

SCANNED Nov 2014



23 August 2008

Right Hon K M Rudd
Prime Minister
Parliament House
CANBERRA ACT 2600

J

Dear Prime Minister

We are making this submission on behalf of Just Peace Queensland Inc, on various issues of interest and concern to our organisation.

You will recall representations from Just Peace, over the last 3 to 4 years, to you in your capacity as Shadow Minister, Opposition Leader, and the Member for Griffith. This is the first major representation we have made to you as Prime Minister.

Just Peace members, like millions of fellow Australians, are excited and encouraged by some policy announcements, statements made, and some actions taken, since your election to Government.

Observations suggest that most Australians share reasonable and justifiable expectations that your Government will chart a "new direction". That will ensure a sustainable and just Australia, through the delivery of well considered and innovative social, environmental, economic, and inclusive cultural policies and laws, which are in the best interests of all Australians.

There is also an expectation that your Government will review, repudiate, and repeal laws, policies, and practices, that would hinder or prevent the implementation of much needed reforms.

Just Peace has some concerns that your Government may be overly influenced and constrained by a perceived political need to adopt or perpetuate some aspects of failed laws and policies created and promoted by the previous conservative Coalition Government.

Major areas of interest and concern that are canvassed in this submission are:

- Aggressive Militarism
- "War on Terror"
- Human Rights
- Foreign Policy

We are sure that you will appreciate the above issues are not listed in order of priority, and that a number of the matters canvassed are inter related.

The purpose of this letter is:

- to create an initial dialogue with your Government;
- to indicate some Policy areas of major concern to Just Peace; and
- to obtain feedback from you on your Government's policy position on the issues raised.

Aggressive Militarism

Just Peace has major concerns about a clear trend that has emerged over recent years, that emphasises a conscious shift in defence policy, to that of an aggressive attack force.

Some factors which have influenced this belief are:

- Adoption and implementation by the Howard Government of the pre-emptive strike doctrine, in the illegal invasion of Iraq
- Indication that Australia would support and be involved in the interdiction of foreign vessels in international waters
- Massive ongoing expenditure and commitment of billions of dollars to the purchase of military hardware across all areas of the ADF
- An open ended escalation of the number and complexity of what are termed "Joint USA! Australian Training Facilities"
- Opened ended Memorandum of Understanding entered into in July 2004, with the US Government, re the development of the "Son of Star Wars" missile defence system
- Heavy commitment to armed conflict in Afghanistan with no apparent exit strategy
- Adoption of the role of "Deputy Sheriff", of the Asia Pacific Region, expanding and reinforcing a perception of military superiority over the region

Iraq

We note and commend your Government's decision to withdraw our combat troops from Iraq, an illegal invasion/war in which Australia should not have been involved.

Just Peace made detailed representations to the Howard Government citing irrefutable reasons for not being part of the illegal invasion of Iraq. It also played a key role in organising and conducting the largest "Peace Rally", (50,000 plus) ever held in Brisbane. These actions were taken well in advance of the invasion of Iraq.

The hundreds of thousands of Australians who opposed the illegal invasion, and who were defamed and denigrated by Government supporters with derogatory tags such as traitor, friends of Saddam, and other offensive terms, are dismayed and disgusted in

knowing that their dire predictions made about the devastating outcomes in Iraq have in the main been proven correct.

Just Peace believes that Australia's domestic and international credibility, integrity, and reputation, has been compromised and seriously damaged by the previous Governments complicity in the decision to invade, and the continuing occupation of Iraq.

We are also confident that the majority of caring Australians share a steadfast expectation that their new Government must accept and exercise its ultimate responsibility in ensuring that a truthful, accurate and complete official history is compiled and recorded, so that present and future generations of Australians have access to a factual account of the Iraq invasion.

The need for this record has been highlighted by John Howard's reinforcement of his version of the Iraq invasion on his recent speaking tour of the USA.

For the reasons outlined, will your Government establish a Royal Commission or an Independent Inquiry with equivalent powers to inquire into, and recommend actions, that will ensure the truth about the invasion of Iraq is accurately recorded.

We believe that it is vital that the Government frames comprehensive terms of reference, and provides adequate resources to enable the Commission/Inquiry to conduct a competent, complete, and credible Inquiry.

The following matters are suggested for inclusion in the terms of reference:

- The procedure, process, circumstance, and the timing of the initial decision to commit Australian troops to the invasion of Iraq.
- The basis for, and veracity of, the reasons given by the Howard Government to justify its decision to invade, for example;
 - weapons of mass destruction
 - regime change
 - Saddam's involvement in 9/11 attacks
 - protection of Iraq's oil supplies
- The form and substance of Intelligence Reports/briefings given/available to the Government prior to, during, and after the invasion.
- The legality of the exercise of the 'pre-emptive strike' doctrine, in the context of UN Conventions and International Law.
- Whether Australia's participation in the invasion created a safer and more secure domestic environment, or did it have the opposite effect.
- The reasons the Government failed to seek approval, or provide justification, to the Australian people before committing our troops to the invasion of Iraq, by way of a full, frank, and transparent debate before the peoples Parliament.
- The extent of the Government's knowledge, and level of participation if any, in the interrogation process and any resulting torture of prisoners at Abu Grahیب prison.
- The standard and durability of protective clothing and equipment on issue to our troops in Iraq, and the basis on which it was issued.

- To identify the number of service personnel who have suffered physical or psychological injuries as a result of their tour/s of duty in Iraq, and those who were, or could have been exposed to depleted uranium, or other life threatening chemicals.
- To establish whether there are sufficient specialist medical, rehabilitation, and other appropriate support services and facilities in place to properly care for those affected and their families.
- To determine whether the Howard Government instigated, been a party to, or had knowledge of any serious breaches of UN Conventions, protocols, or other instruments or sanctions, such as on torture, trade, or on any other substantial matter related to dealings in Iraq.

Afghanistan

Whilst we were aware of the reasons given by the previous Government for their decision to commit our troops to the war in Afghanistan, and the Labor Opposition's support of the Government's position, we in Just Peace were/are opposed to it.

Our original concerns have been exacerbated by the escalating dangers faced by our troops and the apparent lack of sustained progress towards a successful long term peaceful outcome.

We acknowledge and welcome recent statements by you and Defence Minister Fitzgibbon about the current situation in Afghanistan, as the concerns expressed echo those of Just Peace.

History tells us that there is little or no chance that the complexity of the conflict in Afghanistan will allow it to be resolved by the armed intervention of external forces.

- Despite many decades of armed conflict involving major military powers, there has been marginal if any progress towards a more peaceful, stable, and better life for Afghanees.
- There are many contributing factors that so far have prevented consistent and effective governance outside the precinct of Kabul.
- The diversity of tribal allegiances, and the dominance of Warlords and organised crime gangs, terror groups and the unforgiving terrain all militate against the success of armed intervention.
- The inability, or at best the extreme difficulty in replacing Afghanistan's almost total reliance on money generated by the production and trade in illicit drugs is a major influence/obstacle to be overcome.
- Evidence of this is the fact that the production of illicit drugs has doubled in the last two years, and suggestions that the "anti opium offensive" is being resisted at the highest levels within the Afghan Government.

- Another telling fact is that while our troops are engaged in the war which is endangering their lives, deadly drugs from Afghanistan are being peddled on the streets of our major cities and devastating the lives of many young Australians and their families.
- Continuing instability of the Pakistani Government and its incapacity or unwillingness to severely restrict, or eliminate the recruitment, training, harbouring, and clandestine support of terrorists in their common border areas.
- The recent tragic incidents, where the US forces have caused the deaths of Pakistani soldiers, and civilians on several occasions in the border region, have set back progress and alienated already deteriorating relationships in that critical area.

There appears to be:

- a growing reluctance on the part of NATO powers to commit sufficient numbers of combat troops, resources and other forms of aid to the degree necessary to make a discernible difference in achieving an acceptable outcome;
- a lack of an overall cohesive and definitive strategic plan, that incorporates agreed pre-determined measurable goals, with time lines that will be achieved; and
- at best the low key profile, or at worst the absence of a high level consistent and concerted diplomatic effort to resolve the armed conflict and to establish an environment that will facilitate and consolidate a stable and lasting peace in Afghanistan.

When the above aspects are considered in conjunction with the resurgence of attacks by the Taliban, Al Quida, and other disparate terrorist groups and criminal organisations, there is a real and ever increasing danger that many more of our troops will be killed and wounded, or that they will incur serious long term psychological damage.

The most recent deaths and critical wounding of our troops is evidence of the ever worsening situation and the increasing extreme danger being experienced by them.

It is obvious that your Government's current level of commitment to the war will continue to impose a heavy personal burden on those serving and their families.

It will also place severe strains on the ADF'S available resources and will add to the substantial financial costs to taxpayers that will continue to escalate whilst our troops remain in Afghanistan.

Bearing in mind the genuine concerns expressed by you and the Defence Minister, and the factors canvassed above, we in Just Peace firmly believe that the Government needs to formulate and implement a responsible 'Exit Strategy' for our combat troops as a matter of urgency.

The 'Exit Strategy' should include an unequivocal commitment to renewed/increased emphasis on diplomacy, humanitarian aid, economic aid, expert technical and

administrative advice and support to be provided on a long term basis to the people of Afghanistan.

If your Government maintains its existing policy of an indefinite military presence in Afghanistan we fear that the situation will deteriorate to such an extent that there will be a massive loss of life of all involved in the warfare. including our troops and innocent civilians.

We also believe that as it becomes more apparent that it is an un-winnable war in the military context, there will be a political price to pay, similar to that inflicted on individual politicians and on Governments who conceived, promoted and executed the invasion and occupation of Iraq.

Interdiction

As part of the previous Government's pro combat, pre-emptive strike doctrine, our Defence Forces were committed to a joint training exercise on methods to overpower crews on ships at sea.

This was done at the time when North Korea was labelled by G W Bush as a member of the so called "axis of evil". The stated purpose of the strike force was to board vessels and if it suspected they were transporting weapons of mass destruction they would be arrested and possibly killed.

We are unsure of your Government's position on what we class as a reckless policy that if implemented could cause a major international incident at best and at worst armed conflict. We also question the legality of such an action under International Law.

Although it was not made in a military context the recent statement by Mr Smith, Minister for Foreign Affairs, gave us some comfort, quote:
'I absolutely condemn actions by crew members of any vessel that cause injury or have the potential to cause injury to anyone on the high seas' unquote.

It should be understood that we are not referring to the proper enforcement of Australia's laws by relevant authorities, in respect to the policing of Australian territorial waters.

Would you please advise what your Government's current policy is on the interdiction of foreign vessels in International Waters?

There is no more profound or life threatening/changing decision a Government can make than to commit its Defence Force and its country to war.

We submit that your Government must take swift, decisive and responsible legislative action to prevent any future Federal Government from committing our country to any war or armed conflict on the spurious grounds that the Howard Government took us to a pre-emptive and illegal war in Iraq.

We suggest that the legislation should embody the following elements;

- That it be unlawful for the Prime Minister, Cabinet, or an individual Minister, to agree to, or declare that Australian Defence Forces will be committed to a war zone, or to an area where armed conflict is in progress, or to an area where there is a strong probability that armed conflict will occur, until such time as the following requirements are met in full:
 - ~ That a full and factual Ministerial statement is presented to both houses of Parliament, outlining the justification for, and the consequences of, committing the ADF to war/armed conflict.
 - ~ The statement should also contain an estimate of the duration of such military action, and a proposed preliminary Exit Strategy.
- ▷ That all Members/Senators be given the opportunity to participate in the debate, at a joint sitting of both houses of Parliament.
- » That the decision to commit Australian Defence Forces to war/armed conflict, or not to do so, must be determined by a free vote of Members/Senators at the joint sitting.

The following matters should be included in the legislation, or be the subject of separate legislation;

- That it be unlawful for an Australian Government to initiate, or to act in concert with the Government of another country or countries, to launch or support a pre-emptive armed invasion on another sovereign nation state.
- That it be unlawful for an Australian Government to initiate, or to act in concert with another country or countries, to launch or support an armed interdiction, of a foreign vessel, in International Waters.
- There is also a need to take account in the legislation of a situation when Australia needs to defend itself without prior notice of attack, or with short notice of a pending attack. Mechanisms need to be prescribed in the legislation to enable a decision to be made by a war cabinet or a select authorised group, to take military action in defence of our country.

Review Of Defence Projects/Contracts|Procurement-Defence Policy

We are aware of reviews being conducted under the direction of Defence Minister Fitzgibbon, into matters of importance to the Government, related to Defence Projects and Policies.

We have noted a reported statement attributed to the Defence Minister, at about the time the reviews were thought to commence, quote:

'People in the DMO and the ADF more generally are highly skilled, professional and dedicated, but they have been let down by the former Government and to some extent

by various defence industry players who habitually over-promise and under deliver'. He went on to say, quote:

'I am continuing to scope the extent of the problems, looking at the strategic and financial implications and when that work is complete I will develop options on the best way to give taxpayers value for money, and Defence the capability it needs to defend the country adequately' unquote.

Whilst we are encouraged by the Minister's reported statement, we are of the view that the review should be expanded to include all elements of Defence Force policy.

An in depth carefully conducted and complete review would provide the Government with the opportunity to:

- Publicly expose and act to eliminate the waste and the general mismanagement of the procurement/contracting process, project management, ordnance oversight, and other inefficiencies in practices and procedures, which were presided over by the previous Government.
- Explode forever the carefully constructed perception that is promoted and perpetuated by conservative Coalition Governments that they are the best qualified to preserve and protect the safety and security of the Australian community.
- Restore Australia's international reputation to levels that existed before the illegal pre-emptive invasion of Iraq.
- Reverse the previous Governments open hostility towards the United Nations and its failure to support, or ratify, other instruments of major significance to Australia and the International community.
- Redistribute the billions of dollars saved by the elimination of excessive and unwarranted military expenditure on unnecessary hardware and operations, to ensure that adequate funds are available to service the real and pressing needs of all Australians, particularly in respect to:
 - ~ Climate Change
 - ~ Health
 - ~ Education
 - ~ Affordable Housing|Public Housing/Accommodation for the Homeless
 - ~ Roads and Public Transport
 - ~ National Infrastructure
 - ~ Child Care
- Increase the Government's capacity to elevate our humanitarian foreign aid commitment to the current recommended level and beyond.
- Allay the genuine concerns, fears and suspicions held by countries in the Asia Pacific, and the Asian region overall, about what they perceive to be Australia's increasing aggressive militarisation over the last decade.

Before dealing with other matters under this heading, comment should be made on two decisions already announced by the Government arising from the current review.

We are dismayed and disappointed by the Government's decision to purchase the 24 Boeing Super Hornets, and at the suggestion that it may buy some additional specialised versions of the plane.

The level of disappointment was further exacerbated by the following factors:

- The Government's abandonment of its opposition to the previous Government's decision to buy the Super Hornets, at a cost in excess of 6 billion dollars. History suggests that the real costs will be double or treble that amount after factoring in all actual costs associated with the purchase.
- The possible over emphasis that may have been given to any adverse impact that the cancellation of the contract may have had on the status of the US/Australian Alliance, or to other contractual arrangements with Boeing or other suppliers.
- Whether or not the recent discussions the Minister of Defence had with the US Defence Secretary Gates, when he was in Australia, and your then pending visit to the US had any bearing on the decision and its early announcement.
- Whether due weight was given to other opinions expressed at the time that suggest there are more suitable aircraft available, or whether any further replacement aircraft are actually required.
- Whether serious consideration was given to claims that the life of the F111 could be further extended to meet any shortfall in the provision of a replacement fighter, that is if any replacements are required.

We were also surprised by the early announcement of the decision to cancel the contract for the purchase of the Sea Sprite Helicopter, that is not to infer that we disagreed with the decision.

Having expressed our concerns we also wish to acknowledge that we are acutely aware of the need for the Government to take swift and decisive action to curtail and cancel those high cost, high risk, un-necessary and questionable projects/contracts.

We also recognise that there could be substantial short/medium term financial penalties incurred when inappropriate projects/contracts are cancelled.

We are also aware that as part of the defence review the Minister has appointed a panel to prepare a defence White Paper that will influence thinking when Government is determining policy for the next 30-50 years.

Various sources suggest that an integral element of Australia's current defence strategy is based on the premise that it must maintain air and naval superiority in the Asia Pacific/North Asia region.

In those circumstances it is understandable that countries in the region will have genuine concerns, fears, and also harbour suspicions, as to Australia's intentions in respect to them. There is little doubt that those feelings will be further reinforced if those strategies are maintained or significantly expanded.

It is not un-reasonable for countries within the region to ask which of them constitutes the greatest threat/risk to Australia's security. Is it one country acting alone, or is it an alliance of some or all countries in the region, that are identified as potential invaders?

We wish to record our total opposition to, and rejection of, any proposal that Australia radically expand its ADF so that it has the firepower to "rip an ann oft" any Asian nation seeking to attack Australia.

We understand those views were expressed by a now member of the White Paper panel in a recently published paper, if that is true it is a matter of grave concern to us.

When logical and serious consideration is given to the rapid economic growth, the extent of the proliferation of nuclear and high tech weaponry, in those countries deemed to be potential enemy invaders, it is un-realistic to believe that Australia can and should seek military dominance over the region.

We believe that it is more likely that further aggressive militarisation will be counter productive.

If Australia is to pursue the objective of military dominance of the Asia Pacific/North Asia region, we believe that it will be seen as giving tacit approval and encouragement to other countries to embark on a more aggressive participation in the Arms Race, in order to protect themselves.

We do not consider that being ranked Uth in the world for military expenditure should be regarded as a badge of honour, nor do we think that it enhances our reputation or status as a responsible middle order world power.

Your recent announcement that budgeted military spending will represent 3 of GDP is of concern to us and it appears to confirm that your Government is determined to improve on Australia's world ranking, possibly at the expense of the domestic policy areas previously mentioned.

It also appears to confirm that your Government will exceed the previous Governments budgetary expenditure priorities, as in their budget for 2006-07 the defence budget was \$22 billion whilst the education budget was \$18 billion, to name just one example. In our view any imbalance of that magnitude in favour of Defence spending over those critical policy areas previously mentioned is indefensible.

In the interests of transparency and to ensure we have factual and accurate estimates in relation to budgeted defence spending, would you please provide the figures for the financial years:

-2007-08

-2008-09

-2009-10

In the same vein, would you please also provide a comparison of Defence Force spending over the same period, with budgeted expenditures for:

- Climate Change
- .Health Health
- Education
- Housing
- Highways/Roads/|Public Transport
- National Infrastructure
- Child Care

The announcement by the Premier of South Australia that Adelaide will host the Asia Pacific Defence and Security Exhibition is a matter of concern to us, as this Arms Fair provides an opportunity for countries and arms dealers to promote, display and sell their latest weapons of mass destruction.

The Premier's enthusiastic promotion of the arms fair on the basis that it will be good for the South Australia's economy is understandable, however it creates and in some cases it reinforces an already held perception that Australia is an active participant, and aggressive promoter of the arms race.

Whilst we recognise the need for ethical and strategically targeted ADF recruitment programmes, we strongly object to those that are specifically aimed at vulnerable school children.

It has been reported that the Defence Minister has proposed that school children perform work experience in the ADF. The report also suggests that most senior ADF personnel have raised concerns about the proposal on the basis of safety, security and resource consideration

In our view the objections are soundly based for operational reasons and we would contend on moral grounds. As outlined above we have a fundamental belief that such policies and practices that target vulnerable school children are inappropriate and unacceptable.

We seek your assurance that the Ministerial Review, and the White Paper process will not overlook, underestimate, or discount, any significant internal or external vested interest considerations, that may have adversely influenced, contributed to, and/or perpetuated what appears to be the parlous state of Defence projects and policy.

We acknowledge without reservation that the formulation and implementation of defence policy is the prerogative of the Federal Government, and that it is one of the most vital functions of Government.

For that reason it is imperative that it is founded on truth and integrity, and it must have the nation's "defence", as its core value and primary objective.

We submit the following basic proposals for the Governments consideration as part of the current defence policy review/so

Objective

That Australia's defence policy be framed in a rational way, so that it properly and accurately reflects the realistic level of threat/risk, that is likely to arise as the result of an attack by an external military force on Australia or its Territories.

That the Australian Defence Force should have the capability to provide adequate protection, which reasonably safeguards the safety and security, of all Australians in the event of an attack by an external military force.

Peace Building - Peace Keeping Role

We submit that in the future it will clearly be in the "National Interest" for defence policy to place a major focus on a pro-active Peace Building role overall, with a specific emphasis on the Asia Pacific/North Asia region.

In our opinion it is now time to embark upon a concerted and continuing diplomatic effort within our strategic region, for the purpose of allaying any preconceived fears, and suspicions, in respect to Australia's military agenda, and to create an environment that fosters and encourages lasting respect, trust and valued friendships.

We contend that there is an urgent need for the Government to abandon any defence doctrine that is based on the need to maintain Air and Naval superiority/domination of countries in the strategic Asia Pacific/North Asia region, for the following reasons;

- Existing and emerging powers in the region will regard the doctrine as provocative and aggressive, and that Australia is a real and immediate military threat to them.
- That rather than diminishing the risk/threat of an external military invasion, it will be a real incentive for those countries that are perceived to represent a threat, to commit to the "Arms Race" to such a degree that it will nullify any advantage Australia may have.
- In our view it is unrealistic in the extreme for Australia to believe that it can out muscle, or even match, the people and fire power, residing in the military machines of China, India, Indonesia, and maybe other countries in the region.

Given the magnitude, plethora and immediacy of domestic and global needs and crises, we find it incomprehensible that the Government will continue to commit and expend billions of dollars gleaned in, the main from battling working families, and other disadvantaged Australians, on what we truly believe to be a nebulous defence risk at worst.

The inconvenient truth of the matter as we see it is that Australia does not have the physical, technical, or financial capacity to ensure it has the superior military

capability to deter or repulse an enemy attack on the scale envisaged by the current policy.

We are convinced that Peace Keeping is an integral part of the overall Peace Building culture and role that our Government should be cultivating and promoting within the United Nations and in other relevant international forums.

It is our belief that your Government must expend maximum effort, and exercise sound judgement, in erasing any perception held by other Governments that Australia's participation in peace keeping exercises will be as gung-ho Deputy Sheriffs.

Our position is that most peace keeping engagements should be under the auspices of the United Nations, as we believe that they are the most appropriate organisation to oversee such operations.

A major concern we have is the adequacy and status, of policy related to the physical and psychological health and wellbeing of serving, and retired ADF personnel. Of particular concern are those who have been engaged in war zones, and those who have been involved in peace keeping forces throughout the world.

Would you please advise us if the current ADF reviews will audit the sufficiency, and appropriateness, of specialist medical, rehabilitation, support services and other necessary facilities to ensure they are adequate to diagnose, treat and properly care for the needs of our casualties of war, and their families?

Joint Training Facilities

At the outset we wish to make it clear that we have an expectation that the Government will ensure that all ADF personnel receive training of the highest standards, so that they have the capability to adequately defend and protect the safety and security of all Australians.

Having said that, we must express our grave concerns and restate our opposition to the proliferation of US/Australian joint training facilities. Statements made by the previous Defence Minister Nelson that more would be established adds to those concerns and reinforces our opposition to their creation on Australian soil.

The following are particular concerns our organisation has about the establishment and further extension of such facilities:

- The potential to and likelihood that the facilities will be converted to full blown military bases.
- Their capacity to store WMD'S including nuclear and chemical weapons, as well as other military hardware and equipment.
- The possible accommodation of foreign combat troops, for quick deployment to targeted zones in the Asia Pacific and North Asia. This could include pre-emptive strikes/invasions.
- The potential to further alienate already sensitive relationships with Asia Pacific/North Asia nations.

- The increase in nuclear armed/powering submarines and warships, and other naval traffic in Australian ports, and territorial waters, thus increasing the possibility of nuclear or other maritime disasters.
- The increasing likelihood of massive and irreversible damage to the local environments, both on and off shore, as a consequence of permanent and intensive military exercises.
- The greatly increased security risks to Australia and in particular the local communities in the vicinity of the facility, in the event of a terrorist attack.
- The severe restrictions imposed on the free movement of Australian citizens, in and around areas previously open to public access.
- The possible adverse social impact on communities as a result of problems related to alcohol, drugs, prostitution, crime, broken relationships, domestic and child abuse.
- The strains on, or lack of, community and social infrastructure such as affordable public housing, accommodation, roads, schools, hospitals, public transport, police, support services, community amenities.
- The extent of, or lack of, Federal/State police jurisdiction over foreign military personnel, and their powers to enforce Federal/State Government laws.
- The elevated levels of noise and air pollution, and the increased risk of serious accidents within communities, or in areas adjacent to, or within the scope of the training facility.

There are other inconsistencies and anomalies, in respect to this matter, which are of concern to us:

- It has been stated by the Howard Government, and it has been repeated by your Government, that one of the advantages of the joint training facility is the need for interoperability of weaponry and equipment.

Australians are well aware of the fervent belief of the US that it has an absolute right to determine, and control, all things related to military might/superiority on this earth and in space. Its "Full Spectrum Dominance Policy" confirms that.

In light of the current investigation and review of tendering and procurement processes and practices, any move to totally or partially integrate weapon systems, and other weaponry must call into question the independence of Australia's tendering process and its sovereign right to purchase weapons and equipment of its choice.

The following example highlights the lack of regard the US has for the Alliance and Australia's sovereignty:

- The dismissal of any request from the Australian Government for clarification of whether visiting US SUBmarines/warships are nuclear powered/armed with the arrogant and deceitful response, "that they will neither confirm or deny" their status.

Bearing in mind Labor's declared policy in the lead up to the election was that there would be no nuclear power stations allowed in Australia, mainly on the grounds of high risks to the community, excessive costs, and availability of alternatives. We

believe that policy was welcomed and accepted in good faith by a majority of Australians.

On that basis we call upon your Government to honour its principled No Nukes policy, by placing a total ban on the entry of nuclear powered vessels from entering Australian Ports, irrespective of their country of origin.

Such action would be consistent with policy as stated, and it would add credibility and weight to your timely and commendable initiative to establish an International Nuclear Non-Proliferation and Disarmament Commission.

It is also worthy of note that a NZ Labor Government took a decision to ban nuclear vessels from ports in the 1980's as a practical demonstration of its opposition to nuclear proliferation, and to protect its citizens from the consequences of a nuclear disaster.

Recent statements suggest that your Government appears to have wholeheartedly embraced, and adopted, the Howard Government's total commitment to whatever policies, understandings, and formal agreements, that have been made with the US in respect of Joint Training /Joint Facilities.

We believe that most Australians who have experienced the deceitful behaviour, the lack of transparency and the questionable motives displayed by the previous Government overall, and particularly in relation to military matters, would share our valid and serious concerns about this issue.

In addition to the concerns already raised, we seek responses to the following questions:

- How many US/Australian Joint Training Facilities are there in Australia?
- Where are they located, and what training functions do they undertake?
- Are all training activities confined within the facility, if not where are the training activities conducted in relation to that facility?
- Are the facilities under the command of ADF personnel, if not what arrangements are in place?
- Are bombing exercises carried out on Australian soil, by aircraft stationed at a foreign location, if so where does the bombing take place, what is the frequency, and what is the volume and type of bombs/munitions that are released on each sortie?
- Are Pine Gap, North West Cape, and Geraldton classified as Joint Training Facilities, or Joint Military Bases, and what are their function/s?
- Are further Joint Training/Joint Facilities being planned, if so how many, and where will they be located?
- Has a study been done on the level of greenhouse emissions that are being generated by the Joint Training exercises being conducted on mainland Australia and in its pristine waters?
- Are genuine in depth environmental impact studies being carried out in areas used for military training exercises, before and after the exercises?

Given the rationale on which US/Australian Joint Training Facilities are justified:

- How many US/Australian JTF's are there on American soil?

- Where are they located, and what training functions do they encompass?
- Are training exercises conducted on shore/off shore in the US, for example in appropriate deserts, or in the pristine waters off Hawaii or California, as is the case in Australia?
- If there are no permanent Joint US/Australian Training Facilities located on US soil does this mean that the US does not allow such facilities on their soil?
- Or does it mean that there are other strategic military considerations that dictate a permanent US military presence in Australia?

We do not discount the value of periodic joint training exercises to better prepare our troops for any military eventuality that may arise if they are called upon to defend our country. However we are concerned that Australia's values, culture, independence, and its national interests will be totally subsumed into the US Military Complex.

For the reasons stated we strongly oppose the further expansion of Joint US/Australian military facilities, or for that matter with any other foreign Government.

We ask that you instigate an urgent review of the existing US/Australian Joint Training Facility agreement/understanding, for the purpose of cancelling any planned expansion of JFT'S, and to formulate a strategy for the eventual orderly withdrawal of remaining permanent facilities.

Missile Defence Systems/s

You are aware of the US/Australia Memorandum of Understanding entered into by the Howard Government, just prior to the 2004 federal election.

The proposed missile defence system was dubbed the "Son of Star Wars", as it was seen as the rebirth of the Reagan Administrations discredited and abandoned "Star Wars" missile programme of the 1980's.

At the time Just Peace joined with others including the then Labor Opposition, to condemn and oppose the Government's action.

The grounds for our objections were;

- That the project was provocative, and was ill conceived, as it was the same or similar to a discredited programme from the era of President Reagan.
- That it was pie in the sky, open ended, and was un-costed, with the probability being that it would/will cost Australians many billions of dollars.
- That the technology, and technical feasibility, was questionable, and was unlikely to ever meet the test of operational efficiency and effectiveness.
- That it was not designed to provide direct/first line defence for Australia, and if it was then a joint US/Australia military base would be established on Australian soil.

- That Australia's involvement in the project would/will infer that it fully accepts the US "Full Spectrum Dominance Policy". That policy is designed to sustain the US as the only world Superpower.
- It also means that Australia would support the proposition that the US should have total dominance in space, on the sea, on the land, and in the air. It would also imply that Australia supports pre-emptive strike action, and/or the use of nuclear and other WMD's against sovereign nation states.
- That the decision to participate would alienate, and seriously damage, the sensitive relationships that Australia has with nations in the Asia Pacific, and North Asia region. As they would see Australia's involvement as an act of aggression, and as a potential threat to their safety and security.
- That the Howard Government did not inform Australians by way of parliamentary debate, or community consultations, what was in the Memorandum, and why it was in the National Interest to participate in such a project.

It must be said that recent reports and actual events have reinforced, and exacerbated, our initial concerns about Australia's future role/involvement in the proposed Missile Defence System/so

When commenting on President Bush's 2009 Budget, the New York Times had this to say, quote; "Among its many wrongheaded ideas, the budget includes some \$2 billion to ratchet up enforcement of heavy immigration policies, and billions more for a defence against ballistic missiles that shows no signs of working". unquote.

Then there was the test/trial by China of a so called defence missile, which brought savage criticism from the US, and then a very swift response by the US with a test/trial of its own.

In another article that reported on the US shooting down of the so called out-of-control spy satellite, carrying toxic fuel, the following points were made, quote: "But space scientists are now questioning its necessity and wondered at its implications for weaponising space".

"The navy shot the satellite down last Wednesday using an Aegis missile designed as part of the "Star Wars" program to intercept enemy missiles.

"Some of the scientists said they worried that firing the missile would encourage the Chinese to continue developing technology to shoot down Western satellites", unquote.

A further comment in the same article was attributed to Laura Grego, an astro physicist at the Union of Concerned Scientists, quote: "You know it's going to make it more difficult for . the US to tell anyone else not to develop anti-satellite technology" .

The most disturbing development in relation to the Missile Defence System is a statement attributed to Foreign Affairs Minister Smith that indicated the Government was considering joining the program.

We believe that Labor's policy when in opposition is a principled and proper position to adopt in this matter.

We appeal to the Government to desist from becoming further enmeshed in the US military complex, and from being a willing underwriter of the ever expanding arms race.

We call upon the Government to confirm its opposition to, and rejection of, the so called "Sons of Star Wars" missile defence system, or any derivatives thereof, on the grounds that it is not in Australia's national interest.

War on Terror

For Governments to suggest, and to promote the notion, that they can declare and conduct a "war" on a concept is both illogical and impossible.

The Oxford Dictionary translation of the words, "War on Terror", means a military attack against fear.

In an interview given in the second half of 2006, Mick Keelty, Federal Police Commissioner said he had been guilty of using the wrong language in the past. When asked to cite an example he nominated the phrase that is used repeatedly by Western leaders, "the war on terror", he explained it in this way, quote:

"I think a statement like the war against terror is an easy statement to make. But terrorism is a crime, it's murder. It's more about a mindset and a motivation than it is about a war. As an Australian what is so important to us, I think, is that we maintain the quality of life that we have and we continue to capitalise on the benefits of multiculturalism, that we look to be embracing of all cultures" unquote.

Surely the lessons of history and experience, have taught us that the dire and devastating consequences of "war" creates and exacerbates the feeling of extreme fear, particularly for the people whose countries are subjected to war.

We believe that the term "war on terror", was consciously and carefully crafted, as an emotive marketing tool designed to trigger, heighten, and maintain, feelings of extreme fear, and insecurity, within communities and nation states.

It is our view that the fear factor was brutally exploited by the Bush Administration, and it's neo-conservative supporters, to create an environment that assisted in the recruitment of forces labelled the "Coalition of the Willing". This was a conscious strategy to give credibility to the illegal invasion of Iraq.

There is a real possibility that the continued use of the term "war on terror" to describe concerted campaigns, and actions, against organisations and groups, that promote and perpetrate acts of terrorism, has been/is counter productive.

It is quite likely that extremist organisations and groups are using the term to reinforce their own propaganda that promotes the notion that they are the victims of a war waged against them by the west. There is little doubt that this is used as a powerful tool in the recruitment of radical fanatics and alienated youths to their cause.

Whilst the reason and detail is not known, it is our understanding that the UK Government has recently abandoned the use of the term "war on terror". We ask that your Government also discontinue its use of the term.

Just Peace contends that all Australian Governments share a collective responsibility to develop, maintain, and to administer efficient and effective security, policing, and emergency organisations, that have the capacity to properly preserve, and to protect, the security and safety of all Australians.

It strongly supports a comprehensive anti crime/terrorism strategy, that has prevention as its major priority, and that also includes other important elements based on preparedness, response, and recovery.

It believes that the consistent application of practical and effective strategies will do more to deter and defeat the criminal act of terrorism than a Government implementing and increasing the "states" power by enacting un-necessary and draconian anti Human Rights Laws.

Credible and effective Anti-Terrorism strategies are reliant upon Governments being genuinely committed to identifying and taking actions to eradicate the conditions, environments, and other causes that foment, encourage, promote and reward acts of terrorism.

Our Government must give the highest priority to developing and implementing domestic/foreign policies designed to address and to eliminate the root causes of terrorism, in all of its diverse forms, for example, abject poverty, inequality, intolerance, ignorance, racism, discrimination, exploitation and chronic unemployment.

Whilst all levels of Government have a collective responsibility in relation to the security and safety of Australians, we have an expectation that the Federal Government will assume the primary responsibility for developing, driving, overseeing and maintaining appropriate, practical and effective Emergency/Anti-Terrorism strategies.

Just Peace has serious concerns that regimes of all persuasions are using the concept of waging a "War on Terror", as a justification for the violent suppression of legitimate political and social justice movements.

We are also disturbed by the actions of other more sophisticated conservative type Governments that have blatantly exploited the emotive fear element generated by the

use of the "War on Terror", to justify politically motivated, and draconian, Anti-Terror Laws such as those enacted by the Howard Government.

The Dr Mohamed Haneef case reinforces our belief that the existing so called "Anti-Terror" Laws, seriously undermine the fundamental principles on which inalienable human rights and participatory democracy are built.

Just Peace strongly represents that the Government conduct an urgent review of existing "Anti-Terror" Laws, and that it takes action to repeal the provisions that are inconsistent with, or in breach of, UN Covenants, Conventions, or other instruments, as well as those that in any way disregard or denigrate fundamental human rights of individuals.

Further it asks that your Government take immediate action to extend and strengthen the terms of reference/powers of the Inquiry into the Haneef case, to ensure that it has the capacity to deliver findings that uphold, protect, and preserve the fundamental values of integrity, truth and justice.

In our view any failure of your Government to act on this matter will devalue and diminish your pre election promise in respect to the Inquiry. Australians and the International Community will regard the findings as nothing more than a convenient "whitewash" .

Human Rights

As an organisation dedicated to the preservation, protection, and promotion of social justice for all, Just Peace must express its grave concerns about the ever increasing erosion, blatant abuses, and the denial of basic human rights to Australian citizens, and to those who are legitimately seeking Australian Citizenship.

We find it impossible to comprehend the fact that in the 107 years since Federation, that no Federal Government has been prepared to take the necessary action to have basic human rights enshrined in the constitution, or to have a Bill of Human Rights enacted.

The reality is that during that period Governments of all persuasions, either consciously or by default, have created, cultivated, and perpetuated, the notion that basic human rights of all Australians are in some way protected by a belief that most share the value "of a fair go" for all.

Whilst history records the inaction of past Governments in protecting and improving basic human rights, by changes to the Constitution, or by enacting a Bill of Human Rights, there is ample evidence to show that they have been prepared to deny and diminish basic human rights by the enactment of draconian legislation.

The most recent examples of this trend were the Howard Governments, Anti-Terror Laws, Workchoices Laws, NT Indigenous Intervention Laws, and Pacific Solution Laws.

Just Peace is pleased to acknowledge your decision to include "the rights and responsibilities of citizens" on the agenda for discussion at the 2020 Summit. It is also encouraged by reports that a provision has been made in the budget, to facilitate a community based process to examine/develop possible options for consideration and implementation in respect to Human Rights reform.

Your statements and actions on behalf of the government, in defence/support of human rights for the peoples of China, Tibet, Burma, Zimbabwe and Darfur, have our unequivocal support.

Notwithstanding that, there is little doubt that many Australians feel a sense of shame, and embarrassment, knowing that their country is the only one in the western world that does not have a Bill of Human Rights or its equivalent, to protect and preserve their rights.

Just Peace submits that it is now time for our Government to play a positive leadership role in a process designed to maximise community consultation and participation, in the formulation of an effective and enforceable constitutional or statutory instrument that embodies and enshrines the values/principles of a "fair go" for all, Australians.

The foundation stone on which the instrument is built should contain the following elements, as a minimum standard:

(a) Fundamental Rights

- Protection from torture and cruel, degrading, or inhuman treatment
- Right to liberty and security of the person
- Freedom of thought, conscience, religion and belief
- The right to peaceful assembly and freedom of speech
- Rights of indigenous people
- Right to a fair trial
- Right to silence
- Freedom from arbitrary arrest
- Right to legal representation
- Right to vote and stand for office
- Right to education
- Right to work and Workers Rights
- Adequate standard of living
- Physical wellbeing and health
- Safe work place and working conditions
- Social security
- Right to privacy

(b) International Covenants, Conventions, Instruments

- Universal Declaration of Human Rights, 1948
- International Covenant on Economic, Social and Cultural Rights, 1966

- International Convention on the Elimination of all forms of Discrimination against Women, 1979
- International Convention against Torture and Cruel, Inhuman or Degrading Treatment or Punishment, 1984
- International Convention of the Rights of the Child, 1989
- International Convention Relating to the Status of Refugees, 1951
- International Labour Organisation Conventions on International Labour Standards
- International Law/s, United Nations Conventions/Resolutions in relation to the invasion of sovereign nation states.

As the rate and nature of change continues to escalate and impact on our society in the 21st century, it is of vital importance that those fundamental rights that have already been diminished, and those that may be threatened in the future are identified, and relevant protections are incorporated in the Human Rights instrument.

The process chosen to drive this historic and necessary reform to a successful conclusion should take account of the following aspects:

- That irrespective of what method is preferred whether by constitutional change, or by statute, it will be vehemently opposed by the conservative elements within our society.
- It can be anticipated that the Federal Opposition will marshal the support of conservative commentators, and other high profile conservatives to oppose the reforms particularly if a referendum is held to seek constitutional change.
- The fact that Labor is in Government in all States and Territories should strengthen your Government's position in formulating and articulating a national Human Rights model, (Charter for a Fair Go), that will ensure all Australians have equal and universal rights.
- That eminent lawyers, academics, politicians, community leaders, social justice organisations, and laypersons, who have expertise and/or an interest in Human/Civil Rights, should be encouraged to take part in the community consultation process.
- Having acknowledged that, care should be exercised to ensure that the process does not become an unimaginative dry clinical debate dominated by legal, academic and technical argument, at the expense of practical commonsense discussion at the community level.
- The most important element of the consultation process will be the practical presentation of the compelling reasons that the fundamental Human Rights of all Australians should be protected.
- This should be reinforced by citing actual examples of cases where the Human Rights of individuals have been abused, and the possibility that it could happen to them, their family, or friends.

- It is suggested that elements of the very successful "Your Rights at Work" community based campaign would be appropriate in raising awareness within the community.

We in Just Peace recognise the significant volume of important and critical business that is before you personally, and the Government as a whole, and we also acknowledge that there is a pressing need to establish an order of priority for important Government business.

It is in that spirit we strongly represent that you personally intervene if necessary to elevate Human Rights reform to a priority rating that would ensure its implementation by mid 2009.

Foreign Policy

We in Just Peace believe that most Australians have an expectation that their Government will develop and pursue an independent and principled foreign policy.

There is also an expectation that the policy will be applied consistently, and without fear or favour, and with the primary purpose of protecting our national interests.

Alliances

At this time in world history every facet of our lives is in some way influenced or affected as a consequence of globalisation.

Given current circumstances we in Just Peace recognise the importance and value of maintaining a principled and sustainable alliance with Foreign Governments that uphold common universal democratic values, and maintain a shared commitment to international security, peace and justice.

It is also of the view that for an alliance to be regarded as one of substance, and enduring, it must incorporate the fundamental values of equality, trust, respect, integrity, truth, humanitarianism and un-compromised principles.

To give meaning and force to those stated values your Government should require that all Foreign Governments comply with a set of basic minimum standards, before establishing a new alliance, or when an existing alliance is being reviewed.

The suggested minimum standards that should be applied by Government, in the circumstances alluded to above are that:

- All Foreign Governments must be signatories to, must have ratified, and must be complying with all International:
 - ~ Charters
 - ~ Treaties
 - ~ Protocols
 - ~ Conventions
 - ~ Covenants

- › Declarations
- › International Laws
- › Other core agreements and understandings

to which the Australian Government is a party, or is in the process of becoming a party.

US Alliance

Your unequivocal statement and those of relevant Ministers in support of the US Alliance has been noted.

Your Government's departure from the Howard Government's slavish servility to US interests is acknowledged, and your Government's decision to withdraw our combat troops from Iraq is commended.

Although we welcome those positive actions, we firmly believe that the perceived strength of the Alliance is dependent to a large degree on the Australian Government's almost total compliance with the needs and strategies of the US Military Complex.

The most recent example of this is your Government's willingness to accept and excuse the US Government's non-participation in the recent Dublin Conference and its rejection of the "Ban on Cluster Bombs". This is despite the support of over 100 countries for the ban.

We understand that Australia's agreement to the "Ban" is on the proviso that it does not jeopardise the Interoperability of the US/Australia military relationship. If this is true it reinforces the points made above.

That is only one example of the US Government's rejection of, or failure to comply with other important and fundamental International Conventions, Laws and other Instruments that have been advocated by and are adhered to by Australian Governments.

We submit that any Alliance based mainly on the "Military Might" and over riding interests of one of the parties, will seriously undermine, and compromise, Australia's credibility, independence and its long term national interests.

With the US presidential election looming we believe that this presents a unique opportunity for all elements of the existing Alliance to be reviewed to ensure the basic fundamentals outlined above are an integral part of a reconstituted and more equal alliance. This should be given the highest priority irrespective of the outcome of the election.

As Prime Minister of a trusted ally, with acknowledged experience as a diplomat, and Foreign Policy practitioner, you could play an influential role in securing early meaningful dialogue with the next President of USA on the future status and direction of the Alliance, and of other major global events.

Asia Pacific Region

We in Just Peace share the concerns of many Australians that our relationship with our Pacific neighbours has deteriorated markedly over the past decade.

A major contributing factor to the decline was the aggressive Deputy Sheriff role, and overall indifference to the individual and collective needs of the countries in the region, displayed by the Howard Government.

You have indicated that much of Australian policy seems to be dealing with the symptoms rather than the causes of the instability that we see across the region.

Prior to the last election you announced that a Rudd-Labor Government would develop and implement a long-term Pacific Partnership for Development and Security.

You indicated that the partnership must take a comprehensive approach to:

- Tackling the collapse in primary education;
- Tackling the collapse in primary healthcare;
- Building basic economic infrastructure including roads and telecommunications as well as ensuring access to clean water;
- Tackling the problem of urban male youth unemployment through targeted public works programs;
- Tackling the provision of microfinance in partnership with organisations such as Australian Business Volunteers and Australian financial institutions with existing expertise and commitment in the field, to develop business skills and the much underdeveloped private economy;
- Continuing the emphasis on good governance with a new focus on training regional leaders, public servants and technical experts through enhanced international scholarship programs, together with further enhancements to the University of Papua New Guinea and the University of the South Pacific.

We support the proposed comprehensive approach, and believe that its implementation is both necessary and urgent.

Would you please now advise if the Government has established the Pacific Partnership for Development and Security?

If it has been established, what progress has it made in addressing the (7) nominated areas of concern?

Would you also advise which countries will be included in the Pacific Partnership for Development and Security?

East Timor

Since the initial involvement of the Howard Government in matters related to East Timor's independence, there appears to be a disappointing lack of progress in

advancing the quality of governance, and in improving the lives of the East Timorese people. This is particularly apparent in the areas that you have identified in the (7) areas of concern.

It has been a matter of on going concern to us that at the same time as the Australian Government was being lauded for its significant role in securing East Timor's independence, it was subjecting the newest, weakest and poorest nation on earth to unethical, unprincipled and extreme political pressure.

In our view the purpose of the Government's aggressive campaign was to obtain a major share/control over the potential oil and gas riches located in seabeds of the Timor Gap, and other contested areas. In light of the conflicting actions of the then Government it is difficult to determine to what degree it was acting in the longer term interests of the people of East Timor.

We know that an agreement was eventually reached and we assume that, in the circumstances then prevailing, the East Timorese Government accepted the terms and conditions contained in the agreement.

We are also aware that the East Timorese Government is receiving payments for their stake in the oilfields, and that they have a substantial amount in trust at this time, however we are not in a position to determine whether the remuneration over time will be fair and equitable.

Bearing in mind its status as a fragile fledgling nation that faces massive socio economic challenges now and in the future, particularly in the areas previously alluded to, we ask that you:

- Personally review the existing agreement to ensure that the financial/economic returns accruing to Australia do not unfairly disadvantage the East Timorese Government/people, as a result of any inequitable disbursement of finances to the Australian Government.
- Consider and develop innovative amendments or additions to the agreement, which would provide practical mechanisms to enable direct funding of appropriate projects in the (7) areas already identified by you for action.

It is expected that the review process would encompass consultation and negotiations with the East Timorese Government, with the objective of balancing Australia's national interests, with the long term interests of our Pacific Neighbour.

West Papua

When considering and assessing Australia's relationships and role in the Asia Pacific region, we believe that the situation existing in West Papua must not be overlooked, or dismissed, on the grounds that it is too difficult or too sensitive to confront.

We submit that most reasonable and fair minded people of today would seriously question the democratic validity of a process conducted under the banner of an "act of

free choice", that allowed the Indonesian Government to choose 1026 Papuans to vote as representatives of the population of 816,000.

It is understandable that in the intervening 40 years since then indigenous Papuans, with the support of Human Rights groups, have campaigned against military oppression and abuses, and have sought self-determination and independence.

Australians were alerted to the plight of West Papuans, when 43 sought asylum after landing on Cape York in January 2006. As a consequence of the Howard Governments, Pacific Solution they were transported to Christmas Island.

Our long held concerns about what appears to be the worsening circumstances of indigenous West Papuans have been further reinforced by the Indonesian Governments reaction at that time, and by any subsequent concessions that the then Government may have made to appease them.

Of particular concern to us is whether there are clauses included in the security agreement between Australia and Indonesia, termed "The Framework for Security Co-operation", that would lessen or negate our Governments commitment to UN conventions on human rights, refugees, asylum seekers and children.

Would you please advise on whether all matters related to the 43 asylum seekers have been resolved?

If not what is the status of those issues not yet finalised?

- If further West Papuans seek asylum in Australia how will your Government treat their applications?
- Does the current agreement between Australia and Indonesia, under the Framework for Security Co-operation, diminish or downgrade Australia's obligations to the UN conventions previously mentioned, or other conventions?
- If so what action is your Government taking to suitably amend the agreement so as to restore our compliance with relevant conventions?
- Is West Papua included as a participant in the Pacific Partnership for Development and Security?

The recent signing of a statement by President Susilo Bambang Yudhoyono and East Timor's President Ramos Horta and Prime Minister Xana Gusmao accepting the findings of the commission into violence which included murder, rape and torture, at the time of the independence vote in 1999, and Indonesia's acknowledgement of responsibility for funding, and condoning the actions of the Indonesian army and militias, in our view is a positive development.

- As similar claims have been made in relation to the treatment of West Papuans by the Indonesian Army, what action if any is your Government proposing to encourage the Indonesian Government to participate in a peaceful dialogue at an international level with Indigenous West Papuans to address and resolve the causes of their long running disagreement and conflict?

Israel and Palestine

As an organisation committed to the causes of Peace and social justice, we in Just Peace despair at the ever worsening Israel/Palestine situation, which continues to cause death, destruction, despair and deprivation to millions of innocent victims across the disputed areas and beyond.

We have sought to inform ourselves of the history, causes and dire consequences of the conflict through personal feedback from members of Jewish and Palestinian parentage, and those who have visited the occupied areas in Palestine.

We have also sought advice from members of kindred organisations who have visited the occupied territories, and we have also hosted public forums featuring Palestinians and Israelis with personal and academic experience and knowledge of the situation. That is in addition to individual and collective reference to other independent and commercial commentary, opinion pieces and other sources.

The end result of that process is one of frustration and disappointment as in our view the real truth of the plight of the ordinary Palestinians in particular, and the thousands of Israeli's who want to live in peace and harmony, is not being told. A primary reason for this is the failure of Governments and the world media to properly assess and accurately report on the real picture on the ground in the occupied territories.

This failure has had a major influence on the lack of universal public awareness of the horrendous and inhumane situation that exists, and this has impacted on the degree of international political pressure that is being exerted on the parties to reach a negotiated peaceful settlement.

We were in agreement with Labor's stated position when in Opposition, quote: "Clearly, there is now again a need for urgent international diplomatic intervention. Labor strongly supports the negotiation of a just, enduring and comprehensive peace settlement in the Middle East.

To this end, Labor supports the right of self-determination for the Palestinian people, including their right to their own independent state. Labor also recognises the right of Israel to exist in peace and security within secure and acknowledged borders." unquote.

To avoid any misunderstanding of our position we make the following points:

- We totally reject any declaration by Hamas that Israel does not have the right to exist, as we also reject any undeclared intention of Israel to further discourage, restrict, or eliminate, the right of Palestinian's to occupy their territories.
- We detest and denounce any act of terrorism whether perpetrated by suicide bomber/s, terrorist groups, or that which is sponsored by either state irrespective of the pretext.
- We abhor, and are appalled by the mounting death and injury toll being inflicted on the civilian populations of both Israel and Palestine by actions initiated by both sides.

- We have a reasonable expectation that both Israel and Palestine will fully comply with all UN Security Council resolutions commencing with resolution 242 of 1967, through to the most recent dealing with the issues in dispute.
- In our experience no major conflict or dispute has ever been settled by a demonstration of force, nor has an enduring settlement been achieved without the participation of all key stakeholders, in the negotiation phase. That is why we favour the inclusion of Ham as in any peace settlement process.

We would appreciate your confirmation of current Government policy on the Israeli/Palestinian issue, and advice on the following matters:

- Has the Government made any representations to the UN or other relevant bodies on Australia's policy position, and has it suggested any process that could be used in seeking a resolution of the dispute?
- Has an official Government delegation or representative visited the occupied territories and other relevant areas, for the purpose of making an on the ground assessment of the current situation?
- Would you please advise what the Government's position is in respect to the inclusion of Ham as in the peace settlement process?

Iran

In a recent letter to you we expressed our grave concerns about the potential for a nuclear holocaust in the Middle East.

The belligerency of statements by the leaders of Iran and Israel has been of particular concern to us.

This has been exacerbated by reported conflicting statements of aggression and acts of conciliation by the US Government.

As indicated in the previous correspondence, and raised earlier in this submission, we are concerned about what the consequences are for Australia in respect to the stated need for the interoperability of the US and Australian Defence Forces, particularly in the event of a US involvement in an attack on Iran.

- Would you please advise what the Government's policy is in respect to the Iran nuclear dispute?
- Would you please assure us that the Government will not commit Australian Defence Forces to any war on/in Iran, even though US military forces may be involved?
- Has the Government taken any diplomatic initiatives aimed at preventing any form of military action against Iran, if so in what form?

We are sure that you share our genuine desire that the Iran nuclear dispute be resolved peacefully through diplomatic negotiations, with Australia playing a positive role in the reduction of the nuclear threat, rather than being a party to a major war in the Middle East, that could be the war to end all other wars.

United Nations

It is pleasing to note that the Government has confirmed that membership of the United Nations is a key plank in its foreign policy. This reinforces the leadership role Australia played in establishing the UN in 1945.

Your Government's commitment to the UN is welcomed after over ten years of denial and denigration of its role by the Howard Government.

The purpose of the UN, and the principles on which it was established over 62 years ago, are more relevant and important now in this globalised world, than its founding members could have ever imagined.

Having said that, we in Just Peace recognise and acknowledge that much needs to be done to restructure and revitalise the organisation to ensure that it can achieve maximum member participation, a greater degree of co-operation when making decisions, and a higher level of compliance by member countries when decisions are made.

The areas identified are sensitive and difficult and they need urgent and concerted attention. It is our expectation that under your leadership Australia will play a significant part in the UN's revitalisation.

We support the Government's decision to seek a temporary seat on the Security Council. If successful this will boost Australia's International standing and, more importantly, it will give Australia an opportunity to initiate proposals to reform UN operations.

An example of the magnitude of reforms needed is the fact that many member countries have never complied with Article 26 of the UN Charter, which requires it to deliver a plan for the "least diversion of human and economic resources to armament".

One of the most troubling aspects is the fact that the (5) permanent members of the Security Council are major participants in the arms race, as they dominate the arms trade as major manufacturers, buyers, and sellers of military hardware.

As the 11th ranked country in military expenditure, with the possibility of elevation to a higher level as a result of increased expenditure in future budgets, the Australian Government will be a major contributor to the 'failure to meet the reasonable expectations of Article 26.

In our view this is another compelling reason for the Government to redirect its expenditure to more pressing policy areas previously mentioned. This would be more in keeping with the priorities and aims expressed in Article 26.

We were particularly encouraged and reassured by your apparent commitment to the principles and values of the UN, firstly in relation to your visit to the Memorial Cenotaph in Hiroshima Peace Memorial Park.

Your initiative in moving to establish an International Non-Proliferation and Disarmament Commission under the Chairmanship of an eminently qualified Australian Gareth Evans is seen as further evidence of your commitment. We reiterate our congratulations conveyed in an earlier letter to you.

Your address of welcome to World Youth Day participants when you acknowledged that many young people in the past had been Pilgrims of War, but on this occasion they came as Pilgrims of Peace, was an inspirational message to an audience representing the youth of the world.

We believe that the UN Resolution 55/282 International Day of Peace provides an excellent vehicle for your Government to adopt a leadership role in influencing and changing the prevailing global culture of conflict and war to one of conciliation and peace.

We in Just Peace share a close relationship with the International Day of Peace Alliance Inc as some of our Executive Officers were founding members of that body, and our organisation continues to give committed and active support to it.

We are aware that Mr Richard Cowley, Convenor of the International Day of Peace Alliance, has provided you with background information about the organisation, and suggestions on how your Government can assist in elevating its profile. We wish to indicate our total support of the proposals and the requests made in both communications.

Nuclear Non-Proliferation and Disarmament - Weapons of Mass Destruction

In our letter of 19 June 2008, we applauded your initiative in establishing the International Nuclear Non-Proliferation and Disarmament Commission, and that has been restated in this submission.

We also accept that your initiative is a genuine attempt on the Government's part to address the threats posed by the escalating problem of nuclear proliferation and the universal build up and stockpile of weapons of mass destruction.

Notwithstanding that we are compelled to express our confusion, and grave concerns, about what we believe are inconsistencies in your Government's overall policy approach in dealing with these and other related issues.

Outlined hereunder are some examples of matters of concern to us:

- Your Government's apparent acceptance of the US Governments continuing failure to comply with, and its breaches of, UN Conventions, Treaties, Resolutions, Instruments

and other International Treaties/Agreements that relate to issues under this heading, and to other matters raised earlier in this submission.

- The non acceptance/agreement of/to the ban on "Cluster Bombs" is a recent example of the US, and in this case some other major military powers, putting their perceived interests above that of Australia's and over 100 other countries, as well as those of the many millions of potential innocent victims that will be killed or maimed by their use in the future.
- The major cause of our concern in this case is that we understand the Government qualified the terms of its agreement to the ban to avoid any threat to the interoperability of US/Australia Forces.
- We also understand the Government excluded the "Smart Bomb", from the ban on the grounds that it does not have the same destructive properties as the "Cluster Bomb". If this is right, that will be interpreted by many as being in serious conflict with your other recent initiatives.
- Your clarification of the terms of the "Cluster Bomb" ban and the exclusion of the "Smart Bomb" as it relates to the matters raised would be appreciated.
- Would you please advise the purpose and terms of the Global Nuclear Energy Partnership, and its current status, as we are particularly concerned about its possible non compatibility with the Government's stated Nuclear Policy and your recent welcome initiatives?
- We are aware of the Howard Government's legislation that imposed a nuclear waste dump on the Northern Territory Government. Would you please advise whether your Government will proceed with or abandon the dump and, if it is proceeded with, under what conditions /safeguards will it operate?
- Given that Australia is currently ranked 11th in the world in relation to military expenditure and that you have indicated this will increase in future years, how does that equate to your commitment to disarmament inherent in the establishment of the new Commission?

We have an expectation that the panel responsible for preparation of the Defence White Paper will take careful account of the totality of Government Policy, and in particular focus on the positive aspects of the Government's agreement with and commitment to United Nations and other International Instruments.

In particular those that encourage and promote Peace Building and Peace Keeping, such as Nuclear Non-Proliferation and Disarmament, the Test Ban Treaty and others that retard and reduce the threat of war without resorting to the purchase and stockpile of Weapons of Mass Destruction.

Conclusion

This submission is made in the spirit of your innovative 2020 Summit and we in Just Peace are hopeful that you will find time to personally appraise, and consider its contents.

We would also appreciate your response to the matters raised when time and opportunity permit.

Whilst we are not in a position to meet with you or your representative/s in Canberra, we would welcome the opportunity to meet in Brisbane at a time that coincides with one of your visits to Queensland, for the purpose of discussing the matters canvassed in this submission, and other issues of interest to us.

As the contents of this submission make reference to matters within the portfolios of the Attorney General, Defence Minister and Foreign Affairs Minister, they have been provided with a copy for their information.

Yours in Justice and Peace

Co-Convenor
Just Peace Queensland Inc

Co-Convenor
Just Peace Queensland Inc

