

Addendum to Submission to the Senate Inquiry into Overseas Military Deployment

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In relation to the joint attack by our forces on Iraq in 2003, for any country to use military force to carry out a UN Security Council Resolution lawfully, it must, under Article 43 of the UN Charter, have in place a Special Agreement, which is to be ratified by the signatory state in accordance with constitutional processes. Australia in such a case would be entitled to participate in Security Council meetings about the deployment, if it were not already a member of the Security Council at that time.

I established by inquiry of the federal government that no such agreement existed between Australia and the UN re Iraq in 2003.

In passing, I note that there was also a deployment of Australian troops in connection with Iraq in 1996, which I didn't note in the initial submission, and there has been deployment of Australian military forces in Syria quite recently. There was also a conspicuously positive deployment of our troops to Timor Leste during its transition from Indonesian rule through Interfet and then through Untaet.