**DRAFT**

**IPAN’s submission to “Reforming Defence Legislation to meet Australia’s Strategic needs”- Consultation Paper**

This submission is made on behalf of the Independent and Peaceful Australia Network (IPAN) which is Australia-wide and comprised of peace organisations, faith organisations, trade unions, environmental and anti-nuclear groups. IPAN campaigns for an Australia which acts independently of foreign influences and alliances in the best interests of the Australian people, seeking and promoting peaceful and mutually beneficial relations with all countries. To this end, IPAN sees enhanced diplomacy as the first line of “defence” in Australia’s relations with other countries. IPAN also supports a self-reliant, independent and truly self-defence force which concentrates solely on the defence of territorial Australia and its approach waters up to and including the 200 nautical mile economic exclusion zone around the continent. In addition, IPAN supports a nuclear- free Australia and pacific region and strongly urges the Australian government to sign and ratify the Treaty for Prohibition of Nuclear Weapons.

Since this consultation paper, in its brief, makes it clear that submissions can be made to reform defence legislation, IPAN is suggesting amendments to the Defence Act which it believes could advance independence and peace for the Australian people. In addition, where the brief suggests possible actions which IPAN judges to be against the interests of peace and independence for the Australian people, those possibilities are identified and opposed.

1. **Initiative 1: Full Range of Military Activities**
2. The Defence Act be amended to confine the ADF to defence of Australian territory including its approach waters up to and including the 200 nautical mile exclusion zone around the continent.
3. The only exception to 1 (a) being the ADF supporting actions initiated and sanctioned by the United Nations and with the approval of the Australian Parliament.
4. The Defence Act be amended to ban the ADF from using or storing nuclear weapons or supporting any foreign power using nuclear weapons.
5. The Defence Act be amended to ensure that the ADF is only allowed to employ force, or the threat of force, to carry out war fighting and influence operations with the permission of parliament. In explanation, this amendment is intended to prevent the ADF carrying out hostile, “grey-zone” actions without the permission of parliament.
6. IPAN opposes amendments to the Defence Act which would override or weaken state and territory legislation and regulations relating to health and safety of workers and residents, environmental protection, indigenous people’s rights,

safety regulations in regard to transport or storage of radio-active materials and gun laws including the banning the carrying of arms in public.

1. **Initiative 2: Seamless interoperability with international allies:**
2. IPAN is opposed to amendments to the Defence Act designed to provide interoperability with foreign forces, seamless or otherwise. Such interoperability undermines sovereign control of the ADF and enables foreign forces greater freedom to operate in and from Australian territory in launching and supporting hostile military actions which are not in the interests of the Australian people and do not have permission of the Australian parliament.
3. Amendments to the Defence Act shall not permit a foreign power to store or transit nuclear weapons on or through Australian territory or conduct an attack employing nuclear weapons from Australian territory.
4. IPAN calls for an amendment to the Defence Act to prevent foreign military bases in Australia or joint military bases such as Pine Gap from supporting a nuclear war. This would include closure of the Ground Relay Station at Pine Gap and a ban on foreign forces access to the Harold Holt Submarine communications Station at North/West Cape in WA.
5. **Initiative 3: Security of military capabilities**
6. IPAN strongly opposes amendments to the Defence Act or other laws which would prevent, impede or make illegal, political protest against foreign or domestic military assets or military activities which support wars which are not in the interests of the Australian people; such political protests are guaranteed by the United Nations International Covenant on Civil and Political Rights which the Australian Government has signed and ratified.
7. IPAN strongly opposes a so-called “proactive” identification of what might be called “security threats” which are in fact might be legitimate political opposition to war in the interests of peace and is strongly opposed to such proactive identification involving opening of files on individuals exercising their legitimate rights of political expression which may involve opposing war activities in the interests of peace.

Xxxxxx

for IPAN

Date