

The 'trucking payments' by AWB Limited to the Jordanian front company Alia (owned by the Saddam Hussein regime), and related issues affecting BHP Billiton and perhaps other companies, are rightly the subject of the Cole Commission of Inquiry. Admissions made to the Inquiry indicate that AWB and BHP Billiton were well aware that their conduct was illegal but did not seem to care.

Various government agencies, officials and Ministers, for reasons not yet clear in all cases, have been shown to be, at the very least, deficient in commonsense and remiss in their scrutiny of AWB's activities over a long period.

A wide range of excuses for AWB's conduct have been peddled but they remain just that, excuses. Further excuses have been floated for the failure of governmental oversight. It is increasingly clear that those who did not know should have known – and should have been told where some may have not wanted to know – and those that did know, or should have known, should have acted.

One fundamental issue, however, seems to have largely escaped discussions of the Government's responsibility and accountability.

These bribes were in undisputed contravention of the UN Sanctions against Iraq. They also contravened the Oil-for-Food Program whereby the Saddam Hussein regime was allowed to sell oil under UN supervision and import up to \$US2bn worth of food and medicine every six months.

When the Australian Wheat Board began paying bribes it was still a federal government instrumentality.

At the same time, ships, aircraft and members of the Australian Defence Force were serving with the Multinational Inspection Force tasked with enforcing those same UN sanctions. Other ADF members were serving inside Iraq seconded to the UN Special Commission charged with disarming Iraq of its prohibited weapons.

Even more importantly, there was also a strong possibility at that time that Australia and fellow UN members would have to go to war with Iraq again if the threats to international peace and security underlying the sanctions remained unresolved – as subsequently occurred.

These stark juxtapositions of events and circumstances pose obvious moral, legal, government oversight and ministerial accountability questions. In summary, how was this allowed to occur and to go on for so long?

The deeper moral question is what kind of person would have no apparent ethical qualms, or commonsense reservations, about contravening the very UN sanctions that fellow Australians were enforcing under difficult, and at times even dangerous, conditions – or in turning a blind eye to such crimes, hypocrisy and damage to Australia's hard-earned international reputation?

Irrespective of Commissioner Cole's findings, these questions must be answered by the Board and management of AWB, by the various government agencies involved with supervision of Australian trade with Iraq (especially the Wheat Export Authority and the Department of Foreign

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Our cover

An AATT-I Bushmaster lightly armoured Infantry Mobility Vehicle operating near Al Khadir in southern Iraq.

Photo courtesy DOD

Affairs and Trade), by the intelligence agencies supposedly monitoring our overall strategic interaction with Iraq, and by the Howard Government generally.

Never again must any Australian Government risk the well-being, safety and loyalty of the men and women of the defence force in such a manner. If the ADF is to be tasked with enforcing UN resolutions or sanctions, every available step must be taken to ensure that the rest of the government apparatus, and indeed the rest of the country, is supporting them fully.

Hopefully prosecutions arising from the Cole Inquiry will reinforce this message. ♦