



Submission No 16

Inquiry into Australia's Defence Relations with the United States

Organisation: Medical Association for Prevention of War
(MAPW) Australia

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20 April, 2004

Mr Stephen Boyd
Secretary
Joint Standing Committee on Foreign Affairs,
Defence and Trade
Parliament House
CANBERRA ACT 2600

Dear Mr Boyd,

Thank you for extending the deadline to allow the Medical Association for Prevention of War (MAPW) Australia to submit our views to the Joint Standing Committees inquiry into Australian-United States defence relations.

Please find our submission attached.

We are more than happy to expand on or clarify the issues contained within the submission, though we note that the public hearings set down to hear these matters have formally passed. If there is an opportunity to speak with members of the Committee however, we would appreciate the opportunity for further discussion.

Yours sincerely,

original signed

Dimitry Hawkins
Executive Officer
Medical Association for Prevention of War (Australia)



Medical Association for Prevention of War (MAPW) (Australia)

Inquiry into Australia's Defence Relations with the United States

MAPW submission

20 April 2004

"The Defence sub-committee of the Joint Standing Committee on Foreign Affairs, Defence and Trade will conduct an inquiry into Australia's defence relations with the US.

Since World War Two, Australia and the United States (US) have developed strong defence relations. In particular, the last decade has seen a new level of defence relations encompassing Australian involvement in the first Gulf War, the invoking of the ANZUS Treaty, and Australian involvement in US led coalitions in Afghanistan and Iraq. The Defence Update 2003 commented that Australia's alliance with the US 'remains a national asset' and the 'United States' current political, economic, and military dominance adds further weight to the alliance relationship."

Signed by:

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Summary of Principal Recommendations:

MAPW (Australia) encourages the Australian government to work cooperatively within our region to truly strengthen the fabric of peace in the Asia-Pacific region.

MAPW urges the Australian government to review our commitment to the ANZUS Treaty.

MAPW recommends an urgent examination be undertaken into how Australian participation in the Afghanistan and Iraq conflicts since 2001 has affected our security.

MAPW recommends that Australia's policies and alliance with the US should be re-oriented to address the root causes of terrorism and the circumstances in which it flourishes; promote comprehensive human security, including its social, educational, economic, environmental and human rights dimensions; and strengthen the international rule of law.

MAPW recommends that Australia use the leverage we are said to acquire through ANZUS to encourage the implementation of the legally-binding commitment of the US to work for the elimination of all nuclear weapons as agreed in the Nuclear Non-Proliferation Treaty (NPT). In particular, the steps outlined at the 2000 Review Conference of the NPT provide an excellent framework for this process. MAPW regards this as one of the most pressing security concerns not only for Australians, but for all people. Further, **MAPW strongly urges** the Australian Government to join those nations that are striving for the elimination of all nuclear weapons and other weapons of mass destruction, and to give the highest priority and attention to arms control and disarmament, particularly through UN and other multilateral fora.

MAPW urges the Australian government to review the lease of the US-Australian Joint Defence Facility at Pine Gap at the earliest possible opportunity, especially in relation to the functions and control of the facility. Those functions associated with nuclear war fighting should be abandoned.

MAPW strongly urges a reversal of the Government's decision for Australia to take part in the US Missile Defence system. As a preliminary step, this issue must have far greater parliamentary and public scrutiny. In particular, the following aspects must be satisfactorily addressed for the Australian people:

- The nature and magnitude of the missile threat to Australia, rather than a simplistic and self-fulfilling 'we might have enemies in future' approach.
- Possible ways of responding to the threat, including by the improvement of our relationships with potential enemies, and by a greater focus on missile control
- The likely impact of MD on prospects for disarmament, especially nuclear disarmament
- The role of Pine Gap in the proposed MD system
- The likely impact of MD on the security of Australians
- The possible social and economic cost to Australians, including the health, education and other essential services which are likely to be sacrificed to pay for our participation.

Introduction:

The Medical Association for Prevention of War (MAPW) Australia welcomes the opportunity to contribute to the Joint Standing Committee on Foreign Affairs, Defence and Trade's inquiry into Australia's defence relations with the United States.

The Medical Association for Prevention of War (MAPW) Australia is a national organisation of health professionals concerned with the effects of war and dedicated to the abolition of nuclear, biological and chemical weapons. Our organisation is committed to the promotion of health and human welfare through the avoidance of armed conflict. We promote the use of financial, technical and human resources for advancing health and welfare – not for developing and acquiring armaments.

MAPW notes the opening words of the ANZUS Treaty:

"Reaffirming their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and all Governments, and desiring to strengthen the fabric of peace in the Pacific Area"

We believe that actions of the Governments of Australia and the US have not only failed to fulfil the purposes of the ANZUS Treaty, but have comprehensively undermined it. Therefore we believe that the 53-year formal defence alliance between the United States and Australia needs close review at this time.

The MAPW submission to the Inquiry into Australia's defence relations with the United States will focus on the following areas:

- The applicability of the ANZUS Treaty to Australia's defence and security
- Australia's security needs
- Australia's multilateral and international commitments
- The value of US-Australian intelligence sharing and the US-Australian Joint Defence Facility at Pine Gap
- The implications of Australia's dialogue with the US on missile defence and the development of space based military systems

The applicability of the ANZUS Treaty to Australia's defence and security

The ANZUS Treaty between Australia, New Zealand and the United States formally came into force in 1952. However, in 1975, the then New Zealand Prime Minister, David Lange, banned nuclear ships from visiting New Zealand's ports, which put the ANZUS Treaty under great strain¹. In 1986 New Zealand's participation in the ANZUS Treaty formally ended when the USA suspended its obligations under the Treaty². There is absolutely no doubt that NZ was not compelled by its ANZUS commitment to accept into its harbours weapons which it regarded as a major threat to its own people and to global security. This episode in the history of ANZUS serves as an important reminder as to which of the (then three) ANZUS partners regards itself as the one to be obeyed.

ANZUS calls for a far more cooperative partnership than the one that is currently at play between our two nations. It is the view of MAPW that the ANZUS Treaty must truly serve the security needs of Australians, rather than simply the needs of the most powerful party to the Treaty. Further, it must not undermine global security. Unless it fulfils these conditions, which are no more than the very reasons for Australia's participation in the Treaty, it has failed us and should be abandoned.

Within ANZUS there is an implied obligation to develop a more comprehensive system of regional security in the Asia-Pacific region³. MAPW would encourage our government to revisit this by working cooperatively with countries within our region to develop stronger ties and develop programs that can build and strengthen peace in the Pacific region. Multi-lateral agreements, such as the Treaty of Rarotonga (1985)⁴ are positive examples of regional cooperation. The Treaty defines the South Pacific Nuclear Free Zone prohibiting the manufacture, possession or testing of nuclear devices, and also prohibits dumping of nuclear waste in the South Pacific oceans.

MAPW would urge the Australian government to strengthen confidence-building measures and promote conflict resolution and tension avoidance dialogue between nations within the Asia-Pacific region. Helping to facilitate dialogue between the nuclear-armed nations Pakistan and India, or assisting in diplomatic efforts to ease tensions in the Korean Peninsula are areas in which Australia can play a positive role. Australia's maintenance of diplomatic relations with North Korea is a very important part of this process, and is to be commended. In relation to North Korea, MAPW also urges consistency in judging nuclear weapons programs. That is, the standard that we set for North Korea's nuclear weapons program – complete disarmament – must be applied to our Western allies also.

The Pacific region has seen a number of conflicts in recent years, for example in East Timor, the Solomon Islands, Bougainville and Fiji, all of which have demanded a response from Australia to some extent. However, too often Australia's answer to these conflicts is to send a military response, rather than proactively addressing the threats through positive dialogue and mediating peaceful resolutions. MAPW believes Australia is well placed to play an active role in urging our neighbouring nations to facilitate conflict resolution and confidence building measures. The armed struggle in West Papua is a particular area of concern, and we urge all possible effort to resolve this situation as a matter of priority.

ANZUS commits its members to consult together when the security of any one of them is threatened⁵. Notably there is no specified commitment to any particular form of action, military or otherwise. However, given this provision, US President Bush has grossly undermined the spirit and the letter of ANZUS by failing to consult with his allies. He has stated what is expected of his allies, and implied that disobedience amounts to support for the forces of evil and terror. Since September 11 2001, the security needs of Australians have been largely marginalised in favour of fulfilling the wishes of the US administration. Prime Minister Howard made it clear that this would be the case in the immediate aftermath of the attacks on the US when he stated that whatever the US wished to do in response, Australia would support. This was an abrogation of the Prime Minister's responsibility to the people of Australia, and affirmed ANZUS even more strongly than before as more of a master-servant relationship than a mature relationship of equal partners.

¹ "... the Labour government of David Lange, which in 1975 effectively ended the ANZUS alliance with America and Australia when it banned nuclear ships from New Zealand ports."

<http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2001/05/09/wnz09.xml>

² "USA announced on 11 Aug 1986 the suspension of its obligations under the Treaty in respect of New Zealand."

<http://www.info.dfat.gov.au/info/Treaties/Treaties.nsf/%20AllDocIDs/4D4287DDC882C3D6CA256B8300007B4B>

³ Article VIII ANZUS Treaty: "Pending the development of a more comprehensive system of regional security in the Pacific ..." and from the Preamble "REAFFIRMING their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and all Governments, and desiring to strengthen the fabric of peace in the Pacific Area."

⁴ Treaty of Rarotonga <http://www.fas.org/nuke/control/spnfz/text/spnfz.htm>

⁵ Article III ANZUS Treaty: "The Parties will consult together whenever in the opinion of any of them the territorial integrity, political independence or security of any of the Parties is threatened in the Pacific."

Importantly also, ANZUS strongly states that nothing in the Treaty can in any way affect the obligation of each party to the UN or the responsibility of the UN to maintain peace and security⁶. We believe that this commitment has been ignored and undermined by both the US and Australia in attacking Iraq outside of the sanction of UN processes. This is both a serious breach of Australia's international obligations and against a central tenet of the ANZUS Treaty.

Recommendations:

MAPW (Australia) encourages the Australian government to work cooperatively within our region to truly strengthen the fabric of peace in the Asia –Pacific region.

MAPW urges the Australian government to review our commitment to the ANZUS Treaty.

Australia's security needs

MAPW Australia believes that security rests in building just and fair relations between nations and within nations, and in ensuring potential risks to security are proactively addressed rather than relying on expensive and destructive military options.

In the current preoccupation with our alliance with the US, and the military actions that alliance has led us into, some fundamental questions have been given inadequate attention. They relate to determining the real threats to Australians and examining the full range of measures, particularly non-military options, available to deal with those threats.

There are many recent assertions that the greatest threat of large-scale violent attack on Australians is from terrorists. In particular, the likely response of terrorists and others disenchanted with US global supremacy to the bombing of Afghanistan and Iraq is an increasingly pressing concern. We believe this question has received a grossly inadequate focus from our Government, despite the tragic bombings in Madrid, which many have attributed to Spain's participation in the war against Iraq. The conclusion that the risk of terrorist attack for Australians has increased as a result of the Australian government's actions in Afghanistan and Iraq is inescapable.

MAPW believes there is an urgent need for an examination of the root causes of terrorism, the factors that drive individuals or groups to commit atrocities against other groups or nations. Unless this question is addressed, no matter how unpalatable the findings might be, terrorism will continue and thrive.

In the modern world, security which is not broadly shared within or between countries is increasingly temporary, illusory, or non-existent. The 2003 report of the Commission on Human Security: 'Human security now'⁷ outlines a vision of and priorities for human security that extends far beyond military definitions to include the many other dimensions of comprehensive human security. The current expressions of Australia's major alliance relationship with the US are focussed on inappropriate military interventions that do not enhance comprehensive security, and undermine the role of the UN and of international law. The expanded 'war on terror' as currently prosecuted is ill-conceived, can never be won, increases the risk of terrorism, and does not address the root causes and circumstances in which terrorism flourishes: injustice, inequity, dispossession, and wide-scale human rights abuses.

Recommendations:

MAPW recommends an urgent examination be undertaken into how Australian participation in the Afghanistan and Iraq conflicts since 2001 has affected our security.

MAPW recommends that Australia's policies and alliance with the US should be re-oriented to address the root causes of terrorism and the circumstances in which it flourishes; promote comprehensive human security, including its social, educational, economic, environmental and human rights dimensions; and strengthen the international rule of law.

⁶ Article I ANZUS: "The Parties undertake, as set forth in the Charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security and justice are not endangered and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations."

and Article VI ANZUS: "This Treaty does not affect and shall not be interpreted as affecting in any way the rights and obligations of the Parties under the Charter of the United Nations or the responsibility of the United Nations for the maintenance of international peace and security."

⁷ Commission on Human Security website: <http://www.humansecurity-chs.org/>

Australia's multilateral and international commitments

Australia has a strong relationship with the United States and one that looks to be ongoing. Particularly if ANZUS is to be a truly cooperative partnership of equals, we are in a strong position to encourage our ally to act with restraint and caution in matters of defence.

As stated above, Australia's responsibility to the United Nations is pre-eminent. We must maintain our commitments to the numerous multilateral and international bodies which promote the common good, not only in our region but globally, and we should encourage our major ally, the United States, to do the same.

A matter of pressing concern in this regard is nuclear disarmament. All five permanent members of the UN Security Council (including the United States) are currently in violation of their legal obligations under the Nuclear Non-Proliferation Treaty to eliminate their nuclear weapons. Australia, as a non-nuclear weapons state party to the Treaty, must strongly encourage our ANZUS ally to its honour commitments to the international community by eliminating its own nuclear weapons.

Recommendations:

MAPW recommends that Australia use the leverage we are said to acquire through ANZUS to encourage the implementation of the legally-binding commitment of the US to work for the elimination of all nuclear weapons as agreed in the Nuclear Non-Proliferation Treaty (NPT). In particular, the steps outlined at the 2000 Review Conference of the NPT provide an excellent framework for this process. MAPW regards this as one of the most pressing security concerns not only for Australians, but for all people. Further, MAPW strongly urges the Australian Government to join those nations that are striving for the elimination of all nuclear weapons and other weapons of mass destruction, and to give the highest priority and attention to arms control and disarmament, particularly through UN and other multilateral fora.

The value of US-Australian intelligence sharing and the US-Australian Joint Defence Facility at Pine Gap

MAPW (Australia) recognises that in the event of nuclear war, any adequate medical response would be impossible. By hosting facilities on our soil for functions that relate to preparing for or fighting a nuclear war, or indeed which enable the fighting of any war in which parties have nuclear weapons in their arsenals, Australia's involvement adds to the threat of nuclear war. This includes the threat of a nuclear attack on Australia. The only appropriate medical response is prevention.

As a matter of policy, MAPW (Australia) opposes the existence in Australia of facilities that prepare to fight or could be used to fight nuclear war. We believe that the US/Australian Joint Defence Facility at Pine Gap in the Northern Territory is such a facility. Pine Gap therefore inevitably involves Australia in preparing for and potentially participating in nuclear strikes, whether pre-emptive or retaliatory.

Pine Gap is also integral to the proposed US "missile defence" scheme that threatens to undermine international security and stability (see below), and the potential for this facility to be used in the militarisation of space is of great concern.

At the very least, a military facility on Australian soil should be under Australian control. There is a strong argument also for international control of those functions that are said to further global security, such as monitoring treaty compliance. However, those functions associated with nuclear war fighting capabilities should be abandoned.

Recommendations:

MAPW urges the Australian government to review the lease of the US-Australian Joint Defence Facility at Pine Gap at the earliest possible opportunity, especially in relation to the functions and control of the facility. Those functions associated with nuclear war fighting should be abandoned.

The implications of Australia's dialogue with the US on missile defence and the development of space based systems

MAPW notes that, despite the far-reaching consequences for Australians and for global security of missile defence, this issue, and in particular our role in it, has received hardly any debate in our parliament, and no

consultation whatsoever with the Australian people. These grave omissions reflect very poorly on the current health of democratic process in this country.

MAPW is strongly opposed to any Australian involvement in the proposed United States missile defence system (MD).

MAPW believes that the proposed MD system will lead to the further proliferation of weapons of mass destruction, and missiles and other means for their delivery. The technology used to launch missiles is not very different from the technology that aims to shoot them down. President Bush has indicated that he will share the technology with South Korea, Japan and Israel. Russia and China are likely to seek to reduce the financial burden of their rearming by selling major weapons and technology also. Missile defence therefore clearly has the potential to fuel a new "cold-war" in nuclear weapons and missile proliferation.

MD would also undermine international understandings, such as the latest UN General Assembly Resolution on International cooperation in the peaceful uses of outer space⁸. In this UN General Assembly Resolution (again adopted without a vote in 2003), the UN General Assembly reiterates that "space is the province of all mankind, for peaceful purposes" The Resolution states in its preamble that the United Nations is "Seriously concerned about the possibility of an arms race in outer space" and asks nations to adhere to "relevant norms of space law" particularly bearing in mind the importance of article IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies⁹.

In addition, the health and environmental consequences of the MD system actually working need to be considered in detail. The possibility of a missile being intercepted and its nuclear, biological or chemical contents being dispersed over populated (or any) areas has not even begun to be addressed. Conversely, if the system is deployed but an interceptor fails to hit the missile it is targeting there will be not only the missile but also the interceptor coming to earth.

MAPW believes that there are other approaches for Australia to take to reduce the dangers posed by ballistic missiles. These would be infinitely more stabilising, and less expensive, than participation in a missile defence system. Paramount among the necessary steps is the elimination of all nuclear weapons. Until the world's most powerful nation seriously commits to the goal of the verifiable elimination of all nuclear weapons, other nations will be less willing to disarm or to give up their own nuclear ambitions. Nuclear weapons must not be kept as an option in war fighting.

Recommendations:

MAPW strongly urges a reversal of the Government's decision for Australia to take part in the US Missile Defence system. As a preliminary step, this issue must have far greater parliamentary and public scrutiny. In particular, the following aspects must be satisfactorily addressed for the Australian people:

- *The nature and magnitude of the missile threat to Australia, rather than a simplistic and self-fulfilling 'we might have enemies in future' approach.*
- *Possible ways of responding to the threat, including by the improvement of our relationships with potential enemies, and by a greater focus on missile control*
- *The likely impact of MD on prospects for disarmament, especially nuclear disarmament*
- *The role of Pine Gap in the proposed MD system*
- *The likely impact of MD on the security of Australians*
- *The possible social and economic cost to Australians, including the health, education and other essential services which are likely to be sacrificed to pay for our participation.*

⁸ United Nations A/RES/58/89 General Assembly: 17 December 2003 Fifty-eighth session Resolution adopted by the General Assembly http://www.oosa.unvienna.org/SpaceLaw/gares/pdf/ARES_58_089E.pdf

⁹ Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies http://www.oosa.unvienna.org/SpaceLaw/gares/html/gares_21_2222.html: The Outer Space Treaty signed and ratified by the US, UK, USSR, France, India and 58 others prohibits nuclear or other weapons of mass destruction from being placed in space (including Earth orbit).