

Department of the Senate  
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Parliament House  
**CANBERRA ACT 2600**

14 October 2009

**Defence Amendment (Parliamentary Approval of Overseas Service) Bill 2008 [No. 2]**

As a party to the Charter of the United Nations, Australia is obligated to resolve international disputes by peaceful means and use force only as a last resort in the interests of the international community, and not individual States.

As history has shown, the present power of the executive means that it can be exercised against the wishes of the people's representatives in both Houses of Parliament, even where military involvement appears to lack popular support.

Serious consideration should be given to a Bill that:

- formalises the role of Parliament in regard to decisions to use force outside of Australian territory;
- ensures prior parliamentary approval is a legal condition for a declaration of war or the deployment of armed forces in any military engagement;
- strengthens parliamentary control over the executive branch of government in the exercise of its prerogative powers; and
- supports parliamentary debate on the complex issues of going to war.

There are few exercises of public power more important than committing a nation to war. Lives are at stake. Therefore, I strongly support the principle of this Bill that as far as is constitutionally and practically possible, Australian Defence Force personnel do not serve overseas in warlike actions without the approval of both Houses of the Parliament.

Shelley Booth