



Australian Government

Defence Honours & Awards Tribunal

**INQUIRY INTO RECOGNITION
OF AUSTRALIAN DEFENCE FORCE SERVICE
IN SOMALIA BETWEEN 1992 AND 1995**

LETTER OF TRANSMISSION

Inquiry into Recognition of Australian Defence Force Service in Somalia between 1992 and 1995

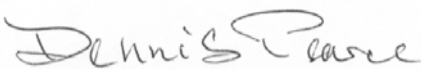
Senator, the Hon John Faulkner
Minister for Defence
Parliament House
Canberra ACT 2600

Dear Senator Faulkner,

I am pleased to present the report of the Defence Honours and Awards Tribunal on the Inquiry into recognition of ADF Service in Somalia between 1992 and 1995.

The inquiry was conducted in accordance with the Terms of Reference. The panel of the Tribunal that conducted the inquiry arrived unanimously at the findings and recommendations set out in its report.

Yours sincerely

A handwritten signature in dark ink, reading "Dennis Pearce". The signature is written in a cursive style with a large, stylized 'D' and 'P'.

Professor Dennis Pearce AO
Chair

5 July 2010

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TERMS OF REFERENCE

The Defence Honours and Awards Tribunal shall inquire into and report on recognition of Australian Defence Force personnel who served in conjunction with UNOSOM I, UNITAF and UNOSOM II in Somalia, between 1992 and 1995.

In conducting its inquiry the Tribunal shall:

- (a) Examine relevant material and make findings with regard to the recognition of 1st Battalion, Royal Australian Regiment (1RAR), Group during Operation SOLACE between 10 January 1993 and 21 May 1993, and consider the eligibility of 1RAR for a unit citation for that service;
- (b) Consider current policy with regard to Defence honours and awards and make a determination as to the merits of establishing a campaign medal for service in Somalia;
- (c) Consider current policy and recognition for Royal Australian Navy service in Somalia between 1992 and 1995, namely service rendered by HMAS Tobruk and HMAS Jervis Bay, and make recommendations as to the adequacy of such recognition; and
- (d) Examine any other claims of outstanding recognition for ADF service rendered in Somalia between 1992 and 1995 and make recommendations accordingly.

The Tribunal is to report to the Parliamentary Secretary for Defence Support on its findings in regard to the above and any recommendations that arise from the inquiry. In making its findings and formulating its recommendations the Tribunal is required to maintain the integrity of the Australian honours and awards system and identify any consequential impact any finding or recommendation may have on that system.

EXECUTIVE SUMMARY

1. The Defence Honours and Awards Tribunal was established administratively in July 2008. It inquires into, and in its present role makes recommendations to the Government on, matters referred to it by the Government relating to the granting of honours and awards to serving and former members of the Australian Defence Force (ADF). The Tribunal may also consider individual claims to medals that have been refused by the relevant awarding authority.
2. On 25 July 2009, the Parliamentary Secretary for Defence Support, the Hon Dr Mike Kelly AM MP, requested the Tribunal to inquire into and report on recognition of Australian Defence Force personnel who served in conjunction with UNOSOM I, UNITAF and UNOSOM II in Somalia, between 1992 and 1995. The terms of reference for this inquiry are set out in full at the commencement of this report.
3. This reference was undertaken by the following members of the Tribunal:
Vice Admiral Don Chalmers AO (Retd) - Chairman
Mr Adam Bodzioch
Air Commodore Mark Lax CSM (Retd)
Mr Kevin Woods CSC, OAM
4. The Tribunal commenced its inquiry on 29 July 2009. It received written submissions from 44 individuals and organisations and the Department of Defence. Further, 20 witnesses appeared before the Tribunal.
5. In July of 1992 United Nations Operation in Somalia (UNOSOM) commenced. This became UNOSOM I and was initially a small force to monitor a ceasefire. The ceasefire failed, another famine occurred and UN relief supplies could not be delivered. The UN Security Council determined that a large non-UN but US led force, the Unified Task Force Somalia (UNITAF), would use 'all necessary means' to enable aid agencies to distribute humanitarian relief. It was during this operation that 1 Royal Australian Regiment Group (1RAR Gp) deployed 990 personnel under the Australian named *Operation Solace* between 10 Jan 1993 and 21 May 1993. Logistic support was provided by the Royal Australian Air Force (RAAF), HMAS Tobruk and HMAS Jervis Bay (approximately 220 personnel).
6. From March 1993 until March 1995, the UN further authorized UNOSOM II in which approximately 200 ADF personnel participated. Although 1RAR Group was withdrawn in May 1993, the last ADF detachments did not leave until 1996. In total, about 1,600 ADF personnel served in Somalia between 1992 and 1996.
7. The Eligibility of 1 RAR for a Unit Citation. The Tribunal received 14 written submissions on the eligibility of 1 RAR for the award of a Meritorious Unit Citation (MUC) for operations in Somalia. Of these, 13 supported the award of a MUC for 1 RAR and one did not support the MUC award. During hearings, the Tribunal heard five witnesses who supported the award. Defence opposed the upgrade of the award. 1RAR Gp received a CGS Commendation.
8. Fourteen submitters all believed that prior consideration was not thorough and cognisant of all the circumstances of the OP SOLACE deployment. Defence and one

submitter stated that the CGS Commendation was sufficient given the duration and level of activity.

9. In making its deliberation, the Tribunal was not convinced there was an error in due process leading to the award of a CGS Commendation rather than an MUC. Furthermore, the Tribunal found that while the service of IRAR in Somalia was commendable, it was not considered to be ‘sustained, outstanding service in warlike operations’ at the time of the initial award recommendation, or during subsequent reviews.

10. The Issue of a Campaign Medal for service in Somalia. The Tribunal received 25 written submissions regarding the issue of a Campaign Medal for service in Somalia. Of these, 24 supported the striking of a Campaign Medal and one did not. Of those 25 submitters, the Tribunal took oral evidence from five witnesses who supported a Campaign Medal and also heard from four non-submitters who did not.

11. The reasons submitted for and against the award of a Campaign Medal are extensive and contained within the body of the report. In making its finding, the Tribunal considered the official definition of a campaign, the nature and conditions of service leading to the award of a Campaign Medal for past and continuing operations, the extant policy concerning the declaration of a campaign and the tenor of submissions both for and against the striking of a Campaign Medal.

12. The Adequacy of Recognition for HMAS Tobruk and HMAS Jervis Bay. The Tribunal received 22 written submissions regarding the adequacy of recognition for HMA Ships Tobruk and Jervis Bay. Of these, 21 supported consideration of further recognition of the AASM (Clasp SOMALIA) for both ships’ companies and one recommended the status quo. Of the 22 submitters, the Tribunal heard eight witnesses in support of the award of the AASM. Two other witnesses gave oral evidence in support of the award. Defence opposed any change to the extant awards.

13. HMAS Tobruk deployed into the Area of Operations (AO) from 21 January to 20 May 1993. HMAS Tobruk entered and exited the AO on several occasions, (including five operational visits to Mombassa), so her period on station within the AO was not continuous. HMAS Jervis Bay deployed into the AO between 12 and 17 January 1993 and again, between 17 and 20 May 1993.

14. For OP SOLACE and OP IGUANA, HMAS Tobruk ship’s company were awarded the ASM (Clasp SOMALIA) while HMAS Jervis Bay received no medallic recognition because she did not meet the ASM qualifying period of 30 days in theatre.

15. The Tribunal found that in the case of both of the RAN Units, their Rules of Engagement (ROE) were used to determine the level of their award. In this case, the Ships’ ROE were restricted to self defence only (although lethal force was permitted in some circumstances). The Tribunal further found that the use of ROE as the sole criteria for determining the level and classification of honours and awards was flawed. Furthermore, that with the exception of Somalia, medallic recognition principles which began with the lead up to the First Gulf War (1990/91), are based on all assigned ADF units within the AO being treated equally as a part of the ADF Joint Force. The Tribunal found that the recognition for HMA Ships Tobruk and Jervis Bay was inadequate.

16. Examination of other Claims of Outstanding Recognition for ADF Service rendered in Somalia between 1992 and 1995. The Tribunal received submissions on a further eleven issues. Some of these were outside the Tribunal's TOR and none of the other claims were upheld.

SUMMARY OF RECOMMENDATIONS

17. The Tribunal makes the following recommendations:

- a. The Tribunal recommends that the original CGS Commendation not be upgraded to that of a MUC.
- b. The Tribunal recommends that a campaign medal for service in Somalia 1992-1995 not be struck.
- c. The Tribunal recommends the upgrade of the ASM (Clasp SOMALIA) that was awarded to HMAS Tobruk ship's company to the award of the AASM (Clasp SOMALIA).
- d. The Tribunal recommends that HMAS Jervis Bay ship's company be awarded the AASM (Clasp SOMALIA).
- e. The Tribunal recommends that members of HMAS Tobruk or HMAS Jervis Bay deployed to Somalia between 1992 and 1993 not be considered for the award of the UN Medal because they were not assigned to the United Nations nor did they meet the 90 day eligibility criteria.
- f. The Tribunal recommends that the Australian Government not approach the UN to alter the eligibility criteria for the UN Medal.
- g. The Tribunal recommends that a Meritorious Unit Citation not be considered for the Australian Service Contingent of UNOSOM II.
- h. The Tribunal recommends no changes be made to the current policy of one award per operational service.
- i. The Tribunal recommends that no further consideration of additional distinguished service awards be made for either UNITAF or UNOSOM II.
- j. The Tribunal recommends that no changes be made to the extant policy for visitors or members not force assigned.

REPORT OF THE TRIBUNAL

Members of the Tribunal

1. The Tribunal comprised the following members:
Vice Admiral Don Chalmers AO (Retd) - Chairman
Mr Adam Bodzioch
Air Commodore Mark Lax CSM (Retd)
Mr Kevin Woods CSC, OAM

Declaration of Conflict of Interest

2. The Tribunal accepted the declaration of a possible conflict of interest made by the Parliamentary Secretary for Defence Support, the Hon. Dr Mike Kelly, AM, MP as he served in Somalia on Operation Solace as a member of the Australian Army. Consequently, this report will be presented to Senator, the Hon. John Faulkner, Minister for Defence.
3. The Tribunal also accepted the declaration of a possible conflict of interest made by Lieutenant General David Hurley AO, DSC, Vice Chief of the Defence Force. Consequently, the Tribunal requested and received the Defence submission from Air Chief Marshal Angus Houston, AC, AFC, Chief of the Defence Force.
4. The Tribunal accepted that Mr Kevin Woods abstained from deliberation on the issue of a Meritorious Unit Citation (MUC) for 1 RAR because of his involvement with the Army's previous consideration on the issue.

Conduct of the Inquiry

5. The inquiry commenced on 25 July 2009 with advertisements placed in the major national newspapers giving notice of the inquiry and calling for submissions. At about the same time, the Tribunal wrote to key organisations advising of the inquiry and inviting them to make a submission.
6. On 29 July 2009 the Tribunal first met to consider the Terms of Reference (TORs) and take background briefs prior to evidence being considered from Brigadier Bill Mellor, former Commander Australian Force Somalia, and Lieutenant General David Hurley, former CO 1 RAR in Somalia.
7. Submissions to the Tribunal closed on 24 August 2009 when the Tribunal received 44 written submissions covering all aspects of the TORs. A list of submitters is at Appendix 1.
8. The Tribunal again met on 22 September 2009 to hear Brigadier Brian Dawson, former Plans Officer, HQ United Nations Operations in Somalia (UNOSOM) and to begin consideration of the submissions. The Tribunal held further hearings in Canberra and via teleconference on 9 and 10 December 2009 and on 2 March and 6 April 2010 to hear evidence from various witnesses. A total of twenty individuals and organisations made oral submissions to the Tribunal during the review. Appendix 2 details the Tribunal hearings.

9. The Tribunal also considered additional supporting material including archive files and eye witness reports. The material is listed at Appendix 3. The Tribunal last met on 6 April 2010 to finalise its deliberations of the material it had received.

Historical background and the circumstances in which the ADF personnel rendered service in Somalia

10. The civil war in the Republic of Somalia began in 1991 and continues today. For 18 years, various clan-based militias have vied for control of the country. None has been successful other than for short periods. The lack of a strong central government also resulted in four regions with varying degrees of success, declaring themselves independent of whomever currently controlled the capital Mogadishu and claiming to form the rightful government.

11. In various periods of the war, outside forces have intervened. Those nation states doing so alone were Ethiopia, Eritrea and the United States of America (USA). In addition two alliances of states, the United Nations (UN) and the African Union (AU), have intervened with military forces drawn from their member nations. The UN intervention in the Somali civil war was from 1992 to 1995 and during this period Australian Defence Force (ADF) personnel served in Somalia and the Indian Ocean littoral.

12. In July of 1992 United Nations Operation in Somalia (UNOSOM) forces arrived. This became UNOSOM I and was initially a small force to monitor a ceasefire that had been agreed by 15 warring factions. The ceasefire failed, another famine occurred and UN relief supplies could not be delivered. The UN Security Council determined that a large non-UN but US led force, the Unified Task Force Somalia (UNITAF), would use “all necessary means” to enable aid agencies to distribute humanitarian relief. The Americans called the new plan *Operation Restore Hope*. It was during this operation that 1 Royal Australian Regiment Group (1RAR Gp) deployed under the Australian named *Operation Solace* (10 Jan 1993 to 21 May 1993).

13. At its peak UNITAF consisted of 37,000 personnel, over half of them American. Twenty other countries contributed troops. Australia deployed 1RAR Gp consisting of 990 personnel. Logistic support was provided by the Royal Australian Air Force (RAAF), HMAS Tobruk and HMAS Jervis Bay (220 personnel). The 1RAR Gp were based at Baidoa and were responsible for a 17,000 square kilometre region around the town. Their task was to pacify and secure the area allowing food aid to be distributed. This they achieved.

14. During its deployment, 1RAR took part in seven major operations. About 1,100 foot patrols were undertaken and almost 1,000 weapons seized. There were twelve exchanges of fire with Somali gunmen. Somali casualties were seven killed and four wounded. Australian casualties were one killed accidentally and three wounded.

15. From March 1993 until March 1995, the UN authorized UNOSOM II in which approximately 200 ADF personnel participated. Although 1RAR Group was withdrawn in May 1993, the last ADF detachments did not leave until 1996. In total, about 1,600 ADF personnel served in Somalia between 1992 and 1996.

Table 1 summarises the various Somalia Operations

UN/US Operation Name	ADF Operation Name	UN Ops Dates	Australian Ops Dates	Number of ADF Personnel
UNOSOM I	-	April 1992 - March 1993	20 Oct 1992 - 3 May 1993	30
UNITAF (OP RESTORE HOPE)	OP SOLACE	5 Dec 1992 - 4 May 1993	10 Jan 1993 - 21 May 1993	1366
UNOSOM II	OP IGUANA	March 1993 - March 1995	4 May 1993 - 23 Nov 1994	~200

Table 1 - Somalia Operational Dates and Personnel Numbers

TRIBUNAL CONSIDERATION OF EACH TERM OF REFERENCE ITEM

A: The Eligibility of 1 RAR for a Unit Citation

16. The MUC was instituted by Her Majesty, Queen Elizabeth II, on 15 January 1991. The regulations pertaining to the award state: 'The MUC is intended to be awarded to a unit only for sustained outstanding service in warlike operations'.¹ To date, 19 Australian units have been awarded a MUC.

17. The Tribunal received 14 written submissions on the eligibility of 1 RAR for the award of an MUC for operations in Somalia. Of these, 13 supported the award of an MUC for 1 RAR and one did not support the MUC award. During hearings, of the 14 submitters, the Tribunal heard five witnesses who supported the award. Defence opposed the upgrade of the award.

Previous consideration of an award to 1 RAR

18. The Tribunal noted that the case for the award of an MUC to 1 RAR had been officially considered on at least two previous occasions. In August 1993, the then Chief of the General Staff (the position is now called Chief of Army), after taking advice from the Land Commander, wrote to the Chief of the Defence Force (CDF) recommending a CGS Commendation rather than an MUC. Their deliberations were not recorded. Consequently, a CGS Commendation was approved on 23 November 1993.

19. In November 2006, the then Commander 3 Brigade sought the retrospective award of an MUC to 1 RAR for its service in Somalia. The case was considered by the Army MUC Committee and its recommendation to proceed with an MUC was agreed by the Chief of Army. However, after a lengthy deliberation, CDF rejected the recommendation in December 2007, and the award of a CGS Commendation remains.

Claims of the Submitters in Favour

20. The submitters who argued in favour of upgrade of the CGS Commendation to a MUC can be summarised as:

- The MUC is about recognising superior military performance. This was a 'new war' – the first stabilisation operation the ADF had conducted. This was a new obligation and should be recognised as such.
- The rules of engagement went beyond 'self defence'.
- 1RAR operated under a hazardous and volatile environment.
- 1RAR showed remarkable adaptability to deployment circumstances.
- 1RAR completed a highly successful mission recognised the world over.
- 1RAR left Baidoa in far better shape than they found it.
- Although it was a short tour, the MUC is appropriate and compares equally with more recent MUCs.

¹ Unit Citation Regulations, Commonwealth Gazette No S25, 4 Feb 1991.

21. The claimants all believed that prior consideration was not thorough and cognisant of all the circumstances of the OP SOLACE deployment.

Claims of other Submitters

22. One submitter (submission No.24) did not support the award of the MUC on the grounds that the award of an MUC had been considered on two prior occasions and ‘a decision in favour of the Battalion Group (on third review) could potentially undermine the integrity of the honours and awards process ...’²

23. The Department of Defence took a similar view, noting the issue of an MUC was ‘rejected [in 2006] and CDF affirmed that the MUC was not intended to be awarded retrospectively’ and that ‘a CGS Commendation was appropriate and within policy guidelines at the time it was awarded’.

Tribunal Consideration Including Other Information

24. The Tribunal first considered the current policy regarding the award of MUCs. The Tribunal sought advice from the Director General of Support (DGSUP) at Headquarters Joint Operations Command (HQJOC) as the area in Defence now responsible for development of conditions of service and proposed honours and awards for operational deployments. DGSUP described the process to recommend MUCs and explained that it had changed with the establishment of HQJOC in 2007, with Commander Joint Operations Command (CJOPS) now being the recommending officer to CDF. CDF remains the approving authority. CJOPS convenes an Honours and Awards Advisory Board and upon its positive consideration, a recommendation is made to CDF for approval. Any internal re-consideration for retrospective awards would now be referred to the same CJOPS Advisory Committee on a case-by-case basis.

25. The Tribunal also compared the extant awards for an MUC, the variety of actions that led to the award and the spread of awards between the Services. To date, there have been 19 MUCs awarded to Australian Units (7 RAN, 5 Joint, 4 ARA, and 3 RAAF). All were awarded between 1991 and 2010. Submitters to the Tribunal attempted to point to what were claimed to be inconsistencies in the award of MUCs. However, the Tribunal is not in a position to evaluate the merits of previous awards. It approached its task by examining the evidence before it relating to the service of 1 RAR in Somalia against the requirement for the award of an MUC set out above.

Findings of the Tribunal

26. The Tribunal 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.

27. The Tribunal concludes on the evidence before it that:

- (1) there was no error in due process leading to the award of a CGS Commendation rather than an MUC.

² Submission No. 24, p 2.

- (2) while the service of 1RAR in Somalia was commendable, it was not ‘sustained, outstanding service in warlike operations’ of the kind required to justify the award of an MUC.

The Tribunal recommends that the original CGS Commendation not be upgraded to that of a MUC.

B: The Issue of a Campaign Medal for service in Somalia

28. The Tribunal received 25 written submissions regarding the issue of a Campaign Medal for service in Somalia. Of these, 24 supported the striking of a Campaign Medal and one did not.

29. The Tribunal took oral evidence from five of these who supported a Campaign Medal and four others who did not. Some who provided oral submissions had not provided a written submission in respect to the Campaign Medal, but had been invited for their views when addressing other Terms of Reference being considered by the Tribunal.

Claims of the Submitters in Favour

30. Twenty-four submitters supported the issue of a Campaign Medal for Somalia. Their collective reasoning included:

- Somalia was a significant deployment with more than its fair share of dangers and contacts, particularly when compared to deployments such as East Timor,
- the Area of Operations (AO) was a dangerous environment 24 hours a day with indiscriminate shooting and hostile crowds who were often drug-affected,
- if the same criteria regarding the issuing of a Campaign Medal for service in Iraq, Afghanistan and East Timor were used, they match perfectly with operations undertaken in Somalia,
- awarding a Campaign Medal is consistent with past medal policy,
- the striking of a Campaign Medal for Somalia will not degrade the Australian Honours and Awards system,
- the AASM reflects the nature of the service but it does not recognise the ADF contribution in the way that a Campaign Medal would,
- the duration of the campaign (16-17 weeks) should not be the determining criteria but rather what was achieved,
- this was the first large scale deployment of Australian troops since the Vietnam war; it demonstrated the ADF’s ability to take a place on the world stage in peace operations and our continued ability to plan for and execute complex global operations, and
- Operation Solace was not a minor operation; indeed elements of all three ADF services played key roles in the establishment, lodgement, sustainment and the redeployment of the operation.

Claims of other Submitters

31. Five submitters did not support the issue of a Campaign Medal. Their collective reasoning included:

- the relatively short duration of the activity (17 weeks for OPERATION SOLACE),
- the relatively few members of the ADF who participated,
- the fact that the major contributing power, the United States, did not recognise Somalia as a campaign,
- the conditions of the award of previous Australian Campaign Medals,
- the fact that under the Australian honours and awards system, the ASM and AASM are considered Campaign Medals for Minor Campaigns, and
- Australian Government policy in general is only to award one medal per operational activity.

Tribunal Consideration including Other Information

32. In considering the matter of a Campaign Medal, the Tribunal was first faced with the question of what constitutes a campaign.

33. There are two official sources of definitions, the ADF Glossary and the Macquarie Dictionary. The ADF Glossary defines a campaign as either³:

- A set of military operations planned and conducted to achieve a strategic objective within a given time and geographical area, which normally involve maritime, land and air forces, or
- A controlled series of simultaneous or sequential operations designed to achieve an operational commander's objective, normally within a given time or space.

34. A note to the definition also specifies that a campaign usually involves the synchronisation of maritime, air and land forces.

35. The applicable Macquarie Dictionary definition of a campaign is⁴:

- The military operations of an army in the field during one season or enterprise.

36. During its deliberations, the Tribunal next discussed factors to be considered in establishing a campaign. These might include, but not be limited to:

- The size of the deployed force;
- The duration of the operational activity;
- Whether the operation was defined by a geographic or aerospace boundary;
- The presence of a defined and recognisable enemy or opponent;
- Whether there were a series of military operations or phases designed to achieve a strategic objective; and
- The joint nature of the deployed force.

37. While the accepted definitions indicate that a military campaign is, generally, large in size, long in duration, within a defined region and for operations with important objectives, the word has been used loosely in honours and awards terminology. The General Service

³ Definition from the Australian Defence Glossary

⁴ Definition from www.macquariedictionary.com.au accessed on 19 December 2009.

Medal (GSM), for instance, was instituted after WWI for service in ‘minor campaigns’.⁵ The Australian Active Service Medal (AASM), which replaced the GSM, is also considered a service medal for minor campaigns. The name of the campaign appears on a clasp on the medal. The 1993 Committee of Inquiry into Defence Awards (CIDA) stated:

The AASM and the ASM were established on 13 September 1988 to recognise service by members of the Australian Defence Force and other personnel in prescribed areas. The AASM serves as a general service medal for minor campaigns. The Prime Minister stated in 1988 that the Government would still consider instituting separate medals for service in major conflicts in accordance with established tradition.⁶

38. The Australian Government has since done this with the institution of campaign medals for three major operations - East Timor, Iraq and Afghanistan. While there is a distinction made between major and minor campaigns, the list of medals the Department calls campaign medals would seem to suggest that the term campaign can be used to mean any overseas service, warlike or not, humanitarian or not. Some examples of Campaign Medals that have so far been awarded include:⁷

- Australian Active Service Medal 1945-1975 (with Clasp),
- Australian Active Service Medal (with Clasp),
- Australian Service Medal 1945-1975 (with Clasp),
- Australian Service Medal (with Clasp),
- Naval General Service Medal (with Clasp),
- General Service Medal 1918-1962 (with Clasp),
- Korea Medal.
- General Service Medal 1962 (with Clasp),
- Vietnam Medal.
- Vietnam Logistic and Support Medal.
- Rhodesia Medal.
- International Force East Timor Medal.
- Afghanistan Medal.
- Iraq Medal.

The last three have been under the Australian honours and awards system.

39. In addition, Australians have been permitted to wear a number of non-ADF campaign medals.

40. The Tribunal also sought advice from the Director General of Support at HQJOC regarding the consideration of what ADF service constitutes a campaign. CJOPS has adopted the position that to be recommended for classification as a campaign, an operation must be formally declared by Government and at minimum, it must be ‘enduring’ and contain ‘an element of danger’.

⁵ <http://www.asacaustralia.com/mint4.htm>

⁶ Committee of Inquiry into Defence Awards 1993, p. 81.

⁷ <http://www.defence.gov.au/medals/>

41. The Tribunal further enquired about the extant process. Upon Government commitment to an operation, a Campaign Plan and a package of Conditions of Service is developed by CJOPS and, after endorsement by CDF, both are considered by the National Security Committee of Cabinet. Cabinet then decides to establish a campaign or otherwise. In the case of Somalia, Cabinet did not decide to call OP SOLACE a campaign and so no campaign medal was struck at the Operation's conclusion.

42. The Tribunal first noted the apparent similarity of the Somalia deployment with the coalition force deployment to monitor the Rhodesian elections. The subsequent Rhodesia Medal was awarded for this short duration operational deployment under hazardous circumstances between December 1979 and March 1980, but those ADF members who deployed did not receive the ASM, AASM or Humanitarian Overseas Medal (HOSM). Members were also awarded the commemorative Zimbabwe Independence Medal by the Zimbabwe Government, and have now been permitted to wear it.

43. The Tribunal then discussed the similarities and differences between the Somalia deployment and more recent Campaigns such as East Timor, Afghanistan and Iraq. The Tribunal found that the INTERFET Medal was struck not only to recognise the size of the operation in East Timor and the fact that it was the first post-World War II operation that was led by Australia, but also to reward the participants of the other nations who contributed to the coalition force. As of September 2009, the INTERFET medal has been awarded to approximately 8,700 Australian and 6,300 Foreign Servicemen and women⁸.

44. The Tribunal found that both the Iraq Medal and the Afghanistan Medal were awarded for significant campaigns involving a very large coalition force operating under 'warlike' conditions over an extended period of time.

Findings of the Tribunal

45. In making its finding, the Tribunal considered the official definition of a campaign, the nature and conditions of service leading to the award of a Campaign Medal for past and continuing operations, the extant policy concerning the declaration of a campaign and the tenor of submissions both for and against the striking of a Campaign Medal. The Tribunal notes that under the Australian honours and awards system, the ASM and the AASM are considered campaign medals and that it is extant policy to award only one medal for a particular campaign. The Tribunal noted that most ADF members who participated in the various Somalia operations (UNOSOM I, UNITAF and UNOSOM II) received either the ASM or AASM.

46. Further, the Tribunal found that the Australian force in Somalia was relatively small in number, that Australian operations in Somalia were not sustained over a long period of time, the operation had limited objectives and that the issue of a campaign medal was never considered at the time. These conditions make the award of either the ASM or AASM appropriate as the General Service Medal for such a minor campaign.

The Tribunal recommends that a campaign medal for service in Somalia 1992-1995 not be struck.

⁸ Defence submission, p 2.

C: The Adequacy of Recognition for HMAS Tobruk and HMAS Jervis Bay

47. The Tribunal received 22 written submissions regarding the adequacy of recognition for HMA Ships Tobruk and Jervis Bay. Of these, 21 supported consideration of further recognition of the AASM (Clasp SOMALIA) for both ships' companies and one recommended the status quo. Of the 22 submitters, the Tribunal requested and heard oral evidence from eight in support of the award of the AASM. Two further witnesses who were not submitters on this subject, gave oral evidence in support of the award. Defence opposed any change to the extant awards.

HMA Ships Jervis Bay and Tobruk

48. HMAS Jervis Bay was assigned in direct support to Land Headquarters for the deployment and redeployment phases of the Australian Forces Somalia (AFS). HMAS Jervis Bay initially arrived in the area of operations on 12 January 1993, and, after unloading, sailed three days later. A rendezvous was made with HMAS Tobruk on 17 January for an operational briefing, after which HMAS Jervis Bay returned to Australia. HMAS Jervis Bay returned to Somalia for a second time to participate in the redeployment of the AFS, arriving in the AO on 17 May 1993 and departing in company with HMAS Tobruk for return to Australia on 20 May 1993.

49. HMAS Tobruk was assigned in direct support to the Commander Australian Forces Somalia for the duration of the ship's deployment. After operational briefings were conducted on 17 January 1993, HMAS Tobruk berthed in Mogadishu three days later to discharge cargo and from 21 January to 20 May 1993, operated in support of the AFS. During this time the ship conducted five operational visits to Mombasa, Kenya.

Clearance Divers

50. A clearance Diving Detachment was embarked in HMAS Jervis Bay during the first deployment to provide for the possible need for port clearance. They transferred to HMAS Tobruk on the ship's arrival, and with the exception of two members who remained on HMAS Tobruk, returned to Australia on 24 Feb 1993.

The Sea King Helicopter

51. A detachment of one Sea King and 16 associated personnel were embarked in HMAS Tobruk. They conducted ship to ship and ship to shore logistic support, remained under the Command of the Commanding Officer HMAS Tobruk and were an integral part of HMAS Tobruk's capability. On two occasions the Helicopter was deployed to Mogadishu Airport to undertake planned maintenance.

Medallic Recognition for RAN Units

52. For OP SOLACE and OP IGUANA, HMAS Tobruk ship's company were awarded the ASM (Clasp SOMALIA) while HMAS Jervis Bay's company received no medallic recognition because they did not meet the ASM qualifying period of 30 days in theatre. The 1RAR group initially were recognised with the ASM (Clasp SOMALIA). This was changed retrospectively to an AASM (Clasp SOMALIA) and covered the period 10 Jan 93 to 21 May

93.⁹ Eligibility of the AASM was also gazetted for the land forces and members of the air component after 1 May 1993.

53. The Tribunal found that HMA Ships and the Movement Control Unit were excluded from the upgrade to AASM on the basis that these units were not operating under ROE which permitted all necessary force.

Claims of the Submitters in Favour

54. All submitters in favour of an upgrade from the ASM to the AASM for HMAS Tobruk and the award of the AASM for HMAS Jervis Bay argued that the Mogadishu Port was not a safe haven, especially after dark, and had to be patrolled to prevent attack. In all cases, they argued that the same level of insecurity applied to the port area as to the airfield and other parts of the Mogadishu township and surrounding areas. This they claim meant the HMA Ships should have been under the same Rules of Engagement (ROE) and nature of service as the Army and RAAF elements deployed in the area.

Claims of other Submitters

55. One submitter (Submission No. 6) did not support the upgrade of HMAS Tobruk's ASM to the AASM, nor supported the award of the AASM to HMAS Jervis Bay. The submitter, a member of HMAS Tobruk's company at the time, felt that the situation at Mogadishu Port was 'secure' and so the award of the ASM for HMAS Tobruk's company should not be upgraded to the AASM.

56. The Department of Defence also recommended the status quo on the basis that 'the Rules of Engagement [required] 1RAR to use "all necessary force", thus obliging commanders to operate in a warlike manner'. Conversely, HMAS Tobruk operated under Rules of Engagement that did not permit the use of all necessary force (although it did allow for lethal force). The Tribunal found the differing ROE to be the basis of the AASM deliberation.

Tribunal Consideration including Other Information

57. The Tribunal found that in the case of both of the RAN Units, while force assigned to OP IGUANA, their ROE were restricted to self defence only (although lethal force was permitted in some circumstances). That is, they were not operating under ROE that permitted 'all necessary force' and this is what the medallic recognition criteria for the 1 RAR Group was linked to. That meant the only possible entitlement was for an ASM (Clasp SOMALIA) provided the ships' company also met the qualifying period of 30 days. The Tribunal noted that ROE and their delegated levels of authority are the means by which the use of force is controlled by Higher Command, and are not generally, or by themselves, used to determine medallic recognition.

58. The Tribunal noted several inconsistencies when applying the ROE criteria as a basis for honours and awards. First, the six Clearance Divers who deployed with HMAS Jervis Bay and returned with HMAS Tobruk were awarded the ASM as they completed over 30 days in theatre. Second, the RAN Helicopter detachment on HMAS Tobruk conducted regular operational sorties into Mogadishu including two periods at Mogadishu airport for

⁹ CDF124/1993 and Commonwealth Gazette S102 of 27 Mar 2001.

maintenance, and on at least five occasions, flew in direct support of 1RAR in Baidoa. For similar operational sorties, members of RAAF aircrew received the AASM for just one sortie or one day in theatre. Third, one week after HMAS Tobruk departed the port, another vessel at the same berthing location was hit by rocket propelled grenades forcing it to take emergency action. This event would indicate the port was not totally 'secure'.

59. The Tribunal also considered the extant principles for medallic recognition within an AO. A Senior Officer from the Nature of Service Review Team, Department of Defence, gave evidence which showed that beginning with OPERATION DAMASK 1 (US OPERATION DESERT SHIELD) in 1990 and OPERATION DAMASK 2 (US OPERATION DESERT STORM) in 1991, (which both preceded Somalia), to the present, the same Medallic recognition has been awarded to all assigned forces, be they combat or support forces within the gazetted AO. That is, with the exception of Somalia, there has been a consistently applied principle which recognises the nature of the joint force approach to joint operations.

Findings of the Tribunal

60. The Tribunal found that the use of ROE as the sole criterion for determining the level and classification of honours and awards was flawed. Furthermore, that with the exception of Somalia, medallic recognition principles which began with the lead up to the First Gulf War (1990/91), are now based on all units, be they combat or support units within the AO being treated equally.

61. The Tribunal found that the recognition for HMA Ships Tobruk and Jervis Bay was inadequate.

The Tribunal therefore recommends the upgrade of the ASM (Clasp SOMALIA) that was awarded to HMAS Tobruk ship's company to the award of the AASM (Clasp SOMALIA) and that HMAS Jervis Bay ship's company be awarded the AASM (Clasp SOMALIA). Conditions would be in accordance with the Governor General's Declaration and Determination under the AASM Regulations per Commonwealth of Australia Gazette No S102 dated 27 March 2001.

62. In reaching its conclusion, the Tribunal was cognisant that:

- (a) the RAN vessels were both operating within a defined AO where the 'Geographical limitation comprises the land mass of Somalia and adjoining area extending 20 km into Ethiopia and Kenya and 10 km into Djibouti and the territorial waters extending 12 nautical miles from the coastline of Somalia.'¹⁰;
- (b) the RAN Units were force assigned as elements of a joint force deployed for OP SOLACE and OP IGUANA;
- (c) all members of both ships' companies spent time in the Mogadishu Port;
- (d) in the case of the helicopter element, they met the one operational sortie requirement set for the RAAF for the award of the AASM;
- (e) the helicopter is considered an integral part of the Ship;

¹⁰ Defence File 92/25757 Part 1 - *Proposed award of the Australian Service Medal Clasp 'Somalia'* See also CDF's directive to the Land Commander Australia, 'Provision of an Australian Force to the Unified Task Force in Somalia Operation Solace', 23 Dec 92.

- (f) the ROE is not, by itself, an appropriate measure to limit medallic recognition; and
- (g) the extant principle of recognising all service in an AO as equally appropriate should be used.

D. Examination of other Claims of Outstanding Recognition for ADF Service rendered in Somalia between 1992 and 1995

63. The Tribunal received submissions on a further eleven issues. These were:

- (1) The award of the UN Medal for HMAS Tobruk and HMAS Jervis Bay under OP SOLACE;
- (2) The award of the Humanitarian Overseas Service Medal to members who served in Somalia;
- (3) Recognition for RAAF members of the deploying and redeploying forces (C-130 crews);
- (4) The award of the Army Combat Badge to members of UNOSOM II who served with the Special Air Service (SAS);
- (5) The award of a Meritorious Unit Citation for members of the Australia Service Contingent for UNOSOM II;
- (6) The creation of the award of Australian Operational Service Medal for deployments that do not warrant other awards;
- (7) The award of the ASM (Clasp Special Operations) for members who served with the SAS during UNOSOM I and UNOSOM II;
- (8) The award of the AASM (Clasp RWANDA) for three members of the ASC for UNOSOM II who served in Rwanda in 1994;
- (9) The lack of Distinguished Service Awards for members of UNITAF and UNOSOM II;
- (10) The award of the AASM (Clasp SOMALIA) for an Army Visitor to Somalia; and
- (11) The award of a CGS Group Commendation and badges for 1 RAR on OP SOLACE.

64. These issues are dealt with separately below.

(1) The Award of the UN medal for HMAS Tobruk and HMAS Jervis Bay under OP SOLACE.

65. The Tribunal received two submissions recommending consideration of the award of the UN Medal for HMA Ships Tobruk and Jervis Bay.

66. The Tribunal found that the United Nations Medal is awarded by the UN for specified operations and under Security Council Resolution(s) establishing UN authority for such intervention. The UN Medal was subsequently awarded to ADF members who were force assigned to UNOSOM I and UNOSOM II, as these were specified UN operations. ADF members under OP SOLACE were serving as part of UNITAF, a non-UN operation and therefore are ineligible for the UN Medal.

67. Further, those ships that also served briefly under UNOSOM II did not meet the 90 day in theatre eligibility criteria for the award of the UN Medal.

The Tribunal therefore recommends that members of HMAS Tobruk and HMAS Jervis Bay deployed to Somalia between 1992 and 1993 not be considered for the award of the UN Medal because they were not assigned to the United Nations nor did they meet the 90 day eligibility criteria.

The Tribunal recommends that the Australian Government not approach the UN to alter the eligibility criteria for the UN Medal.

(2) The Award of the Humanitarian Overseas Service Medal to members who served in Somalia.

68. The Tribunal received two submissions recommending consideration for the award of the HOSM for members who served in OP SOLACE and HMA Ships Tobruk and Jervis Bay.

69. The Tribunal found that the HOSM is administered by the Department of Prime Minister and Cabinet (PM&C). It honours members of recognised Australian groups for emergency humanitarian service overseas in hazardous circumstances. The HOSM complements the ASM (which is awarded to members of the Australian Defence Force) and the Police Overseas Service Medal.

70. Defence policy as agreed and applied by PM&C allows for only one medal to be awarded for a single operation. Thus, Defence awards either the ASM or the AASM in lieu of the HOSM. As such, ADF members who served on OP SOLACE or in HMAS Tobruk are not eligible for the HOSM.

71. The Tribunal found that members of HMAS Jervis Bay did not serve the required qualifying period of 30 days and therefore are not eligible for an award.

(3) Recognition for RAAF members of the deploying and redeploying forces (C-130 crews).

72. One submitter claimed that members of the RAAF who deployed and redeployed 1RAR for UNITAF did not receive any recognition while those of the air component of UNOSOM II received the AASM (CLASP SOMALIA).

73. The Tribunal found that members of the RAAF are covered by Regulation 3 to the AASM Regulations as declared by the Governor-General on 23 March 2001 in that the air component were members of a prescribed operation of the Second United Nations Operation in Somalia (UNOSOM II) in the period commencing on 1 May 1993. The qualifying period was one day or one operational sortie.

74. For RAAF deployments and redeployments for UNOSOM I and UNITAF, the award of the ASM still required the 30 day qualifying period. The Tribunal found that 19 members of the RAAF initially qualified for the ASM award. Eventually, post-UNOSOM II, 247 RAAF members were awarded the AASM with Clasp Somalia.

75. Furthermore, of the nine Distinguished Service awards made for service in Somalia under OP SOLACE, none went to RAAF or RAN members.

76. Of the nine Conspicuous Service Awards made for service in Somalia, a RAAF Flight Sergeant Air Movements Staff member received the CSM.

77. The Tribunal found that members of the RAAF who served in Somalia received adequate and appropriate recognition.

(4) The Awarding of the Infantry Combat Badge or the Army Combat Badge to members of UNOSOM II who served with the SAS.

78. The Tribunal determined that the awarding of the Infantry Combat Badge and the Army Combat Badge is not a Tribunal issue and as such remains a Single Service (Army) matter. The Tribunal suggests affected members apply to the Chief of Army in the prescribed manner.

(5) The award of a Meritorious Unit Citation for members of the Australian Service Contingent for UNOSOM II

79. The Tribunal received three submissions that recommended consideration of the award of a Meritorious Unit Citation (MUC) for the Australian Service Contingent (ASC) in UNOSOM II.

80. As discussed previously, the MUC is awarded to a unit for sustained outstanding service in warlike operations. In considering the submissions of the proponents, the Tribunal found no evidence to support the award of an MUC for the ASC for UNOSOM II.

The Tribunal recommends that a MUC not be considered for the ASC of UNOSOM II.

(6) Creation of the award of the Australian Operational Service Medal for deployments that do not warrant other awards

81. Claimants sought a medal for accumulated service on operations that were not otherwise recognised (similar to an award that is available in the UK). The Tribunal found that consideration of such an award did not apply directly to Somalia and is therefore outside the Inquiry TOR.

(7) The Award of the ASM (Clasp SPECIAL OPERATIONS) for members who served with the SAS during UNOSOM I and UNOSOM II

82. The Tribunal received three submissions recommending the award of the ASM (Clasp SPECIAL OPS) for three members of UNITAF and UNOSOM who claim they were tasked by their CO with clandestine operations with the Special Forces.

83. The Tribunal found that members of UNITAF and UNOSOM were all awarded either the ASM (Clasp SOMALIA) or the AASM (Clasp SOMALIA) and that extant policy is not to award two medals for the same operational service. The Tribunal also found no evidence to support the submissions. Therefore, the Tribunal does not recommend the award of the ASM (Clasp SPECIAL OPS) to members of UNITAF and UNOSOM who claimed to have served with the Special Forces on clandestine operations.

Further, the Tribunal recommends no changes to the current policy of one award per operational service.

(8) The Award of the AASM (Clasp RWANDA) for three members of the ASC for UNOSOM II who served in Rwanda in 1994

84. The Tribunal received a submission that identified three members of ASC for UNOSOM II who claim they conducted three operational sorties into Rwanda during the Rwandan Civil War between 6 April and 24 July 1994.

85. The Tribunal considered review of the award of AASM (Clasp RWANDA) is outside the TORs for service in Somalia. As such, the Tribunal suggests members so affected submit a separate application to Defence Honours and Awards Directorate if they believe they are eligible.

(9) The lack of Distinguished Service Awards for members of UNITAF and UNOSOM II

86. The Tribunal found that 21 recommendations for service awards were put forward for UNITAF. Of these, 15 were for distinguished service and nine were later approved. These included two Distinguished Service Crosses, one Distinguished Service Medal and six Commendations for Distinguished Service.

87. The Tribunal found that two Members of the Order of Australia (AM), four Conspicuous Service Crosses (CSC) and three Conspicuous Service Medals (CSM) were approved for UNOSOM II.

88. The Tribunal noted that in all cases, the appropriate procedure for nomination and recommendation of awards was followed.

The Tribunal recommends that no further consideration of additional distinguished service awards be made for either UNITAF or UNOSOM II.

(10) The award of the AASM (Clasp Somalia) for an Army Visitor to Somalia

89. The Tribunal received one application from an Army member who visited Somalia for 17 days in April 1993 as part of the Army's assessment team reviewing historic objects for the Army Museum and the Australian War Memorial.

90. The Tribunal found that the period in question was during UNITAF (3 December 1992 to 4 May 1993 inclusive) and that the member was not force assigned. Members who were force assigned received the AASM (Clasp SOMALIA) for one day's service in the designated AO. The Tribunal also found that the extant policy for visitors and members not force assigned required a minimum of 30 days within the AO to be eligible for consideration for the award of either the ASM or AASM (Clasp SOMALIA). As such, the Tribunal found the member was ineligible for the award of either the ASM or AASM (Clasp SOMALIA).

The Tribunal recommends that no changes be made to the extant policy for visitors or members not force assigned.

(11) The award of a CGS Group Commendation and badges for 1 RAR on OP SOLACE.

91. The Tribunal received four submissions recommending the badges associated with the award of a Chief of the General Staff (CGS) Group Commendation to members of 1 RAR be issued to individuals. The position of CGS has since been renamed Chief of Army (CA).

92. The Tribunal found that the award of CGS or CA Commendations and the associated badges is a Service matter and is outside the Inquiry TOR. However, the Tribunal noted that, at the time of OP SOLACE, the policy was not to issue individual badges but only a certificate. That policy was applied. Further, the policy changed in 2004 permitting individual badge issue, but the Chiefs of Service Committee again reviewed the matter of Service Commendations on 28 October 2009 and determined that no badges would be issued for Group Commendations.

93. The Tribunal suggests members so affected submit a separate application to the Chief of Army.

SUMMARY OF RECOMMENDATIONS

94. The Tribunal makes the following recommendations:

- a. The Tribunal recommends that the original CGS Commendation not be upgraded to that of a MUC.
- b. The Tribunal recommends that a campaign medal for service in Somalia 1992-1995 not be struck.
- c. The Tribunal recommends the upgrade of the ASM (Clasp SOMALIA) that was awarded to HMAS Tobruk ship's company to the award of the AASM (Clasp SOMALIA).
- d. The Tribunal recommends that HMAS Jervis Bay ship's company be awarded the AASM (Clasp SOMALIA).
- e. The Tribunal recommends that members of HMAS Tobruk or HMAS Jervis Bay deployed to Somalia between 1992 and 1993 not be considered for the award of the UN Medal because they were not assigned to the United Nations nor did they meet the 90 day eligibility criteria.
- f. The Tribunal recommends that the Australian Government not approach the UN to alter the eligibility criteria for the UN Medal.
- g. The Tribunal recommends that a Meritorious Unit Citation not be considered for the Australian Service Contingent of UNOSOM II.
- h. The Tribunal recommends no changes be made to the current policy of one award per operational service.
- i. The Tribunal recommends that no further consideration of additional distinguished service awards be made for either UNITAF or UNOSOM II.
- j. The Tribunal recommends that no changes be made to the extant policy for visitors or members not force assigned.

APPENDICES

Appendix 1 – List of Submissions

The Tribunal received submissions from the following people and organisations:

(Note: Names have not been released as submissions were received in confidence)

Appendix 2 – Summary of Tribunal Hearings

(Note: Witnesses that are not members of the Defence organisation are not listed)

29 July 2009

Tribunal Members

Chair: Vice Admiral Don Chalmers AO (Retd)
Members: Air Commodore Mark Lax CSM (Retd)
Mr Adam Bodzioch, and
Mr Kevin Woods CSC, OAM

Witness

Lieutenant General David Hurley AO, DSC, Vice Chief of the Defence Force, former
Commanding Officer 1 RAR, OP SOLACE

22 September 2009

Tribunal Members

Acting Chair: Air Commodore Mark Lax CSM (Retd)
Members: Mr Adam Bodzioch, and
Mr Kevin Woods CSC, OAM

Witness

Brigadier Brian Dawson AM, CSC, former Plans Officer, HQ United Nations

9 December 2009

Tribunal Members

Chair: Vice Admiral Don Chalmers AO (Retd)
Members: Air Commodore Mark Lax CSM (Retd)
Mr Adam Bodzioch, and
Mr Kevin Woods CSC, OAM

10 December 2009

Tribunal Members

Chair: Vice Admiral Don Chalmers AO (Retd)
Members: Air Commodore Mark Lax CSM (Retd)
Mr Adam Bodzioch, and
Mr Kevin Woods CSC, OAM

Witnesses

Helen Gouzvaris, Assistant Director Policy, Directorate of Honours and Awards, Department of Defence

Tony Sillcock, Policy Adviser, Directorate of Honours and Awards, Department of Defence

10 January 2010

Tribunal Members

Member: Air Commodore Mark Lax CSM (Retd)

Witness

Brigadier Andrew Sims, Director General – Support, HQJOC

2 March 2010

Tribunal Members

Chair: Vice Admiral Don Chalmers AO (Retd)

Members: Air Commodore Mark Lax CSM (Retd)
Mr Adam Bodzioch, and
Mr Kevin Woods CSC, OAM

Witness

Brigadier David Webster AM, CSC, Nature of Service Review Team, Department of Defence

6 April 2010

Tribunal Members

Chair: Vice Admiral Don Chalmers AO (Retd)

Members: Air Commodore Mark Lax CSM (Retd)
Mr Adam Bodzioch, and
Mr Kevin Woods CSC, OAM

Witnesses

Lieutenant General David Hurley AO, DSC, former Commanding Officer 1RAR, Group Op Solace

Tony Sillcock, Policy Adviser, Department of Defence, Directorate of Honours and Awards

Appendix 3 – Additional Material Examined by the Tribunal

Defence Records

93/33525 - Australian Service Awards- Somalia
93/26619 - Operational Awards-Somalia
2004/1064143/2 - Meritorious Unit Citation- nominations and correspondence
92/34426 Part 2 - Australian Service Medal (ASM) Somalia
92/29575 - Australian Defence Force Movement Control Unit to United Nations operation in Somalia (UNOSOM) - RAN participation
2004/1068280/1 - Ministerial Representations- eligibility for service awards
93/14609 - Ministerial Representations- Australian Active Service Medal Clasp- Somalia
92/25757 Part 1 - Proposed award of the Australian Service Medal Clasp ‘Somalia’
92/25757 Part 2 - Proposed award of the Australian Service Medal Clasp ‘Somalia’
92/25757 Part 3 - Proposed award of the Australian Service Medal Clasp ‘Somalia’
OPS 92/35053/1 - Operation Solace-Somalia
A 92/34474 - Operation Solace- Post operation report
A 92/34495 - Operation Solace-Somalia-active service
PE 99/19274 Part 1 - Operation Solace-Meritorious Unit Citation
93/00154 - Conditions of service- Somalia
A 92/34185/3 - Australian Contingent in Somalia- Operation Solace-logistics aspects
A 93/13513/4 - United Nations Peacekeeping Forces-Operation in Somalia-Operation Solace
A 93/28659/1 - Post Operation Reports-Operation Solace
PERS 93/11393/1 - Post Activity Reports-Operation Solace
93/16302 part 1 - Operational Awards- Operation Solace

Published sources

Breen B. *A little bit of hope, Australian Force Somalia*, Allen and Unwin, St Leonards, 1998.

Dennis D. et al, *The Oxford companion to Australian military history*, Oxford University Press, Melbourne, 2008.

Doctrine Branch, Headquarters Training Command, *The fundamentals of land warfare*, Australian Army, 1993.

Doolan K. *HMAS Tobruk, warship for every crisis*, Grinkle Press, Queanbeyan, 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.

Patman R. Disarming Somalia: The contrasting fortunes of United States and Australian peacekeeping during United Nations intervention, *African Affairs*, Vol. 96, 1997.

Internet sources

Military terms <http://www.milterms.com/search.php>

Military definitions index <http://www.fas.org/news/reference/lexicon/dec.htm>

Defence Honours and Awards <http://www.defence.gov.au/medals>