

[Inquiry into the Department of Defence Annual Report 2023-24 – Parliament of Australia](#)

AWPR Submission to the Joint Standing Committee on Foreign Affairs, Defence and Trade (JSCFADT) – Defence Subcommittee – Inquiry into the Department of Defence Annual Report 2023-24 – Parliament of Australia

Introduction

This Submission by Australians for War Powers Reform (AWPR) responds to the establishment of the Inquiry by the JSCFADT on 27 November 2024. AWPR welcomes the opportunity to provide a submission to the Inquiry.

AWPR

AWPR is a civil society organisation established in 2012, whose mission is to ‘ensure that decisions for Australian troops to go to war, barring emergencies, are made only after full debate and vote by Federal Parliament.’ More information on AWPR can be found at [Australians for War Powers Reform](#).

Our members have long experience of Australian law, intelligence, foreign affairs, military operations and planning, strategic security policy, and public health. We are concerned about the impact of wars on the environment, on civilians, and on the economy. We are a voice for Australians with a lived experience of conflict, of PTSD sufferers and of others who have faced the tragic costs of lethal military operations.

AWPR made submissions to the JSCFADT in 2022 and 2023 on how Australia goes to war. The Defence Minister, seeking to justify his decision for no substantive change, promised Australians more transparency and accountability. We hope to see his undertaking put into practice in respect of Defence as a result of the present Inquiry, particularly in relation to AUKUS.

Background

The Inquiry’s Key Themes do not specify the nature of the threats to Australia from ‘any potential adversary’, nor that adversary’s identity. For the purposes of this submission therefore, AWPR assumes that the ‘strategic risks’ facing Australia are from China, and those threats derive from China’s alleged contestation for global hegemony with the United States, Australia’s ally. We reject any assumptions about important defence matters – such as the belief that China poses a grave threat to Australia’s security – that are not supported by irrefutable evidence, robust discussion within our parliament, and strong expert opinion, and we deplore the lack of opportunity for parliamentary or public contributions to decisions about our relationship with China. We also condemn the absence of discussion about risks posed to Australia by the permanent presence in Australia of US forces and American weapons of war.

The Department of Defence seeks to ‘contribute with our partners to the global rules-based order’. We will show below why we dispute the legal validity of that expression.

Executive Summary

AWPR sees the defence of Australia as depending on much more than an effective military, and productive weapons industry. We argue that Australia's sovereignty has been eroded by the expanding American military presence, and in particular by the long-standing, effective control of Pine Gap by the US.

AUKUS, established without consultation with the Australian Parliament or people, exacerbates this loss of sovereignty and further exposes Australia to a war we cannot win. Little detail about it has been offered to the public. From what is available, and from expert analysis, for example <https://www.internationalaffairs.org.au/australianoutlook/aukus-and-australia-asia-and-the-anglosphere/>, <https://www.crikey.com.au/2025/01/28/hugh-white-aukus-china-usa-foreign-policy/> it is a disaster in every respect.

AWPR urges Defence to be more receptive to the views and practices of all Australians, and of our ASEAN neighbours, about peaceful cohabitation with China. We continue to urge Defence to improve transparency and accountability, to advance Australia's national interests, not those of others, in how we go to war.

Key Themes (indented and numbered below)

- 1. Sovereign Defence Industrial Priorities.** A robust, reliable and effective sovereign defence industry is essential for the defence of Australia and its national interests. 2024 saw the release of the National Defence Strategy and Defence Industry Development Strategy. This inquiry will critically examine Defence's progress to achieving continuous naval ship-building, enhanced self-reliance and resilience of guided weapons and explosive ordnance, fuel supply assurance and innovation, research and advanced capability acceleration.

The reliable defence industry envisaged here may be essential for Australia, but it currently consists only of the two 2024 strategies. Continuous naval ship-building does not exist in Australia, so progress by Defence towards achieving it requires the critical examination promised by this inquiry, followed by a decision for actual ship-building, which will take years or decades. The same time-lag inhibits self-reliance in guided weapons, ordnance, and fuel supply. Innovation, research, and advanced capability in these fields has still to develop, let alone accelerate. An open, transparent, accountable public process is required to ensure the best result.

Fuel supply assurance comes with a requirement for safe disposal of toxic waste generated by nuclear-powered submarines, if they are ever delivered. Australia does not have an approved site for such disposal, nor is the technology in operation anywhere to permanently isolate high-level nuclear waste from the biosphere. This represents a serious omission from Defence strategies. Following adverse findings by auditors and unsatisfactory responses to Senate Estimates, Defence has to make up lost ground in accountability,

integrity, tendering, scrutiny of suppliers, and effective measures against corruption. Being exempt from the productivity requirements that apply to other government Departments is unlikely to lead to early reforms in Defence.

The progressive American militarisation of Australia erodes our sovereignty and such independence as is left. The Pine Gap base has done this from the outset in 1966. Since then its listening and war directing capabilities have significantly expanded. Pine Gap, already a target for foreign attack because of these activities, is joined by Tindal, Fremantle, Darwin and likely other places as targets as a result of AUKUS. All this has happened without any significant discussion in our parliament or meaningful community engagement.

To support its expanded military installations, the US will want oversight, amounting to control, of Australia's northern air space and shipping lanes. For Australia to acquiesce to these requests or demands from the US considerably undermines our sovereignty. Some Australian forces, particularly the submariners on US boats, are likely to operate under American command, in Australia and abroad.

- 2. Defence Estate, Security and Resilience.** Defence estate is a key enabler; our facilities must be both secure and resilient during times of competition and conflict. Force protection, including from asymmetric threats are essential to defend our critical capabilities and infrastructure to ensure these remain effective when they are most needed. This inquiry will review defence's infrastructure with a focus on survivability and effectiveness.

Effective, resilient security in war time is as essential for Defence capabilities and infrastructure as it is for the Australian estate as a whole. The nation could be crippled by a loss of internet connection, water and energy supplies, health services, and transport infrastructure, all of which would adversely impact Defence operations as well. Fall-back locations from which Defence can operate if necessary, require forward planning and development. The same applies to nuclear waste disposal sites, mentioned in (1) above.

- 3. AUKUS.** The AUKUS tri-lateral security partnership forms a foundation for Australia's security. Noting the scale of Australia's commitment the committee will review progress of acquiring nuclear-powered submarines for the Royal Australian Navy, along with Pillar Two initiatives including enhanced joint capabilities and interoperability, focusing on cyber capabilities, artificial intelligence, quantum technologies, hypersonics, and advanced undersea capabilities.

On 15 September 2021, with no public consultation, Australia entered into a trilateral security arrangement with Britain and the United States, known as the AUKUS Partnership. The Leader of the ALP Opposition was informed one day earlier. At short notice on 16

September, Australia cancelled its contract with France to purchase and build 12 conventional submarines, and replaced it with an arrangement to buy eight nuclear submarines from either Britain or the United States or both. The first of these submarines is unlikely to be available until 2040 at the earliest, with major uncertainties in relation to cost, delivery schedule, and the ability of Australia to support such a capability and its wastes.

Few details are publicly available, but AUKUS has major implications for Australia's security and independence. That 'political commitments' in the agreement remain secret suggests even more prejudicial undertakings may exist. The ones Australians know about include basing more missiles, bomber and escort aircraft in the north of Australia, and growing numbers of marines. Home-porting of US naval vessels in Darwin and Fremantle will increase, including nuclear-powered and armed submarines.

The rationale of AUKUS is claimed to be deterrence. But its intent is seen by many, including the Chinese government, as provocative. It could stimulate an arms race, and could be a precursor to war in our region. The widely varying perceptions of AUKUS make dialogue with other states, including China, even more essential. And yet current strategy appears to focus far too heavily on military capacity at the expense of dialogue, both within Australia and beyond.

The US military build-up in Australia is part of its 'new Cold War' plans, using tactics to contain China like those formerly employed against the USSR. These tactics already include aggressive flight missions up to the edge of Chinese air space with nuclear armed bombers, more intensive patrols of shipping lanes, and provocative actions around Taiwan. Any one of these flights or naval patrols could trigger a warlike response from China, directed against Australian and US defence facilities and other assets of strategic value, such as oil, fresh water and infrastructure, or a cyber-attack on Australian communications.

Australia could be at war before most Australian politicians are aware of what is happening. In such an event, Parliament – the people elected to make big decisions on our behalf – will have no say on going to war nor on the conduct of hostilities. Australia will be on a war footing as soon as these arrangements are made. The ADF has already lost its capacity to act independently of the US, which some officers are reported to regret (see Andrew Fowler, 2024. *Nuked: the submarine fiasco that sank Australia's sovereignty*, Melbourne University Press. 2024)

Far from contributing to 'strategic equilibrium', AUKUS could set off an arms race in the Asian region. This will be detrimental to the national security both of Australia and of our neighbours. AWPR deplores the lack of consultation with neighbours, friends and allies, particularly relating to the storage and home porting of nuclear weapons and other US arms, ammunition and materiel in Australia. We are concerned about the implications of AUKUS for the Treaty of Rarotonga, as well as for Australia as a prospective signatory of the Treaty on the Prohibition of Nuclear Weapons. None of these concerns has been the subject of parliamentary discussions or government engagement with the community.

Many Australian civil society organisations deplore recent hostile provocations directed against China, our erstwhile friend and major trading partner, seeing them as dangerously counterproductive. AWPR recommends that the government should therefore advise the US that Australia will not join a coalition for war against China over Taiwan.

By raising tensions within the region, AUKUS increases the risk of war between the US and China, both nuclear-armed states. Any war between them would be a human catastrophe on a grand scale, and a nuclear war infinitely more so. A nuclear war, in addition to wiping out whole cities and millions of people, could induce nuclear winter, causing global nuclear famine, and thus be terminal for much of civilisation. These matters demand urgent action to reduce the risks. Instead we see the marginalising of expert evidence on the risks, and the absence of parliamentary discussion of the greatest security threat to us all, nuclear war. The AUKUS project with its blind faith in ‘deterrence’ takes us closer and closer to nightmare scenarios.

AWPR regrets the activities for many years of the Australian Strategic Policy Institute (ASPI), partly funded by foreign arms manufacturers and the US State Department, in blind-siding the Australian people with its advocacy for the American militarisation of Australia and for war against China. We note that at least, in recent months, ASPI has expressed some reservations about AUKUS: <https://www.aspi.org.au/report/what-aukus-and-what-it-is-not>.

AWPR sees AUKUS as a disaster in every respect. Our views are supported by such experienced observers as Professor James Curran, Dr Ross Garnaut, former foreign minister Gareth Evans, and Professor Hugh White (Academy of Social Sciences Australia Symposium, ANU, 15 September 2024: <https://www.internationalaffairs.org.au/australianoutlook/aukus-and-australia-asia-and-the-anglosphere/>). AWPR deplores the absence from AUKUS of transparency, democracy, sovereignty, reasoned justification, and consultation with our neighbours in the region.

In summary, the results of AUKUS for Australia are certain to be:

- an obscene financial cost with no upper limit,
- unrecoverable payments if the US or UK are unable to deliver submarines,
- a distraction and diversion of resources from critically urgent climate, environmental and other problems,
- intractable high level nuclear waste, a problem for which there is no solution operating anywhere in the world,
- increased tensions in the region,
- an even greater risk of finding ourselves in a catastrophic war against China,
- a greater risk of being targeted in such a war,
- a greater risk of nuclear war.

AWPR **recommends** that the AUKUS arrangements be abandoned while there is still time. They commit Australia to enormous, unrecoverable expenditure for which there is no parliamentary or community approval, and they are widely considered incapable of delivering enough of what we are paying for in time or in sufficient numbers for it to be useful. None of these concerns has been adequately addressed. We advocate detailed

consultation by the Government with our representatives in Parliament and with the many authorities on security matters in the community. Before Australia commits itself any further, full public disclosure of the details about AUKUS is essential, in order to reclaim the Australian sovereignty so often cited by ministers and by Defence. In addition, respectful security dialogue should be established with other nations in the region, that recognises their needs – particularly on climate – as well as our own.

4. Uncrewed and Autonomous Systems, AI and their integration into the Joint Force.

Defence is accelerating near-term investments in uncrewed and autonomous systems. This inquiry will examine the integration of such systems into the Joint Force and review the progress, policy, legislative regulatory mechanisms and use of Artificial Intelligence, for Defence to test, exercise and employ uncrewed and autonomous systems.

AWPR welcomes the Inquiry's proposed examination of the policy and regulatory aspects of the integration into the ADF of uncrewed systems and AI, whose risks appear to some observers to outweigh their beneficial contributions to Australia's military operations. Uncrewed subsurface vessels are being planned, which could render whatever submarines Australia acquires redundant, before or if or when they are ever delivered. Regulation of AI in the contested US/China situation is unlikely.

International negotiations about the civilian use of autonomous systems seek to restrain them and establish safe processes for their use. This is an even more important requirement when nations are using them for military or political advantage – as the Russian anti-drone missile which downed an Azerbaijan passenger plane showed in December 2024. Israel's recent deployment of a target identification system in Gaza based on artificial intelligence may have significantly increased civilian casualties, [according to a Washington Post investigation](#). An AI intelligence tool that 'could quickly generate hundreds of targets', together with other AI systems, may have enabled Israel's military to significantly increase the number civilian casualties, Israel sources said. (The IDF denied this). ([How Israel built an 'AI factory' for war, use in Gaza - The Washington Post](#)).

The legality of such systems should be carefully examined by the Australian government, including the provision from Australia of intelligence enabling AI targeting of civilians and others. Global civil society concerns about the full impacts of automated warfare are of critical importance. (<https://www.stopkillerrobots.org/>)

- 5. Progress on the transformation to an integrated focused [sic].** The committee will review the progression of Defence transforming into an integrated, focused force designed to address the most significant strategic risks. The committee will inquire as to if Defence is appropriately prioritised and resourced to deny any potential adversary's attempt to project power against Australia through our northern

approaches; protect Australia's economic connection to our region and the world; contribute with our partners to the collective security of the Indo-Pacific; and contribute with our partners to the maintenance of the global rules-based order.

Integration of the ADF has been a long, slow, and still incomplete process on which AWPR does not comment. Despite reviews and upgrades and large budgets, Defence says it lacks the priorities and resources to protect Australia against an attack by China. Therefore, protecting our economic connections with China requires Australia *not to provoke* such an attack. The same applies to Australia's partnerships in the Indo-Pacific, where India and some Pacific Island nations are adroitly keeping their options open and pursuing their independent national interests without taking sides for or against the US or China.

The Inquiry anticipates support for Australia continuing its contributions to the 'global rules-based order'. This expression originated in the US in 2016, and it endorses American rules and interests, not international law. The US resorts to international law when convenient (as in supporting the ruling against China of an International Maritime Tribunal on the South China Sea in 2016) but rejects it at other times. The US does not recognise the International Criminal Court or the International Court of Justice, sanctions ICC members, and resorts to the veto in the UN Security Council on every resolution involving Israel. Other UN member states have pointed out that the majority of nations adhere to an international *law-based* order, and a *just world order*. Australia is one of them, and we recommend that the Inquiry not adopt the American expression.

6. **Australian international defence cooperation and competition.** The committee will also review Australia's international defence cooperation, assistance and responses within our region and to global contingencies.

This cooperative process is to be expected as a policy constant for Australia. To be of real value, such defence assistance and responses should include consultations with countries in our region which do not share Australian governments' recent perceptions about the threat from China. How well the ASEAN nations, in particular, manage their relations with China appears to be inversely proportional to their closeness to the US. The Philippines, for example, has more confrontational incidents with China when it has a pro-American president, and US (and Australian) military deployments, than do its ASEAN neighbours. How Japan and South Korea manage relations with China currently provides an example to Australia of the negative results of multiple US bases, antagonistic moves such as THAAD system installed off South Korea, and Japan being pressed to dilute its pacifist constitution. Australia is never going to win in defence competition with China, and our national interest is best served by recognising that what we may call deterrence looks like aggression to others, and provokes their response.

Conclusion

AWPR welcomes the close attention paid by the JSCFADT to the Defence Annual Report. It provides an opportunity for changing practices and priorities, particularly in relation to AUKUS, China, and nuclear weapons, before it is too late.