

AUSTRALIAN PRACTICE IN INTERNATIONAL LAW.

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1. INTERNATIONAL LAW IN GENERAL:

AUSTRALIAN INTERNATIONAL RELATIONS - MINISTERIAL STATEMENT.

**Mr HAWKE** (Willis—Prime Minister)—by leave This House is well aware of the main features of my Government's approach to foreign policy. While pursuing an independent and self-respecting foreign policy based on an objective and hard-headed assessment of Australia's genuine national interests, ours is also a policy which recognises and accepts the constraints on our capability and the limitations of our influence. Without being prepared to sacrifice principle, my Government's approach is guided by considerations of realism and relevance. In this regard we have consistently said that the highest priority will be given to our relations with our neighbours of the Asian and Pacific region, and to the major industrialised countries with which we share significant relationships, especially the United States and Japan.

This approach and this emphasis was given further substance by my visit to Bangkok between 20-22 November and to the Commonwealth Heads of Government Meeting in New Delhi between 22-29 November. I was accompanied on the first leg of my trip by the Foreign Minister (Mr Hayden) who subsequently visited Burma.

\* [The Australian Prime Minister, the Hon. Robert James Lee Hawke presented this Ministerial statement to the House of Representatives on 8 December 1983: Hansard, House of Representatives Debates, 8 December 1983 at 3531-3535. The Foreign Minister, the Hon. W. Hayden, as well as the Leader of the Opposition, the Hon. A.S. Peacock, and the Opposition spokesman on foreign affairs, Mr. Mackellar, also contributed to the debate.]

and Indonesia. I take this opportunity to again pay tribute to the outstanding contribution he is continuing to make to the conduct of Australia's international relations.

My Government has made clear from the outset its conviction that both Australia's geographical location and the economic dynamism of the region require that we have balanced and productive relations with the members of the Association of South East Asian Nations. I regard this as axiomatic and was therefore concerned when, following Australia's decision to support but not co-sponsor the ASEAN resolution on Kampuchea at the United Nations, the differences in perspective involved came to be exaggerated to the point where our fundamental identity of interests with the ASEAN countries was obscured.

During my recent overseas visit, for which I was accompanied by the Foreign Minister in Thailand, I met with Thai Prime Minister Prem and Thai Foreign Minister Siddhi and with the Prime Minister of Singapore Lee Kwan Yew and the Foreign Minister of Singapore and Malaysia, Dhanabalan and Ghazalie Shafie, in New Delhi and Goa. The Minister for Foreign Affairs met separately with Indonesian Foreign Minister Mochtar—Chairman of ASEAN—in Jakarta on 26 November.

I am pleased to inform the House that following these meetings such misunderstandings as may have existed between Australia and ASEAN have been clarified to our mutual satisfaction. We recognise that in the future there will be differences of emphasis and approach between us, as is entirely appropriate and what one would expect between sovereign nations. But on the fundamentals we are in full agreement, and this has subsequently been publicly confirmed by the Prime Ministers of both Thailand and Singapore. The substantially sound relationship that exists between Australia and the ASEAN countries has not only been confirmed, but strengthened.

As to the substance of these discussions I repeated what both the Minister for Foreign Affairs and I have said consistently in this House and elsewhere, namely:

condemnation of Vietnam's invasion and continued occupation of Cambodia;

that there should be a phased withdrawal leading to a total withdrawal of Vietnamese troops from Cambodia; and

that there should then be an act of self-determination for and by the Cambodian people, and the creation of conditions which would permit displaced Cambodians to return

to their country and formal relations to be resumed between Vietnam, China, the ASEAN countries and the international community at large.

I indicated that Australia attached very considerable importance to ending Vietnam's present political and economic isolation and her growing reliance on the Soviet Union which was, in our view, entrenching great power rivalry in the region. But as Australia saw it, that isolation reflected a choice of Vietnam itself; it was not something imposed on it by the ASEAN countries.

I further indicated that Australia, while intending to proceed with an offer of disaster relief assistance to Vietnam necessitated by recent typhoons, had taken no decision in practical terms to resume development assistance to Vietnam. I also pointed out that while Australian aid was continuing to be directed to displaced Cambodians in the Thai/Cambodia border area, we remained of the view that meeting the needs of returnees inside Cambodia was also necessary. I made very clear in these discussions Australia's very great concern at the possibility of any return to power of a regime as brutal as the Khmer Rouge in Cambodia.

Out of these discussions it emerged very clearly that Australia and the ASEAN countries are agreed on the essentials of the Cambodian situation and on their implication for peaceful relations among all the countries of the South East Asian region. Australia and the ASEAN countries will continue to work in the closest possible contact and communication on these matters of mutual interest. This I believe is an entirely satisfactory outcome.

When Prime Minister Prem said at the state dinner on 21 November:

Thailand regards Australia as belonging to the Asia-Pacific nations. We value you as a member of the family—a family member especially close to us, Thailand and ASEAN. The future of peace and stability of South East Asia therefore rests also on Australia's contributions

he, Prime Minister Prem, was charging our country with an important responsibility. With the significant coincidence of interests between Australia and the ASEAN countries we are confident that Australia will fully live up to the Thai Prime Minister's expectations and those of his fellow ASEAN countries. We shall do so in a forthright and principled way—by putting views independently formed, but views directed to the realisation of our shared objectives.

The implications of this approach do not begin and end with the Kampuchea issue. While in Bangkok I suggested that the countries of our region apply their full and united weight to the achievement of an appropriately structured round of multilateral trade negotiations—negotiations that should go to issues of great importance to countries of the region; specifically the reduction of non-tariff barriers to trade in industry and agriculture, primarily government subsidies. If it should not be possible to initiate a new round of multilateral trade negotiations on a basis satisfactory to the countries of the region, then I suggested there would still be scope for negotiations on trade expansion among countries within our own region, on a non-discriminatory basis, but focused on commodities in which countries in this region are the most competitive suppliers.

The modesty and realistic scope of these proposals distinguishes them, as does their focus on common regional economic interests. I am gratified to have received a letter from the Leader of the National Party (Mr Anthony) since my return from overseas fully supporting the views that I expressed. I take this opportunity to pay tribute to his own efforts to achieve trade liberalisation in the Western Pacific region. In this regard I indicate that my Government intends following this matter through in close consultation with the countries of this region in the months ahead, including during my own visit to the countries of North Asia and to Singapore in February.

For its part CHOGM was valuable in a number of ways. It provided an opportunity for me to establish personal rapport with a number of Commonwealth leaders. Lee Kwan Yew has already referred publicly to the value of our contacts at CHOGM. The Meeting also provided the occasion for bilateral discussions with a number of regional heads of government, as well as the Prime Ministers of Great Britain and Canada and a number of African and Caribbean leaders. Secondly, the Meeting enabled me to put Australia's views on the Grenada situation and to participate actively in debates on Cyprus, the Middle East and Southern Africa. On Grenada I was impressed that the position agreed by the Commonwealth, rather than indulging in recriminations about the past, looked instead to the future. I made clear that Australia, although not prepared to participate in a form of civilian assistance should that be deemed necessary by the countries of the region. On Cyprus I put the view strongly that the Commonwealth should do all it could to

restore the unity, sovereignty and territorial integrity of Cyprus, as well as to safeguard the legitimate interests of the two communities on that island.

The decision of the Meeting to establish a Commonwealth five country action group including Australia is a useful, practical step designed to pursue whatever action possible alongside the United Nations to bring an end to the unhappy and potentially tragic situation on Cyprus. On Lebanon I was particularly concerned to ensure that the Commonwealth adequately addressed the realities of the tragic situation that has been unfolding in that ravaged country. As I have already indicated to the House I urged that the Commonwealth call for the withdrawal from Lebanon of all armed forces other than those present at the express request of the Lebanese Government, including in that call the forces of both Israel and Syria. This, I believed, went to a matter of principle—namely the right of a sovereign government to determine which foreign forces it wished to have or not have on its own soil—and with the support of many countries from the Caribbean, Asia, Africa, the United Kingdom and Papua New Guinea, the point I was making prevailed. I should say to the House that the position taken by Australia on this issue at CHOGM has since been widely supported by our Lebanese community.

I put the Australian position on Southern African issues firmly to the Meeting. I commended the Fraser Government's position on Southern African issues—a stance which I would suggest had its origins in the fundamental reorientation of Australia's African policies under the previous Labor Government. I indicated that my Government saw room for still stronger policies in this area and had acted accordingly. I made clear Australia's rejection of both the linkage concept and of the apartheid system as a whole. I rejected the South African constitutional proposals as a sham and charade, which they are. I reported to the Meeting on the measures taken by my Government to strengthen Australia's policy on sporting contacts, and on how both The South West African People's Organisation and the African National Council had been invited to establish a permanent presence in Australia. I also indicated that a scholarship program for South African blacks had been initiated and that a program of visits to Australia by prominent opponents of apartheid was being introduced. Finally, I observed that a review of Australia's aviation links with South Africa had been commenced. This presentation was widely welcomed by both African and Asian leaders. President

Kaunda, for example, noted that robust anti-apartheid policies like Australia's helped governments such as his own to contain the inherent feelings about white racism that African populations possessed. Sam Nujoma, President of SWAPO, was particularly appreciative of our decision to allow a SWAPO presence in Australia.

The third way in which the Meeting was useful was in providing a forum for me to put Australia's views on disarmament and international security issues, and on international economic issues, and to debate these matters with leaders of aligned and non-aligned, developed and developing countries. In the discussion of disarmament and international security issues, I sought to bring a balanced and realistic perspective to the debate, and particularly to take issue with the tendency of some countries to attach almost exclusive responsibility to the United States for present East-West tensions, and the apparent breakdown in dialogue between the super-powers. Australia's disarmament approach was, I said, guided by three general principles. First, the security of all states at the lowest possible level of armament; second, stability in the nuclear balance; and third, adequate verification of disarmament agreements. In line with these objectives I stressed that we attached particular priority to efforts to secure nuclear disarmament through reductions in the nuclear arsenal. We regarded the upholding of the Treaty on the Non-Proliferation of Nuclear Weapons and the complete cessation of nuclear testing as particularly important steps towards this.

Accordingly it was with particular satisfaction that I was able to report to the meeting that on the previous day, 23 November, a resolution co-sponsored by Australia, had passed First Committee of the General Assembly which I am hopeful will open the way to the commencement in 1984 of negotiations on a comprehensive nuclear test ban treaty. I argued strongly that the NPT must remain the cornerstone of other international treaties to halt the spread of nuclear weapons. The gravity of the risks associated with horizontal proliferation of nuclear weapons to countries such as South Africa was at least as great as the dangers associated with vertical proliferation. It was a matter of disappointment to me that the Goa Declaration on International Security, while adverting to this point, did not give it much greater emphasis.

In the context of this discussion of nuclear proliferation, I acknowledged that Australia, as a producer and exporter of uranium, had an obligation under Article 4 of the Treaty to facilitate the participation of other countries, particularly

developing countries, in the peaceful use of nuclear energy. In this regard Australia accepted that it had a particular responsibility to secure improved international safeguards against the diversion of uranium supplied for peaceful purposes into use for the manufacture of weapons. Australia was also, I said, pressing ahead with a number of other initiatives, including the development in Australia of more effective monitoring and verification facilities, the strengthening of existing conventions regarding chemical and biological weapons and the promotion of the concept of a South Pacific nuclear free zone.

The seriousness of the problems confronting the international community in securing long term economic growth and development naturally commanded the close attention of CHOGM. I put it to the Meeting that ultimate progress towards these objectives hinged on measures being adopted which would contribute to long-term solutions. As such, four essential preconditions had to be satisfied:

- (a) The domestic economic policies of the major industrialised countries had to be compatible with sustained economic recovery;
- (b) A free and open international trading system had to be established;
- (c) Existing international financial institutions had to be strengthened; and
- (d) The primacy of appropriate domestic economic policies had to be recognised.

On this basis I suggested that five major tasks should be tackled, namely:

- (a) The promotion of growth in both developed and developing countries;
- (b) The revival of trade;
- (c) The promotion of the adjustment process in debtor countries;
- (d) The reduction of exchange rate fluctuations; and
- (e) The facilitation of lower interest rates.

I stressed that Australia was especially sensitive to the dangers posed to the international trading system by the increasing resort to protectionist measures, and to the fact that trade and financial policies were closely interrelated both domestically and internationally. I expressed particular concern that the aggressive use of subsidies and credit arrangements by the European Economic Community and the United States, as well as the tendency for the majors to settle trade disputes on a bilateral basis ignoring the interests of smaller

trading nations, have evoked particular concern in countries such as Australia.

I also told the Meeting that Australia recognised the international financial institutions had already played a crucial role and must continue to play such a role in the adjustment process through providing a critical backdrop, as well as a channel for the devising of co-operative arrangements between debtor nations and both creditor nations and major banks. I suggested in this regard that the vital bridging role of the major international financial institutions depend importantly on the capacity of these institutions to exercise their mandate role. In my Government's view those institutions have shown a striking degree of adaptability in recent years, and I put it to the Meeting that the emphasis, rather than being on new institutions or systematic reform, should be on continuing to improve and enhance their operation.

The real task was to marry the dimensions of the problems with the capacities of the institutions. To concentrate on increasing the effectiveness of existing institutions, if necessary through the provision of additional resources, stood the greatest chance of securing the necessary support and involvement of the major powers. The realism of this approach was, I believe, appreciated by other heads of government and was reflected in the terms of the decision of the CHOGM to establish a consultative group to promote an international consensus on the issues involved. Quite correctly that decision takes full account of international consultations already underway, and is directed at establishing the most effective way of securing action.

Demonstrable progress was achieved, largely at Australia's behest, in some important areas of functional co-operation between Commonwealth countries. It was agreed, for example, that a meeting of Commonwealth Ministers responsible for women's affairs should be held in 1985 on the eve of the conference being held to review progress in the United Nations Decade for Women. This should not only provide useful background to the latter Conference but should also serve to see Commonwealth activity in the field of women's affairs given impetus. It was also agreed, in line with an increasing awareness on the part of Commonwealth heads of government of the importance of labour and employment matters, that the Secretariat should designate a permanent capacity to deal with such matters. In this regard the value of Commonwealth Trade Union Council activities was recognised. It was agreed that priority should be given to those activities, especially those concerned with trade union training.

Finally I should mention that there was informal discussion between regional heads of government about the future of the Commonwealth heads of government regional meetings. It was decided that no formal summit would be held in Port Moresby next year. Most heads of government, honourable members will appreciate, will have met only a couple of weeks beforehand on the occasion of the South Pacific Forum. It is nonetheless possible that those heads of government in Port Moresby at the time for the Opening of Papua New Guinea's new Parliament House will meet briefly to consider any matters that might normally have arisen under CHOGM auspices.

It will be apparent that the character of foreign policy under an Australian Labor government is now well established. Our priorities and preoccupations are clear. We bring an independent, principled and realistic perspective to issues in a way that is gaining increasing respect for Australia in countries throughout the world. But as both the Minister for Foreign Affairs and I have observed since the time we assumed office, we recognise the limitations on our influence, and we shall not indulge in international grandstanding. Within these constraints we shall make every effort, as the people of Australia would wish us to, to foster international conditions of peace, security and prosperity. I believe such an approach serves Australia well.