



AUSTRALIANS FOR WAR POWERS REFORM

Including the CAMPAIGN FOR AN IRAQ WAR INQUIRY

CAMPAIGN UPDATE

November 2016

We have for several years been challenging Federal politicians to acknowledge the need for a public inquiry into the circumstances in which Australia invaded Iraq in 2003, and the consequences. We argue that this should lead to consideration of a change in the powers by which an Australian prime minister is able, virtually alone, to dispatch our armed forces to war, with no accountability to the Parliament or the people.

An Australian Iraq War Inquiry would raise similar matters to those considered by the UK's Chilcot Inquiry, which reported on 6 July 2016, after seven years of work, but which related only to the period 2002-2009. Chilcot found that in the UK, the Prime Minister secretly agreed to join the US in invading Iraq more than a year in advance; the deployment was based on false information; intelligence was manipulated to justify it; and its dubious legality was concealed from the Commons. Moreover no proper post-invasion plan existed.

Australian troops have been continuously engaged in Afghanistan, Iraq and Syria at various times from October 2001 to the present, with no end in sight. This is a longer period of conflict than the two World Wars combined. We strongly suspect that Australia entered these conflicts in circumstances of secrecy, unchallenged information, manipulated intelligence, and inadequate legal advice that were similar to those in the UK. For as long as this is not confirmed, governments can continue taking Australia to disastrous, hugely expensive wars with no clearly stated objective.

In the UK in 2003, Prime Minister Blair secured the support of the Commons before the invasion of Iraq, and advised the Queen of the Government's intention. This was not done in Australia, where Prime Minister Howard informed the House of Representatives of the deployment, and no vote was taken. Nor did he advise the Governor-General, who



as Commander-in-Chief of the Australian Defence Force is constitutionally responsible for sending troops to war.

Serious deficiencies exist in the way Australia commits itself to conflict abroad, and a series of disasters are one result. Another is the disregard of international law and of our own Constitutional and Parliamentary processes. These shortcomings contribute to heavy costs and continuing conflict, which is likely to rebound on Australia in the form of further terrorist attacks.

LEGISLATING FOR WAR POWERS REFORM

In late 2015, AWPR organised a seminar at the Australian National University focused on examining the process to bring about legislative change. It concluded that Parliament should become much more closely involved in government decisions to send Australian armed forces into combat abroad; that this parliamentary reform also needs support of several mutually reinforcing mechanisms, to spread the responsibility for war decisions and to safeguard against reckless decisions.

A range of legal, defence, and international relations experts discussed the options, resulting in a set of recommendations that have been sent to all parliamentarians.

RESPONSE TO CHILCOT REPORT

The long-awaited release of the Chilcot Report into the Iraq War in July amplified public appetite for an Australian Inquiry. The Report took seven years to publish and ran to 12 volumes, raising fresh questions around how Australia's decision-making failed us in 2003. The Report's release increased media and public awareness of lessons directly relevant to the Australian experience.

AWPR responded to the Report by outlining our campaign's goals in various media outlets including ABC radio and television and online journals including the Lowy Interpreter.

Our key findings:

1. The evidence of Saddam Hussein's alleged weapons of mass destruction was at best tenuous. The claims of several persons and incidents such as the alleged purchase of yellow cake from Niger were simply fabrications. Contrary evidence was either ignored or downplayed.
2. Policy decisions about the overthrow of Saddam Hussein had been made at least a year before the invasion, and drove the public narrative. Dearlove, the Head of MI6, stated that intelligence was being fixed around the policy.
3. Alternatives to military action were not allowed the time or emphasis they needed. These included diplomatic initiatives in the Security Council and the work of the UN weapons inspectors.
4. British PM Tony Blair kept from his cabinet and parliament the reservations of the Attorney-General and the entire Foreign Office legal staff as to the legality of the war in the absence of a further Security Council Resolution. The Attorney General was effectively pressured to modify his considered opinion on this, and produced, finally, a very brief answer to a parliamentary question that was contrary to his detailed opinion of only a few days previously.
5. There was an almost complete absence of any post-invasion plan for the effective administration of Iraq. Many decisions contributed to a chaotic situation that has reverberated to this day.



PARLIAMENTARY OUTREACH

AWPR has concentrated on presenting the facts to Federal politicians of all parties and seeking their views. We are renewing our efforts with Members and Senators in the new Parliament. Responses from the crossbench and the minor parties have been encouraging, with the Greens putting up a bill for war powers reform to be considered in 2017. We expect this bill to open up discussion within Parliament on this most critical issue.

At a week-long gathering of the Independent and Peaceful Australia Network (IPAN) marking the 50th anniversary of the Pine Gap base, Senator Scott Ludlam called for investigation and possible prosecution of the Australian leaders who committed troops to the invasion of Iraq. Not surprisingly, we are still confronted with resistance from leading members of the Coalition and the ALP, but some individuals are privately expressing interest. We have more meetings planned for November with Senators and MPs, and are pleased to hear of potential for a new parliamentary group focused on war powers reform.



COMMUNICATION

AWPR has had some success communicating our message through a range of traditional and social media. We regularly contribute to online journals and blogs, and have recently appeared on Lateline and on various radio programs. We also maintain a presence on facebook and twitter.

Crucial to the dissemination of ideas around war powers reform is our War Powers Reform Bulletin, a monthly e-newsletter read by around 320 people. It is free and available to anyone who wishes to stay informed. Some of the issues we've written about include the war in Syria, SAS and RAAF deployments, lessons from the Iraq War and the case for war powers reform.

Our media appearances, correspondence and Bulletins are all available on our website, which is also the appropriate vehicle for membership sign-ups or renewals.

www.warpowersreform.org.au