THE SENATE

BILLS

Defence Legislation Amendment (Parliamentary Approval of Overseas Service) Bill 2014

Second Reading

SPEECH

Thursday, 4 September 2014

BY AUTHORITY OF THE SENATE
Senator MILNE (Tasmania—Leader of the Australian Greens) (09:36): I rise today to speak in the strongest possible terms in support of the Defence Legislation Amendment (Parliamentary Approval of Overseas Service) Bill 2014, which inserts a new section into the Defence Act to require that decisions to deploy members of the Australian Defence Force beyond the territorial limits be made not by the executive alone, but by parliament as a whole—this means debate in both houses followed by a vote.

There is no more serious thing that a government can do than to send young Australian men and women into battle to fight for our country to put their lives on the line. That is why is it important that this decision not stay just with the Prime Minister and the executive, but be brought to the parliament. In the current circumstances, it is particularly important that parliament has this capacity, and that we have a strong debate, because if we do not learn from the past then we will repeat the mistakes of the past.

I went to begin my contribution by reading from the words of retired Major-General John Cantwell. He was our former commander in Afghanistan and he has published a very moving book, Exit Wounds. This is what he had to say:

Is it worth it? I recall sitting in my office one day in 2010, soon after a repatriation ceremony for another dead Australian soldier. With me was one of the senior officers on my staff. We looked at each other and I said, ‘You know what, mate? I’d never say this in front of the troops, but I’m starting to wonder if these deaths are worth it.’

My colleague replied, ‘You’re not the only one asking that question, boss.’

Some will argue that the men and women we send to war are all volunteers, who know the risks and take them willingly. Others will say that casualties are the unavoidable cost of doing business in a combat zone. There is an argument that says the lives of a few sometimes need to be expended for a greater good. Another line of reasoning takes the grand, strategic view of international affairs, putting the case that Australia—a relative minnow in terms of military might, albeit a well-trained and reasonable well-equipped minnow—has no choice but to maintain strong bonds with a large and powerful friend, the United States. That friendship sometimes demands reciprocal payments, in the form of going to war and spending some lives. A cold, clear-eyed analysis of these claims tells me that they are all true, much as it pains me to admit it.

But these arguments only work at the intellectual level. They do not make sense at the human level, the level at which every life is precious, where each dead soldier is someone and not just a number. These men had parents, sisters, brothers, partners and children who loved them … They all had dreams and hopes and potential. These were the thoughts that ran through my head as I stood, time after time, in the morgue in the UAE. How could any of these lives be forfeited? What measure of success in the campaign to fight the Taliban and build Afghanistan’s army could possibly warrant the grim procession of dead men that I supervised? I know, absolutely, that the men who died in Afghanistan were doing what they loved, with mates they respected, for a cause—rejecting extremism, denying terrorism, helping a needy people—which is honourable. I also know that advances have been made in training the Afghan National Army and improving security in Uruzgan province; some of the people of the province also have an improved quality of life. But will our efforts, no matter how impressive locally, significantly influence the myriad problems afflicting the government and people of Afghanistan? Ten years from now, will anyone in Afghanistan remember that Australians shed blood for them? For a man like me, a lifetime soldier inculcated with a sense of duty and service, these are difficult questions to confront.

In the prologue to this book, I wrote that such thoughts seemed disrespectful, even treasonous. But the fundamental question has continued to gnaw at me: is what we have achieved in Afghanistan worth the lives lost and damaged?

Today, I know the answer—it is no. It’s not worth it. I cannot justify any one of the Australian lives lost in Afghanistan.
I quote that today in the context of our debate in this country about what is going on in Iraq. We have had the Prime Minister engaged in what can only be described as 'mission creep'. We started out with humanitarian assistance—which the Greens totally support—carrying out supply drops, and taking water and food to people in desperate need. Then it escalated to a point where our forces were engaged in transporting weapons into northern Iraq. At that point, there was a lack of clarification as to whether the Iraqi government had actually asked Australia to do that. It is pretty clear now that the engagement had all been with the United States and that Australia was just going along with the United States in spite of the fact that President Obama has said there is no strategy. Then we had our Super Hornets placed on standby, ready to engage in airstrikes. Overnight, it was announced that there has been a general request to help with the conflict in Iraq. That is clearly asking to put Australia on notice to send our military forces into full engagement in Iraq, yet this parliament has not had a fulsome debate. We have not heard from the Prime Minister what the strategy is. As Major General Cantwell said in his profound book, you have to have a 'cold, clear-eyed analysis' of what you are doing, whether it is worth it, what your strategy is, what you are going to achieve, and I do not believe there has been any of that. I do not believe the Prime Minister has set out the case.

It is absolutely true that the atrocities being carried out by ISIS in Iraq are appalling, shocking. Nobody supports the beheading that has gone on, the gunning down of innocent people and the absolute attempts to exterminate whole villages and the like. But, equally, we have to acknowledge that this is not something that is only going on from the Sunnis in the ISIS movement. The Shia militias, which are supporting the Iraqi government, have been carrying out the same atrocities for some time. From 2005 to 2007 we saw exactly the same thing, and recently 70 or 80 people were killed in a mosque. We have seen beheadings. We have seen the same brutality engaged with the militias. Now we are taking weapons to one part of the conflict, and no guarantee can be given that those weapons will not end up in the hands of the Shia militias. If we succeed—and I hope we do—in using all our diplomatic power to exert influence to make sure the new government in Iraq is inclusive of the Sunnis, how do we know that the weapons we have transferred into northern Iraq will not be used by the Shia militias to turn on the new Iraqi government? This is the complicating factor. The result of the 2003 invasion of Iraq has meant that there has been a power vacuum in the country which has allowed the sectarian rivalries that have gone on for hundreds of years to be inflamed to the point that they are engaged in effectively a religious war against each other.

My question to the government has been: what is the strategy here? Overnight, President Obama said that he wants to degrade ISIS, but he says that they cannot be beaten. He has stayed out of Syria for three years. The Prime Minister says that you cannot stand by and watch atrocities happen. Well, we have. We have stood by and watched atrocities happen in Syria for three years. These ISIS fighters are coming out of Syria into northern Iraq. The reason they have made such headway in northern Iraq is that the areas they have moved through are the Sunni areas. They are Sunnis coming into ISIS, coming through the Sunni areas, and now a stand is being taken by the Kurdish people, and also as they start getting into the Shia-held areas.

The question is: what are we doing on the diplomatic front? The best hope of getting some sort of settlement is to make sure the moderate Sunnis in Iraq support an inclusive government and are included in that government to split them off from the extremist Sunnis in ISIS. That is what we have to do. It has to be a mission to support that government. Yet we have the current Prime Minister of Iraq, al-Maliki, standing up and talking about the taking back of those villages, which of course we welcome, from ISIS in the north—but he did not acknowledge the work of the United States or Australia in bringing in weapons and he did not acknowledge the work of the Kurdish people. He said it was a second Karbala. If that is not designed to totally ramp up the jihadism, the whole absolutely religious confrontation, I do not know what is. How irresponsible was it of al-Maliki to say that? Of course, the Karbala he was referring to was a religious war in 680 AD. That is what we are taking on in Iraq.

My question to the Prime Minister is: what is the plan? I do not believe there is a plan. I think the only plan is to go along with the United States and build up the emotional engagement in Australia for taking on ISIS without pointing out to Australians that this could, and will, lead to a quagmire where we find ourselves very rapidly engaged in another Iraq war with no end and no objective in sight. At this point we should be hearing a strategy from the government, but there is not one.

I condemn absolutely the horrific crimes against humanity that are being carried out in Iraq by ISIS, in Syria by ISIS, in Nigeria by Boko Haram—wherever these are occurring all over the world. But the reason this decision should come to the parliament is precisely that—these are complicated questions. People like the Greens are asking serious questions about strategic outcomes, because young Australians will be asked to die, but we are
being ridiculed, because the government seems to have embraced a strategy which says: go along with the United States; shoot first and ask the questions later. We need to be asking those questions right now.

The Prime Minister has not only responded to the request of the United States; he has said to the United States, 'You'll never walk alone.' Well, I have lived long enough to remember Harold Holt in relation to the Vietnam War saying, 'All the way with LBJ'. It seems to me that Australia must have an independent foreign policy. This is the Asian Century. We must stand and have an independent foreign policy. Instead of that we are having a repeat of 'All the way with LBJ' with 'You'll never walk alone.' We have to understand, as Major Cantwell has said, what the point is, what the objective is, what the likelihood of success is and what else needs to be in place before we engage in this. Clearly, as I have said, we need diplomatic efforts to make sure that the new government of Iraq is inclusive of all minorities so that you dampen jihadism, not rev it up, which is what is happening at the moment. Further, you need to seal the border from Turkey, which is allowing ISIS jihadists and so on to pass through and gain entry. You also need to know who is funding ISIS. They are being funded by governments in the region, including Kuwait. What are the Saudis doing in relation to ISIS?

And Wahhabism, out of Saudi Arabia and into the region: what are we doing in terms of a diplomatic arrangement with neighbouring countries and stopping the flow of money that is supplying the ISIS campaign? These are serious issues, and when I asked about these issues in the parliament Senator Abetz had no answers other than to just ridicule the Greens for asking the questions. They are legitimate questions to ask before you send young men and women into harm's way and before you see a plane being shot down or coffins coming back to Australia. We need to know why it is in the national interest.

We have also had, overnight, the Prime Minister announcing that we will have an embassy in Kiev. We have been asked for humanitarian and non-lethal assistance in the Ukraine. We are now talking about engaging with civil and military capacity-building as a result of our enhanced partnership with NATO. And it seems to me that we then have another front, with the Prime Minister deciding that we are going to sell uranium to India and not making sanctions against the Russians with uranium going into Russia. India is not a signatory to the non-proliferation treaty and is a nuclear power. And we have the Prime Minister also saying that Japan is Australia's best friend in Asia. But you actually do not announce best friends in a regional context, especially when there is so much tension over the South China Sea.

So, we have a Prime Minister who is now absolutely putting Australia out there in conflicts in the Ukraine and in Iraq and supporting nuclear power in India. What is the plan for Australia with this military engagement? That is what I am asking, and I am asking it on behalf of the Australian people. I think this parliament has the right to ask those questions and the right to understand what Australia's strategic objective in engagement is. What is in Australia's national interest in our being engaged in the Ukraine? What is it? What is it that is in Australia's national interest? That is the hard-headed, strategic question that the Prime Minister must answer, and he has not answered it.

The legislation we have here of course says that in order to give the parliament this power the parliament would have to reconvene in a timely manner. In fact, it says that the Governor-General would be able to make a proclamation regarding a declaration of war, provided that parliament is then recalled within a period of two days. So, I am not suggesting that this matter would be left open-ended. But the Democrats introduced this bill in the mid-1980s, the Greens have embraced it ever since and we are bringing it here to say that, like the United States, where Congress makes the decision about the deployment of United States forces, the Australian parliament should make the decision about the deployment. I do not think it is doing the national interest very much good to have this assumption about this just because the government—totally supported by the Labor Party as a result of confidential briefings—is engaged in a mission creep that is going pretty fast. Within a week we are now being asked by the United States to help with the conflict in Iraq. Australians need to know, because I do not want to have to revisit this, as Major Cantwell has done in his book, when we see the coffins coming back. Why are we there? What are we hoping to achieve? How long will we be there? What is our exit strategy? Did we ever have any hope of winning?

If President Obama has said overnight that ISIS cannot be defeated, and given the history—the sectarian violence in Iraq, in the region—then what is it that Australia is seeking to do? What are the risks? What is the objective? That is why the parliament should be able to debate these matters. If we are going to take on a global role in military engagement, what is Australia's respect or otherwise for international law? Are we going to do it within the framework of international law, or are we just going to follow the United States regardless of international
law and without the UN Security Council engagement? These are serious matters that warrant serious debate in the parliament. It in fact demeans people when there is this level of ridicule rather than an engagement of the serious matters. That is why I support the bill.