

# **SUBMISSION TO SENATE INQUIRY INTO THE DEFENCE AMENDMENT (PARLIAMENTARY APPROVAL OF OVERSEAS SERVICE) BILL 2008 (No.2)**

Submission by:

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Members of People for Nuclear Disarmament (Western Australia) were among the many thousands who marched on the streets to protest Australia's participation in the war in Iraq unless Weapons of Mass Destruction (WMD) could be located in that country. We welcome this chance to offer our views to this Senate Inquiry looking at how Australians can be committed to war.

In the lead-up to the 2003 invasion, PND (WA) had an overwhelming sense of not just the opposition of ordinary Australians to supporting this war led by US President George W. Bush, but also of the sentiments of people all around the world who were clearly also telling their governments not to commit to it.

We recall Andrew Wilkie, at that time in the Office of National Assessments, publicising the fact that Australia had no data supporting the WMD accusation against Saddam Hussein's regime. As Wilkie must have had access to data that we "outsiders" could not, his statements needed to be taken seriously. In time, his position was proved to be the correct one.

We remember how Australian warships were poised near Iraq, apparently ready to support the US intention of invading Iraq – while globally, protesters feet pounded pavements and emails ran hot flashing news around the world. There was such a sense of Being Together with 'brothers and sisters' in other countries as we marched, contacted our Federal MPs, wrote numerous letters to newspapers and other such peaceful means of pleading against committing the ADF to that war. It gave us the feeling that we were the majority – and that our view on this crucial matter ought to be taken into account.

But history showed that did not happen then.

**Hopefully this inquiry will help to address that, and make appropriate changes via new legislation to amend the Defence Act 1903 that will provide for parliamentary approval (by both Houses) before members of the Australian Defence Force can be deployed to war-related overseas service.**

Former Prime Minister John Howard and DFAT Minister Alexander Downer and probably a few other senior Ministers had made up their minds to follow the US into Iraq in 2003 – and didn't want to know about other views from government advisers – and certainly not from the people on the streets. They only asked for advice on HOW Australia could go to this war – and never IF we should. Those Australian warships situated close to Iraq, our PM Howard had said, did not indicate that a decision had yet been taken that they be involved in the war. This of course was a lie and more transparently so as time marched on.

Without Parliamentary approval, Prime Minister Howard sent Australian troops to that war whose purpose was changed periodically in efforts to justify it - firstly to remove Iraq's (non-existent) weapons of mass destruction, then to remove President Saddam Hussein, and later to graft democracy onto the country. Even trying to repair Iraq's war-damaged infrastructure, another "purpose" for the continued presence of foreign troops in Iraq, became a focus for fighting and more loss of lives, more injured bodies and psychological damage. Australia became entangled in an ill-conceived war with no exit strategy.

In the case of the war in Iraq which started in 2001, PND (WA) was also among those protesting a military response to the dreadful circumstances of that time. We appealed for a resort to law, not war and predicted that a military intervention could not resolve the issues around September 11<sup>th</sup> of that fateful year. We thought that the carnage of war (which would be predominated by civilian deaths and injuries, a known outcome of modern warfare) and the destruction of Afghanistan's infrastructure would incite further ire against the West and fan recruitment to Al Qaida and the Taliban. PND (WA) immediately called a meeting of those in the community here in Perth to think of non-military responses. The result was a well-attended weekly peace vigil outside Perth railway station, warning of the consequences of the "eye for an eye" strategy and appealing for an analysis of the root causes of the hijack events in New York and Washington, and for those root causes to be properly addressed. For about six weeks these vigils continued, showing community concerns about the impending invasion of Afghanistan and horror when it was invaded. After that, attendance began to dwindle and the vigil was moved to a smaller venue (corner of Hay and William Streets in Perth) where it continues to this day.

Both the ongoing miseries in Afghanistan and Iraq are generating refugees, an ancient problem as people flee from the dangerous disruptions to their lives during war. How much better it would have been if the vast expenditures on these two wars had instead been directed at development in those two countries. The good will generated by that strategy can only be imagined now in that case – but in the future, we as part of the global community can re-think our approach to resolving dissension and distrust between nations.

**In the case of an invitation, expectation or any proposal of war-like intervention in another country, PND (WA)'s view is that involvement by the ADF should depend on a process of full scrutiny by both Houses of the Australian Parliament. Each House should be presented with the full reasons for the proposed deployment, what legal authority exists for the military intervention, its expected geographical extent, duration and the numbers of ADF personnel to be deployed. This would allow our democracy to operate as it should – with concerned citizens forwarding their thoughts on the matter through their parliamentary representatives and relevant Ministers.**

It is important that such a development not impair the ADF's humanitarian roles in responding to disasters such as earthquakes, tsunamis, and extreme weather events. In drafting new Australian legislation to ensure that Parliamentary approval be required before any future committal of Australia to war, Australia can refer to like-minded overseas models of legislation that exist in Denmark, Finland, Germany, Ireland, Slovakia, South Korea, Spain, Sweden, Switzerland and Turkey.

**PND (WA) urges that the proposed Amendment be passed.**

Submission prepared by Judy Blyth for PND (WA) Committee 13 October 2009