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The Chairman
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SUBMISSION OPPOSING RATIFICATION OF THE INTERNATIONAL CRIMINAL COURT

First I would like to thank the Committee for allowing me the opportunity to put before you the views of myself and my colleagues in the Australian Heritage Group. I am sure you will agree, however, that in matters such as this where our fundamental, democratic rights and freedoms – and indeed our national sovereignty – are being eroded, we would have the support of the majority of Australians.

THE GOVERNMENT DOES NOT HAVE THE PEOPLES' APPROVAL Because of the serious ramifications involved for all Australian citizens, we believe it is essential that the Government initiate a national debate and obtain the approval of the Australian people before signing the ratification documents. In this regard, the Government's rush to be among the first to sign up for this treaty and the fact that the Foreign Minister, Mr Downer and the Attorney-General, Mr Williams have already declared that the Government intends to ratify the Statute regardless of the wishes of the People, are matters of alarm and concern to us.

THE GOVERNMENT IS FOLLOWING ITS OWN AGENDA This is not the first time the Government has attempted to sign away our national sovereignty without the knowledge or approval of the People. I am referring here to the Government's attempt to sell us out to the multinationals by signing the Multilateral Agreement on Investment. It was only as a result of the public outcry when the People found out, that the Government was eventually forced to back down. But it seems the Government was able to get around this minor setback by signing other innocuously named agreements that achieved the same result. This has shown the Australian people that the government of the day can no longer be trusted to sign international agreements on our behalf. Having sold off almost everything else, our independence and national sovereignty are just about all we've got left, and now we discover the Howard Government is going to give them away – in fact it is going to pay the United Nations (with our money) to take them away from us.

THERE IS NO URGENT NEED FOR THIS NEW U N COURT There is no need whatever for this new International Criminal Court (ICC) when clearly the International War Crimes Tribunal is already working extremely well and we are able to shoulder our share of its running costs without any additional financial burden and without having to change our laws or sacrifice our national sovereignty. To claim that it is in our direct national interest to be amongst the first to ratify the Statute is an absolute nonsense and reflects poorly on those public service advisers who continue to push this line – in fact it calls into question the quality of the advice your Committee is being given and the motivations of some of the people behind it. The benefits to Australia would be indirect at best whilst the costs, both financially and in terms of our loss of independence and the transfer of our national sovereignty to the U N, are unacceptable to us and clearly quite unnecessary.

GLOBALISATION AND THE NEW WORLD ORDER There is a growing suspicion around the world that a powerful elite is seeking world control behind the smokescreen of free trade and globalisation and that huge sums of money are involved. To make matters worse, there is a growing perception that Australian governments, both Liberal and Labor, are working to secret agendas which are in conflict with the wishes of the people. In fact it is incidents like this that lend credence to the belief that our Australian governments are being unduly influenced by the United Nations and the increasingly powerful Multinational Corporations to act in accordance with their dictates rather than in the interests of the Australian people. Hence the Government's penchant for signing us up to international treaties and agreements without telling us or obtaining our approval. Whilst it will be relatively easy to get rid of unwanted government ministers via the ballot box, getting rid of undesirables in the public service is another matter entirely.

THE DANGERS OF RUSHING TO RATIFICATION We believe that this is probably the most dangerous treaty our government has signed so far and its foolish rush towards ratification shows immaturity and naivety rather than showing how clever we are. It doesn't seem to have occurred to the Government that Australia will be one of the first countries up before the Court. We have already been accused of genocide by our own Aborigines; found guilty of human rights violations by a bigotted and ill-informed U N committee; accused of crimes against humanity by confining refugees in "hell holes," our peacekeeping soldiers in East Timor have been accused of war crimes and to top it all off we continue to admit to the whole world that we are guilty of carrying out atrocities against the Aborigines but refuse to apologise for them. We can only assume that the Government has become so engrossed in pushing the cause of globalisation and the naive ideal of a *New World Order*, that it has completely lost touch with reality.

IT WILL BE OK BECAUSE THE ICC WILL BE SEPARATE FROM THE U N ? Bland claims by the public service bureaucrats that the ICC will be OK because it will not actually be a U N body are unconvincing when one considers that the same people responsible for the maladministration of the U N and its human rights committees will be entrusted with running the new criminal court. The United Nations has now become a bloated, incompetent bureaucracy, riddled with graft and nepotism and to claim that any offshoot such as the IMF, World Bank or WTO are quite OK because they are not part of the U N does not satisfy us at all.

WE CANNOT AFFORD IT The initial cost of the ICC to the Australian taxpayers of \$5 million seems overly conservative to us whilst the ongoing costs appear to be open-ended. We view with some suspicion the fact that the Government can readily find the money for the ICC but can't find enough money for defence, education, health, transport or saving our environment. By squandering billions of taxpayers' dollars on things like indiscriminate immigration, enforced multiculturalism and ATSIC excesses, the Government has shown that it cannot be trusted to spend our money wisely.

THE UNITED NATIONS MUST BE KEPT AT ARMS LENGTH Apart from the fact that we can't afford it, signing up for the ICC would be most unwise at this stage. There are too many loose ends and too many dangers for us to be making such serious commitments. The United Nations is a parasitic, self-serving bureaucracy and is rapidly becoming a lawyers' paradise. The U N has shown that it is no friend of ours and could turn on us at any time, egged on by Australian minority groups and various non government organisations with vested interests who seek to gain by embarrassing our nation on the World stage. We are convinced that when your Committee has studied the facts, it will find, as we have, that ratifying this dangerous statute is most definitely not in Australia's interests. If the ICC eventually does come into effect, then the smart thing to do is wait and see just how it will work and then decide as to whether or not it is worth the money or it is in our interests to join.

INSUFFICIENT THOUGHT AND DISCUSSION We believe that international treaties and agreements are now too important to be simply decided by the temporary and partisan government of the day. For example, in this case, the current government has apparently not considered the possible repercussions on sending our peace-keeping troops overseas. There is now the very real risk our soldiers could be up before the ICC facing trumped-up charges of war crimes by people in the country in which they were operating. When one considers that some of the people running the ICC could well be some of the same people who found us guilty in the U N of human rights violations, and when one looks at the countries from which some of the “judges” will come, and that they have the power to hand down sentences of up to life imprisonment, one cannot help feeling that extreme caution is called for. Who would want to be a peace-keeping soldier with this hanging over your head? As an ex-serviceman myself, I can assure the Committee that this is a risk I personally would not be prepared to accept. This could well affect the ability of future governments to deploy our armed forces overseas and could even have an impact on recruitment. Clearly, a lot more work would have to be done before we could safely commit ourselves to such a dangerous statute.

OUR GROWING DISTRUST OF OUR POLITICIANS Our politicians, with the collusion of the media, fooled themselves into thinking that we are so complacent we will simply accept whatever is placed before us provided it is given sufficient hype. At the referendum in 1998, the Aboriginal activists, the Republican movement and our media manipulators learned to their dismay that we are not so easily brainwashed. I cannot remember a time when our politicians have been so distrusted and held in such low esteem by the Australian people.

CURTAILING THE GOVERNMENT’S TREATY MAKING POWERS In future, before any international treaties are signed and become binding on the Australian people, we believe they should be required to be approved by at least a two thirds majority of the Senate. As an additional safeguard the Council of Australian Governments, comprising federal, state and territory leaders should also be able to veto the ratification of any questionable treaties or agreements. We believe a constitutional amendment to this end is now needed in order to safeguard the democratic rights and freedoms of the Australian people and to prevent our government from handing over any more of our sovereign rights to foreign controlled international bodies. It is certainly not in the national interest for the Australian people to be bound to the terms of this dangerous statute.

WE ARE TOTALLY OPPOSED TO THE SIGNING OF THIS STATUTE Despite assurances to the contrary, the ICC clearly would be able to override the laws of any country if necessary in order to ensure the accused were brought to trial – there would be no point in its existence if it couldn’t. The public service bureaucrats seem to be a law unto themselves; the Government is determined to implement its policy of globalisation, and we the people are expected to follow like sheep in the naive belief that the Government knows what’s best for us. After studying the proposal it is clear to us that this is really little more than bureaucratic empire building dressed up as a noble cause with no immediate or direct benefit to Australia. This Statute must not be signed without a full national debate and the clear approval of the Australian people. We appreciate the extraordinary difficulties your committee is currently operating under and needless to say we will be monitoring the actions of the Government very closely from now on. With an election coming up we intend campaigning to ensure that those politicians who have treated the People with such contempt are removed from their positions of power and privilege. Finally, I would just like to add that you have our confidence and support and we wish you well in your difficult task.

Yours sincerely,

Gareth Kimberley