



Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs
PO Box 6021, Parliament House
Canberra ACT 2600

20 Sept 2024

ASPATT Submission to: Inquiry into Truth and Justice Commission Bill 2024

Dear Committee Secretariat

We are writing to you, from Arrernte Country, as the Alice Springs Peace Action Think Tank (ASPATT). ASPATT is a collection of individuals across Mparntwe/Alice Springs who are engaged in issues related to creating a safer and more peaceful world. ASPATT is committed to advancing dialogue around peaceful resolutions to international conflict, as an alternative to war. ASPATT and its individual members contribute submissions to national inquiries and consultations related to peace and defence and foreign policy matters.

ASPATT is an affiliate member of the Independent and Peaceful Australia Network (IPAN) - a network of organisations from across Australia, united by its support for an independent Australian foreign policy based on peaceful resolution of international conflicts. ASPATT is also a partner of the International Campaign to Abolish Nuclear Weapons (ICAN).

ASPATT is a group whose members are largely long-term residents of the Mparntwe/Alice Springs community, with representatives from the Arrernte community and many Non-Indigenous people, whom have had a long association with First Nations' Peoples and communities across Central Australia and the Northern Territory.

ASPATT supports the Truth and Justice Commission Bill 2024 which would establish a national Truth and Justice Commission to inquire into and make recommendations to Parliament on matters relating to historic and ongoing injustices against First Peoples in Australia and the impacts of these injustices on First Peoples.

ASPATT has identified here a number of critical matters that we believe should be considered in the establishment of a Truth and Justice Commission.

- The need for a commitment to meaningful action that ensures First Nations' communities can exercise their right to self-determination and avenues to justice
- Recognition of the importance of structural change to ensure that power relations can be rebalanced in a sustainable way going forward
- Recognition that Truth-telling is an ongoing shared and active process between First Nations Peoples and non-Indigenous Australians to one day establishing truth about our shared history,
- Crucial to a Truth-telling process will be non-Indigenous Australians listening and actively participating with First Nations' Peoples as equal partners which can be a powerful and transformative process that can change how individuals see each other, and develop greater collective responsibility and social cohesion and avoid mistakes from the past being made again.
- Having mechanisms to acknowledge and name historic and ongoing injustices against First Nations' Peoples, which will greatly assist in fostering a greater shared understanding of the history of this country.
- The importance of a strengths-based approach in the process to establish a Truth and Justice Commission
- The importance of improving public awareness of First Nations' culture, community and connection to Country

ASPATT believes that a national Truth and Justice Commission would provide the majority of Australians with an opportunity to engage in truth-listening to confront the ways in which the settler colonial system continues to benefit non-Indigenous peoples at the expense of First Nations' rights.



ASPATT further believes the establishment of Truth and Justice Commission, will pave the way for both a process that can prepare Australia to be ready for a future treaty; and for governments to relinquish control and to hand meaningful decision-making power back to First Nations communities, where it belongs. We believe that this is long overdue.

Central Australian Australian examples

Two examples of critical issues, related to Central Australia, that ASPATT believes illustrate historic injustices which continue to carry an ongoing impact, and highlight the need for a national Truth and Justice Commission, are:

- 1. Impact of nuclear weapons testing on First Nations' Peoples' and their lands**
- 2. Process for establishment of the Pine Gap Joint Defence Facility**

1. Impact of nuclear weapons testing on First Nations' Peoples' and their lands

ASPATT had a decade long history of raising concerns regarding nuclear weapons and, in particular, the impact of nuclear weapons testing on both the peoples, and their lands, at Maralinga, South Australia; Montebello Islands, Western Australia and Emu Field, South Australia, which took place from 1952 to 1963.

There are many lessons that must be learned from the processes that led to the nuclear weapons testing on the lands of First Nations' Peoples, which displayed scant regard for the health and wellbeing and the lives of First Nations' Peoples'. It is critical that we never see the likes of such ever again.

2. Pine Gap Joint Defence Facility establishment

The establishment of Joint Defence Facility at Pine Gap (JDFPG) in 1966 continued the history of Australian Governments proposing desert spaces for military installations, disregarding the rights and significance of the land to local people. No consultation was conducted with the traditional owners of Pine Gap.

"Free, Prior and Informed Consent (FPIC) is a specific right that pertains to indigenous peoples and is recognised in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)...allowing them to give or withhold consent to a project that may affect them or their territories".¹ While FPIC was not recognised in Australia until 2009 when the Federal Government signed the UNDRIP (which came into effect internationally in 2007),² the way decisions were made by the Australian Government in the 1960s provides a stark contrast to the kind of best practice principles underlying UNDRIP, and that historical decision making process still requires examination, as we come to terms with the history of colonisation in this country. We do not believe that the fact UNDRIP did not exist in the 1960s excuses the decision-making process that took place at that time.

John Hughes' 2021 film, 'Peace Pilgrims', included an interview with two Traditional Owners for the land on which Pine Gap Facility was built, Peter 'Coco' Wallace Peltharre and Felicity Hayes. Hayes queries why the base was built on their land and Wallace expressed that: "We didn't know about all this space base or whatever they call it... old Aboriginal people...our elders"³, with Hayes adding that "Some old people didn't really understand what it's for" and that no compensation was ever paid for the base being put there.⁴

¹ United Nations 2021

² Australian Human Rights Commission 2009

³ Wallace 2021

⁴ Hayes 2021



Wallace also stated that “We never really got told about all this...and we still don’t know now,...they...put in there without our permission, without asking the elders” and he explained that “it was the land of our elders way back, our grandfathers, their fathers, grandmothers, their mothers...that’s how they kept the culture and the land”⁵.

Hayes further described that “It’s like you’re stealing, it’s all big secrets... must be because of...people getting killed in other countries. They [sic] having war over there in that place and we don’t know it, might be coming from here”.⁶ [While ‘apparently’ many people in Mparntwe (Alice Springs) supported the development of the facility at the time, this polling was before white Australians agreed that Aboriginal people should be recognised as Australians in the 1967 referendum.⁷]

Pine Gap is used to support wars in other countries, which occurs through it providing “detailed geolocation intelligence to the US military that can be used to locate with precision targets in the battlefield”⁸. This is especially relevant at the moment with Australia’s support for the current Israeli assault on Gaza. ASPATT believes that this is a matter for a Truth and Justice Commission. First Nations People should have been fully and adequately consulted on the use of their Traditional Lands when decisions are made to conduct activities that directly support war efforts – and questions need to be asked as to why this did not occur (i.e. no free, prior and informed consent) before plans were made to establish Pine Gap on Arrernte country.

There has always been significant opposition to the presence of Pine Gap within the Mparntwe population. Back in 1987, the Alice Springs Town Council conducted a community consultation, in relation to their proposed policy to support retention of the “Joint Defence Space Research facility”. The Alice Springs Peace Group distributed leaflets providing background information to residents, seeking responses to three questions. 106 respondents (39.7%) supported the statement: “I agree with the Council’s policy of support for Pine Gap”, while 160 respondents (60.0%) disagreed.⁹

Amongst written submissions received by the Alice Springs Town Council at the time, many people were opposed to the retention of Pine Gap. Notable amongst those submissions opposing Pine Gap’s retention was the Yiririnya School, a school “founded on the initiative of the Indigenous Elders of the Town Camps of Alice Springs” in the 1970s.¹⁰

The establishment of the Pine Gap Joint defense facility is a very clear example of a total disregard on the behalf of government for the rights of First Nations’ Peoples’ to control over their traditional lands and to practice self-determination.

3. ASPATT’s extreme concerns with the AUKUS arrangements and the Further Militarisation of Australia

ASPATT is greatly concerned by and directly opposed to the AUKUS pact that has been established between the Governments of Australia, the United States, and the United Kingdom. While there has been an increasing militarisation

⁵ Peter ‘Coco’ Wallace 2021

⁶ Felicity Hayes 2021

⁷ Cooksey 1968

⁸ Peter Cronau, 2023 <https://declassifiedaus.org/2023/11/03/targeting-palestine/>

⁹ Alice Springs Town Council 1987

¹⁰ Yiririnya School 2021



of Australia over recent decades, the AUKUS arrangements take this to unprecedented levels, with the benefits flowing US and UK weapons companies – with questionable military, security or economic benefits to Australia.

ASPATT believes that the AUKUS submarine arrangements point to a massive military build-up which we believe can only be intended as preparation for a war against China. ASPATT totally opposes Australia involving itself in yet another US-led war

The history of the USA invading foreign countries with catastrophic results for thousands of civilians, and the need for Australia not to support any such future actions. The amount of money being put towards “defence” could be much better spent in urgently reducing greenhouse gas emissions, not adding to them.

In addition, we do not believe that the Australian Government can justify its current and proposed military spending, especially the \$368 billion on the nuclear submarine deal while

- so many Australians are homeless or in housing insecurity – with rents unaffordable for many households and on top of this, home ownership completely out of the question for them.
- so many Australians struggle to access or afford health and medical treatment and services, with many hospitals at crisis point due to underfunding
- we have a grossly underfunded education system

The increasing militarisation of Australia causes harms to our nation but, in particular, the First Nations’ Peoples and their lands. Many military exercises take place within Australia’s territory, on the lands, seas and skies of the lands of First Nations’ Peoples which cause very direct and measurable environmental impacts – such as “fuel use by the military ... nuclear issues, the destruction of the environment, the pollution of air, land and water and biosecurity risks”¹¹, not to mention the opportunity costs forgone in terms of mitigating climate change. ASPATT believes that the scope of a Truth and Justice Commission must be broad enough to take into account matters such as the impacts on First Nations’ of the militarisation of Australia and its land.

ASPATT thanks the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs for the opportunity to contribute to this Inquiry.

Yours sincerely

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On behalf of the Alice Springs Peace Action Think Tank (ASPATT)

Jonathan Pilbrow,
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¹¹ IPAN, 2022, *Charting Our Own Course*, P.10 https://ipan.org.au/wp-content/uploads/CHARTING-OUR-OWN-COURSE_softcopylinks.pdf