



AUSTRALIAN MUSLIM ADVOCACY NETWORK

**PM must answer for the safety of 900 Australians
embedded in US military and those who are bombed
7 March 2026**

The Prime Minister must fully answer for the safety of 900 Australians who are reportedly embedded throughout the US military in operational roles at all levels, as well as the civilians bombed in this illegal war.

Yesterday, the PM confirmed that three Royal Australian Navy personnel were on board a US submarine that sank an Iranian warship earlier this week.

In response, we heard from the PM that “no Australian personnel have participated in any offensive action against Iran.”

The PM has skirted the question of his obligations towards their safety and the safety of targeted civilians by discussing offensive actions rather than operations.

It contradicts a wealth of evidence put on the record by the Australian defence minister about the extensive and critical role of Australian personnel within US forces, including in leadership roles and at the Pentagon.

In the attached background, we provide this evidence, information on the legal risk and specific questions that demand answers.

MEDIA RELEASE



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Specific questions

Safety of personnel

1. If the safety and security of Australian personnel in the region is indeed the first priority for the Australian Government, then why is it not withdrawing all Australians from embedded positions?

Observers or participants

1. Are the roughly 900 Australians embedded across the US military system—from field commands to the Pentagon—mere observers, or active participants in the operation of US defence? Including those:
 - a. Australians serving as deputy commanders in US Army, Navy, and Air Force commands in the Pacific—roles described as “institutionally Australian”
 - b. Australians embedded on every US Navy Virginia-class submarine
 - c. Australians embedded in the Combined Maritime Forces in Bahrain, which is how Australia *would* provide a warship for US military action against the Houthis in December 2023.

Legal risk to personnel

1. Does the embedding of Australian personnel pose any legal risk to those Australians?
2. Does it not stand to reason that Australian personnel involved in maintaining, operating, or coordinating parts of the US military and its equipment are integral to its operations and therefore support offensive action?
3. Has the Australian Government set or communicated any legal red lines governing how embedded Australian personnel? What are they?

Who has priority

1. Are you, as the leader of Australia, more intent on serving the US and Israel rather than Australians and international law?

Activities on Australian soil

1. Are US forces operating from Australia-based facilities conducting or enabling such actions, and if so, with whose knowledge and authorisation within the Australian Government?
2. Has the Australian Government set or communicated any legal red lines governing how Australian facilities may be used by the US military? What are those red lines?

QUESTIONS



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Legal risk

US, Israel and Iran are not party to the Rome Statute unlike Australia, which means that Australians can be more readily convicted of crimes under that Statute.

The following analysis is taken from Sheryn Omeri, KC:

At the outset of their bombing campaign against Iran, the US and Israel indicated that one of their two aims was "regime change." Accordingly, there can be little doubt that the campaign is illegal under international law for amounting to the crime of aggression.

Article 8b of the Rome Statute of the International Criminal Court ("ICC") defines aggression in the following relevant terms:

"... 'act of aggression' means the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations. Any of the following acts, regardless of a declaration of war, shall, in accordance with United Nations General Assembly resolution 3314 (XXIX) of 14 December 1974, qualify as an act of aggression:

(a) The invasion or attack by the armed forces of a State of the territory of another State...

(b) Bombardment by the armed forces of a State against the territory of another State or the use of any weapons by a State against the territory of another State;

...

(d) An attack by the armed forces of a State on the land, sea or air forces, or marine and air fleets of another State..."

It is irrelevant that the aggressor does not like, reasonably or otherwise, the leader or government of the aggrieved State. Armed force cannot be used against the "political independence" of another State, even if the aggressor considers he or it has the support of some of the aggrieved population.

None of the US, Israel or Iran is a party to the Rome Statute. That does not mean the first two have not committed the crime of aggression. Nor does it mean that the ICC cannot exercise its jurisdiction over their nationals who are responsible for such aggression.

The ICC may still exercise jurisdiction (investigate whether aggression has been committed, issue warrants for those who are responsible and prosecute them) upon a referral of the situation to it by the UN Security Council (Rome Statute Art 13(b) read with Art 15ter). While the same is unlikely to occur while the US is a member of the Security Council and led by the very person who appears to be jointly responsible for the act of aggression, it may yet occur under a different, future administration more committed to respecting international rule of law and its equal application to all...



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Countries that proactively support the US-Israeli action, including Australia and the UK should be concerned about future (if not present) allegations of complicity in aggression pursuant to Article 25 of the Rome Statute.

The gradual shift in justification for the bombardment to 'preventing Iran from acquiring a nuclear weapon' appears to be a tacit admission that the "regime change" justification rendered the act one of aggression and therefore, illegal. But post Iraq War and the Chilcot Report the nuclear weapon justification is simply not credible.

Evidence concerning Australians embedded in US military and their extensive role

On 9 December 2025, Marles said:

A central part of what we have sought to do in the defence space is to increase the US footprint in Australia...Be it infrastructure which enables greater bomber rotations in Australia, or what we are doing in terms of enhancing logistics capability of the United States in Australia, having more American equipment be stored in Australia, for example, the Ospreys. These are just examples of what we are doing across every domain; air, sea and ground, but also space and cyber, to have the most extensive American force posture that we have seen, in terms of the breadth of that, in the Australian continent...

As we meet today, there are almost 900 Australian service men and women who are embedded in the United States defence forces across the US.

Indeed, the deputy commanders of the US Army, US Navy and the US Air Force in the Pacific are all now institutionally Australian.

And that is an example of the degree in which our two countries work so closely together in respect of defence.

On 16 October 2025, Marles said:

“we have shared values and we have close strategic alignment. And so we do work really closely together in terms of our defence forces. We've got Australian personnel embedded in the US armed forces and vice versa.”

On 14 October 2025, Minister for defence industry Pat Conroy said:

“it's a joint office to manage the development and sustainment of the precision strike missile which will be the premier land-based strike missile in the world. We saw the first successful test firing of Australian PrSM as part of Operation Talisman Sabre in the Northern Territory a few months back, and that was only the second test firing by a cruise platform ever, showing that we're a key part of the program. At the moment there'll be a few Defence personnel embedded there, we'll get you the exact numbers. That will grow over time as we are the only development partner for the United States with this program, and it's a very exciting project that will expand the strike capability of the Australian Army.”

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On 15 September 2025, Marles said:

“Our systems literally talk on a daily basis in the sense that we've got embedded Australians throughout the American system.”

On 20 August 2025, Marles said:

“The Deputy Chief of Navy said there isn't a Virginia class submarine in the Indian Ocean, or Indian or Pacific Oceans, a US Navy Virginia class, there isn't one without an Australian embedded in the crew.”

On 24 July 2025, Marles said:

“We work really closely with the United States, intimately with the United States on a day-to-day basis and it is about deterring conflict. It is about seeking to maintain peace and stability. Part of the alliance is a deep, organic engagement between our two defence forces which sees Australians embedded at a very senior level in the US Defense Force- Americans engaged here.”

On 17 July 2025, Marles said:

“our system speaks literally on a daily basis with America...We have defence personnel who are embedded in, throughout the American system, in the American Defense Force, but also we have embeds in the Department of Defense, in the Pentagon. So, it is literally a constant communication and dialogue. The channels are better in terms of our communication with America than literally with any country in the world. And that continues to be the case.”

On 15 December 2023, Marles was asked about news that the US has asked Australia to send a warship to the Red Sea to help combat the Iranian backed Houthi rebels. Marles said:

“Look, we'll go through the normal course of assessing this request. It's come through at an operational level from the Combined Maritime Force, which is headquartered in Bahrain. We've been a part of that for a very long time. Indeed, there are Australians who are embedded in that headquarters right now. And in the past, we absolutely have sent navy vessels to participate in the activities of the CMF.”

As of 4 August 2019, over 600 Australian Defence representatives in various capacities were embedded and “working together in the pursuit of the values that we both support and that we prosecute consistently around the world.”

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