy.'<sup>1</sup>

In Australia, by contrast, the parliament has no similar formal powers, debates on foreign policy are relatively rare, and when they occur they tend to be 'set pieces'. In

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1 Gyngell, A & Wesley, M, *Making Australian Foreign Policy*, (Cambridge University Press 2003), pp. 173–174.

Question Time, “Dorothy Dixers” are used to enable the Foreign Minister to put government policy on the record or to outline foreign policy achievements. Indeed, such was the mechanism whereby Foreign Minister Downer gave a brief account of the 2003 White Paper to the House of Representatives.

The Senate Estimates process enables a somewhat more thorough scrutiny of the foreign policy bureaucracy, and there is an ongoing oversight provided by the Joint Committee as well as the Senate Committee on Foreign Affairs, Defence and Trade. But Gyngell and Wesley tell us that it is ‘hard to find evidence of any compelling influence exercised by the [Joint Standing Committee of Foreign Affairs, Defence and Trade—JSCFADT] on the foreign policy process.’<sup>2</sup> Their overall assessment is that ‘it is hard to find any significant role played in the formulation of Australian foreign policy by Federal Parliament’.<sup>3</sup> The Senate Foreign Affairs, Defence and Trade (FADT) Committee—through the inquiries and reports on which it is engaged—is giving notice that this assessment is being challenged. As foreign policy considerations become increasingly important features of Australia’s political and economic landscape, and as the domains of international and domestic law-making become increasingly enmeshed, it is vital that Australia’s national parliament engages more fully in foreign and trade policy development.

For this reason the Committee has decided to address two of its recommendations to mechanisms for drawing foreign policy more deliberately into the parliamentary realm.

### **Recommendation 1**

**The Committee recommends that upon the commissioning of any future White Paper, the Minister for Foreign Affairs shall refer the proposal to the parliament’s Joint Standing Committee on Foreign Affairs, Defence and Trade (JCFADT). The Joint Committee shall undertake broad public consultations regarding the proposed content of the White Paper, and shall report its findings to the parliament. The report shall inform the development, by government, of the White Paper, and shall be published along with the White Paper as an accompanying document.**

### **Recommendation 2**

**The Committee recommends that in the event of a ministerial statement by the Foreign Minister, or other major government announcement dealing with Australia’s foreign or trade policies, the Senate shall refer that statement or announcement to the Senate Foreign Affairs, Defence and Trade References Committee for examination and report.**

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2 Gyngell, A & Wesley, M, *Making Australian Foreign Policy*, (Cambridge University Press 2003), p. 176.

3 Gyngell, A & Wesley, M, *Making Australian Foreign Policy* (Cambridge University Press 2003), p. 177.

In its consideration of the 2003 White Paper, *Advancing the National Interest*, the Senate Committee has examined both the conceptual and practical aspects of the government's foreign policy stance. It begins with some reflections on the purpose of a White Paper, and teases out various strands of the concept 'national interest' before proceeding to a more detailed critique of key features of the policy itself.

The Committee recognises that how governments formulate foreign policy 'is deeply conditioned by the way key ministers and their trusted advisors imagine the world... These understandings are in part shaped by 'real world' political developments... but these 'facts' are always filtered through ideological lenses, through pre-existing assumptions about how the world works and about what constitutes an important development process and what doesn't'.<sup>4</sup> From time to time the Committee's analysis draws attention to these assumptions and perspectives and on occasions challenges their validity.

The 2003 White Paper has to some extent suffered the fate of any position paper that addresses a policy arena which is susceptible to sudden and dramatic turns of events. The Minister himself is on the record concerning the risks involved in publishing a White Paper at a time of considerable tumult in international affairs. The presentation of the 2003 White Paper had already been deferred once to accommodate major changes and events in the period immediately preceding its issue. After its publication, further issues of significant interest to Australia elicited policy responses which the White Paper had not anticipated.

For the Committee, this invites the question of what is the most useful approach for a government to take in terms of keeping the community informed about its foreign and trade policy agenda. Perhaps the only White Paper likely to enjoy relative longevity is one which focuses very much on long term strategic goals, and seeks to assess the implications for Australia of likely major shifts in the global economic and political landscape over the next ten to fifteen years.

The Committee sees merit in an approach to public information about foreign policy that mirrors the annual *Trade Statement* (formerly the *Trade and Objectives Outlook Statement* or *TOOS*) produced by the Minister for Trade. Such a document is likely to articulate assessments of international issues, and notify the public of relevant policy changes, in a timely way. Such an approach would also integrate the provision of public information into the routines of foreign affairs officials, and generate a more regular feedback loop, thereby better engaging citizens in a policy area that is going to have increasingly significant impacts upon their lives. Although the Department of Foreign Affairs and Trade (DFAT) Annual Report provides a twelve monthly update on the state of Australia's foreign relations, a discrete stand-alone statement would be more readily accessible to citizens and would generate an occasion for particular attention from the press which would in turn stimulate public debate.

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4 Reus-Smit, C, *Lost at Sea: Australia in the turbulence of world politics*, (Working Paper 2002/4, RSPAS, Australian National University, July 2002), p. 3.

### **Recommendation 3**

**The Committee recommends that the Department of Foreign Affairs and Trade prepare an annual Foreign Policy Outlook Statement containing a succinct account of issues arising in the preceding twelve months and any adjustments to policy arising from them. The statement should be tabled in the parliament by the Minister for Foreign Affairs.**

The Committee has also examined how the White paper addresses the needs of Australian diaspora, and the opportunities that exist for Australians living abroad to contribute to and to promote Australia's foreign affairs policies. There seems to be no clear account readily available of the numbers and disposition of Australians living and travelling abroad. For Australian citizens living overseas it is important that there are appropriate formal mechanisms by which they might continue to exercise their citizenship rights. Proper statistical records would provide an essential set of baseline data. The Committee is pleased to note that the Senate Legal and Constitutional Committee is undertaking an inquiry into the Australian diaspora.

### **Recommendation 4**

**The Committee recommends that the Australian Bureau of Statistics develop mechanisms for accurately enumerating the numbers of Australian citizens living overseas, with a view to facilitating their full participation in the Australian Census.**

The Senate Committee will continue to monitor closely all aspects of the government's foreign affairs and trade policy. It will take whatever steps it can to ensure a broadly-based input into foreign policy debates from expert analysts, academics, parliamentarians and citizens. It will also seek to ensure that foreign affairs officials have adequate opportunity to test their views and assessments in an intellectually robust way through participation in appropriate forums and meetings. Such initiatives will, in the Committee's view, enhance the quality of debate and discussion that occurs in the parliament and elsewhere. If war is too important to be left to the generals, foreign policy is too important to be left to the diplomats.



**Senator the Hon Peter Cook  
Chair**