

Australian Government

Defence Honours and Awards Appeals Tribunal

INQUIRY INTO UNIT RECOGNITION FOR AUSTRALIAN DEFENCE FORCE SERVICE IN SOMALIA

LETTER OF TRANSMISSION

Inquiry into unit recognition for Australian Defence Force service in Somalia

The Hon Matt Keogh MP
Minister for Defence Personnel
Parliament House
Canberra ACT 2600

Dear Minister

I am pleased to present the report of the Defence Honours and Awards Appeals Tribunal's *Inquiry into unit recognition for Australian Defence Force service in Somalia.*

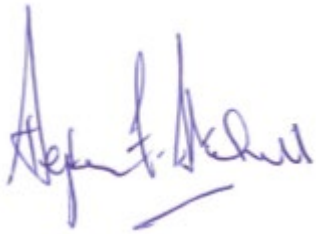
The Inquiry was conducted in accordance with the Terms of Reference approved by Government on 25 June 2021.

The Members of the Tribunal who conducted the inquiry arrived unanimously at the findings and recommendations set out in this report.

As required by the *Defence Honours and Awards Appeals Tribunal Procedural Rules 2021,* a copy of this report will be published on the Tribunal's website 20 working days after the day this report is provided to you.

I would be grateful for advice on your response to this report when available.

Yours sincerely



Stephen Skehill
Chair
Defence Honours and Awards Appeals Tribunal
31 October 2022

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TERMS OF REFERENCE

INQUIRY INTO UNIT RECOGNITION FOR AUSTRALIAN DEFENCE FORCE SERVICE IN SOMALIA

The Defence Honours and Awards Appeals Tribunal (the Tribunal) is directed to inquire into and report on recognition for Australian Defence Force units that served in Somalia between 1992 and 1995.

In particular, the Tribunal is to examine relevant evidence and consider whether it is appropriate that any Australian units that served in Somalia between 1992 and 1995 be awarded a Meritorious Unit Citation, or another form of further recognition for service. In doing so, the Tribunal is to have regard to the eligibility criteria for the Meritorious Unit Citation, as set out in the Unit Citations Regulations, or other relevant Regulations.

The Tribunal is to determine its own procedures, in accordance with the general principles of procedural fairness, when conducting its inquiry as set out in these Terms of Reference. In this regard the Tribunal may conduct its own research, interview such persons as it considers appropriate and consider material provided to it that is relevant to these Terms of Reference.

The Tribunal is to report, in writing, to the Minister for Defence Personnel on the findings and recommendations that arise from the inquiry.

In making its findings and formulating its recommendations the Tribunal is to have regard to the integrity of the Australian honours system and identify any consequential impact any finding or recommendation may have on that system.

EXECUTIVE SUMMARY

1. On 25 February 2021, in response to representations from Mr Jim Masters OAM, President of the 1 RAR[1] Association, the Hon Darren Chester MP, then Minister for Veterans' Affairs and Minister for Defence Personnel, directed the Tribunal to inquire into and report on unit recognition for the service of 1 RAR in Somalia. Following input from the Tribunal and consultation with Mr Masters, terms of reference were developed which directed the Tribunal to inquire into and report on unit recognition for 1 RAR and other Australian Defence Force units that served in Somalia between 1992 and 1995. These terms of reference were released on 25 June 2021 and are included on page 3.

2. **History.** In 1992 the international community attempted to provide some relief from escalating civil war and famine in Somalia, with an international campaign for aid. In July 1992 the first United Nations personnel were deployed to Somalia as part of the United Nations Operation in Somalia (UNOSOM) to monitor the short-lived ceasefire in Mogadishu, and to provide protection and security for UN personnel, equipment and supplies. In October the Australian Government decided to send a 30 person Movement Control Unit drawn from the three services to Somalia to coordinate transport for the UN mission. This Australian contribution to UNOSOM was known as Operation IGUANA. Those first Australians lived in spartan conditions in a dangerous environment, largely in Mogadishu. Unarmed, they were on occasion caught in firefights between warring Somali factions. A total of four Australian contingents, known as ASCs, were deployed on Operation IGUANA between 1992 and 1994.[2]

3. In November 1992, after the situation in Somalia had further deteriorated, the United States Government announced it would lead a Unified Task Force (UNITAF) to Somalia to enable aid agencies to distribute humanitarian relief in the Baidoa Humanitarian Relief Sector in south-central Somalia. Australia contributed more than 1,000 personnel to UNITAF, deploying a small national command element and the 1 RAR Battalion Group supported by HMA Ships *Tobruk* and HMAS *Jervis Bay* under Operation SOLACE, a 17 week long security operation. HMAS *Tobruk* spent 89 days in the area of operations, and HMAS *Jervis Bay* spent eight days in the area of operations. A number of Royal Australian Air Force Squadrons provided airlift support to these operations.

4. The last Australians assigned to Operation SOLACE left Somalia in May 1993, but it was not until November 1994 that the bulk of the Australians deployed on Operation IGUANA and attached to UNOSOM – by then known as UNOSOM II, left the country. One member of the 1 RAR Battalion Group died by accidental fire[3] and four other ADF personnel were wounded or injured.

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[1] The 1st Battalion, the Royal Australian Regiment.

[2] Website, Australian War Memorial, Australians in Operation Iguana – Somalia, www.awm.gov.au/articles/blog/somalia, David Sutton, updated 18 October 2022.

[3] Lance Corporal Shannon McAliney (1RAR) was accidently killed whilst on patrol on 2 April 1993.

5. **Recognition.** 1 RAR Battalion Group was recognised with a Chief of General Staff Commendation on 23 November 1993. No other units were recognised. 19 individuals received individual medallic recognition for their service.

6. **Submissions.** Generally, the written submissions received by the Tribunal presented strong arguments in favour of the award of the Meritorious Unit Citation to the four ASCs, the 1 RAR Battalion Group, and HMAS *Tobruk.* A smaller number of submissions sought the award of the Meritorious Unit Citation for HMAS *Jervis Bay* and RAAF personnel. While arguably outside the terms of reference, a minority of submitters sought a discrete campaign medal for service in Somalia or a general service medal for service in Africa.

7. The written and oral submissions identified that the Australian contribution to Somalia represented the Australian Defence Force's largest land and sea operation since Australia's involvement in the Vietnam War. At this point, the Australian Defence Force had very limited experience in peacekeeping operations. Submitters who had gone on to serve in other operations highlighted that serving in Somalia was more difficult and arduous, if not more dangerous.

8. The written and oral submissions strongly conveyed that the Chief of General Staff Commendation did not sufficiently recognise the significant achievements of the 1 RAR Battalion Group. Those who had served in the four ASCs submitted that their achievements had gone largely unrecognised. This was particularly evident in submissions concerning those who served on Operation IGUANA up to 30 April 1993, whose service remains classified as 'non-warlike' as opposed to the 'warlike service' recognised after that date (which roughly coincides with the commencement of UNOSOM II and the withdrawal of UNITAF). It became clear to us that the ASCs, the 1 RAR Battalion Group, and HMAS *Tobruk* served continuously and for long hours in difficult conditions. Their achievements were only possible through the dedication and work ethic of all personnel involved. A significant number were also required to perform additional critical roles for which they were not trained. Many of the duties performed were beyond what was expected of individuals in these roles but were absolutely necessary to ensure mission achievement.

9. **The Defence Position.** Defence was generally supportive of the Tribunal's consideration of further recognition of units serving in Somalia, and advised that the Tribunal was best placed to ascertain what, if any, further recognition was appropriate. Defence reiterated its view that the Chief of General Staff Commendation remained appropriate in respect of the 1 RAR Battalion Group, yet with a concession that the Group had provided sustained and outstanding service in warlike operations (thus largely satisfying the criteria for the Meritorious Unit Citation). Defence also supported the award of the Meritorious Unit Citation for HMAS *Tobruk* noting the sustained and outstanding service she had provided. Defence was not supportive of the Meritorious Unit Citation for HMAS *Jervis Bay*, noting that she had not provided extended service in the area of operations. Defence's view in relation to the ASCs deployed on Operation IGUANA was that they had provided sustained and outstanding service. Defence submitted that as the RAAF force elements (outside of personnel

attached to ASCs) participated in 'normal operations' they were not eligible for the Meritorious Unit Citation.[4]

Key Findings. In summary, the Tribunal found that:

a. HMA Ships *Tobruk, Jervis Bay*, ASCs I – IV, the 1 RAR Battalion Group and Force Elements of 33, 34, 36 and 37 Squadrons were 'units' as defined in the Unit Citation Regulations and therefore for the purposes of the Inquiry;

b. the award of the Chief of General Staff Commendation did not suitably recognise the performance of the 1 RAR Battalion Group as a unit;

c. ASCs I – IV, the 1 RAR Battalion Group, and HMAS *Tobruk* all met the criteria for the Meritorious Unit Citation during their respective periods of service;

d. service on Operation IGUANA in Somalia from 17 October 1992 to 30 April 1993 meets the criteria for classification as 'warlike service' for the purposes of medallic recognition.

[4] Submission 29B Department of Defence.

RECOMMENDATIONS

RECOMMENDATION 1: ASC I (1 to 31 May 1993), ASC II, ASC III and ASC IV to Operation IGUANA be awarded the Meritorious Unit Citation to recognise their service in Somalia.

RECOMMENDATION 2: The 1 RAR Battalion Group be awarded the Meritorious Unit Citation for its service in Somalia.

RECOMMENDATION 3: HMAS *Tobruk* be awarded the Meritorious Unit Citation for her service in Somalia.

RECOMMENDATION 4:

a) **The Minister for Defence recommend to the Governor-General that service on Operation IGUANA from 17 October 1992 to 30 April 1993 be declared a warlike operation for the purposes of the Australian Active Service Medal; and**
b) **the Meritorious Unit Citation then be awarded to ASC I for service from 17 October 1992 to 30 April 1993.**

RECOMMENDATION 5: No action be taken to award HMAS *Jervis Bay* the award of the Meritorious Unit Citation or any other form of further recognition for her service in Somalia.

RECOMMENDATION 6: No action be taken to award Force Elements of 33, 34, 36 and 37 Squadrons the award of the Meritorious Unit Citation or any other form of further recognition for their service in Somalia.

REPORT OF THE TRIBUNAL

Chapter 1 - Background to and conduct of the Inquiry

1. **Introduction.** The Defence Honours and Awards Appeals Tribunal (the Tribunal) was established on 5 January 2011 under Part VIIIC of the *Defence Act 1903* (the Act). Section 110UA of the Act sets out the functions of the Tribunal which include inquiring into matters concerning Defence honours or awards for eligible service. Section 110W of the Act provides that the Minister may give the Tribunal a direction in writing to hold an Inquiry into a specified matter. The Tribunal then must hold an inquiry into the matter and provide a report to the Minister on the outcomes of the inquiry. The Tribunal's report may include any recommendations the Tribunal considers appropriate and that arise out of, or relate to the inquiry.

2. This inquiry concerns a unit citation. As unit citations are not defined as defence honours or defence awards in the *Defence Regulation 2016,* reconsideration of decisions concerning unit citations in the Tribunal is limited to the inquiry function.

3. **Previous Tribunal Inquiry.** On 25 July 2009, the then Defence Honours and Awards Tribunal (DHAT)[5] was directed to '*Inquire into Recognition of ADF service in Somalia between 1992 and 1995*'. The Terms of Reference for that inquiry directed the DHAT to, among other things, *"Examine relevant material and make findings with regard to the recognition of 1 RAR Group during Operation SOLACE…and consider the eligibility for a unit citation for that service."*[6] This was the first time that the DHAT had been explicitly directed to consider the eligibility of any unit for a unit citation.

4. The DHAT received 13 submissions supporting the award of the Meritorious Unit Citation to the 1 RAR Battalion Group for its service in Somalia. Two submissions were opposed. On
5 July 2010, DHAT completed its Inquiry. Regarding the 1 RAR Battalion Group, DHAT stated that it *"weighed the submissions for and against the upgrading of the CGS Commendation to the MUC while remaining cognisant of maintaining the integrity and intent of the Australian honours system and the policy that applied at the time of the operation."* DHAT further stated that it concluded "*there was no error in due process leading to the award of a CGS Commendation rather than an MUC"*. It determined that *"while the service of 1 RAR in Somalia was commendable, it was not 'sustained, outstanding, service in warlike operations' of the kind required to justify the award of an MUC".*[7] DHAT however, provided little analysis or justification to support this conclusion.

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[5] In July 2008, the Defence Honours and Awards Tribunal (DHAT) was established as an administrative body, prior to being replaced on 20 May 2011 by the statutory body that is the present Defence Honours and Awards Appeals Tribunal (the Tribunal).
[6] Report of the *Inquiry into recognition of ADF service in Somalia between 1992 and 1995*, Defence Honours and Awards Tribunal, 5 July 2010, p5.
[7] Ibid, p.7.

5. During that Inquiry, DHAT largely focussed on the integrity of Defence's internal decision making processes concerning the Chief of General Staff Commendation awarded to 1 RAR Battalion Group. By contrast, in later inquiries, this statutory Tribunal has taken a merits-based approach, having regard to the performance of units concerned against the eligibility criteria for unit citations.[8]

6. **Recognition to date.** Depending on their individual circumstances, Australian Defence Force personnel serving in Somalia have received the Australian Active Service Medal (AASM) with Clasp 'SOMALIA', the Australian Service Medal (ASM) with Clasp 'SOMALIA' and United Nations medals.[9] It is important to note that Australian Defence Force personnel who had only served on Operation IGUANA up to 30 April 1993 have been recognised with the ASM with Clasp 'SOMALIA' rather than the AASM with Clasp 'SOMALIA'. This is because service on Operation IGUANA up to 30 April 1993 has not been declared a 'warlike' operation by the Governor-General, unlike later service the same operation which has. This is incongruent, as service rendered on Operation SOLACE up to 30 April 1993 in Mogadishu, the same location as those deployed on Operation IGUANA has been declared to be 'warlike'.

7. On 23 November 1993, the 1 RAR Battalion Group was awarded a Chief of General Staff Commendation for its service in Somalia. This Commendation in full is set out at paragraph 45. At the time, a case had been made for the award of the Meritorious Unit Citation to 1 RAR Battalion Group but this was rejected by the then Chief of the General Staff after taking advice from the Land Commander.[10] The decision to not recommend unit awards was stated to be because it was "believed the action did not warrant such a recommendation".[11]

8. In 2007, the Army Meritorious Unit Citation Committee recommended that the Chief of General Staff Commendation be upgraded to the award of the Meritorious Unit Citation, however this recommendation was rejected by the then Chief of the Defence Force. While it would appear that no comprehensive merits review of 1 RAR Battalion Group's performance was undertaken[12] it was again stated that "the action did not warrant such a recommendation."[13]

9. **Subsequent reconsideration sought.** On 26 August 2019, following a decision of Defence to award the Meritorious Unit Citation to a number of units for service in Rwanda in 1994, and having regard to recent merits-based inquiries by this Tribunal, Mr Jim Masters OAM, President of the 1 RAR Association wrote to General Angus Campbell AO DSC, Chief of the Defence Force, seeking reconsideration of 1 RAR's service for the award of the Meritorious Unit Citation. This representation was rejected by the then Chief of Army,

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[8] See the Tribunal's inquiries into unit recognition for service with 547 Signal Troop in Vietnam, unit recognition for the Royal Australian Navy Helicopter Flight Vietnam and unit recognition for service at the Battles of Fire Support Bases Coral and Balmoral.

[9] See para 43

[10] Chief of the General Staff Minute CGS 739/93, 'Operational Awards – Operation SOLACE' dated 12 August 1993. Enclosure 3 to Defence Submission 29.

[11] Submission 29 – The Department of Defence.

[12] Submission 28 - Lieutenant General John Caligari AO, DSC (Retd), on behalf of the 1 RAR Association.

[13] Chief of the General Staff Minute CGS 739/93, 'Operational Awards – Operation SOLACE', 12 August 1993. Vice Chief of the Defence Force Minute VCDF/OUT/2008/3 'Meritorious Unit Citation for 1 RAR Battle Group –VCDF Response, 8 January 2008.

Lieutenant General Rick Burr AO DSC MVO having regard to previous assessments with the advice that the "previous decisions relating to Operation SOLACE remain extant".[14]

10. **Ministerial Direction and Terms of Reference.** On 25 February 2021, the Hon Darren Chester MP, the then Minister for Veterans' Affairs and Minister for Defence Personnel, directed the Tribunal to inquire into and report on unit recognition for the 1 RAR Battalion Group's service in Somalia. Following input from the Tribunal, and consultation with the 1 RAR Association,[15] the final Terms of Reference were broadened to include all Australian Defence Force units serving in Somalia.

11. Correspondence from the Minister to the Tribunal made it clear that there was to be fresh consideration by way of a new merits-based Inquiry.[16] While the findings and recommendations of the DHAT Inquiry are a matter of public record, the current Inquiry is neither a re-opening of the DHAT Inquiry nor an extension of it.

12. Through this inquiry, the Tribunal was directed to inquire into and report on unit recognition for Australian Defence Force service in Somalia in the Terms of Reference released on 25 June 2021 and set out below:

INQUIRY INTO UNIT RECOGNITION FOR AUSTRALIAN DEFENCE FORCE SERVICE IN SOMALIA

Terms of Reference

The Defence Honours and Awards Appeals Tribunal (the Tribunal) is directed to inquire into and report on recognition for Australian Defence Force units that served in Somalia between 1992 and 1995.

In particular, the Tribunal is to examine relevant evidence and consider whether it is appropriate that any Australian units that served in Somalia between 1992 and 1995 be awarded a Meritorious Unit Citation, or another form of further recognition for service. In doing so, the Tribunal is to have regard to the eligibility criteria for the Meritorious Unit Citation, as set out in the Unit Citations Regulations, or other relevant Regulations.

The Tribunal is to determine its own procedures, in accordance with the general principles of procedural fairness, when conducting its inquiry as set out in these Terms of Reference. In this regard the Tribunal may conduct its own research, interview such persons as it considers appropriate and consider material provided to it that is relevant to these Terms of Reference.

[14] Letter, Chief of Army to Lieutenant General Caligari AO, 23 April 2020.
[15] Telephone conversation, Mr Jay Kopplemann, Executive Officer of the Tribunal and Mr Masters, 5 April 2021.
[16] Letter, The Hon. Darren Chester to Mr Masters, dated 25 February 2021.

The Tribunal is to report, in writing, to the Minister for Defence Personnel on the findings and recommendations that arise from the inquiry.

In making its findings and formulating its recommendations the Tribunal is to have regard to the integrity of the Australian honours system and identify any consequential impact any finding or recommendation may have on that system.

13. The Chair of the Tribunal appointed the following members to conduct the Inquiry:

- Ms Anne Trengove (Presiding Member);
- Major General Simone Wilkie AO (Retd);
- Rear Admiral Allan du Toit AM RAN (Retd); and
- Mr David Ashley AM

14. No conflicts of interest were declared. While Major General Wilkie, Rear Admiral du Toit, and Mr Ashley disclosed that they had subsequently and/or previously served with some personnel who served in Somalia, including some of the submitters and Mr Ashley also disclosed his prior service with 1 RAR between 1979 and 1984 (some eight years before Operation SOLACE). None of this was considered to constitute a conflict of interest and no objection was raised by anyone or any organisation during the course of the inquiry.[17]

Conduct of the Inquiry

15. **Outline**. The inquiry commenced on 25 June 2021 with a media release by the then Minister seeking public submissions to the inquiry. This was supported by advertisements in major national newspapers giving notice of the inquiry and calling for submissions by 31 August 2021. However, the Tribunal continued to receive submissions until well after the completion of public hearings.

16. **Submissions.** The Tribunal received 42 written submissions from a total of 33 individuals and groups. A list of submitters is at Appendix 1. Submitters included ex-service organisations and veterans from the 1 RAR Battalion Group, the ASCs attached to UNOSOM, HMA Ships *Tobruk* and *Jervis Bay,* and a loadmaster from 33 Squadron. Submissions were also received from Defence.

17. **Hearings.** The Tribunal held extensive public hearings on 22, 23 and 24 February 2022 and 28 and 29 March 2022 in Canberra. Submitters gave evidence in person, via audio-visual link or via telephone. 32 submitters gave evidence. Three submitters gave evidence *in camera* due to national security considerations.

[17] No objection was raised by Defence Representatives or any of the submitters.

18. **Tribunal Research.** In addition to material provided in submissions, the Tribunal and its Secretariat carried out extensive additional research. Submissions made by individuals to the previous 2010 Inquiry were also examined.[18] The Tribunal was assisted by Professor Bob Breen, historian, who in his own research had taken wide ranging accounts from Australian Defence Force personnel and provided a good deal of this material to the Tribunal. A bibliography is at Appendix 6.

Analysis of the Terms of Reference

19. The Tribunal notes that the specific requirement of the Terms of Reference was to *'report on recognition'* for Australian Defence Force units that served in Somalia and in particular to '*consider whether it is appropriate that any Australian units that served in Somalia between 1992 and 1995 be awarded a Meritorious Unit Citation, or another form of further recognition for service'*.

20. The Tribunal determined that it should first consider whether the performance of the Australian Defence Force units in Somalia met the conditions for the award of the Meritorious Unit Citation and if not, then go on to consider whether any other recognition for service was appropriate. It was therefore necessary for the Tribunal to develop an understanding of ADF service in Somalia, which is discussed in the following Chapter.

Chapter 2 – THE ADF IN SOMALIA 1992-95[19]

21. The Australian Defence Force contributed to the United Nations intervention in the Republic of Somalia civil war from 1992 to 1995. Civil war began in 1991 with various clan-based militias vying for control of the country. By mid-1992, however, a combination of the civil war and a prolonged drought had led to widespread famine. Armed clan groups fought for control of territory and food production. Distribution systems ceased. An estimated two million Somalis fleeing their homes into remote areas of Somalia and the nearby countries of Kenya, Ethiopia and Djibouti, led the United Nations to intervene. Somalis also swarmed in huge numbers to urban areas and townships where non-governmental organisations struggled to provide food and other humanitarian assistance.

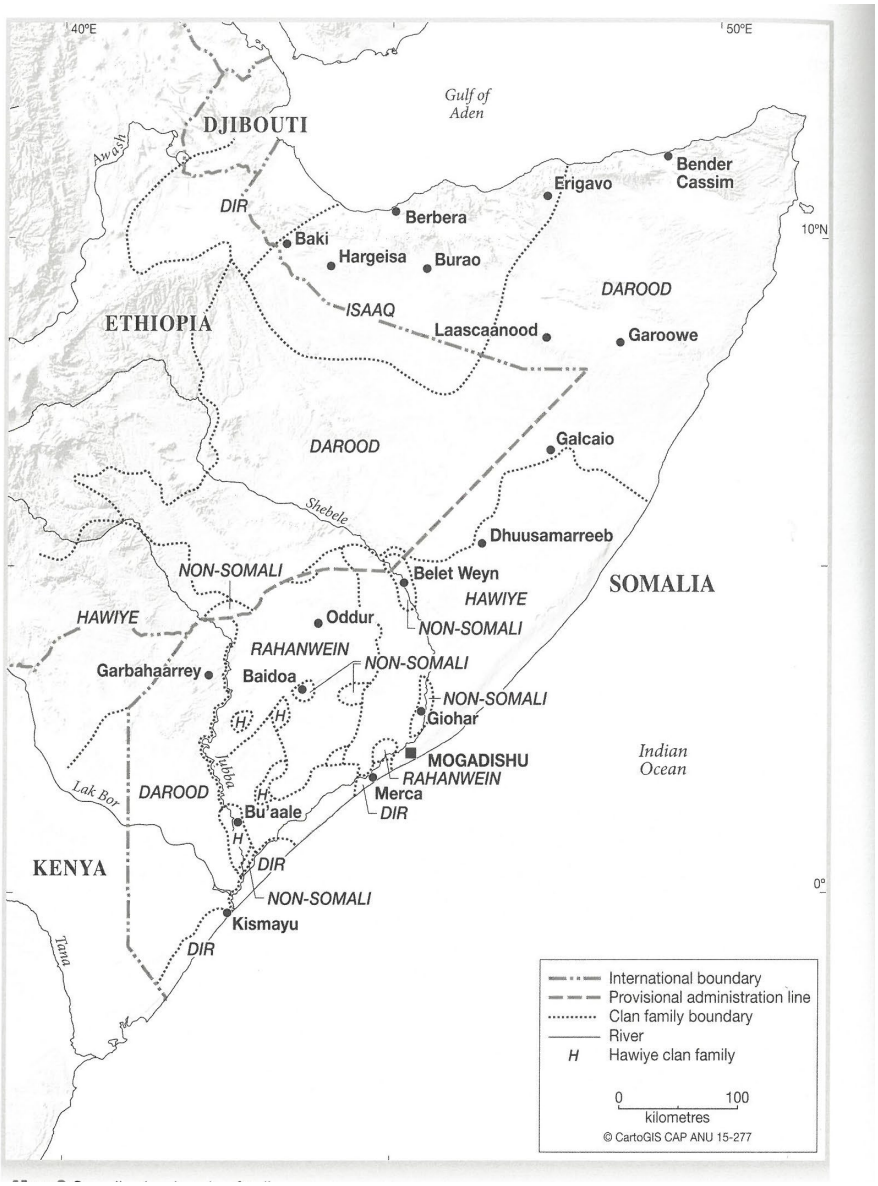


Figure 1 Map of Somalia and surrounding countries 1992-1995

[19] The description of the ADF's service in Somalia which follows is derived from several sources, official and unofficial, which are listed in the bibliography, notably the historical account by Professor Robert Breen. The intent is to provide an overarching description of ADF service in Somalia rather than a detailed history.

UNOSOM I

22. On 24 April 1992, the United Nations Security Council authorised the first United Nations Operation in Somalia (UNOSOM) mission. A small force of United Nations observers arrived in Somalia in July 1992 to monitor a short-lived ceasefire that had been agreed by 15 warring factions. The mission for UNOSOM I was to monitor the cease-fire and to protect United Nations personnel during their humanitarian operations.

23. The Official History of Australian Peacekeeping, Humanitarian and Post-Cold War Operations observes:

> "*By July 1992, the survival of more than four million Somalis depended on the provision of food, clean water and medical services by the United Nations and aid organisations.*
>
> *The task facing the United Nations was to intervene in Somalia successfully, restore the flow of humanitarian aid to those most in need, restore law and order, and facilitate political reconciliation to achieve long-lasting peace*." [20]

Operation IGUANA

24. On 27 October 1992, following earlier reconnaissance by a two-man party, the Australian Government deployed a small advance party to UNOSOM I, which would later grow to a Movement Control Unit of around 30 personnel. This become the first Australian contingent in a rotation of four under Operation IGUANA. The Movement Control Unit was deployed to provide support for the United Nations mission to initially manage its incoming forces. The four contingents served the United Nations as well as providing support to civilian assets such as Mogadishu airfield and port. In total, 211 Australians were deployed to Somalia as part of Operation IGUANA.[21]

Unified Task Force (UNITAF) and Operation SOLACE

25. After the situation in Somalia had further deteriorated and UNOSOM I was unable to achieve its aims, the United Nations Security Council passed Resolution 794 on 3 December 1992, sanctioning the United States to lead a Unified Task Force (UNITAF) to establish a secure environment for the distribution of humanitarian aid.[22] UNITAF did not replace UNOSOM I; the missions operated in parallel. UNITAF worked in coordination with UNOSOM I, which remained in Mogadishu and was fully responsible for the political aspects and for humanitarian assistance in Somalia, to secure major population centres and ensure that humanitarian assistance was delivered and distributed. UNITAF comprised the forces of the donor nations assigned under United States command for its mission called Operation RESTORE HOPE. At its peak the UNITAF consisted of 37,000 personnel, over half of them

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[20] Bou, J, Breen, B, Horner, D, Pratten, G, & De Vogel, M, *The Limits of Peacekeeping: Australian Missions in Africa and the Americas, 1992–2005,* Volume IV: The Official History of Australian Peacekeeping, Humanitarian and Post-Cold War Operations, Cambridge University Press, Melbourne, 2019, p. 38.

[21] Department of Veterans' Affairs, Australians in the UN missions to Somalia 1992 to 1995, DVA Anzac Portal, accessed 24 October 2022, https://anzacportal.dva.gov.au/wars-and- missions/peacekeeping/operation-summaries/somalia-1992-1995.

[22] *The Limits of Peacekeeping,* p. 47.

from the United States. Twenty other countries, including Australia, contributed troops on the ground in Somalia and at sea as part of the Multi-National Force. The Australian Defence Force contribution to the UNITAF was named Operation SOLACE.

26. **Australian Force Somalia.** Along with a national headquarters of (initially) 10 personnel, based in Mogadishu, Australian Force Somalia primarily consisted of the 1 RAR Battalion Group drawn from the units of the 3rd Brigade based at the rural township of Baidoa in the Bai Region in south-central Somalia, 150 kilometres inland from Mogadishu. Baidoa had been labelled the 'city of death' and the 'epicentre of famine'. The group was responsible for a 17,000 square kilometre area of operations around the town. Its mission was to undertake peace operations and secure the area allowing food aid to be distributed. [23] The 1 RAR Battalion Group consisted of:

a. an infantry battalion of 650 personnel (1 RAR);

b. a battalion support group of 100 personnel from the 3rd Brigade Administrative Support Battalion;

c. two troops, a headquarters, administrative and technical elements and two mortar armoured personnel carriers from B Squadron, 3rd/4th Cavalry Regiment, from Royal Australian Armoured Corps, making a total of 36 Armoured Personnel Carriers and 90 personnel;

d. a Civil–Military Operations Team of 22 personnel from 107 Field Battery, 4th Field Regiment, Royal Australian Artillery;

e. a field engineer troop of 35 personnel from 17 Field Troop, 3 Combat Engineer Regiment; and

f. a troop of 15 personnel from 103 Signals Squadron, Royal Australian Signals Corps.[24]

27. During Operation SOLACE, 1 RAR Battalion Group took part in seven major operations. Approximately 1,100 foot patrols were undertaken and almost 1,000 weapons were seized from Somali forces. There were 12 reported exchanges of fire with Somali gunmen. One Australian soldier was accidentally killed and four were injured or wounded.

28. During the deployment, humanitarian aid was successfully distributed and rebuilding efforts in Baidoa began.

29. On 21 May 1993, 1 RAR Battalion Group and the national command element withdrew after 17 weeks. This constituted the Australian Defence Force's largest land operation since its involvement in the Vietnam War.

30. **HMA Ships *Jervis Bay and Tobruk*.** HMA Ships *Jervis Bay* and *Tobruk* provided military sea lift support when the 1 RAR Battalion Group deployed from Townsville into and

[23] *The Limits of Peacekeeping,* p.57. See also Nominal rolls at https://www.awm.gov.au/collection/C2702910. File ref AWM388 7/7/8
[24] Ibid.

out of Somalia. This constituted the Australian Defence Force's largest military sealift operation since Australia's involvement in the Vietnam War.

31. HMAS *Jervis Bay* deployed from 19 December 1992 to 21 January 1993 and again from 20 April 1993 to 21 June 1993. She spent a total of eight days in the area of operations during this period.

32. HMAS *Tobruk* deployed from 26 December 1992 and returned almost six months later on 21 June 1993. She remained on station for the duration of Operation SOLACE, spending a total of 89 days in the area of operations. She operated out of the port of Mogadishu and offshore as part of the Multi National Force by providing continuing maritime and logistic support to both the deployed Australian Force Somalia and the wider UNITAF mission. In addition, she conducted five operational visits to Mombasa in Kenya during this period, moving a total of 1,450 tonnes of cargo for the Australian Forces Somalia and UNITAF.

33. HMAS *Tobruk*'s crew numbered between 180 and 190 personnel including:

a the Ship's Army Detachment of 14 regular army personnel;
b a 16 person detachment from 817 Squadron for the Sea King Helicopter; and
c. personnel from Clearance Diving Team One.

34. **33, 34, 36 and 37 Squadrons (RAAF).** Logistic support to Operation IGUANA and Operation SOLACE was provided by personnel drawn from 33, 34, 36 and 37 Squadrons to assist with deploying the advance party into Somalia, ad hoc supply missions, as well as the airlift home from 7 to 23 May 1993.[25] The Squadrons utilised airfields at Mogadishu and Baidoa, but were not based in Somalia.

Transition to UNOSOM II

35. By early 1993 the famine had largely abated and mortality improved. This is because non-government organisations had largely been able to deliver food aid to vulnerable populations without interference due to the intervention by UNITAF. The security threat to personnel of the United Nations and its agencies was, however, still high in Mogadishu and other places in Somalia. By this time, planning was well underway for the transition from the operations of UNITAF to a new mission, UNOSOM II, which would replace UNOSOM I.

36. On 26 March 1993 the United Nations Security Council, acting under Chapter VII of the UN Charter, authorised the UNOSOM II mission to continue the task begun by UNOSOM I and complete, through disarmament and reconciliation, the task of UNITAF. To this end, on 4 May 1993,[26] UNITAF handed over to UNOSOM II. Its mission was an ambitious one of nation building and went beyond the limits of traditional peacekeeping. This included disarming various factions, restoring law and order, helping set up a Somalian representative government and restoring infrastructure.

37. The rules of engagement of UNOSOM II, like UNITAF, allowed the 'use of all necessary means', whereas UNOSOM I, which had sustained six military fatalities, had

[26] Operation SOLACE's seventeen-week duration in Somalia overlapped into the transition between the US-led UNITAF operation and UNOSOM II.

operated under rules of engagement that only allowed for the 'use of minimum force'. This had implications for the status of UNOSOM II being considered a 'warlike' operation and UNOSOM I and service on Operation IGUANA up to 30 April 1993 being considered a 'non-warlike' operation by Defence.

38. Within a few weeks of the departure of UNITAF combat units, the situation facing UNOSOM II became increasingly dangerous. By early July 1993, five weeks after the last UNITAF units had left, 35 United Nations troops had been killed and there had been over 130 injured in clashes with Somali gunmen and premeditated armed attacks against the personnel of UNOSOM II. There were violent demonstrations against the continued presence of foreign troops and attacks on United Nations facilities. The end of the United States involvement in Somalia came after 18 of its servicemen were killed in a battle from 3 to 4 October 1993 and their mutilated bodies dragged through the streets. This became known as the 'Battle for Mogadishu' and is the subject of the book and film *Black Hawk Down*. For a United Nations peacekeeping mission, there were heavy casualties.

Operation IGUANA continues

39. **Australian tri-service contingents to UNOSOM II.** The Australian Defence Force, through the ongoing Operation IGUANA, contributed to UNOSOM II and deployed more contingents - ASC II, ASC III and ASC IV. Approximately 200 Australian Defence Force personnel from all three services served in the four contingents that deployed to Somalia as part of Operation IGUANA between 17 October 1992 and 23 November 1994. This included the initial Movement Control Group, which later became part of ASC I. Each new contingent was deployed progressively as its predecessor reached the end of its tour, allowing for small advance parties to arrive first. They deployed in the main as follows:

a. Movement Control Unit / ASC I personnel served over seven to eight months from 27 October 1992 to 31 May 1993, (UNOSOM I and UNOSOM II) [27]
b. ASC II personnel served over seven months, from 1 May 1993 to 3 December 1993 (UNOSOM II).[28]
c. ASC III personnel served for some seven months from 28 October 1993 to 25 May 1994 (UNOSOM II).[29]
d. ASC IV personnel served for some five to six months from 21 May 1994 to 23 November 1994 (UNOSOM II).[30]

40. In the main, personnel from Australian contingents I - IV lived and served in and around the hostile environment of Mogadishu, including targeted areas such as the airfield and the port. Mogadishu was routinely described as the "Wild West" and as being at the time one of the world's most dangerous conflict zones. They performed a variety of important functions, namely movement control, logistics, medical, air traffic control, security and support to the UNOSOM headquarters. The Air Traffic Control unit kept Mogadishu air field running

[27] Submission 28 Lieutenant General Caligari obo 1 RAR Association.
[28] *The Limits of Peacekeeping*, p.157.
[29] Ibid, p.180.
[30] Ibid, p.183.

uninterrupted. There were also security operations by Special Forces personnel. The ASCs had to closely work with United Nations and coalition forces.

UNOSOM II and Operation IGUANA conclude

41. By 1994 Somalia was no closer to resolving its civil conflict. With little prospect of improvement on the horizon, the United Nations decided to bring the peacekeeping operation to an end. Despite the commitment and resolve of Australian and partner forces, nation building had not been achievable and the mission of UNOSOM II had largely failed.

42. After 23 November 1994, the only Australian presence remaining in Somalia was provided by the Australian Federal Police in Mogadishu. The sole remaining police officer, Australia's last peacekeeper, departed the country in February 1995, and the withdrawal of UNOSOM II was finally completed in early March 1995.

CURRENT RECOGNITION

43. **Medallic Recognition**. Over time, there have been various declarations of and upgrades to medallic recognition to Australian Defence Force personnel serving in Somalia. The following summarises the units whose members have been recognised with one or more awards:

- Australian Active Service Medal with Clasp 'SOMALIA'
  - Service in the 1 RAR Battalion Group in Operation SOLACE (10 January to 21 May 1993) (1 day service required).[31]
  - Service in HMA Ships *Tobruk* and *Jervis Bay* in Operation SOLACE (10 January to 21 May 1993) (1 day service required).[32]
  - Service in the land and air components of UNOSOM II (1 May 1993 to 28 March 1995) (1 day service or 1 sortie required).[33]
  - Military members of the Land Headquarters Study Team.
  - Two Army members serving with the United States Army in Somalia.

- Australian Service Medal with Clasp 'SOMALIA'
  - Service in the land and air components of UNOSOM I[34] (17 October 1992 to 30 April 1993).[35]

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[31] Given 1RAR was under 'hostile fire', medallic recognition was declared 'warlike service' for the purpose of the Australian Active Service Medal on 7 April 1993.

[32] On 7 April 1993, the Australian Service Medal with Clasp 'SOMALIA' (ASM) was awarded to ADF personnel, including those on HMAS *Tobruk* and *Jervis Bay* serving more than 30 days in the area of operations. *Commonwealth of Australia Gazette S108 dated 13 April 1993*. This was subsequently upgraded to the AASM for one day's service, *Commonwealth of Australia Gazette S86, 20 May 2011*.

[33] On 23 January 1997, service with UNOSOM II was included as eligible service for the AASM with CLASP SOMALIA. Commonwealth of Australia Gazette S27 dated 23 January 1997.

[34] UNOSOM I Members with service to 30 May 1993 are entitled to both the ASM with Clasp 'SOMALIA' and AASM with Clasp 'SOMALIA'.

[35] Revised Somalia award determinations approved by the Governor-General 25 May 1994.

- United Nations Operations in Somalia Medal with Ribbon UNOSOM (Service with UNOSOM I & II).[36]

44. **Individual Decorations.** Nine Australian Army personnel were awarded with Distinguished Service Decorations, which included two awards of the Distinguished Service Cross, one award of the Distinguished Service Medal and five Commendations for Distinguished Service. Seven Conspicuous Service Decorations were also awarded, including four awards of the Conspicuous Service Cross and four awards of the Conspicuous Service Medal. Two honours in the Military Division of the Order of Australia were also conferred. A full list of these decorations is at Appendix 3.

45. **Chief of General Staff Commendation – 1 RAR Battalion Group**.[37] On 23 November 1993, the Chief of General Staff [38] awarded a Commendation to members of the 1 RAR Battalion Group, as set out below.

> *"With responsibility for the Humanitarian Relief Sector of Baidoa, the Battalion Group's mission was to provide a secure environment for the distribution of humanitarian relief aid. The Battalion Group not only achieved this mission but sought to re-establish the basis of the civil infrastructure. The Battalion Group's method of operation and activities were acclaimed by Headquarters Unified Task Force, the local population, and non-government agencies. Aspects of its activities were used as models for other contingents in Somalia. This clearly highlighted the Group's ability to appreciate the intent of the operation and thus reconcile immediate military demands with longer-term requirements. The praise which the Battalion Group rightly earned is testament to its collective skill and to the resourcefulness and professionalism of its members.*
>
> *I commend the Battalion Group for it success in this operation. The Battalion Group's accomplishment of its mission was of the highest order and in keeping with the finest traditions of the Australian Army."* [39]

[36] Submission 29, Department of Defence.

[37] The Defence Commendation Scheme now formally recognises outstanding/exceptional achievement, or specific acts of bravery for which awards from within the Australian Honours System are not an appropriate medium of recognition. Defence Commendations are a part of the Defence system of recognition and are of lower precedence than awards within the Australian Honours System. Group Commendations may be awarded to groups, units or teams only by the Secretary, CDF or a Principal Awarding Authority. Group Commendations consist of a certificate only; no badge is issued and individual certificates are not normally provided, although members may be given a copy of the original certificate by local authorities.

[38] The title of Chief of General Staff was changed to Chief of Army on 19 February 1997.

[39] Commendation by Chief of General Staff, 23 November 1993.

CHAPTER 3 - SUBMISSIONS TO THE INQUIRY

46. **General**. Almost all written submissions received by the Tribunal presented strong arguments for further unit recognition for service in Somalia. Those submissions primarily sought the award of the Meritorious Unit Citation, on the basis that their units provided sustained outstanding service in warlike operations. This was reaffirmed to us in person during public hearings.

Submissions by veterans and organisations.

47. As noted above, 45 written submissions were received from 33 individuals (chiefly veterans) and groups. Many were duplications of other submissions or direct reiterations of chapters of books on the history of peacekeeping operations in Somalia, mainly by Professor Breen. Rather than repeat the submissions, relevant themes can be summarised as follows:

a. **Australian Defence Force personnel were operationally inexperienced.** Australian Defence Force personnel were generally inexperienced in warlike and other operational service. This was because Australia had generally enjoyed a substantial period of peace since the end of the Vietnam War in the early 1970's. This drained the Australian Defence Force of much operational experience. The result was that there were few operationally experienced 'old hands' to guide, mentor and support. While Australians had been deployed as peacekeepers around the globe since 1947, this was the largest operation of its kind to date.

b. **Difficult living and working conditions**. Primitive living and working conditions provided a challenge to mission success. This was particularly so for the 1 RAR Battalion Group deployed to Baidoa, but also for the ASCs in Mogadishu and to a lesser extent those serving in HMAS *Tobruk* and HMAS *Jervis Bay*. Long hours were worked and rest was hard to come by for all.

c. **Dangerous conditions.** Danger was ever present in all regions of Somalia. However, with time and effort Baidoa became less dangerous for the 1 RAR Battalion Group. Mogadishu remained at all times a largely dangerous area for the ASCs and other personnel who lived and worked there. Those working at the Mogadishu port and the airfield areas unloading and moving stores and conducting air traffic control were often subject to attack. The waters off Somalia presented less risk to HMAS *Tobruk* and HMAS *Jervis Bay*.

d. **Logistical difficulties.** Logistical difficulties were apparent, particularly in the resupply of essential equipment for the 1 RAR Battalion Group. This led to innovation and adaption initiatives. It was submitted that as a result of lessons learned in Somalia, the Australian Defence Force today is operationally experienced and better prepared in equipping and supporting deployed forces. That support was generally not available, or even possible, during operations in Somalia.

e. **Outstanding senior and junior leadership.** The Tribunal heard many accounts of conspicuous and prominent leadership throughout all Australian elements of the Somalia missions. It was submitted that the Commanding Officer of the 1 RAR Battalion Group was held in such respect that he was known among local Somalis as "the Governor of Baidoa". The ASCs as well as HMAS *Tobruk,* were also very well led. Junior non-commissioned officers across the board were said to have generally excelled and acted above their normal duties and rank.

f. **Additional humanitarian duties**. Personnel carried out additional duties to try and assist the local Somalis with building works, clean-ups, and the establishment of orphanages, judiciary and UNICEF runs by HMAS *Tobruk*.

g. **Reputation.** 1 RAR Battalion Group personnel were generally held in high regard by the Somali people and the United Nations and United States forces. Likewise, the ASCs and HMAS *Tobruk* were held in high regard by United Nations and Coalition forces. Despite the high regard for Australian Defence Force personnel, few individual or group commendations were awarded.

h. **'More than just 1 RAR Battalion Group'.** Many of the non-1 RAR Battalion Group submitters felt that the wider Australian Defence Force viewed Australia's commitment in Somalia as essentially an Army activity. The Chief of General Staff Commendation awarded to 1 RAR Battalion Group fed into this view. By doing so, those serving with the tri-service ASCs and in HMAS *Tobruk* particularly, felt they had been denied due respect and an opportunity for appropriate recognition. Those serving under Operation IGUANA felt overlooked by Operation SOLACE. (There were around 1,000 personnel who served in 1 RAR Battalion Group, a total of almost 200 personnel in the four ASCs, and 180 to 190 of HMAS *Tobruk*'s company).

i. **Status of UNOSOM I/Operation IGUANA** Submitters could not understand why service on Operation IGUANA as part of UNOSOM I up to 30 April 1993 was declared a 'non-warlike' operation, when arguably the conditions faced by Australian Defence Force personnel were as or even more dangerous than those serving on Operation IGUANA as part of UNOSOM II, which had been declared a 'warlike' operation. Submissions also highlighted the incongruence of two concurrent and co-located operations being afforded different status, particularly as the 1 RAR Battalion Group headquarters staff, who lived and worked in Mogadishu prior to 1 May 1993, had received medallic recognition for warlike service while the ASC who lived and worked in Mogadishu prior to 1 May 1993 had only been recognised for non-warlike service.

j. **'Just peacekeeping'.** Some personnel reported that, upon their return home, their experiences were 'written off' as 'just peacekeeping'. In reality, many had seen first-hand the horrors of third world starvation and a truly dangerous environment in which

they had felt largely powerless as peacekeepers to intervene.[40] Some went on to have long-standing mental health issues as a direct result.

k. **'More difficult than subsequent deployments'**. Many of the submitters who had gone on to deploy on other operations reported that their service in Somalia was as difficult and dangerous, if not more so, than subsequent operations, some of which had been duly recognised with Meritorious Unit Citations.

Defence submissions

48. The Tribunal noted at the outset that Defence was generally 'supportive' of the Tribunal's inquiry for further consideration of unit recognition for service in Somalia.[41]

49. **1 RAR Battalion Group.** Defence's submission reiterated that the Chief of General Staff Commendation remained an appropriate acknowledgement in respect of 1 RAR Battalion Group. However, there was a concession that the Group had provided 'sustained outstanding service' in warlike operations.[42] Further, there was no active opposition by the Chief of Army for 1 RAR Battalion Group being awarded the Meritorious Unit Citation. Defence submitted that, should the Tribunal recommend a Meritorious Unit Citation, it would give consideration to rescinding the Chief of the General Staff Commendation for 1 RAR Battalion Group, to avoid the perception of recognising a unit twice for the same action.

50. **HMA Ships *Tobruk* and *Jervis Bay*.** The Defence submission considered the ships' company of HMA Ships *Tobruk* and *Jervis Bay.* Given the short deployments of HMAS *Jervis Bay* in the area of operations it was submitted that there had not been 'extended' or 'sustained outstanding service'. Her contribution was necessary and valuable but not for an extended period. At a total of eight days it could not be considered sustained. It was of normal deployment duration and the ship was operating at its normal capacity.[43]

51. By contrast, HMAS *Tobruk* served for 89 days in the area of operations, sustained over the period 19 January 1993 to 20 May 1993. No opposition was put to the Tribunal potentially finding that her ships' company had provided 'sustained outstanding service' in warlike operations. It was conceded that such a finding would acknowledge her service.

52. **ASCs attached to Operation IGUANA UNOSOM.** Defence conceded that the ASCs attached to UNOSOM II had likely provided 'sustained outstanding service' in warlike operations. But the ASC serving up to 30 April 1993 could not be awarded the Meritorious Unit Citation as its service had not been declared 'warlike'. Defence conceded that, apart from that distinction, ASC I under UNOSOM I had otherwise performed 'sustained outstanding service'.

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[40] Oral Submission, Mr Sean Robinson 23 February 2022.
[41] Submission 29, Department of Defence.
[42] The oral submissions, made by representatives of the Army, went further than the Defence written submissions of 1 October 2021 which said that 1 RAR's performance 'could now be re-assessed and described as sustained' but did not address the newly Amended Regulations of 2020 of 'sustained outstanding service' as defined.
[43] Submission 29B, Department of Defence.

53. **RAAF.** Defence submitted that as the RAAF force elements (outside of personnel attached to ASCs) participated in 'normal operations' they were not eligible for the Meritorious Unit Citation.[44]

Other Recognition

54. Submitters were overwhelmingly in favour of the Meritorious Unit Citation as opposed to any other form of unit recognition. There were no Defence submissions on other forms of recognition. In particular, while Defence appeared to support further recognition for other units, it did not propose any new form of further recognition for HMAS *Jervis Bay.* While possibly outside the terms of reference for this inquiry, a very small number of submitters sought a new campaign medal or a 'General African Operational Medal', which could recognise the many Australian Defence Force operations in Africa.

[44] Submission 29B Department of Defence.

CHAPTER 4 - TRIBUNAL CONSIDERATION

Australian Unit Citations

55. **Purpose.** The Australian Unit Citations were established for the purpose of 'officially recognising occasions when a unit as a whole and each member individually performs to an outstanding degree either in a single action or operation or over time'.[45] The Unit Citation for Gallantry and the Meritorious Unit Citation were introduced into the Australian honours system in 1991. Unlike awards for individuals, recognition of group endeavour has little history in honours systems around the world.[46]

56. The Australian Unit Citation for Gallantry and the Meritorious Unit Citation were established by Letters Patent on 15 January 1991 for the purpose of:

> *recognising gallantry in action or outstanding service in warlike operations by units of the Defence Force and by units of defence forces of other countries*.[47]

57. **Regulations**. The citations are governed by Regulations which provide, in relation to the Meritorious Unit Citation:

> *3. (2) The Meritorious Unit Citation shall be awarded to a unit only for sustained outstanding service in* ***warlike operations.***

58. A warlike operation is a prescribed operation declared by the Governor-General on the recommendation from the Minister for Defence.[48] Otherwise operations can be declared 'non-warlike'[49] or are regarded as being 'peacetime'. All service on UNITAF and UNOSOM II has been declared warlike by the Governor-General and as a result is recognised by way of the Active Australian Service Medal.[50] In contrast, service up to 30 April 1993 has been declared a 'non-warlike' operation by the Governor-General with such service being awarded an Australian Service Medal (ASM).[51]

59. On 13 July 2020, the Sovereign approved amendments to the Unit Citations Regulations that, defined **'sustained outstanding service'** to mean:

> *3. Service or support of a unit which is substantially above the unit's normal capacity and which is for an extended period.* [52]

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[45] Department of Defence DM 87/38684 to PM&C Honours and Awards Interdepartmental Committee dated 13 October 1987.
[46] The relatively recent tradition of unit citations was introduced by the United States in 1942 and has subsequently prompted broader recognition of collective endeavour.
[47] *Unit Citation Regulations and Letters Patent*. Commonwealth of Australia Gazette S25 dated 4 February 1991.
[48] *Australian Active Service Medal Regulations, Letters Patent*, Commonwealth of Australia Gazette No. S335 dated 2 November 1988.
[49] *Australian Service Medal Regulations*, Commonwealth of Australia Gazette S336 dated 2 November 1988.
[50] *Australian Active Service Medal Regulations* Amendment, Commonwealth of Australia Gazette S86 dated 20 May 2011.
[51] *Australian Service Medal Regulations* Amendment, Commonwealth of Australia Gazette S85 dated 20 May 2011.
[52] *Unit Citations Regulations* Amendment Commonwealth of Australia Gazette #G00629 dated 4 August 2020.

60. A **unit** is defined as either of the following:

(a) A force element of the Defence Force assigned for operational tasking
(b) An allied foreign defence force unit in direct contribution to a Defence Force operation.

61. **2020 Regulation changes.** Defence explained that the genesis for the 2020 amendment to define 'sustained outstanding service' and to include the phrase 'extended period', came out of a departmental review in 2018. According to Defence, the term 'extended period' is deliberately undefined and is to have its ordinary meaning. The intent was to modernise the Regulations and make them easier to understand.[53]

62. **Defence submissions regarding the eligibility criteria**. Defence broadly submitted at hearing that whilst a timeframe may be considered as one of the contributing factors when considering a unit's actions, particularly in respect of whether the service was 'sustained', the primary focus should be on determining what the unit achieved and the manner in which it was conducted. Defence argued that the award recognises a unit's accomplishments rather than being solely defined by the time spent in an operational area. As such, it was submitted there is a 'principles based approach' to provide flexibility and context. Rigid application of the eligibility criteria is to be avoided. Each unit or force element is to be considered on its merits and on the actions and the individual and unique circumstances of the mission at the time. [54]

63. When asked by the Tribunal if Defence accepted the Tribunal's approach to interpretation of the eligibility criteria in the 2017 Inquiry into Unit Recognition for the Royal Australian Navy Helicopter Flight Vietnam, Defence responded that it did not take issue with that approach, subject to the amended Regulation, which slightly changed the eligibility criterion.

64. **'Unit'.** Noting that a 'unit' includes 'a force element of the Defence Force assigned for operational tasking', Defence agreed this definition could have broad application to smaller elements within operational taskings. Indeed, a Meritorious Unit Citation could be awarded to a force element within an extended period of an operational deployment, as opposed to the larger parent unit for the whole duration of an operation. This, it said, reflects the changing nature of how the Australian Defence Force deploys.[55]

65. **'Extended period'**. In relation to the phrase 'extended period', it was submitted that Defence did not seek to define or measure an extended period. It was said that this may set an expectation that once a date period is set, any unit may be considered for a Meritorious Unit Citation, but Defence submitted that would undesirably preclude a one-off activity. Further, it was submitted that 'contemporary thinking' around Meritorious Unit Citations is not necessarily confined to the full duration of the deployment of a unit but rather specific parameters around a unit's actions within a deployment. Consideration could be for a period during any given deployment when a unit was operating above and beyond what they were deployed to do with respect to a mission.[56]

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[53] Department of Defence, Ms Lisa Phelps, oral submission on 22 February 2022.
[54] Ibid.
[55] Submission 29B Department of Defence p.5.
[56] Ibid, p.12.

66. **'Substantially above normal capacity'.** Normal capacity was not defined. Defence agreed that it would not relate to a unit's normal capacity at home, but what its normal capacity might be once deployed on operations. This would require an assessment of the planning stage for an operation, a consideration of the mission, resources, equipment requirements and organisational structure. Training and planning should provide for the capability 'footprint' to meet the requirements of the mission, but it recognised that this will not always be the case.[57] Depending upon the circumstances, a unit's output may be pushed outside normal operational requirements, expectations and their training for the operation. Defence submitted that mission success is only one factor in assessing whether a unit has performed substantially above normal capacity.[58]

67. **'Sustained outstanding service'**. The Tribunal was referred by Defence to the Macquarie Dictionary which defines 'outstanding' as 'prominent; conspicuous; striking'.[59] Defence submitted that an assessment of a unit's performance in the context of an operation might also be compared by command against the performance of other units in the operation.[60]

Guidance for the Award of the Meritorious Unit Citation.

68. Beyond what is set out in the Regulations, some guidance on the nomination process and eligibility for unit citations can be found in the Honours and Awards Manual and *CJOPS Directive 05/1 - Chief of Joint Operations Directive Honours and Awards* dated 16 February 2017. It emphases that consideration needs to be objective and merit-based so that nominations accurately reflect the service warranting recognition with tangible and specific supporting evidence. [61]

69. The Chief of Army Directive 03/2006, *Army Procedure for the Award of a Meritorious Unit Citation*, (a now retired policy) suggested consideration of a unit's operational performance focussed on mission achievement, equipment and personnel availability and force preservation; strategic significance including strategic impact and international engagement; personnel performance; administration and security; and other qualities including innovation, adaptability, reconstitution and family support. During the 2017 *Inquiry into Unit Recognition for the Royal Australian Navy Helicopter Flight Vietnam,* the Tribunal considered this policy in detail in assessing the Meritorious Unit Citation. Notwithstanding retirement of the policy, the Tribunal considers assessment of the above issues to be of some ongoing assistance in applying the eligibility criteria.

70. **Past examples of 'Sustained Outstanding Service in Warlike Operations' by a Unit.** Since 1991, 30 Meritorious Unit Citations have been awarded.[62] They vary between units for a single deployment, to a unit for multiple deployments on multiple operations. More

[57] Submission 29D Department of Defence p. 2.
[58] Ibid, p. 4.
[59] Ibid, p.2.
[60] Ibid, p.3.
[61] The Tribunal in the RANHFV Inquiry at paragraphs 140 to 145 observed previous Defence guidance to be largely unhelpful. Previous Inquiries had commented on the lack of policy guidance and the potential damage this may have upon consistency and the integrity of the assessment process.
[62] Submission 29, Department of Defence, p.12.

recently, Meritorious Unit Citations have recognised smaller force elements for a discrete period of time in a warlike operation.

71. Of particular relevance to this inquiry, the Meritorious Unit Citation has recently been awarded to recognise certain Australian Defence Force peacekeeping service in Cambodia (1992-1993) and Rwanda (1994-1996). These awards were made in 2014 and 2019 respectively, see Appendices 4 and 5.

72. The reasons set out by Defence for the award of the Meritorious Unit Citation for service in Cambodia do not seem to follow any obvious application of the eligibility criteria. although, in this regard it should be noted that this Citation was awarded prior to the insertion of the 'enhanced' eligibility criteria set out in the 2020 Regulation changes. The Tribunal distils that the basis for the Citation seems centred on the hostile security environment in which the unit[63] worked long periods without relief. It was assessed there was outstanding service beyond initial tasks. It was recognised that installation of the communications network was in difficult and hazardous circumstances. It was this network management that enabled UNTAC headquarters to conduct a successful national election.

73. In relation to the Rwanda Meritorious Unit Citation, the Tribunal distils the following four factors:

a) **Sustained outstanding performance**. In the face of intimidation and threats, including challenging and distressing circumstances. This included sustained high rates of surgical procedures.
b) **Dangerous conditions**. Via mines, booby traps, under fire and threat of attack. Further, the potential for disease and infection, as well as, psychologically distressing conditions.
c) **Exceptional leadership and skills.** Particularly in saving lives and restricting the extent of the massacre at Kibeho.
d) **Warlike service**. Reclassified as a warlike operation in 2006.

To which groups might a Meritorious Unit Citation apply?

74. **Were Australian Defence Force personnel serving in 'units'?** The first step in the Tribunal's deliberations was to consider what Australian Defence Force 'units' were deployed to Somalia. Having regard to the definitions set out in the Regulations and submissions made by Defence, the Tribunal applied a broad meaning and considered that 'units' could include units, sub-units or smaller force elements. In this regard, we observed that personnel serving in ASCs were not deployed individually but were assigned to one of the four contingents attached to UNOSOM.

[63] The Force Communications Unit deployed as Australia's main contribution to the United Nations Transition Authority in Cambodia (UNTAC).

75. Defence confirmed that the following listed groups, could be considered 'units' as defined, for the purposes of the Unit Citation Regulations:

a) HMAS *Tobruk*
b) HMAS *Jervis Bay*
c) the 1 RAR Battalion Group[64]
d) force elements from 33, 34, 36 and 37 Squadrons
e) ASCs I, II, III and IV, which included the initial Movement Control Unit within ASC I[65]

Applying the eligibility criteria

76. Having careful regard to the submissions and evidence listed above, the Tribunal considered the eligibility criteria for a Meritorious Unit Citation include the following considerations:

a) **Warlike service.** This is evidenced by service as declared by the Governor-General to be a 'warlike' operation. We observe that this generally applies to time spent in the area of operations, as opposed to port-to-port time, for instance.
b) **Extended period**. The Tribunal was hesitant to put a timeframe upon an 'extended period' but observed that a period of time without some substantive duration might also fail the requirement for 'sustained' nature of the operations, as set out below.
c) **Sustained.** The Tribunal considered that the unit would need to demonstrate that it had maintained its performance continuously and without break. Whilst individuals may have been rested, the unit would need to be continuously engaged in the operation. Removal of the entire unit to a rest area would tend to negate continuous engagement.
d) **Substantially above the unit's normal capacity**. To ascertain this, it was necessary to try to determine the unit's normal capacity. That is, what was the capacity for which the unit had trained operationally, as opposed to the unit's normal capacity in barracks, ashore and at air bases or on routine domestic operations and exercises? In the opinion of the Tribunal, it was over and above what might be expected of a unit of its collective members. If the unit evidenced high levels of equipment, personnel availability and working hours throughout the operation, this might be considered substantially above its capacity. Alternatively or additionally, a unit might be given or seek additional roles and duties adding pressure to a unit already operating above its normal operational capacity. A relevant question to be asked was, did the unit create an effect and achieve results which were clearly beyond what was expected when the unit deployed?
e) **Outstanding.** This should be a subjective and discretionary test with the governing consideration focussed on whether a unit could be seen to have performed with distinction or been conspicuous. This could include an assessment as to whether the leadership of the unit, at junior and senior levels was outstanding. The unit would likely have successfully completed its mission in warlike operations or if not achieved

[64] Defence's submission included Headquarters Australian Force Somalia and the 1 RAR Battalion Group as an integrated unit for the purposes of these considerations.
[65] Oral submission, Department of Defence, 22 February 2022.

significant accomplishments. (It is acknowledged that not all mandated missions will be successful). The real crux is whether the role performed by Australian personnel during the mission was successful. Most significantly, a unit would need to demonstrate that its performance set it apart from other similar units or units engaged on the operation. This could be evidenced by the unit's reputation held by other services, nations or multi-national forces involved, as well as, potentially any indigenous populations it was sent to protect.

77. In summary, the Tribunal decided that to be eligible for the award of the Meritorious Unit Citation, a unit must meet *all* of the following conditions, namely that:

a) it was engaged in 'warlike operations';
b) its operations were 'for an extended period';
c) its operations were 'sustained';
d) its performance was 'substantially above its normal capacity'; and
e) its performance was 'outstanding'.

Assessment of the units and force elements

78. The Tribunal having established the criteria for the award of the Meritorious Unit Citation turned to an assessment of the relevant Australian Defence Force units and force elements against them.

ASCs I, II, III and IV (UNOSOM I and II).

79. The Tribunal first considered the service of ASCs I – IV as chronologically they were the first Australian Defence Force units to deploy to Somalia.

80. Initially, the Australian Defence Force deployed a small Movement Control Unit which was later subsumed into ASC I. There were four ASCs consisting of around 200 RAN, Army and RAAF personnel over a two year period.

81. The first ASC was attached to UNOSOM I/Operation IGUANA from 17 October 1992 to 4 May 1993. Subsequent ASCs served under UNOSOM II from 4 May 1993 to 24 November 1994.

Were the ASCs serving in warlike operations?

82. **ASC I (UNOSOM I/Operation IGUANA).** The first Australians were first deployed in support of UNOSOM I on 17 October 1992. However, this service is considered to be non-warlike service up to 30 April 1993, which roughly coincides with the dissolution of UNITAF and the commencement of UNOSOM II. As service on a warlike operation is an essential element of the eligibility criteria for the Meritorious Unit Citation, the citation cannot currently be recommended for ASC I to recognise its service up to and including 30 April 1993.

83. The Tribunal received some conflicting submissions regarding the nature of this service from the Department of Defence. Notwithstanding the fact that service up to 30 April 1993 is recognised with the Australian Service Medal (awarded in recognition of non-warlike service)

at hearing, Defence informed the Tribunal that service prior to 30 April 1993 was determined to be qualifying service under the *Veterans Entitlements Act 1986,* and on that basis, equivalent to warlike service.[66] However, in a somewhat contradictory later submission, Defence stated that medallic regulations and those governing repatriation benefits are entirely separate.[67] In an addendum to that submission, Defence advised the Tribunal that the current declaration under the Australian Service Medal Regulations which declares service on UNOSOM I to be non-warlike does not mean that this service cannot be recognised by a Meritorious Unit Citation, noting service on UNOSOM I is qualifying service under the VEA. In recognising the incongruence of such an arrangement, Defence advised the Tribunal that it may wish to consider separately making recommendations regarding recognition of service from 17 October 1992 to 30 April 1993 with the Australian Active Service Medal.[68]

84. We are of the view that, as the Governor-General has not yet declared the operation warlike, for the purposes of the Australian Active Service Medal, service on ASC I does not currently meet the eligibility criteria for service prior to 1 May 1993.

FINDING: ASC I (which includes the initial Movement Control Unit) which served between 17 October 1992 and 30 April 1993 operating under UNOSOM I does not meet the eligibility criteria for the award of a Meritorious Unit Citation for its involvement in Operation IGUANA.

Should service prior to 1 May 1993 be recognised as warlike?

85. As noted above, in its fourth submission Defence suggested that, as UNOSOM I was qualifying service under the VEA, this was sufficient for the purposes of meeting the criteria for a unit citation. This is clearly incorrect. Such service is qualifying service under the VEA under section 7A(1)(a)(iii) of that Act because Schedule 2 to the Act lists at Item 14 "the area comprising Somalia" for the period "from and including 20 October 1992 to and including 30 November 1994". It is not qualifying service under section 7A(1)(iv) because the Minister has not made a declaration under the VEA declaring it to be warlike service.

86. The question is thus whether the categorisation as non-warlike is correct. Cabinet, in 1993, adopted definitions for determining warlike and non-warlike classifications of service[69] which were then updated in 2018 by the Minister of Defence to be:

> ***"Peacetime***
>
> *A peacetime classification acknowledges that an element of hazard and risk is inherent to ADF service and that personnel are appropriately trained and compensated for their*

[66] Oral submission, Department of Defence, 22 February 2022.
[67] Submission 29D, Department of Defence.
[68] Ibid, Addendum 29D1 email Mr Ian Heldon to Mr Jay Kopplemann, 1 June 2022.
[69] Cabinet Decision 1691/1993, NAA: A14217, 1021.

specific military occupation. Service on peacetime operations is not the same as serving overseas on a posting or short-term duty.

A peacetime operation is an Australian Government authorised military operation or activity that does not expose ADF personnel to a Defence-assessed threat from hostile forces. Therefore, there is no expectation of casualties as a result of engagement with hostile forces. There may be an increased risk of harm from environmental factors consistent with the expectation that ADF personnel will from time to time perform hazardous duties.

Non-warlike

Non-warlike service exposes ADF personnel to an indirect risk of harm from hostile forces.

A non-warlike operation is an Australian Government authorised military operation which exposes ADF personnel to the risk of harm from designated forces or groups that have been assessed by Defence as having the capability to employ violence to achieve their objectives, but there is no specific threat or assessed intent to target ADF personnel. The use of force by ADF personnel is limited to self-defence and there is no expectation of ADF casualties as a result of engagement of those designated forces or groups.

Warlike

Warlike service exposes ADF personnel to a direct risk of harm from hostile forces. A warlike operation is an Australian Government authorised military operation where ADF personnel are exposed to the risk of harm from hostile forces that have been assessed by Defence as having the capability and an identified intent to directly target ADF personnel. ADF personnel are authorised to use force to pursue specific military objectives and there is an expectation of ADF casualties as a result.

88. The wording of these definitions makes clear that, in the view of the Government:

a) non-warlike operations are short of the risk involved in warlike operations; and
b) casualties are expected in warlike operations but, while 'possible', are not expected in non-warlike operations.

89. In adopting the definitions, Cabinet decided that, once a deployment was declared as warlike or non-warlike, specified conditions of service would be assumed to be approved.

90. Cabinet further agreed that:

a) the VEA should be reviewed 'to incorporate the definitions of warlike and non-warlike service'; and
b) 'the recommendation for the award of medals would be aligned to the definitions of warlike and non-warlike service'.

91. Cabinet thus intended that the definitions of 'warlike' and 'non-warlike' would apply equally to:

a) the conditions of service, such as allowances and leave, referred to in the Cabinet decision and associated Cabinet Submission;
b) veteran's entitlements arising from such service; and
c) the administration of defence medals that used the terms 'warlike' and 'non-warlike'.

92. It is thus appropriate to compare the risk and likelihood of casualties associated with service up to 30 April 1993 with that associated with Somalia service from 1 May 1993. On the evidence available to the Tribunal, there was no material difference between these two periods of service by reference to those factors. Indeed, the Tribunal heard repeated submissions from a broad range of credible eyewitness submitters that service in Somalia, be it in Mogadishu or Baidoa, prior to 1 May 1993 was equally dangerous, if not more so, than service after that date. This is partially acknowledged by the award of the AASM to those serving on Operation SOLACE in Mogadishu prior to that date.

93. Accordingly the Tribunal believes that UNOSOM I service in the period to 30 April 1993 should be declared to be a "warlike operation" under the AASM Regulations. This would mean that:

a) such service would thereby become eligible for award of the MUC; and
b) those ADF members who had been awarded the ASM would thereby become eligible for the AASM (upon surrender of their ASM).[70]

94. In light of these circumstances, notwithstanding that ASC I between October 1992 and 30 April 1993 cannot currently qualify for the award of the Meritorious Unit Citation, the Tribunal continued to consider if ASC I between those dates met the other eligibility criteria, as well as the ASC I from 30 April 1993.

95. **Was ASC I (1 May 1993 to 31 May 1993) and ASC II, ASC III and ASC IV (UNOSOM II) serving in 'warlike operations'?** Yes. As the respective service of those contingents was after 30 April 1993 their service was 'warlike' as declared.

96. **Were the operations of ASC I (October 1992 to 30 April 1993), ASC I (1 to 31 May 1993), ASC II, ASC III and ASC IV for an extended period?** Yes. All ASCs served for extended periods. ASC I personnel served for seven to eight months from 17 October 1992 to 31 May 1993. This was 32 weeks prior to 1 May 1993 and four weeks after that date. Having regard to the length of time and the arduous nature of the service in question, we consider that the service of ASC I between 1 and 31 May 1993 to be an extended period as well as ASC I prior to 30 April 1993.

97. ASC II personnel served over seven months, from 1 May 1993 to 25 November 1993. ASC III served for some seven months from 28 October 1993 to 25 May 1994. ASC IV served for some six months from 21 May 1994 to 23 November 1994.

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[70] We note that it would not be necessary to additionally make a declaration of warlike service under the VEA in order to meet the intention of Cabinet that service conditions, VEA entitlements and medallic recognition should align. This is because, as noted, UNOSOM I service is already qualifying service and no better VEA entitlement would accrue if it were also declared under the VEA to be 'warlike service'.

98. The Tribunal went on to consider the service of ASCs I-IV against the other elements of the eligibility criteria together. Although there were some differences in the service of each contingent, we consider that they were sufficiently similar in their role, manning, operations, rate of effort and performance for us to do so. Further, they all faced broadly similar dangers and challenges living and working in Mogadishu, notwithstanding the current classification of non-warlike service prior to 1 May 1993. This has been acknowledged by Defence in its classification of service on Operation SOLACE in Mogadishu during the period.

99. **Were the operations of ASC I (October 1992 to 30 April 1993), ASC I (1 to 31 May 1993), ASC II, ASC III and ASC IV 'sustained'?** Yes. All ASC operations were sustained and uninterrupted. The four contingents were extremely busy and worked long hours in difficult conditions. The 24/7 nature of their roles and operational tempo required personnel to work on average a 6.5 to seven day working week. Additional hours were spent volunteering to support wider contingent needs or humanitarian activities and a number of examples were given of contingent members carrying out building works in whatever downtime they had.[71] Air traffic control continued to operate notwithstanding the hostile environment at the airfield. Movements at the airfield and/or port could be hundreds a day. ASC IV alone rotated and repatriated more than 13,000 troops and their equipment to 14 different countries.[72]

100. Opportunities for rest were limited. For a time, movement control staff were able to be rotated through Nairobi which provided some relief from the prevailing tensions of Mogadishu.[73] For all the respective contingents housed in Mogadishu, the threat of lethal incident was ever present and there was nowhere to retire safely out of range, including accommodation areas.[74]

101. Defence did not dispute that the operations performed by ASCs I to IV, which included the initial Movement Control Unit, were sustained; and the Tribunal had little difficulty in finding so.

102. **Did the ASCs perform 'substantially above their normal capacity'?** Yes. To assess whether the ASCs performed above their normal capacity, we first tried to determine the normal capacity of a contingent or Movement Control Unit as indicated in the following paragraphs. At the outset it was difficult for the Tribunal to assess their 'normal capacity' as the respective contingents had never served or trained together.

103. **Makeup of the ASCs.** Army had been the only service to maintain a movements' trade for officers, predominantly from the Transport Corps. But as part of the joint effort, the Movement Control Unit and subsequent contingents were required to also draw upon Navy and Air Force personnel, who were generally logisticians. The contingents had non-commissioned officers, warrant officers and commissioned officers with good experience. Some would go on to work at UNOSOM headquarters. There were also medical, signals and intelligence personnel

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[71] Submission 32, Dr Anthony Robbins, e.g. ASC IV building the Mass Casualty area

[72] Report, Lt Col S.J. Ellis 'United Nations Operation in Somalia (UNOSOM II) Australian Contingent (ASC IV) Post "Operation Iguana" Report', 11 November 1994, NAA A6721, A96/2002 pt. 1. *The Limits of Peacekeeping,* p.195...

[73] Submission 45 to DHAT Inquiry, Colonel Trevor Jones CSC (Retd) p.7.

[74] Submission 32, Dr Anthony Robbins p.7.

in due course Special Forces.[75] The initial Movement Control Unit was aptly described as 'liquorice allsorts from the three services'[76] and this was true of all the ASCs.

104. **Experience of ASCs.** The contingents contained a mix of very experienced personnel and some less experienced personnel. Few had operational service or peacekeeping experience, which was true of all Australian Defence Force units serving in Somalia.[77] The importance of previous operational experience to guide, support and mentor those without such experience was highlighted to the Tribunal by Group Captain Peter Noake. He served as a member of ASC III and said that 'the four old hands' with previous operational experience in Cambodia were very valuable to the force. This, however, was very much the exception.

105. Being primarily logicians and movement staff, some had essentially desk jobs and were untrained for the urban combat that Mogadishu presented. Some members were not trained for escort taskings[78] or very proficient on the F88 Austeyr rifle, some having only fired or handled the weapon during recruit training, prior to truncated pre-deployment training. This resulted in a number of unauthorised discharges.[79] The Commander of ASC II, Colonel Trevor Jones, stated that, from what he observed, 70 per cent of his contingent were substandard in weapons handling skills. He found this 'quite frankly, frightening'.[80]

106. Some individuals deployed in small teams were better prepared for the deployment, such as the air-traffic controllers[81] (ASC III and IV), airfield management team (ASC IV) and Special Forces (ASC IV). An air traffic controller, Group Captain Robert Graham, said that as they trained as a combat support service it could be said to that extent that they were operating at normal capacity. But he went on to say that the security situation, particularly in 1994, was 'abysmal'.[82] To him, air traffic control substantially operated above its normal capacity.

107. **Pre-deployment training**. Members of the ASCs had never trained as a contingent until their training at Randwick Barracks, which was of two weeks' duration but was increased for ASC IV. ASCs II – IV had the benefit of a handover in location. The initial Movement Control Unit received the least training. Major Jackson (ASC I) spoke of the 'total confusion' that existed during the planning and initial deployment.[83] There was little intelligence going into Somalia, with the information flow from Mogadishu to Australia being poor.[84] Most knowledge was gleaned from the media. Training had included an extract from the travel publication, "Lonely Planet Guide".[85] When the Movement Control Unit arrived in Somalia personnel found that their role was very much broader than had originally been identified by the United Nations, which was to support the military organisations. The Movement Control Unit had to provide support to the entire UNOSOM operation, which included civilian

[75] Submission 23 Colonel Trevor Jones
[76] Submission 31 Lieutenant Colonel Paul Angelatos
[77] Submission 23 Colonel Trevor Jones
[78] Oral submission, Lieutenant Colonel Paul Angelatos (Retd)
[79] *The Limits of Peacekeeping* p.191.
[80] Submission 23 Colonel Trevor Jones, CSC (Retd) ASC II written submission p 22 of 27.
[81] According to Colonel Trevor Jones, ASC II, "Pitch Black Exercises" had assisted in their training.
[82] Group Captain Robert Graham oral submission, 29 March 2022.
[83] Major Greg Jackson Post Activity Report Operation Iguana dated 24 May 1994 AWM 330 PKI-106-19.
[84] Submission 31 Lieutenant Colonel Paul Angelatos (Retd), oral submission.
[85] Ibid.

administration and humanitarian and political organisations.[86]ASC II submitters were critical of the training they had received. They said they were inadequately prepared and under resourced, being told they were deploying on a mundane peacekeeping mission, but following UNITAF's departure, what they experienced was something very different. [87] [88]

108. The ASCs were not self-sufficient but reliant partly on other UNOSOM contingents and civilian contractors. They were also required to work with other military forces, including those from non-Western countries, such as Pakistan and Egypt which required the careful negotiation of cultural and language barriers. Further, we heard they had to endure the bureaucracy of the United Nations. They had no familiarity of this as part of their experience or training, except during limited handovers for ASCs II- IV.

109. The Tribunal assessed that there were substantial challenges in preparing personnel for the ASCs, both individually and training as a group. It was not straightforward for the Tribunal to assess if they had substantially performed above their normal capacity as there was no baseline 'normal' with which to compare. However, based on the evidence, the Tribunal considered they performed above what could reasonably be expected of them. **For this reason, and the additional reasons expanded upon below, the Tribunal finds that all ASCs served substantially above their normal capacity.**

110. **Dangers of Mogadishu.** The Tribunal heard much evidence about the constant threat and risk of lethal attack in Mogadishu and the local surrounds. Although the threat level fluctuated from time to time, the Mogadishu port, airfield and urban areas were consistently dangerous. The route between the air field and the township was not secure and escorts were needed for port visits. Submitters who had gone on to deploy on other operations reported that their time in Mogadishu was as difficult and dangerous, if not more so, than operations such as East Timor and Afghanistan.[89] [90]

111. Mogadishu was particularly dangerous when the first Movement Control Unit arrived in October 1992. The first three to four months were said to be more dangerous and hostile than subsequent ASC deployments.[91] Lieutenant Commander Andrew Naughton who visited Mogadishu from December 1992 reported that 'Mogadishu is paralysed in a state of anarchy, there is no infrastructure other than the tribal dynamics of survival or the law of the gun'. [92]

> *the period from October through till December/January, when UNITAF arrived, it was just bedlam. Yes, I would regularly have to make trips out to an airstrip on the perimeter of Mogadishu - it was called West Mogadishu. Yes, as you'd drive there it wasn't just rocks being thrown. You literally would be shot at every time you went out there. I've documented here the day I actually went down and met Bill Neville when he arrived in - as part of the UNITAF advance party. I travelled down in a little minibus*

[86] Major Greg Jackson Post Activity Report Operation Iguana dated 24 May 1994 AWM 330 PKI-106-19.
[87] Submission 4 Mr Michael Apperley.
[88] Submission 23 Colonel Trevor Jones, CSC (Retd).
[89] Oral submission, Major General Brian Dawson AM CSC (Retd),
[90] Oral submission, private submitter.
[91] Submission 31 Lieutenant Colonel Paul Angelatos (Retd).
[92] Operation SOLACE National Liaison Team, Lieutenant Commander McNaughton's Report, *Visit to Mogadishu December 1992*.

> *to meet him and a couple of the other staff officers, and on the way back from the airport, to take them to the force headquarters, we were shot at.*[93]

112. It was said that although the security situation in Baidoa improved with the arrival of 1 RAR Battalion Group in early 1993, in Mogadishu the attitudes of most Somalis towards UNITAF and UNOSOM personnel seemed to vary from outright hostility to ambivalence. [94]

113. To the Tribunal, this evidence further supports our recommendation that the period of service prior to 1 May 1993 should now be considered warlike.

114. By mid-1993, ASC II had been under attack on almost a daily basis[95] and was constantly at risk operating tactically throughout Mogadishu.

115. The 'Black Hawk Down Battle' between 3 and 4 October 1993 occurred during the time of ASC III. Then at the start of ASC IV, the remaining US forces began moving out. These factors changed the dynamics and dramatically changed the security situation. In recognition of the inherent dangers of working in Mogadishu, force protection was finally provided to ASC IV by a 10-man Special Air Service Regiment team from J Troop. They also provided elite response and VIP protection. The small team were involved in a number of actions and skirmishes before they returned in November 1994 with the last of the Australian personnel. Captain P, a Special Forces member of the ASC IV security force, who went on to deploy in 12 subsequent operations, stated at an *in camera* hearing:

> *"I think the single biggest comparison was the number of guns and firearms that were in the hands of Somalis that were being carried around at all times. After the deployment I likened it to being in the Wild West where essentially all adult Somali males carried a firearm; predominantly that was a long gun, so a rifle, and in most cases an assault gun such as an AK variant. The UN was powerless to attempt to disarm them because of the fact that they were prevalent throughout all of Mogadishu and other parts of Somalia. But it was also there for the security of the Somali himself and it was almost impossible to determine in a lot of cases who was a regular Somali carrying a firearm for his own safety and who was a militia member or a man with criminal intent. But certainly, that was something I didn't experience in any other deployments where the citizens of the region we were operating in were all armed."*[96]

116. **Living conditions.** Mogadishu was home to displaced Somalis living in squalid living conditions in 'humpys'. Moving around Mogadishu to live and work was very difficult and dangerous. Fresh food and water were rationed at times. ASC I initially established an excellent tented camp next to the airfield but this had to be abandoned. ASC II moved to a villa in Warlord Aideed's part of the city, which proved too dangerous. Then, together with the New Zealand Contingent, ASCs II, III and IV occupied a derelict vehicle garage in the United States Embassy enclave. This would eventually become known as "ANZAC House". Major General Brian Dawson CSC (ASC III) recalled that at least on one occasion a bomb landed within the compound and on other occasions there was machine-gun fire overhead.[97]

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[93] Oral Submission, Lieutenant Colonel Paul Angelatos (Retd) 22 February 2022.
[94] Brigadier Peter Abigail report on visit to Somalia in March 1993.
[95] Submission 1 Mr David Vinen
[96] Oral submission, private hearing.
[97] Oral submission, Major Brian Dawson CSC (Retd).

117. **Versatility, adaptability and resilience**. Initially when the Movement Control Unit arrived it was chaotic and movement services were overstaffed. They were not allocated vehicles for their own transport. The airfield had no functioning lighting. They assisted aircraft to land with novel lighting solutions, such as, torches, lanterns and vehicle lights.

118. But it was not long before the Australians became known as the 'go to' for movements at the port and airfield. High volumes of stores were able to be moved. Dr Anthony Robbins, who deployed as the Australian Defence Force Regimental Medical Officer, (ASC IV), became a qualified forklift driver to assist in major logistical jobs.[98] The Tribunal also heard of members of ASCs III and IV using and maintaining 'acquired' armoured personnel carriers, without formal qualifications, 'to get the job done'.

119. **Air Traffic Control Unit**. When Air Force air traffic controllers arrived as part of ASC III, they operated from a makeshift control tower on top of four shipping containers, constructed 'lego-block' style. Occasionally, the tower came under casual Somali sniper fire and had to be evacuated.[99] Fortunately, aircraft rather than the control tower were the target of choice of Somali militia.

120. Former Special Forces soldier, Mr David Vinen, recounted the threats to ASC III's air traffic controllers. He stated:

> "*a couple of times the actual air traffic control tower was targeted and personnel inside the control tower, they just basically dived under their desks whilst the perimeter defences at the airfield again returned fire against the Militia until such time as the Militia were either killed or withdrew, and then our personnel then got back up again and carried on with their work."*[100]

121. The air traffic controllers worked a very hectic airfield with 12 hour shifts, one runway and the only safe take off and approach being over the sea. They were operating in a non-radar environment, sometimes having to negotiate language barriers in communications with aircrews. The air traffic controllers were credited by other forces for their sustained and diligent efforts. They managed to keep the busy airfield operational for the entire mission. At their peak in November 1993 the controllers were handling 500 aircraft movements a day.[101] By ASC IV, the air traffic controllers became the largest single unit within the contingent, with 12 personnel who were an integral part of the operations of UNOSOM II.

122. **Summary.** The Tribunal noted the inherent dangers faced by ASC personnel living and working in Mogadishu and the challenges presented to personnel in movements, security, at the headquarters and particularly in the air traffic control unit. It also assessed their versatility, adaptability and resilience in response to those challenges. There were multiple examples of individuals working well beyond their capacity and experience, and also whilst working independently and as force elements.[102] We came to the conclusion that all the ASCs operated

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[98] Submission 32 Dr Anthony Robbins.
[99] Submission 23 Colonel Trevor Jones CSC (Retd)
[100] Oral submission, Mr David Vinen, 24 February 2022.
[101] *The Limits of Peacekeeping,* p. 181- Report, Lieutenant Colonel Stuart Ellis, 'United Nations Operation in Somalia (UNOSOM II) Australian Contingent (ASC IV) Post "Operation Iguana" Report', 11 November 1994, Defence: NAA A6721, A96/2002 part 1.
[102] Oral submission, Major General Brian Dawson, AM, CSC (Retd), 29 March 2022.

substantially above their normal capacity or, perhaps more accurately, their expected capacity in all the circumstances.

123. **Were the performances of the respective ASCs 'outstanding'?** Yes. The Tribunal considered that all four ASCs excelled in their roles under extreme pressures. The Tribunal put this down to the senior leadership of the contingents and work ethos of the teams. To the Tribunal their outstanding performance set them apart from other units. Regrettably, media coverage at the time largely concentrated on the efforts of Operation SOLACE, with limited coverage of the efforts of the ASCs who perceived that their efforts were not properly recognised or acknowledged. [103] Further, the Australians were seen as scrupulously fair in their dealings with Somalis in and around Mogadishu.[104]

124. **Leadership.** Senior leaders of the four ASCs were spoken of highly in terms of their professionalism in ensuring members were safe in such an environment. It was acknowledged that they shouldered a huge responsibility. Major Jackson was cited in one submission for his leadership of the initial Movement Control Unit, who were an untried team in a hostile environment, while battling his own dengue fever.[105]

125. Junior leaders were also regarded highly working with responsibility and autonomy above their rank. The mainly independent actions of two junior leaders, Corporals Lawrence Stein and David Vinen were singled out in that regard by Land Commander, Major General Murray Blake, Land Commander, Australia, who later recalled that both 'accepted responsibility far in excess of their rank and have grown great skill and initiative.[106] Their performance and actions were credited with mission success.[107]

126. **UN Mission success.** The mission of UNOSOM I was to 'monitor the cease-fire that was in effect at the time and to protect United Nations personnel during their humanitarian operations'. ASC I assisted to protect United Nations personnel by providing escorts and movement control and strategic planning. ASC I and its members accomplished much. Whilst it could not be said that the United Nations mission was completely successful, the role performed by the ASC I during the mission was successful.[108]

127. The Mission of UNOSOM II was an ambitious one of nation building and went beyond the limits of traditional peacekeeping. The ASCs provided humanitarian support and by the rotation of Contingent IV donations from Australians were being sent to support various orphanages which Australian Force Somalia had supported.[109] As a mission it was not ultimately successful with the United Nations withdrawing with no real inroads into nation-building. Mogadishu, in particular, remained an insecure and dangerous place.

128. As was the case with ASC I, notwithstanding that the United Nations missions were not ultimately successful, this did not mean that the ASCs II to IV, as units, had not performed

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[103] Major Greg Jackson Post Activity Report Operation Iguana dated 24 May 1994 AWM 330 PKI-106-19.
[104] Submission 23 Colonel Trevor Jones CSC (Retd).
[105] Submission 31 Lieutenant Colonel Paul Angelatos (Retd).
[106] *The Limits of Peacekeeping, p.163*.
[107] Submission 23 Colonel Trevor Jones CSC (Retd).
[108] Major Greg Jackson Post Activity Report Operation Iguana dated 24 May 1994 AWM 330 PKI-106-19.
[109] ASC IV Humanitarian Support Report, Lieutenant Colonel Stuart Ellis, CPMASC Enclosure 3 to Commander's War Diary dated 6 October 1994 –AWM330 PKI-106-129.

their tasks well and with accomplishment. Over two years the respective contingents had provided the United Nations and Somalia with air transport support, movement control, strategic planning and security. Further, they had helped in the rehabilitation of the country's airfield operations and supported orphans at Mogadishu and Baidoa.[110] ASC IV assisted the successful withdrawal of UNITAF forces without further loss and its air traffic controllers had trained Somali air traffic controllers to take over from them.

129. **Did the performance of the ASCs set them apart from other similar units?** Yes. We found that it was widely accepted that the ASCs performed a critical role and they were highly regarded by United Nations and Coalition forces. Lieutenant Colonel Brian Millen (ASC III) stated that the air traffic control unit had performed flawlessly in a high stress environment.[111] The United States relied upon Australians to pull their weight and they did.[112] As Lieutenant Colonel Paul Angelatos from the Movement Control Unit stated:

> *The Americans loved us. They loved the fact that we never said no, probably to our detriment. We always took a task on. We always delivered. Yes, some of the tasks that we did in those early stages were, I've got to say, were pretty menial, pretty mundane, but we were there in theatre. We had a job to do, so we never said no, didn't matter what it was. We provided support to anyone and everyone.*[113]

130. It was submitted that the United States could rely upon few other contingents in theatre.[114] UNITAF's successful and consistent reliance on Australia led to increased demands which included the request to provide air traffic controllers. It was widely regarded that the dedication of the controllers at the airfield and the movers of equipment and personnel were critical to the ongoing operation of UNOSOM II. General Aboo Samah Bin Aboo Bakar from Malaysia, Forces Command UNOSOM thanked Australia for its valuable contribution to the Mission and sought to extend the role of AFS at the airfield for as long as possible.[115]

131. **Individual recognition**. The Australian Service Contingents received the highest number of individual awards for service in Somalia, with two decorations in the Order of Australia, five awards of the Conspicuous Service Cross, two awards of the Conspicuous Service Medal and one Commendation for Distinguished Service (see Appendix 3).

132. **Contemporaneous Meritorious Unit Citation examples**. In reaching its conclusion, the Tribunal considered the nearest contemporaneous examples of Meritorious Unit Citations to ASCs, which were also land based operations in the early to mid-1990s. These were ASCs 1 and 2 to Operation TAMAR in Rwanda and the Force Communication Unit attached to Operation GEMINI in Cambodia. We observed that the performance of the ASCs deployed to Operation TAMAR was described with the words: 'sustained', 'outstanding', 'discipline', 'courage', 'commitment', 'resilience' and 'bravery'. The Tribunal considers that the

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[110] *The Limits of Peacekeeping,* p.190.
[111] Ibid, p.178 – *Report by Lieutenant Colonel B Millen, 'Brief on additional manpower requirements by COMASC UNOSOM II, 9 February 1994.*
[112] Ibid.
[113] Submission 31 Lieutenant Paul Angelatos (Retd) p73.
[114] Submission 23 Colonel Trevor Jones CSC (Retd) p 7.
[115] Kenyan request to UN to extend Australia's involvement in Somalia Oct 1994-AWM260 3-19.

performance and achievements of all four ASCs in support of UNOSOM I and UNOSOM II could also be described in the above terms.

FINDING: ASC I (30 April 1993 to 31 May 1993), ASC II, ASC III and ASC IV meet the eligibility criteria for the award of the Meritorious Unit Citation for their service in Somalia.

RECOMMENDATION: ASC I (30 April 1993 to 31 May 1993), ASC II, ASC III and ASC IV be awarded the Meritorious Unit Citation to recognise their service in Somalia.

RECOMMENDATION:

a) **The Minister for Defence recommend to the Governor-General that service with the First and Second United Nations Operations in Somalia from 17 October 1992 to 30 April 1993 be declared a warlike operation for the purposes of the Australian Active Service Medal; and**
b) **the Meritorious Unit Citation then be awarded to ASC I for service from 17 October 1992 to 30 April 1993.**

1 RAR Battalion Group/Australian Force Somalia

133. Our assessment of the service of 1 RAR Battalion Group (the Battalion Group) deployed to Somalia on Operation SOLACE against the eligibility criteria is as follows. In making this assessment, and in light of Defence's submission[116] we have also considered the service of the national command element, Headquarters, Australian Forces Somalia.

134. **Was the Battalion Group serving in 'warlike operations'?** Yes. Operation SOLACE was declared a 'warlike' operation from 9 December 1992 to 4 May 1993. This covered the entire period of operational deployment of the Battalion Group.

[116] Submission 29B, Department of Defence, p.4.

135. **Were the operations of the Battalion Group for an extended period?** Yes. It served for 17 weeks without interruption.

136. **Was the service of the Battalion Group 'sustained'?** Yes. Defence in its submission accepted that:

> *"1 RAR Battalion Group were deployed on Operation SOLACE (UNITAF) in Somalia for nearly five months and so the Battalion Group's performance, based on the precedent set by the Meritorious Unit Citation awarded for Operation TAMAR in Rwanda, could now be re-assessed and described as 'sustained'.* [117]

137. The Tribunal agrees with the Defence position. We further considered that the arduous and difficult living and working conditions, exacerbated by the inhumane environment contributed to the 'sustained' nature of the operation. All submitters spoke of the sustained and intense rate of effort with a 24 hour, seven day work cycle. Primitive living conditions made rest and recuperation difficult. A submitter from 3rd/4th Cavalry Regiment, stated that 'rest' periods were often spent repairing vehicles, often with poor supplies.[118]

138. **Did the Battalion Group perform 'substantially above its normal capacity'?** Yes. In arriving at this conclusion, we first assessed its normal capacity to deploy on operations. At the end of 1992 Australia had only two high readiness battalions. 1 RAR Battalion Group was operationally ready.

139. **Experience level.** As with the ASCs, we heard that the Battalion Group had few operationally experienced members. Lieutenant General John Caligari (Retd), the then 1 RAR Battalion Group Operations Officer stated that *No one in my company would be lucky to swing a 15-year service medal amongst them, and certainly no Vietnam experience left over.*[119]

140. **Exercises in 1992.** We then looked at the training regime of the Battalion Group to determine its preparedness for peacekeeping. In March 1992 1 RAR took part in Exercise KANGAROO 92, (as did HMA Ship's *Tobruk* and *Jervis Bay*), which involved an amphibious tactical lodgement and major clearing operations on Melville and Bathurst Islands. These islands off Northern Australia had a similar warm climate to Somalia, which was said to have been of benefit to the troops in Somalia.

141. In the second half of 1992, Exercise SWIFT EAGLE took place, which was a week-long Battalion exercise. 1 RAR engaged in 'Service Protected Evacuation' (SPE) exercises as opposed to usual close combat jungle training. It was tasked to apply the Rules of Engagement (ROE) that set the protocols for use of lethal force to be used. It was submitted that SPE proved invaluable training for Somalia as soldiers practiced controlling population movement and

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[117] Submission 29 Department of Defence.
[118] Submission 16 Warrant Officer 1 Dennis Barlow and oral submission 24 February 2022.
[119] Oral submission, Lieutenant General John Caligari, AO DSC (Retd), 23 February 2022.

interacting with civilians within an area of operations. It would also prove handy training for crowd control at food distribution centres in Baidoa.[120]

142. Whilst senior leaders, such as Lieutenant General Caligari, believed this training was timely, we note it was only for a week and not in an urban setting like Baidoa. It is accepted by the senior leaders that the Battalion Group had very little experience with military operations in urban terrain. At that time there was no urban terrain training facility.[121] It was identified after Operation SOLACE that additional training in urban patrolling and building search techniques should be included.[122]

143. **Pre-deployment training.** In the early hours of 15 December 1992, 1 RAR Battalion Group was put on short notice to deploy for Operation SOLACE. This did not provide much time to tailor training for the peacekeeping operation. Submitters stated that they were not given detailed briefings of what to expect in the Baidoa region. The Land Commander, Major General Murray Blake, later recalled that it was frustrating not to have a clear intelligence picture of the likely threat prior to deploying.[123] While the Battalion Group's advance party had the benefit of some brief handover training from US Marines stationed in Baidoa, preparation even resorted to looking at Ampol maps of the region for familiarisation.

144. **Training - combat versus peacekeeping.** It is worth reflecting that in the 1990s Army Regiments routinely trained for combat operations rather than peacekeeping. Many infantrymen likely hoped for an opportunity to test their combat skills against Somali gunmen seen on the nightly media reports.[124] However, there were strict ROE and orders around opening fire. These were to 'respond in a proportionate manner to a hostile act when there is clear evidence of hostile intent'. While this could involve the use of deadly force, the infantry would find themselves essentially operating as a heavily armed police force, deterring hostile groups from interfering with United Nations and non-government organisation humanitarian activities.

145. **Diverging views - readiness for Somalia.** Senior leaders submitted that Battalion Group personnel, both individually and collectively, had been satisfactorily trained for Somalia. Lieutenant General Caligari submitted that the Battalion Group was "90 percent ready and 10 percent would have to be learnt in location".[125] By contrast, junior ranked submitters were united in their view that their training did not adequately prepare them. Although the training of 1992 was duly acknowledged, submitters said nothing could prepare them for their role as peacekeepers in a third world country with a starving population.[126] Few had been to

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[120] LTCOL Hurley was of the view that their SPE training the previous year was time well spent. Letter Hurley to Brigadier Abigail 21 February 1993. *Still the Same – Reflections on Active Service from Bardia to Baidoa* – Army Doctrine Centre 1996.
[121] *Still the Same*, p233.
[122]Land Headquarters Minute – Operation Solace key issues/ lessons learned summary, Major General Murray Blake, LCAUST 8 June 1993, p 8.
[123] *The Limits of Peacekeeping,* p.86.
[124] Breen, Associate Professor Bob, *Australian Military Force Projection 1980s and 1990s*, ANU Thesis for Doctor of Philosophy, May 2006 p.61.
[125] Oral submission, Lieutenant General John Caligari, AO, DSC (Retd), 23 February 2022.
[126] Oral submission, Mr Sean Robinson, 23 February 2022.

Africa. To them this was the difficult 10 percent for which they could not prepare, which put them well and truly out of their comfort zone. Meeting this challenge put their service above their normal operating capacity.

146. This was graphically illustrated by Mr Sean Robinson, then a Section Commander in 1 RAR, who stated:

> *"the thing that always comes to mind about Somalia is the humidity, the wind, the heat and the stench. I'm haunted by the memories of children so malnourished they were skin and bone, without the strength to hold their own head up. People begging for the slightest bit of food and water and so desperate they would fight or kill to have some. It was not uncommon to come across a body or shallow grave, so shallow some of their body parts are exposed. And the stench; I will never forget that stench."*[127]

147. The Tribunal found that in regard to the 'normal' capacity of junior leadership and the rank and file, the conditions and the environment confronted in Somalia could not be reasonably, or fully, replicated in training in Australia prior to deployment.

148. **Assessing the difficulties faced by the Battalion Group in operating at normal capacity.** The Tribunal heard much evidence about unexpected operational dynamics which junior leadership and their soldiers were able to overcome which helped achieve mission success, which we discuss below.

149. **Dangers.** When the Battalion Group first arrived in Baidoa it was entering a highly unstable environment. Submitters spoke about the constant threat and risk of lethal attack. The main difficulty was that the indigenous nature of hostile elements made them difficult to discern from the local civilian populations. As Lieutenant General Caligari stated,

> *"we all went across thinking it was the bandits we were fighting because the bandits were the ones who were attacking the non-government organisations but we pretty quickly realised that the people who were civilians by day being used by the NGOs by night as guards that were the people who were then fighting us in the evenings."*[128]

150. This issue contributed in a real way to the high level of constant threat and risk faced by Australian troops. One submitter described Baidoa as the 'Wild West' given the prevalence of armed Somalia males with uncertain loyalties who were, at times, high on the drug 'kwaat'.

151. As an illustration of mission success, by the time the Battalion Group left, the environment of the Bai Region had stabilised. By this time the main threats to Australian personnel were bandits who maintained a low profile in most circumstances.[129]

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[127] Ibid.
[128] Submission 28 Lieutenant General John Caligari AO DSC (Retd).
[129] Brigadier Abigail reported from his visit in March 1993[129], the AFS were held in high regard by the majority of the population of Baidoa.

152. As with the submitters from ASCs, those from the Battalion Group who had gone on to deploy on other operations reported that their service in Somalia was as difficult and dangerous, if not more so, than operations such as East Timor and Afghanistan.[130]

153. **Difficult living and working conditions.** Soldiers faced truly difficult conditions. Soldiers lived in rudimentary canvas shelters which gave little relief from the heat and dust. They slept on stretchers. At times there was no electricity. Water was scarce. Rest and recreation were limited.

154. Streets were littered with animal and human faeces and shallow buried bodies were at times visible. One submitter spoke of an 'arm poking out of the ground'. Others spoke of the constant stench.

155. The culture and climate at times sapped the patience, tolerance and energy of western trained forces, including the Australians but notwithstanding the extreme challenges, high operational tempo was maintained. The Group patrolled 24 hours a day, seven days a week looking for bandits. Patrols were described as 'marathons'. Warrant Officer Dennis Barlow described:

> *Dressed in flak jacket and helmet, the soldiers had to walk one kilometre before they left the perimeter of the air field, then cover 12 – 15 kilometres in temperatures of 40C. To sleep after the patrol was near impossible. A company of men (more than 100) were crammed into a roofless building in sweltering conditions.*[131]

156. Conditions at the national command headquarters were also primitive. They were based in a damaged and abandoned library adjacent to HQ UNITAF located in the US diplomatic compound in Mogadishu. Until his staff arrived with communications equipment and other supplies, Colonel Mellor did not have a functioning headquarters and had to request local American support staff to assist him and his staff to refurbish the derelict and rat-infested library. Even after the remainder of his staff and stores arrived, little could be done to improve the cramped and unhygienic living and working conditions.[132]

156. **Maintaining high availability of personnel and equipment.** With the short notice to deploy, the Australian Army's logistics and movement systems were put under severe pressure. After two weeks of driving on rough roads and tracks in a hot dusty environment with camel bush thorns, vehicle spare parts were being used at unprecedented rates. Frequent puncturing of tyres and damage to inner tubes had a significant impact on operations. Soldiers at repair points felt exposed to attack.

157. Logistical difficulties with supplies became urgent. The Australian Army resupply system was unresponsive and exposed a number of weaknesses which could not be fixed during

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[130] Mr Graeme Hunter's oral evidence 23 February 2022, – he went onto deploy six times since – said Somalia 'had the most challenges', little external support, constantly on edge.
[131] Submission 16 Mr Dennis Barlow para 17
[132] Official History *The Limits of Peacekeeping: Australian Missions in Africa and the Americas, 1992–2005* p.71.

the operation. This meant that Armoured Personnel Carrier drivers and maintainers were having to operate above their normal capacity. Despite this, the Battalion Group maintained high levels of equipment availability. Further, individual availability was extremely high throughout the deployment and only a small number were replaced for medical or compassionate reasons, despite very short notice for the operation.[133]

159. **Innovation and adaption**. Many examples of innovation and adaption were described as a means of meeting the challenges created by the environment and logistic shortages. These included operating Armoured Personnel Carriers with worn track links. Lack of track link replacement meant the Transport Platoon worked tirelessly. [134] "Make and mend" was the order of the day.

160. The Tribunal assesses that today a very experienced and more deployable Australian Defence Force would have less need for such innovation and adaption. However, for the largely inexperienced members of the Battalion group it was necessary for mission success and the safety and welfare of those deployed. Warrant Officer Barlow, then a section commander in B Squadron, 3rd/4th Cavalry Regiment, told the Tribunal:

> *"We had to adapt procedures, improvise, adapt new methods and share our knowledge of what worked among ourselves. I must say that all personnel in the group contributed to the success of the mission; we gave our all, including admin and maintenance staff who took part in patrols to augment the infantry sections. There was no great battalion manoeuvre operations. In fact, after the first few weeks even company operations fell by the wayside. This operation hinged on platoons and on the sections defending them."*[135]

161. Two noteworthy examples of the use of innovation and adaption by other ranks are described by Professor Robert Breen in his book, *A Little Bit of Hope – Australian Force Somalia*:

> *"The next day the convoy sent to Mogadishu to pick up the stores from the C130 arrived back at 7.30 p.m. The stores had to be unloaded from the trucks by hand. The Australian warehouse fork lift had broken down within days of the Australian arrival at Baidoa in January and needed a small seal replaced. Harnwell wrote: Unfortunately the fork lift seal is still to be received. The seal, no bigger than a bottle top, had now been outstanding for eight weeks. The fork lift operator could not understand why the Army re-supply system could not provide a simple, small seal that was easily purchased in Australia for a few dollars. He wrote to a friend in Australia who purchased the seal and sent it to him through the international mail system later. Similarly, Warrant Officer Michael Robinson, Artificer Sergeant Major of B Squadron, had spare parts for a generator sent through the international mail system by a friend after they failed to arrive through the re-supply system".* [136]

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[133] Submission 28 Lieutenant General John Caligari AO, DSC, (Retd) on behalf of I RAR Association p 7
[134] Major David McKaskill, CO B Squadron 3rd/4th Calvary Regiment team in Somalia was awarded a CDF Commendation for distinguished performance of his duties.
[135] Mr Dennis Barlow oral evidence 24 February 2022.
[136] Bob Breen A Little Bit of Hope – Australian Force Somalia Allen and Unwin 1998, page 263.

162. The accuracy of these statements was confirmed by witnesses during hearing, with Lieutenant General Caligari testifying:

> *"One of the best (examples of innovation and adaption) is our postal warrant officer who was required to pick up our post from Mombasa. Africa is rife with graft and corruption, so he was paying out of his own pocket to get our mail released to him in Mombasa and bring it back with him to the battalion group. We discovered afterwards that we wouldn't have had mail. And, in fact, I think at one stage sometime after Somalia, someone tried to charge him."*[137]

163. **Peacekeeping prowess**. By the end of their deployment, the vast majority of ordinary Somali citizens became used to Australian patrols and warmed to their 'firm, fair and friendly' manner. [138] This was said to have been a contrast to those from some other countries who reportedly had more of a 'storm trooper' approach. Soldiers used interpreters to gain valuable intelligence, and Australian tactics of friendliness helped explain why Somalis came forward to pass information through interpreters to counter-intelligence teams and commanders on operations. Human intelligence was considered key to the success of the mission.

165. Many were eager for combat but were restrained in their actions notwithstanding the provocative actions of some Somalis who might spit, and throw stones and fire at the airfield. This did mean that their patience was sorely tested for some Somalis, whom they held in contempt. But the Commanding Officer emphasised the importance of using minimum force and warned that any member found guilty of abusing Somali citizens would be punished and sent back home in disgrace. None were sent home.[139].[140] The Battalion Group showed restraint. The Group defused potentially hostile situations, whether on patrols or guarding non-government organisation compounds at food distribution centres. As a solution, at food distribution areas, soldiers would carry the heavy grain packs for Somali women when Somali men would not help.

166. By the end of its deployment, the Battalion Group had taken part in seven major operations, had undertaken about 1,100 foot patrols, ensured the safe delivery over 8,000 tons of humanitarian relief and seized some 935 weapons. They had some contacts with Somali gunmen, which was mainly at night, and a small number had been killed and wounded with 70 detained and turned over to the Auxiliary Security Forces.

167. **Summary.** The Tribunal found that the Battalion Group, including Headquarters Australian Forces Somalia, performed substantially above its normal capacity for operations. The dangers faced, the living and working conditions experienced, and the challenges of supply, were met head on. For a Group which had no training or experience in humanitarian relief, including working with non-government organisations, it performed substantially above its expected capacity.

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[137] Lieutenant General John Caligari, AO DSC (Retd), Oral Submission, 23 February 2022.
[138] Army leadership motto 'firm, fair and friendly, but not familiar'
[139] Still the Same – Reflections on Active Service from Bardia to Baidoa – Army Doctrine Centre 1996
[140] Still the Same – Reflections on Active Service from Bardia to Baidoa – Army Doctrine Centre 1996

168. **Was the Battalion Group's performance 'outstanding'?** Yes. The Tribunal found that 1 RAR Battalion Group's performance was outstanding for the following reasons.

169. **Junior leadership.** The Tribunal assessed that the success at Baidoa was enabled by strong and effective junior leadership and the performance of soldiers in small teams. As with the ASCs, the Tribunal heard many accounts of the independence and autonomy of junior leaders because of the nature of the mission. The Tribunal heard ample evidence of conspicuous and prominent junior leadership. In this regard then Lieutenant Colonel Hurley stated:

> *"I think the whole operation put a lot of emphasis on junior leaders, section commanders and platoon commanders in particular. I'd often give a platoon commander with a section of APCs, his platoon and an area 25 to 30 kilometres square and that was his area to look after. Not only might he have a convoy for a day that he was looking after, but for a week he could own a piece of turf with his own platoon, have sufficient assets to do the job there, and get on with it"*[141]

170. An example of effective junior leadership in regard to keeping his team ready for the mission's challenges, Mr Sean Robinson, a Section Commander, C Coy, 9 Platoon, 1RAR stated:

> *"but if we came back from an activity and I had to do a patrol debrief, instead of taking all my men up to headquarters for that debrief, I would take the essential people I needed and send the rest off to go and take a break. If I could reduce the amount of blokes doing a particular activity to gain more rest for the blokes I would. But there was a number of other activities that we could be called up at short notice, like quick reaction forces and so on as well. So it was very hard but you managed where you could".*[142]

171. **Mission success**. The primary United Nations mission was to establish a secure environment for urgent humanitarian assistance. This was achieved through three key tasks: securing Baidoa airfield and key installations, securing food storage and distribution points, and mobile security for relief convoys in and out of the area. These tasks were all achieved by extensive patrolling, establishing check points and extensive liaison with the Somali people.

172. As set out in the Chief of General Staff Commendation, the Battalion Group had the ability to appreciate the intent of the operation and thus reconcile immediate military demands with longer-term requirements. Productive 'bridge building' with the local population made the Battalion Group highly effective in what became a secondary objective – nation building. To that end the Group had undertaken clean up days, supported the reopening of schools and set up orphanages. (These orphanages enjoyed continued humanitarian support by the ASCs

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[141] Still the Same – Reflections on Active Service from Bardia to Baidoa – Army Doctrine Centre 1996 p237

[142] Oral submission, Mr Sean Robinson, 23 February 2022.

after the Group left). Stabilisation and the secure environment by the end was evidenced in 'Australia-Somalia' soccer match attended by more than 3,000 locals.

173. Professor Bob Breen submitted to the Tribunal that a unit could be assessed for its performance under pressure; whether it was exceptional performance; and the comparative performance of that unit. To Professor Breen, 1 RAR Battalion Group's performance had undoubtedly been under pressure. It had achieved mission success against the odds. To that end the problems presented in the logistic system were studied at the Australian Command and Staff College for years to come.[143] It had been exceptional. Aside from mission achievement, the troops were generally very well behaved and there was minimal disciplinary action. Comparatively, there was no other land based Australian unit in Somalia from which to make comparison other than the ASCs. The Tribunal found that the performance of 1 RAR Battalion Group compared favourably to that of the ASCs, which we considered met the criteria for the award of the Meritorious Unit Citation.

174. **'Mission stretch'.** Lieutenant Colonel Hurley referred to 'mission stretch' when he reflected upon his time in Somalia. [144] He said that in some instances it was by default and others were deliberate decisions to widen the scope of the operation. Mission stretch included the clean-ups, rebuilding, the planting of a crop and orphanages referred to above[145]. One of the first things that the local leaders wanted was the reintroduce law and order. This meant assisting with re-establishing a police force, judicial and penal system. To him this was also critical so he assigned many soldiers to essentially policing jobs. Australians who had been novices in nation-building and civic action were commended for their mission achievement. The Citation for the CGS Commendation reads *….the Battalion Group not only achieved this mission but sought to re-establish the basis of the civil infrastructure… I commend the Battalion Group for its success in this operation.*

175. **Senior leadership.** Unlike some previous peacekeeping missions which were largely commanded and sustained by United Nations forces, the Battalion Group was commanded and sustained in a self-reliant manner. Submitters to the Tribunal spoke with warmth and respect for then Lieutenant Colonel Hurley, who set the tenor of the operation right from the start. The quality of command[146] is undoubtedly a large factor behind the mission's success and the overall outstanding performance of the Battalion.

176. During the mission, Lieutenant Colonel Hurley became increasingly drawn into local politics and became the "Chief Elder" of the region. He became the *de facto* military governor and attended meetings with elders and political faction leaders. As such, he held a unique position in Australian military history. As he later recalled,

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[143] Breen, Associate Professor Bob, *A Little Bit of Hope – Australian Force Somalia*, Allen & Unwin, St Leonards, NSW 1998
[144] In 1994.
[145] Which the ASCs had attempted to support after their return.
[146] Citation for the Distinguished Service Cross, CO 1 RAR.

I was very much a novice as governor. It's not something which rested very comfortably with me because there were quite a number of responsibilities that I was given and I had very little preparation, and certainly no training to be able to achieve – particularly in my relationship with emerging political organisations and with eldership in the area which was a very important and powerful community organisation.[147]

178. Concerning the service of HQ AFS, Lieutenant Colonel Hurley stated:

HQAFS played a very important role as the national command element for the Australian force. Their main jobs were to look after the prudent use of our force, secondly, to ensure that the logistic support was maintained and we were receiving what we required on a timely basis. Colonel Mellor and his staff were very much the bridge for me back to Australia and the means by which my force's particular needs could be expressed to in-country American headquarters.[148]

179. **International reputation**. The efforts of the Battalion Group were publicly acknowledged more than the "quiet efforts" of the ASCs. Special Representative of the Secretary-General, United Nations, US Admiral Jonathan Howe, congratulated the Group on behalf of UNOSOM. He said that the Group had 'gotten rave reviews from NGOs to elders' and that the Group had 'set some very high standards for [its] successors'.[149]

180. American Lieutenant General Robert B. Johnston, Commanding Officer UNITAF, was very complimentary of the Battalion Group's operations and the high level of interoperability between the United States and Australian forces. He wanted them to remain in Somalia.[150] It is acknowledged that the 1RAR Battalion Group did a better job of securing the humanitarian relief area than some other forces[151] who were assigned to UNITAF. Admiral Howe had formally requested the Group stay in Somalia until the end of June. He praised the Battalion as 'the most competent unit in Somalia being well trained, well-motivated, highly organised, clear in its mission from the outset and requiring very little political guidance'.[152] The Chief of General Staff Commendation sets out that: *The Battalion Group's method of operation and activities were acclaimed by the HQ Headquarters Unified Task Force.*

181. Commander AFS, Colonel Mellor, said in his post operation report, stated:

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[147] *Still the Same,* Interview with Lieutenant Colonel DJ Hurley 28 July 1993
[148] *The Limits of Peacekeeping,* p.107.
[149] Letter to COL Hurley 18 April 1993 Various thank you letters from Non-Government Organisations in Somalia located on AWM388 7/9/2.
[150] Review of Service Recognition RAAF Ubon (1965-1968) Brigadier Peter Abigail, March 2008.
[151] A number of issues with the Canadian military contribution were noted in the extensive 'Report of the Canadian Commission of Inquiry' into Somalia, conducted in 1997. 160 recommendations were made. There were said to be serious issues with leadership, particularly at senior levels, discipline, training and planning. The Inquiry predicted that the 'Somali debacle' would be a painful and sensitive one for the Canadian military for years to come. – doc 116. In contrast to Australia's 'lessons learned' post deployment, the primary issue was that the logistic system failed to adequately respond to the needs of a deployed force on active service.
[152] *The Limits of Peacekeeping,* p.152.

> *"From my perspective, the performance of the assets deployed on Operation SOLACE has been commendable. The operation has re-affirmed that the quality of our personnel, procedures and equipment is comparable, if not superior to other major nations who participated in Operation RESTORE HOPE. Our ability to operate with US forces has been successfully confirmed."*[153]

182. **Local reputation**. The Chief of the General Staff Commendation also sets out that *the Battalion Group's method of operation and activities were acclaimed by, the local population, and non-government agencies. Aspects of its activities were used as models for other contingents in Somalia.* After the departure of the Battalion Group it was replaced by French forces. Locals of the Bai region lobbied hard to keep Australians in the region but to no avail.[154]

183. The Australian Force Somalia was the only army to receive a letter of commendation from the non-government organisation community in Baidoa.[155] The National Director of the NGO, Care Australia, Mr Ian Harris, spoke of the legacy of the AFS:

> *Today Somalis living in and around Baidoa are no longer hungry, the children are healthy and the people have enduring memories of the good work done by the Australian Army in their city.*[156]

There were also numerous letters of appreciation from government and non-government organisations, and several United States officials.[157]

184. **One death and minimal injuries.** On 2 April 1992 Lance Corporal McAliney died from an accidental discharge. His was the only Australian loss of life in theatre.

185. **Summary**. The Tribunal determined that for the purpose of eligibility for the Meritorious Unit Citation, the performance of the 1 RAR Battalion Group meets the criteria of 'outstanding' performance. The Group received deserved national and international praise. Its performance set it apart from others.

186. **Awards**. A relatively small number of individual awards were awarded to the Battalion Group, including Headquarters Australian Force Somalia. These included two awards of the Distinguished Service Cross, one award of the Distinguished Service Medal and six Commendations for Distinguished Service.

187. **Contemporaneous Meritorious Unit Citation examples**. The Tribunal considered the nearest contemporaneous examples of a Meritorious Unit Citation to the Battalion Group and found, as with the assessments of the ASCs, that relevant comparisons could be drawn with the Citations awarded to Contingents 1 and 2 for service on Operation TAMAR in Rwanda, and the Force Communication Unit for its service on United Nations duties in Cambodia. To the

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[153] Colonel Mellor, Commander AFS said in his post operation report, part 2 para 120.
[154] Submission 28 Lieutenant General John Caligari AO, DSC, (Retd) on behalf of I RAR Association p 6.
[155] *The Limits of Peacekeeping,* p 142.
[156] Submission 16 Warrant Officer Dennis Barlow, para 25.
[157] Various thank you letters from Non-Government Organisations in Somalia located on AWM388 7/9/2.

Tribunal, the meritorious service of 1 RAR Battalion Group was at least as worthy as these units.

FINDING: The 1 RAR Battalion Group meets the eligibility criteria for the award of the Meritorious Unit Citation for its service in Somalia.

RECOMMENDATION: The 1 RAR Battalion Group be awarded the Meritorious Unit Citation for its service in Somalia.

HMAS *Tobruk*

188. Our assessment of the service of HMAS *Tobruk* for its service on Operation SOLACE, against the eligibility criteria for the Meritorious Unit Citation is as follows.

189. HMAS *Tobruk*, together with HMAS *Jervis Bay*, conducted Australia's largest military sea-lift operation since the end of the Vietnam War. HMAS *Tobruk* was a 'heavy lift' ship, designed to transport vehicles, equipment, personnel, ammunition and stores. She was designed for joint Navy and Army amphibious operations.

190. **Was HMAS *Tobruk* serving in 'warlike operations'?** Yes. Service in the naval component of Operation SOLACE was declared 'warlike' from 10 January 1993 to 21 May 1993. This covered the entire period of *Tobruk*'s operational deployment within the Operation SOLACE area of operations in direct support of Commander Australian Forces Somalia and UNITAF elements conducting operations both on land and offshore.

191. **Were HMAS *Tobruk's* operations for an extended period?** Yes. HMAS *Tobruk* served for a cumulative period of 89 days, some 12 weeks, in the Operation SOLACE area of operations from 19 January 1993 to 20 May 1993,[158] with little time for respite and maintenance. This did not include considerable time spent travelling to and from the area of operations.

192. **Were HMAS *Tobruk's* operations 'sustained'?** Yes. The demands on the ship and her ship's company were constant and sustained both in terms of direct support provided to the Commander Australian Forces Somalia and UNITAF elements. From the ship's Reports of Proceedings, the Maritime Commander's Post Operation Report, written submissions and evidence given, we found that HMAS *Tobruk* consistently sustained her high level of operational tasking throughout the extended period set out above. HMAS *Tobruk*'s crew

[158] Submission 29B Defence HMAS Tobruk Report of Proceedings, June 1993, Annex A p 61-62.

remained at a high operational readiness state. The crew had limited time for rest and recreation during the 89 days in the area of operations, with a trip to the Seychelles being the only purely recreational visit prior to returning to the area of operations to extract the 1 RAR Battalion Group's stores and equipment. The six-month deployment came on top of a demanding year in 1992 with limited reprieve between deployments and considerable work to get the ship to a ready state to deploy.

193. In addition, HMAS *Tobruk* conducted five operational visits to Mombasa in Kenya during this period, moving a total of 1,450 tonnes of cargo to sustain the Australian Forces Somalia, UNITAF, the United Nations and to support UNICEF.

194. HMAS *Tobruk* had not been in a state of operational readiness when the ship was given short notice to deploy. It was in pieces in the dockyard, having suffered a major engineering defect to her main port engine. It is a credit to her crew that she was able to sustain 89 days in the area of operations and the six-month deployment without interruption. It is also worth remembering, when considering sustainability, that when HMAS *Tobruk* embarked it was unclear whether she would return to Australia or remain in theatre for the duration of the operation.

195. Any nervousness about HMAS *Tobruk*'s equipment unserviceability proved to be unwarranted. She arrived in the area of operations as scheduled and achieved her mission on station.

196. **Did HMAS *Tobruk* perform 'substantially above its normal capacity'?** Yes. The Tribunal first assessed what was the ship's normal capacity for operations, to determine if she performed substantially above it.

197. **Ship's normal capacity.** HMAS *Tobruk* was essentially a multi-purpose troop and roll-on/roll-off, heavy vehicle carrier with bow and stern door facilities. Accommodation was available for an embarked military force of 520 troops, their weapons and battle order. The ship could carry 1,300 tons of military cargo. Her normal complement numbered between 180 and 190 personnel. HMAS *Tobruk* had a permanent small Ship's Army Detachment consisting of 14 regular army personnel whose role was to embark troops and stores. She had two decks for operating helicopters but no hangar. In her normal capacity, HMAS *Tobruk* was capable of transporting, landing and recovering an embarked force, and supporting them ashore for a limited period.

198. **Ship's additional capabilities and personnel.** In addition to the ship's normal capacity, HMAS *Tobruk* embarked a Sea King helicopter and a 16 person detachment from 817 Squadron at HMAS *Albatross*. This included aircrew and maintenance personnel. The Sea King was chosen as it was a proven medium lift maritime helicopter capable of being deployed and supported from HMAS *Tobruk*. In addition, there were personnel from Clearance Diving Team One. The ship's medical staff was also augmented to provide an enhanced 'Level Two' capability together with a dental team. As these force elements were under the command of the Commanding Officer of HMAS *Tobruk*, they are considered part of the ship's company.

199. **Training of ship's crew.** HMAS *Tobruk* trained extensively throughout 1992. This included Exercise KANGAROO 92, Exercise TASMAN LINK and Exercise SWIFT EAGLE. During Exercise KANGAROO 92, HMAS *Tobruk* and HMAS *Jervis Bay* had rehearsed sea-lift and logistics over the shore operations with the Army, which was said to have stood them in good stead for Somalia. This included the Ship's Army Detachment, which was said to be well trained and briefed with 'high level of command and working effectiveness after several amphibious exercises during 1992'.[159]

200. **Crew's experience**. When HMAS *Tobruk* departed from Townsville enroute to Somalia, 45 per cent of its ship's company were brand new,[160] including the Commanding Officer, Commander Kevin Taylor, RAN. The impact of this was that the newcomers to the crew had to adjust to the ship, their roles, and to teams within a short space of time. HMAS *Tobruk* made good use of her long passage to Somalia, with her changed crew, to conduct extensive training. This included additional small arms training for the ship's defence teams, intelligence briefs and mariner drills.

201. Consistent with other Australian Defence Force personnel in Somalia, only a very few of her crew had any prior operational experience or peacekeeping experience.

202. **Living and working conditions.** The Reports of Proceedings also indicated that crew morale remained high throughout the deployment, despite relentless activity and longer hours in trying conditions, including water rationing.[161] 'Whole ship' evolutions involved manual work that routinely took place in hot, uncomfortable and at times, dangerous conditions particularly when unloading at Mogadishu port where the security situation was fluid. The teamwork and ethos[162] exhibited by all during those evolutions was commendable. On average, members of the ship's company had only nine full days off during the six month deployment.[163] There were very few discipline issues.[164]

203. Water was a precious commodity and at times the ship was required to provide water at short notice for coalition forces. This meant that the ship's company was placed on further restrictions to cater for the extra demand. While water restrictions are not uncommon in warships, restrictions were in force throughout the six-month deployment.

204. **Operations.** HMAS *Tobruk* conducted tasks within the logistic arena, provided surveillance support as well as communications relaying and monitoring which were an extension above her basic tasks and contributed to the overall operations. HMAS *Tobruk*'s command also ensured that Operational Level of Capability was also sustained throughout the deployment by routinely operating in company with coalition ships, conducting underway replenishments, seamanship, and gunnery serials off the coast of Somalia.

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[159] Mr Peter Macdonald, written responses to Tribunal questions 30 March 2022.
[160] Submission 19 Commander Kevin Taylor RFD, CSC, RAN (Retd).
[161] Captain Nick Bramwell RAN (Retd) Oral evidence 29 March 2022.
[162] Submission 7 Mr Duncan Perryman, and oral submission, 23 February 2022.
[163] Doolan, Ken *HMAS Tobruk, A Warship for every crisis,* Grinkle Press Pty Ltd, Queanbeyan, NSW p.100
[164] Oral submission, Mr Duncan Perryman, 23 February 2022.

205. **Dangers at Mogadishu port.** A similar level of insecurity applied to the port area as to the airfield (discussed in the context of the service of the four ASCs). The port was patrolled by United States Marines to prevent attack. Incursions were not infrequent. Threats were present when HMAS *Tobruk* was alongside to load and unload and also applied to her personnel proceeding ashore for duty. This included the ship's helicopter and its crew as it traversed across land, particularly over Mogadishu and on missions to and from Baidoa.[165] It carried a light machine gun in the cabin, but there were no reports of it being used during the deployment.

206. The Tribunal heard that HMAS *Tobruk* entered Mogadishu harbour at a heightened state of readiness approximately eight times during her deployment.[166] There were also threats operating in the vicinity of the Somali coast where there were pirates and bandits.

207. In her written submission to the Tribunal, Lieutenant Commander Buckingham, then serving in HMAS *Tobruk* as a Leading Seaman in the Supply Branch, observed that:

> *having served in the RAN for an extended period of time and (having) been deployed to operations throughout the world (Somalia, Bougainville, East Timor, MEAO (HMAS MANOORA & JTF633 AMAB), I can honestly say looking back Somalia was the most dangerous deployment I have ever been involved in.*[167]

208. **Ship's Army Detachment.** We heard that the Detachment, although operationally ready, could not train for 'the madness of Mogadishu' as they mixed with the myriad of Coalition forces and half-hostile Somalis. In short, their basic role of stevedoring was the same, but they had to perform to a much higher level. The individual responsibility on the member was much higher. In his written submission to the Tribunal, the Detachment's Ship's Sergeant Major, Warrant Officer Class Two Peter Macdonald, said there were numerous examples of a junior non-commissioned officers or private soldiers in charge of 20-man 'cut-throat' Somali or Kenyan work gangs during loading/unloading operations. He stated that they 'struck the right note with (their) charges and had them joking and laughing and still working hard underneath an overhead ship's crane'.[168]

209. The Detachment also had a close working relationship with the United States forces who were working in and around ships at Mogadishu port. In addition to an ad hoc arrangement with the Marines, an in-theatre local exchange of Detachment personnel and soldiers of the United States Army 24th Transportation Battalion (Terminal) was instituted. This proved very successful.

210. **Sea King helicopter – logistical support.** HMAS *Tobruk*'s helicopter was utilised for cross decking purposes, logistic transfers at sea, vertical replenishments, support to the 1 RAR

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[165] Such was the risk that ADFHQ directed in mid-April 1993 that the helicopter cease supporting 1 RAR as the risk outweighed the benefit.
[166] Submission 19 Commander Kevin Taylor RFD, CSC, RAN (Retd).
[167] Submission 6 Lieutenant Commander Dianne Buckingham RAN.
[168] Ibid.

Battalion Group in Baidoa, and transporting personnel between the ship and AFS headquarters ashore in Mogadishu. It also undertook surface search and surveillance. The helicopter's availability throughout the deployment was impressive due to the commendable effort by the HS 817 Squadron detachment maintenance personnel who had to improvise and adapt to the unique circumstances. [169] As HMAS *Tobruk* did not have a hangar, the helicopter was constantly exposed to the prevailing environmental conditions, including extreme heat, excessive sand, dust, and constant saltwater residue.[170]

211. **Logistical Support to Coalition forces.** The movement of stores from Mombasa to Mogadishu in support of Coalition forces provided a valuable offset for coalition logistic support to the AFS. HMAS *Tobruk* conducted five operational visits to Mombasa in Kenya during this period, moving a total of 1,450 tonnes of cargo to sustain the AFS, UNITAF and the United Nations and to support UNICEF. The support of UNICEF came about because then Commander Taylor was proactive in getting the necessary permissions to do so. These were above the ship's crew's normal duties and her initial role and added greatly to the humanitarian effort.

212. As the only Australian ship within the area of operations for an extended period, HMAS *Tobruk* was instrumental in building multinational relationships across the coalition nations. We heard from Commander Taylor that the US Forces Commander in Somalia, General Johnson, was effusive in his praise of HMAS *Tobruk*'s efforts'.[171] There were occasions when this logistic support extended beyond her core amphibious and sea transport role. This included the resupply of the Canadian replenishment ship HMCS *Preserver* with a large quantity of frozen food (69 pallets) by heavyweight jackstay underway at sea.[172] HMAS *Tobruk*'s presence at sea in the area of operation commanded respect from the United States, Canadian, Italian, Indian and Pakistani Naval forces.[173]

213. **Sea King – multinational operation.** The Sea King helicopter was involved in Multi-National Force surface search operations for the small merchant ship MV *Maria,* which had sailed from Europe with a load of weapons for a Somali warlord. While the Sea King and its aircrew had the operational capacity to assist in the conduct of such operations, normal operations for HMAS *Tobruk* and any embarked aircraft did not involve surface, sub-surface, search coordination operations. The Sea King conducted several probing sorties, covering more than 40,000 square miles of ocean conducting searches between Mogadishu and Mombasa.[174]

213. **Extra duties above normal capacity.** The following are examples of flexibility above normal capacity.

214. **Support to AFS and the 1 RAR Battalion Group.** HMAS *Tobruk* provided backup communications in support of 1 RAR in Baidoa and Commander AFS in Mogadishu. She

[169] Submission 07 Mr Duncan Perryman.
[170] Oral submission, Captain Nick Bramwell RAN (Retd).
[171] Oral submission, Commander Kevin Taylor RFD, CSC, RAN (Retd).
[172] Submission 6 Lieutenant Commander Dianne Buckingham RAN.
[173] Oral submission, Captain Nick Bramwell RAN (Retd), 29 March 2022.
[174] Ibid.

assumed primary communications guard duty for the AFS headquarters during the period 4 to 23 March 1992 when the AFS communications system could not sustain the operation, and again during the redeployment phase. While the provision of these services was within the "capacity" of HMAS *Tobruk*'s communication suite, it involved innovation, re-configuration, and routing of circuits to provide a dedicated 24 hour service to the headquarters. It also provided a considerable workload constraint on the ship's small communications branch.

215. HMAS *Tobruk* also provided overnight respite for the AFS headquarters, 1 RAR Battalion Group personnel, as well as Coalition personnel to enable them to manage fatigue, contact loved ones, launder field clothing and kit, shower, eat and sleep before resuming their arduous duties ashore.[175] Her entire medical team, including first aiders, rotated through, and worked at the Swedish Field hospital in Mogadishu and provided medical and dental support to the 1 RAR Battalion Group and others.

216. **Coalition operation.** HMAS *Tobruk* was assigned to the USS *Wasp* Amphibious Ready Group tasked to conduct an amphibious assault at the volatile Somalian port of Kismayo on 26 March 1993. Although she was involved in training for the assault, she did not in the end receive national approval to participate in the assault. COMNAVFOR and the Commander of the Amphibious Task Force applauded HMAS *Tobruk* for her enthusiasm, adaptability, competence, and willingness to participate in all supporting activities.[176]

217. **Coalition exercises.** HMAS *Tobruk*'s Command Team took the initiative and planned and executed a comprehensive exercise program with coalition ships designed specifically to improve interoperability and to maintain operational readiness.[177] Ships from the United States and Canada agreed to participate in the first series of exercises in February 1993 with ships from Italy and India joining in from early March 1993. This included exercising with United States Navy SEALS. These exercises generated valuable training opportunities for the various ships' companies. The goodwill generated by HMAS *Tobruk*'s initiative was impressive.

218. **Summary.** The Tribunal therefore concluded that HMAS *Tobruk* provided a varied role in valuable support of Operation SOLACE. The ship's company was repeatedly required to remain flexible and adapt to changing circumstances to meet mission objectives. In many instances they performed duties that were unique to the deployment with a strong 'can do attitude'. This directly related to the ability, commitment, collective professionalism, and the very high morale of its entire crew. The Tribunal therefore finds that a large number of the ship's functions, efforts and initiatives were not only above the ship's normal capacity, but substantially so.

219. **HMAS *Tobruk*'s performance on station within the Operation SOLACE area of operation was outstanding.** HMAS *Tobruk*'s 93 per cent availability throughout her six month deployment was remarkable, given her materiel history, as well as the condition of the ship at the beginning of the deployment. The Tribunal heard that this positive outcome was

[175] Oral submission, Mr Duncan Perryman, 23 February 2022.
[176] Submission 9, Lieutenant Commander Gerrard Hoctor, OAM RAN.
[177] Oral submission, Captain Nick Bramwell RAN (Retd), 29 March 2022.

only possible through the commitment and dedication of the entire ship's company and a strong and cohesive command team.

220. **Ship's Army Detachment Commendation.** Further evidence of the ship's company's commendable commitment to the mission and HMAS *Tobruk*'s unique contribution to the success of the operation was the appreciation expressed by the Commander Joint Task Force Support Group for the United States Army, Brigadier General B.K. Solomon. [178] In addition, to a United States Army 24th Transportation Battalion commendation for the Detachment for their support, WO2 Peter Macdonald, received an individual certificate of achievement from the 24th Transportation Battalion on 27 March 1993 recognising his efforts, professionalism and leadership.

221. **Royal Australian Navy Awards.** HMAS *Tobruk*'s crew's superior performance set it apart from other naval units. This was recognised in the 1993 Australian Fleet awards with the award of the coveted Duke of Gloucester Cup for the unit displaying the highest level of proficiency in the Fleet. In addition to being recognised as the most efficient and effective ship that year, she was also awarded the Commodore Wardle Cup for communications excellence and the Silver Platter award for food services.

222. The Naval Historical Review at the time observed that:

> *"Tobruk has just returned from a Somalian mission and as a consequence, was at her peak of readiness. It was no surprise the ship was awarded the Duke of Gloucester Cup for proficiency. CMDR Taylor and his team clearly did an outstanding job."*[179]

223. **Individual award.** Only one individual was recognised under the Australian Defence Honours and Awards system for meritorious service. This was the Commanding Officer, Commander Taylor, who was recognised with a Conspicuous Service Cross. No other officer, senior sailor; junior sailor or member of the Ship's Army Detachment received any individual honours or awards in recognition of their efforts, or any group award for meritorious service. The Tribunal did not find that this meant that the ship, as a unit, was not worthy of the award of a Meritorious Unit Citation.

224. **Contemporaneous examples of Meritorious Unit Citations**. The Tribunal considered the nearest contemporaneous examples of awards of Meritorious Unit Citations to naval units, including those awarded to HMA ships *Brisbane* and *Sydney* and *Clearance Diving Team Three* recognising their service during the First Gulf War in 1991; and in particular the award to Task Group 645.1.1, the Royal Australian Navy Landing Craft Heavy. The smaller Landing Craft Heavy, which perform similar amphibious functions to HMAS *Tobruk,* were operationally deployed in warlike operations in support of the International Force East Timor during Operation STABILISE during the period 18 September 1999 to 23 February 2000. It

[178] Submission 7, Mr Duncan Perryman.
[179] Submission 9, Lieutenant Commander Gerrard Hoctor, OAM, RAN.

should be noted that HMAS *Tobruk* was in the area of operations for longer than the Landing Craft Heavy which spent an average of 70 days in the area of operations.

225. There were no other Australian naval units with similar or the same in-theatre tasking in support of Operation SOLACE. Direct comparison to ascertain whether HMAS *Tobruk*'s service set it apart from other naval units could not be ascertained. On balance however, the Tribunal found that HMAS *Tobruk*'s performance on station within the Operation SOLACE area of operation was outstanding and exceeded what could have reasonably been expected of it prior to deployment.

226. The Maritime Commander's Post Operations Report stated that both the maritime deployment and redeployment of the AFS by HMA Ships *Tobruk* and *Jervis Bay* were completed successfully, and on schedule. And specifically, in respect of HMAS *Tobruk*, he went on to state that:

> *TOBRUK's capabilities proved most useful and provided valuable support to both AFS and UNITAF elements. The ship earned a healthy reputation for efficiency and flexibility among all land forces she supported, as well as with the MNF units with which she exercised.* [180]

227. **Conclusion.** Finally, the Tribunal considered and ultimately agreed with the stated position in the Defence submission that 'for the duration of her involvement, HMAS *Tobruk* made a continuous and enduring contribution to the operation through logistical and communication support of the AFS and UNITAF', arguing that 'should HMAS *Tobruk*'s contribution not have been to the high level that it was, its absence would have had a negative impact on the operation'.[181] It was a successful amphibious operation deserving of the Meritorious Unit Citation.

FINDING: HMAS *Tobruk* meets the eligibility criteria for the award of the Meritorious Unit Citation for her service in Somalia.

RECOMMENDATION: HMAS *Tobruk* be awarded the Meritorious Unit Citation for her service in Somalia.

[180] *The Limits of Peacekeeping,* p.57 – Report Land Headquarters Post Operation Report Operation SOLACE, 1 July 1993 NAA A6721 94/2559/1.
[181] Defence submission 29B.

HMAS *Jervis Bay*

228. Our assessment of the service of HMAS *Jervis Bay* for its service on Operation SOLACE, against the eligibility criteria for the Meritorious Unit Citation follows.

229. **Was HMAS *Jervis Bay* serving in 'warlike operations'.** Yes. Operation SOLACE was declared 'warlike' from 9 December 1992 to 4 May 1993. This covered HMAS *Jervis Bay*'s two voyages to the area of operations for the deployment and redeployment of Australian Forces Somalia.

230. **Were HMAS *Jervis Bay*'s operations for an extended period?** No. HMAS *Jervis Bay* made two voyages to Somalia each of which we considered to be of normal deployment duration. The total time that she spent in the area of operations was only eight days. This consisted of two separate four day periods at the commencement and at end of the operation.

231. Her first voyage was 33 days, from 19 December 1992 to 21 January 1993. Upon her arrival off the coast of Mogadishu she was assigned an anchorage some five and a half miles from the port due to the large amount of allied shipping in the area. She was allowed into the port two days later to disembark her troops and equipment. She deployed for 62 days in her second voyage from 20 April 1993 to 21 June 1993 to support the redeployment of Australian forces. She entered the area of operations on 17 May 1993 to load equipment and embark personnel and departed on 20 May 1993.[182]

232. **Were HMAS *Jervis Bay's* operations 'sustained'?** No. While *Jervis Bay* made two voyages totalling 95 days conducting sealift in support of Operation SOLACE, she spent a total of only eight days in the area of operations.

233. **Did HMAS *Jervis Bay* perform 'substantially above its normal operational capacity'?** No. *Jervis Bay*'s primary role was to train junior officers in seamanship and navigation. Her secondary role was to support Australian Defence Force operations by sealift. This role had been fully practiced during Exercise KANGAROO 92 and was akin to her role in Operation SOLACE.

234. **Was HMAS *Jervis Bay*'s performance 'outstanding'?** No. While the commendable contribution of HMAS *Jervis Bay* was undoubtedly essential to the mission, we agree with the Defence submission that, while her mission was conducted extremely efficiently, her contribution did not have an enduring and conspicuous impact on the Operation SOLACE.

235. **Summary.** HMAS *Jervis Bay*'s operations were not extended nor sustained. Nor did she provide support substantially above her normal operational capacity. As a result, HMAS *Jervis Bay* does not meet the criteria for the award of a Meritorious Unit Citation for her involvement in Operation SOLACE.

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[182] *The Limits of Peacekeeping,* p.155.

FINDING: HMAS *Jervis Bay* does meet the eligibility criteria for the award of a Meritorious Unit Citation for her service on Operation SOLACE.

RECOMMENDATION: No action be taken to award HMAS *Jervis Bay* the award of the Meritorious Unit Citation for her service on Operation SOLACE.

Force elements deploying from 33, 34, 36 and 37 SQNs.

236. The Tribunal carefully examined the eligibility criteria for the Meritorious Unit Citation and made the following findings with respect to the force elements from the above squadrons.

237. **Were force elements from the above squadrons serving in 'warlike operations'?** Under the current arrangements, any force elements that served as part of UNOSOM II were serving in 'warlike' operations from 1 May 1993. Any force elements serving prior to 1 May 1993 were not serving in warlike operations. This likely included flying the advance party to Somalia and any ad hoc supply runs prior to this date.

238. **Did force elements from the relevant Squadrons serve for an extended period?** No. Aircrew and loadmasters did various sorties mainly towards the conclusion of Operation SOLACE for the airlift of 1 RAR Battalion Group during the period 7 to 23 May 1993. The airlift involved two Boeing 707 and three C130 Hercules aircraft, their crews, maintenance personnel and operations officers. These sorties were usually of short duration. These included sorties from Mogadishu to Townsville, with the respective bases being Diego Garcia and Perth. There were also feeder shuttles between Baidoa and Mogadishu based out of Mombasa.

239. The Tribunal found that force elements from the Squadrons did not serve for extended periods in the area of operation. Nor could such sorties be considered sustained. Whilst the Tribunal accepts their important contribution to the deployment of the Australian forces home, and that take-off and landing at Mogadishu airfield was not without some danger, because their service was not sustained, they do not meet the eligibility criteria for the award of the Meritorious Unit Citation.

FINDING: Force elements of 33, 34, 36 and 37 Squadrons do not meet the eligibility criteria for the award of a Meritorious Unit Citation for their service in Somalia.

RECOMMENDATION: No action be taken to award Force elements of 33, 34, 36 and 37 Squadrons the award of the Meritorious Unit Citation for their service in Somalia.

Maintenance of the integrity of the Australian Honours System

240. In making our findings and formulating our recommendations we have had due regard to the integrity of the Australian honours system. In recommending a MUC for HMAS *Tobruk*, ASCs I – IV and the 1 RAR Battalion Group, we did not identify any negative impact upon on the honours system. In fact, we find such recommendations, if adopted, would enhance the Australian honours system by recognising the service of those units. This is particularly so, because HMAS *Tobruk* and ASCs I – IV have not been previously recognised by a commendation.

241. Defence submitted the CGS Commendation for 1 RAR Battalion Group would be withdrawn should the Tribunal make a recommendation in favour of the higher honour of the MUC to the Group. We do not consider any proposed withdrawal of the Commendation to adversely impact upon the integrity of Australian honours system or 1 RAR Battalion Group's achievements.

242. As previously noted, Defence was 'supportive' of the Tribunal's new Inquiry for consideration of new and further unit recognition, and in its own submissions, in part, led us to some of the findings and recommendations we have made for such recognition.

Other recognition

243. **Is any other form of further recognition appropriate for HMAS *Jervis Bay* and the airlift squadrons?** The Tribunal did not find that any other form of unit recognition was appropriate for HMAS *Jervis Bay* or force elements of 33, 34, 36 and 37 Squadrons. The Tribunal notes that this service is recognised with the award of the Australian Active Service Medal with Clasp 'SOMALIA' which we consider to be appropriate recognition for their valuable service.

Final reflection

243. The Tribunal concludes with the following passage from the submission of Warrant Officer 1 Dennis Barlow, 1 RAR Battalion Group. The Tribunal reflected that his submission likely summed up the positive impact of the Australian Defence Force in Somalia and highlighted the meritorious performance of Australian personnel in Somalia:

> *"In 2007 I was catching a cab in Melbourne. On entering the vehicle, it became apparent the driver was a Somali immigrant. During the journey I asked him where in Somalia he was from. He answered from a small village outside Baidoa. And I asked him why he immigrated to Australia. He responded that when he was young and the Australian soldiers came, he and the other boys were able to sleep in their homes and they felt safe. Before that they went into the bush at dusk to hide. When he was in a refugee camp after the UN left, he was asked where he wanted to go. Most said to the*

US, but he said Australia because the soldiers made him feel safe and treated him and others like friends and he wanted that for the rest of his life. We arrived at the destination and he asked how I knew he was from Somalia. I responded, "I was one of those soldiers". He said, "thank you, you saved my life".

RECOMMENDATIONS

RECOMMENDATION 1: ASC I (1 to 31 May 1993), ASC II, ASC III and ASC IV to Operation IGUANA be awarded the Meritorious Unit Citation to recognise their service in Somalia.

RECOMMENDATION 2: The 1 RAR Battalion Group be awarded the Meritorious Unit Citation for its service in Somalia.

RECOMMENDATION 3: HMAS *Tobruk* be awarded the Meritorious Unit Citation for her service in Somalia.

RECOMMENDATION 4:

a) **The Minister for Defence recommend to the Governor-General that service with the First and Second United Nations Operations in Somalia from 17 October 1992 to 30 April 1993 be declared a warlike operation for the purposes of the Australian Active Service Medal; and**
b) **the Meritorious Unit Citation then be awarded to ASC I for service from 17 October 1992 to 30 April 1993.**

RECOMMENDATION 5: No action be taken to award HMAS *Jervis Bay* the award of the Meritorious Unit Citation or any other form of further recognition for her service in Somalia.

RECOMMENDATION 6: No action be taken to award Force elements of 33, 34, 36 and 37 Squadrons the award of the Meritorious Unit Citation or any other form of further recognition for their service in Somalia.

APPENDICES

Appendix 1 – Individuals and organisations who provided submissions and evidence to the Inquiry

Angelatos, Lieutenant Colonel Paul (Retd)

Apperley, Mr Michael, OAM

Barlow, Warrant Officer Class 1 Dennis

Bear, Mr James obo the Hon Paul Kirby, Minister for Veterans' Affairs Northern Territory Government

Breen, Professor Robert John, OAM

Brown, Mr Shannon and Mr Paul von Kurtz

Buckingham, Lieutenant Commander Dianne RAN

Caligari, Lieutenant General John AO, DSC (Retd) on behalf of 1RAR Association

Copeland, Mr Paul OAM

Defence

Engeler, Ms Fiona, on behalf of the Returned & Services League of Australia

Gosling, Mr Luke, OAM, MP, Federal Member for Solomon House of Representatives

Hoctor, Lieutenant Commander Gerrard, OAM, RAN

Hunter, Mr Graeme

Jenyns, Ms Margaret, on behalf of Returned and Services League of Queensland

Jones, Colonel Trevor, CSC (Retd)

Keaney, Squadron Leader Michael

Maher, Captain Norman, OAM (Retd

McMahon, Mr Patrick

Mathias, Mr Christopher, President Millicent Sub Branch

Martin, Mr Michael, OAM

Murtagh, Mr James

Perryman, Mr Duncan (John), CSM

Piera, Ms Kim

Raftery, Warrant Officer Class 2 Geoffrey

Robertson, Mr Andrew

Robins, Dr Anthony, RAN

Robinson, Mr Sean

Steer, Lieutenant Colonel Graeme, (Retd)

Taylor, Commander Kevin RAN

Vinen, Mr David

Wilson, Mr Dean

Worswick, Dr Robert, CSM

Appendix 2 - Tribunal Hearings

The Tribunal conducted public hearings and heard oral submissions from the listed submitters on the below dates

Tuesday 22 February 2022

Defence

- Ms Lisa Phelps, First Assistant People Service and Defence Honours and Awards
- Brigadier Matthew Patching, Director-General Army People Capability
- Captain Paul Fothergill RAN, Director Navy Honours and Awards
- Wing Commander Simon Braun, support to biannual Chief Joint Operations Honours Board

Professor Robert Breen OAM
Lieutenant Colonel Paul Angelatos (Retd)

Wednesday 23 February 2022

Lieutenant General John Caligari AO, DSC (Retd) on behalf of the 1 RAR Association (via videoconference)
Major James Masters OAM (Retd) on behalf of the 1 RAR Association (via videoconference)
Mr Graeme Hunter (via videoconference)
Mr Sean Robinson (via videoconference)
Warrant Officer Gregory Hooper CSC (via videoconference)
Commander Kevin Taylor RFD, CSC, RANR (Retd) (via videoconference)
Mr Duncan (John) Perryman CSM (Retd)
Mr Dean Wilson (via videoconference)

Thursday 24 February 2022

Colonel Trevor Jones CSC (Retd) (via telephone)
Mr Patrick McMahon (via videoconference)
Mr David Vinen (via videoconference)
Mr Michael Apperley
Brigadier David McKaskill AM DSM (Retd) (via videoconference)
Mr Luke Gosling OAM MP, Federal Member for Solomon (via telephone)
Warrant Officer Dennis Barlow (via video conference)
Ms Fiona Engeler on behalf of the Returned & Services League of Australia (RSL) Australia
Mr Michael Martin (via telephone)
Mr Paul Copeland OAM (via video conference)
Mr Ian Lindgren National Vice President of the Australian Peacemaker and Peacekeeper Veterans' Association (via videoconference)

Monday 28 March 2022

Squadron Leader Michael Keaney (via video conference)
Mr Norman Maher (via video conference)
Dr Anthony Robbins (via video conference)
Private Submitter (via video conference)

Private Submitter (via video conference)
Private Submitter (via video conference)

Tuesday 29 March 2022

Captain Nick Bramwell RAN (Retd) (via video conference)
Major General Brian Dawson AM CSC (Retd)
Group Captain Robert Graham
Mr Garry Conquest (via video conference)
Chaplain Andrew Lewis
Group Captain Peter Noake

Appendix 3 - Honours and Awards for Service in Somalia

Name	Served as	Awarded
Lieutenant Colonel SJ Ellis	Commander UN Operations Somalia	Member of the Military Division of the Order of Australia
Major MJ Kelly	Legal Officer Operations Somalia	Member of the Military Division of the Order of Australia
Colonel WJA Mellor, AM	Commander of Australian Force Somalia (CMDR AFS)	Distinguished Service Cross Colonel Mellor was also awarded the US Legion of Merit
Lieutenant Colonel DJ Hurley	Commanding Officer 1RAR Battalion Group	Distinguished Service Cross
Commander KB Taylor RAN	Captain HMAS *Tobruk*	Conspicuous Service Cross
Lieutenant Colonel RJ Jones	Commander ASC II UN operations Somalia	Conspicuous Service Cross
Lieutenant Colonel BR Dawson	Senior Staff Office Force HQ Somalia	Conspicuous Service Cross
Major GW Jackson	Commander of the Australian Contingent (Movement Control Unit) to the United Nations operations in Somalia	Conspicuous Service Cross
Captain RP O'Brien	Movement Officer UN Operations Somalia	Conspicuous Service Cross
Corporal TA Aitken	Section CO C Coy 1RAR Somalia	Distinguished Service Medal
Flight Sergeant BR Stringfellow	RAAF Air Movements Staff UN operations Somalia	Conspicuous Service Medal
Sergeant LA D'Monte	Intelligence Analysis Force HQ Somalia	Conspicuous Service Medal
Sergeant GJ Kingston	Commander security group ASC Somalia	Conspicuous Service Medal
Major MJ Moon	Commanding Officer C Coy 1RAR Somalia	Commendation for Distinguished Service
Major DJ McKaskill	Commanding Officer B SQN 3rd/4th Cavalry Regiment Somalia	Commendation for Distinguished Service
Major RH Stanhope	Officer Commanding Civil Military Operations Team Somalia	Commendation for Distinguished Service
Captain SJ Dodds	Officer Commanding Mortar Platoon 1RAR Somalia	Commendation for Distinguished Service
Corporal PJ Martin	Section CO D Coy 1RAR Somalia	Commendation for Distinguished Service

Private CJ Day	Patrol Signaller 1RAR	Commendation for Distinguished Service
Major JG Caligari	Operations Officer 1RAR Somalia	Chief of the Defence Force Commendation
Lieutenant CJ McDonald	Transport Platoon Commander 1RAR Somalia	Chief of the Defence Force Commendation
Warrant Officer Class One WF Bowser, DFSM	Commanding Officer /Sergeant Major Counter Intelligence Somalia	Chief of the Defence Force Commendation
Sergeant PH Von Kurtz	Company Sergeant Major & Platoon Commander 3 Platoon A Coy 1RAR Somalia	Chief of the Defence Force Commendation
Sergeant PJ Watson	Snr Non-Commissioned Officer Military Police Detachment Somalia	Chief of the Defence Force Commendation
Major MJ Kelly	Legal Officer operations Somalia	Chief of the Defence Force Commendation
Lieutenant WR Bowyer	Officer Commanding 17 Field Troop Engineers	Chief of the General Staff Commendation
Lieutenant Colonel GT Woolnough	Chief of Staff Australian Force Somalia	Chief of the General Staff Commendation
Warrant Officer Class 2 WE Robinson	Commanding Officer B SQN 3rd/4th Cavalry Regiment APCs Somalia	Chief of the General Staff Commendation
Warrant Officer Class One JD Collins	Postal Detach 1RAR Somalia	Chief of the General Staff Commendation
Sergeant DB Callaghan	Battery Commander Assistant 107th Field Battery-Civilian & NGOs Somalia	Chief of the General Staff Commendation
Sergeant DL Vinen	As Corporal, Duty Intelligence Officer to Force Commander Somalia	Chief of the General Staff Commendation
Sergeant GW Wilkes	Transport Troop Commander 1RAR Somalia	Chief of the General Staff Commendation
Corporal L Stein	Corporal of Peace & Disarmament Section Force Command Somalia	Chief of the General Staff Commendation
1 RAR Battalion Group		Chief of the General Staff Commendation

Appendix 4 – Citation for the award of the Meritorious Unit Citation to the Force Communications Unit, United Nations Transitional Authority in Cambodia

For sustained outstanding service in warlike operations through the provision of communications support to the United Nations Transitional Authority in Cambodia from 15 March 1992 to 7 October 1993.

The Force Communications Unit was instrumental in setting up and maintaining a communications network throughout Cambodia despite hostile and hazardous circumstances. The efforts of the members of the Force Communications Unit allowed the United Nations Transitional Authority in Cambodia to conduct a successful election leading to a democratically elected government.

Appendix 5 – Citation for the award of the Meritorious Unit Citation for Operation TAMAR (Rwanda)

For sustained outstanding service in warlike operations as part of the United Nations Assistance Mission in Rwanda II on Operation TAMAR, over the period July 1994 to March 1996.

Australian Services (sic) Contingents 1 and 2 provided medical support and security to civilians during one of the worst humanitarian disasters of the twentieth century. Under challenging and distressing circumstances, the Contingents displayed exceptional determination and compassion as they delivered medical treatment for wounded and ill civilians and coordinated disease prevention. The discipline and courage demonstrated during, and in the aftermath of the Kibeho Massacre, saved hundreds of civilian lives and enhanced Australia's reputation throughout the international community. The tireless efforts, commitment and resolve of Australian Services Contingents 1 and 2 were in the finest tradition of the Australian Defence Forces

Appendix 6 - Biography of Research Material Examined by the Tribunal

Tribunal Reports

Defence Honours and Awards Appeals Tribunal, Report of the *Inquiry into Recognition of Service with 547 Signal Troop in Vietnam from 1966 to 1971* dated 7 May 2015.

Defence Honours and Awards Appeals Tribunal, Report of the *Inquiry into Unit Recognition for the Royal Australian Navy Helicopter Flight Vietnam* dated 3 April 2018.

Defence Honours and Awards Appeals Tribunal, Report of the *Inquiry into Unit Recognition for Service at the Battles of Coral and Balmoral* dated 3 April 2018.

Official Histories

Bou, Jean; Hurley, David; Breen, Bob; Pratten, Garth; De Vogel, Miesje, *The Limits of Peacekeeping, Vol 4 of The Official History of Peace Keeping, Humanitarian and Post War Operations, Australian Mission in Africa and the Americas 1992-2005*, AWM and Cambridge Publishing 2018.

Government Documents

Legislation

Commonwealth of Australia Gazette No S25 Unit Citation Regulations, Letters Patent, Meritorious Unit Citation dated 4 February 1991.

Commonwealth of Australia Gazette No S297 Unit Citation Regulations, dated 4 November 1991, Determination by Governor General, dated 31 October 1991.

Commonwealth of Australia Gazette No G00629 Unit Citation Amendment Regulations, Meritorious Unit Citation dated 4 August 2020.

Department of Defence – Documents

Army Standing Instructions (Pers) Army Honours and Awards, Defence Commendations and Medallions, Part 11, Chap 1, The Defence Honours and Awards System – Guiding Principles and Participant Roles and Responsibilities dated May 2015.

Chief of Army Directive *CA Directive 03/2006 Army Procedure for the Award of a Meritorious Unit Citation* dated 25 January 2006 (Now retired policy).

Chief of the Defence Force Directive *CDF Directive 7/2004 on Unit Citations for Gallantry and Meritorious Unit Citation Streamers*

Chief of the General Staff Minute CGS 739/93, 'Operational Awards - Operation SOLACE', 12 August 1993

Chief of Joint Operations Directive *CJOPS 05-17 CDF Directive on Unit Citations for Gallantry and Meritorious Unit Citation Streamers* dated 16 February 2017.

Chief of Joint Operations Directive *CJOPS Directive 23/15 – Operational Honours and Awards* dated 6 April 2015.

Directive by Deputy Chief of Air Force – *DCAF Directive 02/14 - Director of Honours and Awards Development – Air Force Implementation of Hons and Awards Development Support Across Air Forc*e dated 28 October 2014.

DI(Navy) Admin 8-2 Royal Australian Navy on Administration of Award of Campaign and Battle Honours dated 24 September 2015.

DI(Navy) Admin 8-2 Royal Australian Navy on Administration of Award of Campaign and Battle Honours dated 31 December 1982

DIG(P) 31-3 Australian Gallantry and Distinguished Service Decorations, dated 30 November 1992.

DGPERSA-10660/00 Army Unit Commendations Award of Unit Gallantry and Meritorious Service Commendations – Policy dated 9 November 2000.

Defence Honours and Awards Manual.

Department of Defence *Position Paper on Honours and Awards*, DOD DM84/8966 to the Department of Prime Minister and Cabinet dated 26 March 1984

Department of Defence *Honours and Awards Interdepartmental Committee* DM 87/38684 to Prime Minister and Cabinet dated 13 October 1987.

Department of Prime Minister and Cabinet 84/050 PO5 f.144.

Vice Chief of the Defence Force minute *VCDF/OUT/2008/3, 'Meritorious Unit Citation for 1 RAR Battle Group – VCDF Response'*, 8 January 2008.

Department of Defence – Files

Australia Force Somalia (AFS) Administrative Instruction dated 19 Jan 1993 UN Observers Somalia File DOD 93/2526.

CDF Gration Order under Defence Force Regs 4 Somalia Jan 1993-File DOD 93-25726 Pt 5 Land HQ Aust (LCAust) Minute MAJGEN Murray Blake 'OP Solace Lessons Learned' dated Jun 1993 File DOD A93/13513 Pt 4.

Maritime HQ LCDR Andrew Naughton RAN, National Liaison Team Report on visit Mogadishu Dec 1992 File DOD 93/00154.

Non-Government Organisations various thank you letters-AWM388 7-9-2.

Somalia Commander's War Diary 11/05/1993 to 29/10/1994 - UNOSOM II DOD A96-2944 Part 1 Extracts.

US JAG After Action Report Jan 1993-AWM388 7-2-8-1.

UNSC Resolution 814 of 26 Mar 1993 Changes to UNOSOM I & II-File DOD 92-25757 Pt 2.

UNOSOM Rules of Engagement to 4 May 1993-File DOD 93-33525 Pt 2.

UNOSOM II Force Commander Ops concept May 1993-AWM388 7-7-1.

US Forces Events Somalia 1992-1995 After Action Report 2003.

US Interview with BRIG Mellor re OP Solace Experience 1992-1995-AWM330 PKI-106-30.

Books & Articles

Breen, Associate Professor Bob, *A Little Bit of Hope – Australian Force Somalia*, Allen & Unwin, St Leonards, NSW 1998.

Breen, Associate Professor Bob, *Australian Military Force Projection 1980s and 1990s*, ANU Thesis for Doctor of Philosophy, May 2006.

Breen, Bob & McCauley, Greg, *The World Looking Over Their Shoulders, Australian Strategic Corporals on Operations in Somalia and East Timor*, Land Warfare Centre, Canberra, ACT 2008.

Breen, Associate Professor Bob, *Australia Force Somalia, 1992 – 1993, Australian Army Campaign Series 31* (Draft unpublished at 2021).

Casagrande, EE, *Legal Aspects of Australian Military Operations Somalia* – Sub-Thesis, Master of Defence Studies, 1994.

Doolan, Ken, HMAS *Tobruk* warship for every crisis, Grinkel Press, Queanbeyan NSW, 2007.

Horner D, et al, *Australian peacekeeping, sixty years in the field*, Cambridge University Press, Melbourne, 2009.

Horner D and Bou J, (eds) *Duty First: A history of the Royal Australian Regiment,* Allen and Unwin, St Leonards, 2008.

Hurley D. An application of the laws of armed conflict: Operation Solace in Smith H. (ed) *The Force of Law: International law and the land commander*, Australian Defence Studies Centre, Australian Defence Force Academy,1994.

Hunter Farrell, John, 'Somalia the 1RAR Group tour of the Bay Region 1993', *Australian Defender*, Issue 38, Dec July 2002, www.australiandefencder.com.au/stories/ad_som.htm.

Londey, Peter, *Other People's Wars*, *A History of Australian Peacekeeping,* Allen & Unwin, St Leonards, NSW 2004.

Patman, Robert G, *Disarming Somalia The Contrasting Fortunes of United States and Australian Peacekeepers During the United States Intervention, 1992-1993* African Affairs, 1997.

Perryman, John, *Operation Solace – RAN Relief to Somalia 1993* https://www.navy.gov.au/history/feature-histories/operation-solace-ran-relief-somalia-1993, accessed 2 March 2022.

Pratten, Garth and Harper, Glyn Compilers and Editors, *Still the Same in Service : Reflections on Active Service from Bardia to Baidoa* Army doctrine Centre, Georges Heights, NSW – Interview with Colonel David Hurley DSC, by Major J Simpson September 1995.