

Chris Evans

It is true to state that there has generally been a healthy level of bipartisan support on the fundamentals of Australia's defence policy during the last 15 years or so. When the government of the day and the opposition agree on an acceptable basis for a defence policy, advantages accrue to all. Without violent swings in policy, military strategies can be honed, force structures can be developed or refined, new technologies can be more efficiently employed, and the education and training of our ADF can be more usefully accomplished.

These are constructive and worthy outcomes for our community. Defence remains one of the most expensive national undertakings with its financial and human cost shared by all Australians. Bipartisan support did emerge over the fundamentals of the Government's White Paper, *Defence 2000: Our Future Defence Force*, which was tabled in Parliament in December 2000. Labor continues to support the White Paper's priority tasks for the ADF:

- defend Australia without having to rely on the combat forces of other countries
- control the air and sea approaches to our continent
- contribute to the security and stability of our immediate neighbourhood
- contribute to coalitions of forces in our wider national interests beyond our immediate neighbourhood
- undertake occasional tasks in support of peacetime national tasks.

That Labor supports these tasks should not be a surprise. Labor played an influential role in their development, particularly through the intellectual efforts of successive Labor Foreign and Defence Ministers during the 1980s and 1990s. The tasks signal the common sense of a maritime strategy for Australia, the importance of self reliance, the value of a secure and stable neighbourhood, and a commitment to international operations led by the United Nations and Australia's key allies in the pursuit of broader national strategic objectives. For Labor, there is no hidden intent for defence isolationism. Without reservation, Labor champions all five ADF tasks in the pursuit of our national interests. Bipartisan support, however, is even more important when the government of the day authorises the deployment of Australian men and women in harm's way—the fourth of the ADF's priority tasks. In recent times, for example, bipartisan support was achieved before forces were committed to the 1991 Gulf War, Cambodia, East Timor, Bougainville, Solomon Islands, and in the war against terrorism in Afghanistan. Bipartisan support was not realised for the commitment of forces to Iraq.

In 1989 Gareth Evans enunciated Labor's approach to the demanding question as to the extent to which the ADF should be used in pursuit of security objectives beyond Australian territory. This approach has guided Labor policy-making ever since. Labor concluded that all situations would be treated on a case-by-case basis with due regard given to the following particular and cumulative criteria:

- the agreement of the recognised domestic authorities, except, of course, where an unfriendly government is supporting actions immediately detrimental to Australian nationals
- a manifestly direct threat to major Australian security interests
- a finite time for the military operation
- a clear and achievable operational objective
- consultation with, and if possible the cooperation and participation of, other states in the region.

In 1999, in response to a request for a military commitment to East Timor, Foreign Minister Downer detailed the process that the Howard Government would undertake. Decisions on how to respond would need to take account of the following issues:

- whether the operation has a clear and achievable mandate, clear and achievable goals and clearly defined termination and review points
- whether there is a prospect for a satisfactory outcome given the commitment of UN resources and the political nature of the situation
- what other resources are likely to be available for the operation
- what Australian interests are engaged, including regional, alliance and humanitarian interests and community attitudes
- what costs the contribution might incur, including the effect on the ADF's or AFP's capacity to undertake other tasks, including national defence
- what our commitment to other operations is at the time
- what the risks are for personnel involved in such operations.

Although Mr Downer was referring to East Timor, his framework of principles holds true for Iraq and any other combat deployment by Australian forces. His principles provided a solid framework to guide decision-makers. They generated high levels of confidence through the comprehensiveness of the decision-making process on 'clear and achievable goals and clearly defined termination and review points'. The outcome offered the best prospect

in balancing military risk with the national interest. And, of course, they remain comparable to those first enunciated by Labor in 1989. So what happened in the case of Iraq? When the Prime Minister committed over 2000 troops in March 2003 he did so at the request of President Bush, arguing that military action was legal under United Nations Security Council resolutions, particularly Resolution 1441.

What is sometimes forgotten is that ADF units were pre-positioned in the Gulf area, well before Mr Howard's public announcement that he had responded to the United States request and some two months before he permitted parliamentary debate on the commitment. The Howard Government told the Australian people that the pre-deployments were undertaken to provide 'adequate time to prepare ... should military action become necessary'.

We now know that Mr Howard gave in-principle support to President Bush on several occasions between 13 September 2001 and September 2002. This in-principle support was offered without the benefits of scrutiny by Cabinet or the Parliament, and the Australian people were kept in the dark. In Parliament on 18 March 2003, Mr Howard boldly stated that Australia could not 'walk away from the threat of Iraq's continued possession of weapons of mass destruction'. This was Mr Howard's prime and public justification for committing Australian troops.

Labor never accepted the Government's decision. Labor argued that UN weapon inspectors ought to have been allowed to finish their job and strongly disagreed with a military commitment without explicit UN backing. The United Nations Security Council refused to pass a new resolution to support military intervention and was ultimately bypassed. Australia joined with the United States and the United Kingdom as an aggressor in an act of pre-emption—an unsatisfactory war of choice, which contradicted the proud history of Australia's overseas military contributions. In any analysis of right and wrong concerning the invasion, the doctrine of military pre-emption without UN backing could not be justified in the circumstances. An active doctrine of military pre-emption that shows contempt for the UN undermines the order and security of the contemporary world.

Based on the Government's briefings, Labor did support the objective—to remove weapons of mass destruction from Iraq. But in the context of the time Labor believed a war of pre-emption, conducted for the purpose of removing weapons of mass destruction, without explicit UN backing, was a disproportionate response and wrong.

No weapons of mass destruction have been found; and even the then CIA Director, George Tenet, eventually admitted that Iraq never posed an 'imminent threat' to the United States. Iraq was certainly no threat to Australia. The Howard Government still refuses to acknowledge its exaggerated use of intelligence concerning weapons of mass destruction, even after a bipartisan parliamentary committee found at least 12 instances of such exaggeration in its pre-war comments. Its shame, now that none have been found and the

changing justifications for the war, illustrates the want of strategic prudence. The Howard Government stands condemned by its subservience and capitulation.

As time passes, more information is becoming available on the selective nature of the Howard Government's pre-war considerations. Based on the available evidence, it seems that the Prime Minister did not seek wide-ranging inter-departmental advice on the social, political and economic costs of the war. Nor was independent advice sought on essential coalition post-war plans that could have ameliorated the difficulties of occupation that we now witness. Where were the contrary options or the robust debate and reasoned consideration of possible outcomes? Where was the 'clear and achievable mandate', or the 'clear and achievable goals' and 'clearly defined termination and review points'? Sadly, they seem to be non-existent.

The Prime Minister decided unilaterally to participate in the United States-led coalition, and Cabinet appeared to follow the Prime Minister's lead. Is this the strategic policy process that Australian Prime Ministers and Cabinet should follow when considering a commitment of Australian troops to war?

The commitment

After President Bush declared that combat operations had ended in May 2003, most of Australia's combat troops were withdrawn so that, by June 2003, all that remained were the personnel and niche units in Iraq and nearby countries—about 860 personnel in total. Of these, some 260 remain in Iraq comprising: an air traffic control detachment and support staff, with combined air operations staff of about 60, who operate Baghdad International Airport; an embassy security detachment of some 90 personnel; about 90 Australian staff at coalition headquarters; the military adviser to the UN Special Representative in Iraq; four ADF officers and three civilian policy advisors with the Coalition Provisional Authority; four ADF personnel working with coalition military assistance and some 15 Australians in the Iraq Survey Team still searching for weapons of mass destruction.

The remaining in-theatre personnel include those Australians aboard HMAS *Stuart* in the Persian Gulf, and the AP-C3 Orion and the C-130 Hercules detachments, which are both located and operate from outside Iraq. Since the end of the combat phase, the Government announced the additional deployments of a Navy Training team, of some 12 Australians, who will be committed for about eight months from early March 2004, and a 53-strong Army training team, tasked to assist in training the new Iraqi army.

The Prime Minister made sure that Australia didn't commit peace-keepers in the post-combat phase, even though he was under enormous pressure from the Bush Administration to do so. Just as he is now in the circumstances where both US and UK commanders are calling for more combat troops. Mr Howard is disingenuous when he argues the seriousness of the present situation while Australia's contribution is not concerned with direct peace-making or peace-keeping.

Labor's position on Iraq

As Mark Latham said in his recent speech at the Lowy Institute, Australia's participation in Iraq has been 'one of the great debacles of Australian foreign policy—a war conducted for a purpose that was not true' having 'sent young Australians to war based on a hunch'. No weapons of mass destruction have been found. The intelligence was badly wrong and, contrary to the utterances of the Prime Minister, his Government's policy has led to an increase in the terrorist threat to Australians and Australia.

When Labor made it clear that troops would be withdrawn by the end of the year, this was based on two clear conditions: on having a 30 June 2004 handover to a sovereign Iraqi interim government, and Labor having won the federal election. Those two conditions have to be met. When these conditions are met, Labor will implement a clear and well-defined exit strategy that permits a change-over from military deployments to one of enhanced civil reconstruction and humanitarian assistance to the Iraqi people.

The inconsistencies of the Howard Government's approach to a clearly defined exit strategy cannot be ignored. In February 2003 Mr Howard described the Iraqi deployment to be of a 'short, specific duration.' In May he reiterated that the commitment would be short, not 'years'. Also in May the Minister for Defence signalled that the air traffic controllers would be replaced by civilians 'within a few months'. In March 2004 Senator Hill announced that the Navy training team would deploy for only eight months. The announcements were all indications of a limited duration of deployments.

Perhaps something happened; perhaps something changed in the political climate. The Howard Government now declares that there will be no exit until 'the job is done'.

The Howard Government has also been reluctant to accept the consequences of its actions. The Howard Government has refused to accept its responsibilities under the third and fourth Geneva conventions, the relevant Additional Protocols and the March 2003 trilateral agreement between Australia, the United States and the United Kingdom on the transfer of prisoners of war. Labor has always acknowledged the legal and moral consequences of Australia's participation in the war. Australia is an occupying power and, as such, has obligations.

That is why Mark Latham has made clear that the handover to a sovereign Iraqi interim government ends those obligations and defines the moment in time to proceed with the phased withdrawal of our troops. It is Labor's intention to withdraw all the troops who are deployed within Iraq and to withdraw the C-130 Hercules detachment which supports them. The 260 who are presently providing niche capabilities, useful and functional capabilities, are not part of the primary peace-making and peacekeeping operations. These operations are predominantly the responsibility of the 150,000 British and American combat troops, who are deployed across Iraq.

The niche commitments will have been completed by the end of the year. The air-traffic controllers are due to

handover Baghdad Airport responsibilities to civilian operators in late May. The Iraq Survey Group has not discovered any weapons of mass destruction. The Howard Government had always intended to replace the 90-strong security detachment that is currently protecting our eight officials in the Australian representative Office in Baghdad with a private security firm. This is an acceptable practice. Recent British newspapers describe how the UK Foreign Office is spending over £25 million on hiring private bodyguards, armed escorts and security advisers to protect its civil servants in Iraq. Labor remains firmly committed to the safety of our diplomats in Iraq and will seek advice from the CDF and DFAT security staff at the appropriate time.

The Iraqi Interim Government will gradually accept more responsibilities as it establishes its own administrative and governing organisations. Once our personnel return to Australia, Australian military liaison officers will not be required at the various headquarters or with the new Iraqi civil authorities. As to the deployment of HMAS *Stuart* in the Gulf and AP-3C Orion operations in the region, these should continue because of their positive contribution in the wider war against terrorism. HMAS *Stuart* is currently involved in the multinational interception force, and the AP-3C Orions continue to conduct maritime patrol missions. Labor supports these commitments but makes the distinction between the ongoing war against terrorism and the post-war environment in Iraq.

The lack of a UN sanction for the war in Iraq and a bipartisan approach to the war has also raised questions of legality. In representing Labor at the many farewell functions, welcome-home parades, and in one-to-one conversations with ADF personnel, I have stressed the legality under the Australian Constitution for the government of the day to commit military forces overseas. It was Labor's objective to reassure our people that their deployment to Iraq was legal.

Labor is thankful that there have been no casualties. We remain, however, concerned with the safety of the forces deployed. Our people have carried out their tasks with professionalism and dedication. They have carried out dangerous work and performed admirably. It is now time for them to know when they will be withdrawn because they will have soon completed their niche functional responsibilities. The post-war environment in Iraq is now one of mutual suspicion and resentment. In Washington and London, a growing body of experts are questioning the management of the occupation. Many argue that it is in serious trouble and needs a comprehensive change in direction. Bitterness permeates parts of Iraq, exacerbated by the terrible mistreatment of prisoners in Abu Ghraib prison. The actions of certain United States guards and the inaction of their supervisors were inexcusable. The consequences of their actions for the future of the Middle East and Iraq are immeasurable. The coalition forces seem to have lost their moral authority in the eyes of many. Iraq now needs the credibility of the United Nations, sooner rather than later, to assist the Iraqi civil administration.

Ironically, four weeks ago, the Prime Minister indicated that once the air-traffic controllers return to Australia they could be replaced by a 'slightly greater number of troops who would carry out other duties.' It now seems that the Prime Minister has talked himself into the position where he's determined to maintain the current number of troops in Iraq for reasons only he knows. If the new, and as yet unidentified, requirement is so pressing why hasn't it already been filled? The reality is Australia is not providing peace-keepers or peace-makers, and the present functional commitments will soon finish. Labor has always argued that Australia can best make a worthwhile contribution in Iraq through humanitarian assistance and economic reconstruction. This is exactly the same policy approach that the Howard Government took in Afghanistan. It was a policy approach that had bipartisan support. The war in Afghanistan was the first important phase in the war against terrorism. Labor strongly supported Australia's military commitment. Labor supported the Government's efforts because the defeat of Al Qaeda was and remains of overriding importance. In Afghanistan, Australia provided a strong military contribution. Troops were withdrawn quickly after the combat phase, and the SAS were home by Christmas 2002. Australia then commenced its contribution of civil and humanitarian aid. We in the Opposition lament, however, that the Government's commitment to civil and humanitarian assistance in Afghanistan has not been commensurate with its military activities.

In comparative terms, Australia is a small- to medium-sized nation with a small and well-equipped military.

association update

Vale Gerry Cudmore

Brigadier Monsignor Gerald Anthony Cudmore, AM, a long-time faithful supporter of the ADA, died on 21 April 2004 aged 71. Gerry was ordained priest in 1958. After serving in a number of Melbourne parishes, he became a chaplain in the Australian Regular Army in 1962. He was the first Australian chaplain to serve in Vietnam (1965–66) where his pastoral care for soldiers of all denominations became legendary. An anecdote in *The Cross of Anzac* tells of his using some forthright soldiers' language vowing vengeance against those responsible for the wounding of a young soldier whom he was comforting. In something of a role reversal, the wounded digger reproved Gerry for unpriestlike behaviour.

Widely respected by all ranks Gerry rose to become Principal Chaplain (RC) in the Australian Army. After reaching retiring age for rank in 1988 he was appointed a member of the order of Australia and returned to the Melbourne archdiocese. He was Vicar-General from 1993 to 1996 and subsequently served in a number of Melbourne parishes.

Melbourne's St Patrick's Cathedral was overflowing for his Requiem Mass and military funeral. The ADA was represented by retired executive director, Michael O'Connor, and a number of other Association members including Guy Boileau, Jack Lloyd and Gary Ward.

Australia cannot be expected to provide military support on an ongoing basis in every area of conflict where it is requested to do so. Our defence resources are finite. The ADF is stretched and is bearing the burden of multiple deployments. The demands on our military are now extensive. Standards of individual and collective training are now more difficult to maintain. Our capabilities are suffering. There are shortages of trained specialists.

We need to be more careful in managing how and when our military is committed. This should only be when it is in our national interest to do so. Labor's security priorities are closer to home, in our immediate region, in East Timor, PNG, Solomon Islands and in the wider war against terrorism. Dangers exist in the Philippines, Indonesia and Thailand where social discord and uneven economic growth have thwarted local attempts to deal with nascent terrorist threats. The terrorist threat cannot be ignored. The ADF has a significant role to play through coordinated measures with our neighbours. Our neighbours look to us for leadership and assistance. It is now more likely that Australia will be called upon to participate in other phases in the war against terrorism. A Labor government would be so committed. This hopefully can be another fertile area for bipartisanship. Labor has a principled position on Iraq. It is a clear view, articulated over a long period, and Labor intends to continue to argue the case up to and including the election campaign. It is in our national interest. ♦

Senator Chris Evans is the Shadow Spokesman for Defence. This article is based on his address to the Labour Movement Education Association in Perth on 21 May 2004.

A searing insight

In May 2004 the Association's Executive Director was invited to join the panel for the SBS discussion program *Insight* (broadcast on Tuesday 8 June). One of the program themes was 'can a fighting army reflect the social values of a society such as ours?'. That such a theme could be seriously considered by a public broadcaster bodes ill for the teaching of Australian history and civics in our schools.

Such a theme also appears predicated on the disturbing and naïve belief that the Australian Defence Force somehow does not generally reflect Australian society—both good and bad—or that our society can somehow divorce itself from the necessary labours of its defence force. More disturbingly, how can any Australian professing an educated or informed interest in current affairs even begin to believe that our pluralist liberal democracy somehow exists independently of the protection provided by our defence force—past, present and future.

Overall the program generated some useful public debate. But the complacency, ignorance or ideological prejudice of some participants testified to the continuing need for the Australia Defence Association as an independent guardian of the public interest on national security issues.